

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 210 Session of  
2003

INTRODUCED BY MUNDY, BAKER, BELARDI, BELFANTI, BISHOP, BLAUM,  
BROWNE, BUXTON, COY, CRUZ, DeWEESE, FREEMAN, GEORGE, HARHAI,  
HORSEY, KELLER, LAUGHLIN, LEVDANSKY, McGEEHAN, MELIO,  
PRESTON, READSHAW, RUBLEY, SCRIMENTI, SOLOBAY, STABACK,  
STEIL, THOMAS, TIGUE, WANSACZ AND YOUNGBLOOD,  
FEBRUARY 11, 2003

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, FEBRUARY 11, 2003

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 SALE NOTIFICATIONS

16 Section 401-A. Proper notification required upon sale of  
17 property.

18 The seller of any property who contracts to sell property  
19 shall give written notice to the purchaser that the subject

1 property is situated within or without a flood plain. If the  
2 subject property is within the flood plain, the notice shall  
3 also indicate the zone designation of the subject property as  
4 determined in accordance with the flood plain maps approved or  
5 promulgated by the United States Department of Housing and Urban  
6 Development, which are referred to as Flood Insurance Rate Maps.  
7 Section 402-A. Failure to provide notification.

8 If the seller of any property fails to provide the purchaser  
9 the written notice required under section 401-A, the agreement  
10 for sale shall, at the purchaser's option, be voidable and any  
11 conveyance of land from a seller who fails to comply with  
12 section 401-A may, at the purchaser's option, be set aside, and  
13 the purchaser shall be restored to his previous condition.

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