AMENDMENTS TO HOUSE BILL NO. 2412

Sponsor: SENATOR KILLION

Printer's No. 3643

Amend Bill, page 2, lines 4 through 30; page 3, lines 1 through 30; page 4, lines 1 through 23; by striking out all of said lines on said pages and inserting

ARTICLE I-A

EMERGENCY COVID-19 PROVISIONS

Section 101-A. Real estate waiver provisions.

(a) General rule.--The Secretary of Community and Economic Development shall immediately issue a waiver to the Governor's 20200319 TWW COVID-19 Business Closure Order to all providers of legal services, and residential and commercial real estate services, including settlement services, that comply with section 102-A.

(b) Other real estate actions.--Until the proclamation of disaster emergency issued by the Governor on March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020), and any renewal of the state of disaster emergency, is terminated or expires under 35 Pa.C.S. § 7301(c) (relating to general authority of Governor):

(1) A municipality or municipal authority that requires a use and occupancy certificate, or any other similar certificate or certification as a condition of a property transfer, shall be presumed to have issued a full and unconditional permit without requiring an inspection of the property. If a certificate is presumed to be issued, the municipality or municipal authority shall be enjoined from conducting a property transfer inspection after the proclamation has terminated or expired.

(2) Taxing authorities and public utilities shall provide alternative means for residential home buyers or title insurers to ascertain the current status of tax payments or overdue utility obligations.

(c) Definition.--As used in this section, the term "providers of residential and commercial real estate services" shall mean:

(1) Real estate brokers and all affiliated licensees and unlicensed employees.

(2) Home inspectors, professional engineers and
architects.

(3) Any other professional contractor, inspector or
other service provider that is providing an inspection that
is included as a contingent provision of a real estate
agreement of transfer or lease.

(4) Real estate appraisers.

(5) Photographers or videographers engaged in collecting
digital media for real estate marketing purposes.

(6) Title agents, attorneys and notaries providing
settlement services.

Section 102-A. Compliance.
A business shall adhere to social distancing practices and
other mitigation measures defined by the Centers for Disease
Control to protect workers and to mitigate the spread of the
COVID-19 virus and the order of the Secretary of Health
directing public health safety measures for businesses permitted
to maintain in-person operations.

Section 103-A. Effect of subsequent orders.
A waiver granted under this article shall remain valid
notwithstanding any order issued pursuant to the declaration of
disaster emergency issued by the Governor on March 6, 2020,
published in 50 Pa.B. 1644 (March 21, 2020), or any renewal
thereof, unless the order removes any of the restrictions or
otherwise grants greater permissions for operations than are
provided under this article.