

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1487 Session of  
1993

INTRODUCED BY B. SMITH, STEIGHNER, FARGO, PETRONE, NICKOL,  
CARONE, FAIRCHILD, MELIO, FLEAGLE, TRELLO, PLATTS, LAUB,  
MASLAND, PHILLIPS, SCHEETZ, EGOLF, STERN AND MAITLAND,  
MAY 3, 1993

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, MAY 3, 1993

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania  
2 Consolidated Statutes, providing for contingency fee  
3 agreements relating to the exercise of the right of eminent  
4 domain.

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

7 Section 1. Section 1104 of Title 66 of the Pennsylvania  
8 Consolidated Statutes is amended to read:

9 § 1104. [Certain appropriations] Appropriations by right of  
10 eminent domain [prohibited].

11 (a) Certificate of public convenience.--Unless its power of  
12 eminent domain existed under prior law, no domestic public  
13 utility or foreign public utility authorized to do business in  
14 this Commonwealth shall exercise any power of eminent domain  
15 within this Commonwealth until it shall have received the  
16 certificate of public convenience required by section 1101  
17 (relating to organization of public utilities and beginning of  
18 service).

1       (b) Contingency fee agreements and project approvals.--Any  
2 attorney licensed or authorized to practice before the Supreme  
3 Court of Pennsylvania shall not enter into any contingent fee  
4 agreement relating to the use of the power of eminent domain by  
5 any foreign or domestic public utility until the project  
6 requiring the use of the power of eminent domain has received  
7 approval from the commission.

8       Section 2. This act shall take effect in 60 days.