

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1076 Session of
1993

INTRODUCED BY STEELMAN, MUNDY, VEON, NAILOR, PESCI, CARONE,
TRELLO, MICHLOVIC, FAJT, PISTELLA, MELIO, CURRY, ROONEY AND
BELFANTI, MARCH 29, 1993

REFERRED TO COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT,
MARCH 29, 1993

AN ACT

1 Amending the act of October 4, 1978 (P.L.851, No.166), entitled
2 "An act providing for the regulation of land and water use
3 for flood control purposes, imposing duties and conferring
4 powers on the Department of Community Affairs, the Department
5 of Environmental Resources, and municipalities, providing for
6 penalties and enforcement and making appropriations,"
7 requiring that sellers of land provide buyers with a flood
8 plain notification.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. The act of October 4, 1978 (P.L.851, No.166),
12 known as the Flood Plain Management Act, is amended by adding a
13 chapter to read:

14 CHAPTER 4-A

15 FLOOD PLAIN NOTIFICATIONS

16 Section 401-A. Title of chapter.

17 This chapter shall be known and may be cited as the "Flood
18 Plain Sale Notification Act."

19 Section 402-A. Proper notification required upon sale of
20 property.

1 The seller of any property who contracts to sell property
2 shall give written notice to the purchaser that the subject
3 property is situated within or without a flood plain. If the
4 subject property is within the flood plain, the notice shall
5 also indicate the zone designation of the subject property as
6 determined in accordance with the flood plain maps approved or
7 promulgated by the United States Department of Housing and Urban
8 Development, which are referred to as Flood Insurance Rate Maps.
9 Section 403-A. Failure to provide notification.

10 If the seller of any property fails to provide the purchaser
11 the written notice required under section 402-A, the agreement
12 for sale shall, at the purchaser's option, be voidable and any
13 conveyance of land from a seller who fails to comply with
14 section 402-A may, at the purchaser's option, be set aside, and
15 the purchaser shall be restored to his previous condition.

16 Section 2. This act shall take effect in 90 days.