

COMMONWEALTH PROPERTY RECOVERY ACT
Act of Jul. 5, 1957, P.L. 505, No. 284
AN ACT

Cl. 71

Relating to proceedings in connection with the unauthorized appropriation or use of property of the Commonwealth; prescribing the duties and authority of informers and providing for the payment of compensation to informers.

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

Section 1. This act shall be known as the "Commonwealth Property Recovery Act."

Section 2. Any person who shall first inform the Department of Justice of the Commonwealth of Pennsylvania, by writing, signed by such person in the presence of two witnesses, of the fact that any person, firm or corporation has, without lawful right or authority claimed, used, appropriated, assumed or asserted any right of use or ownership, or any incident thereof, in any of the real property, minerals or natural resources of the Commonwealth of Pennsylvania, and who shall supply sufficient lawful evidence to substantiate and establish the fact of such misappropriation of Commonwealth property and shall fully cooperate in the prosecution of the right of the Commonwealth to recover compensation and damages lawfully payable to the Commonwealth by reason of the said unlawful or unauthorized claim, use, appropriation or assumption or any right of use or ownership, or any incident thereof, in said property, shall receive compensation as hereinafter provided, except that no State employe or public official shall receive compensation for any information filed under the authority of this act during the period of his employment or term in office, or for a period of three (3) years thereafter, where the facts alleged in the information came to his attention, either directly or indirectly, as a consequence of such employment or public office.

Section 3. All information filed under the authority of this act shall set forth the name of the persons wrongfully asserting or claiming any right in any property of the Commonwealth; the location of the property unlawfully claimed, used, appropriated or from which minerals or natural resources were claimed or removed; the nature of the improper action giving rise to the claim of the Commonwealth, and the estimated damage to the Commonwealth.

Section 4. Upon receipt of an information filed under the authority of this act, the Department of Justice shall review the same and the evidence of the informers in support thereof, and upon determining that the facts alleged in the information are true and correct and that the Commonwealth has been damaged, shall institute proper legal proceedings for the recovery of the property of the Commonwealth and damages lawfully due the Commonwealth.

Section 5. Upon the recovery of damages, upon the basis of information filed under this act, the informers shall be entitled to compensation based upon the amount of said recovery, whether the same results from suit, settlement or otherwise. The compensation shall be twenty-five per centum of the first fifty thousand dollars (\$50,000) of said recovery, fifteen per centum on the excess thereof over fifty thousand dollars (\$50,000) and up to one hundred thousand dollars (\$100,000); ten per centum thereof on the excess thereof over one hundred thousand dollars (\$100,000), and to two hundred thousand dollars (\$200,000); five per centum thereof on the excess over two hundred thousand dollars (\$200,000) and to three hundred thousand dollars (\$300,000); and two per centum thereof on the amount in excess of three hundred thousand dollars (\$300,000). The compensation shall be paid out of the proceeds collected as aforesaid, and the balance of the proceeds shall be paid into the State Treasury through the Department of Revenue.

Section 6. So much of the proceeds of any recovery, out of an information under this act, as is necessary for the payment of informers' fees and the fees of any attorney or attorneys employed by the Attorney General in connection with the Commonwealth claim, is hereby appropriated to the Department of Justice for the payment thereof.

Section 7. This act shall take effect immediately.