

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 495 Session of
2005

INTRODUCED BY CORNELL, PHILLIPS, O'NEILL, HERSHEY, T. STEVENSON,
CAPPELLI, SCAVELLO, BASTIAN, STERN, HUTCHINSON, SOLOBAY,
J. EVANS, BUNT, CALTAGIRONE, GINGRICH, WATSON, CRAHALLA,
E. Z. TAYLOR, PICKETT, HARPER, TURZAI AND BOYD,
FEBRUARY 14, 2005

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 14, 2005

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 actions relating to land surveying.

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

6 Section 1. Section 5537 of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 5537. Land surveying.

9 All actions to recover any or all damages against any person
10 engaged in the practice of land surveying occurring as the
11 result of any deficiency, defect, omission, error or

12 miscalculation shall be commenced within [21] 12 years from the
13 time the services are performed. Any such action not commenced
14 within this [21-year] 12-year period shall be forever barred.

15 The cause of action in such cases shall accrue when the services
16 are performed. Furthermore, any action shall be commenced within
17 four years from the time that such cause of action was

1 discovered, but no later than during this [21-year] 12-year
2 limitation period. In any event, no action shall be commenced
3 after the [21] 12 years from the time that the services are
4 performed. The term "practice of land surveying" shall be the
5 same as defined under the act of May 23, 1945 (P.L.913, No.367),
6 known as the [Professional Engineers] Engineer, Land Surveyor
7 and Geologist Registration Law.

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