

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1773 Session of  
2017

INTRODUCED BY GABLER, JAMES, NEILSON, WARD, WHEELAND AND  
ZIMMERMAN, SEPTEMBER 12, 2017

REFERRED TO COMMITTEE ON STATE GOVERNMENT, SEPTEMBER 12, 2017

AN ACT

1 Amending Title 26 (Eminent Domain) of the Pennsylvania  
2 Consolidated Statutes, in limitations on use of eminent  
3 domain, prohibiting landlocked property under certain  
4 circumstances; and repealing the General Road Law.

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

7 Section 1. Title 26 of the Pennsylvania Consolidated  
8 Statutes is amended by adding a section to read:

9 § 208. Landlocked property.

10 (a) Prohibition.--Except as set forth in subsection (b), in  
11 the case of a partial taking of the property of a condemnee, a  
12 condemnor may not render the remaining parcel inaccessible to  
13 the condemnee by creating a landlocked property with no ingress  
14 or egress to or from a public road or highway.

15 (b) Nonapplicability.--Subsection (a) shall not apply if the  
16 condemnee consents to creation of the landlocked property.

17 Section 2. The act of June 13, 1836 (P.L.551, No.169),  
18 referred to as the General Road Law, is repealed.

19 Section 3. This act shall take effect in 60 days.