

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1717 Session of
1979

INTRODUCED BY DeMEDIO, NOVAK, YAHNER, RIEGER, LETTERMAN,
BENNETT, WACHOB, PETRARCA, BRUNNER, WILT, MULLEN, DeWEESE,
ZELLER, B. F. O'BRIEN, A. K. HUTCHINSON, L. E. SMITH,
SPENCER, CESSAR AND POTT, SEPTEMBER 19, 1979

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 19, 1979

AN ACT

1 Amending the act of June 22, 1964 (Sp.Sess., P.L.84, No.6),
2 entitled "An act to codify, amend, revise and consolidate the
3 laws relating to eminent domain," requiring monetary just
4 compensation and further providing for expenses in certain
5 cases.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. The act of June 22, 1964 (Sp.Sess., P.L.84,
9 No.6), known as the "Eminent Domain Code," is amended by adding
10 a section to read:

11 Section 617.1. Monetary Just Compensation; Attempted
12 Avoidance.--The "just compensation" described in this act shall
13 be monetary. Where a condemnor attempts to avoid the payment of
14 statutory "just compensation," to which the condemnee otherwise
15 would be entitled pursuant to this act, by use of a substitute
16 for monetary compensation and the condemnee incurs expenses,
17 including appraisal, attorney and engineering fees, in securing
18 an adjudication that such substitute is not proper, the

- 1 condemnee shall be reimbursed by the condemnor for all such
- 2 expenses incurred.
- 3 Section 2. This act shall take effect immediately.