

AMENDMENTS TO HOUSE BILL NO. 2412

Sponsor: SENATOR KILLION

Printer's No. 3643

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

4 ARTICLE I-A

5 EMERGENCY COVID-19 PROVISIONS

6 Section 101-A. Real estate waiver provisions.

7 (a) General rule.--The Secretary of Community and Economic  
8 Development shall immediately issue a waiver to the Governor's  
9 20200319 TWW COVID-19 Business Closure Order to all providers of  
10 legal services, and residential and commercial real estate  
11 services, including settlement services, that comply with  
12 section 102-A.

13 (b) Other real estate actions.--Until the proclamation of  
14 disaster emergency issued by the Governor on March 6, 2020,  
15 published at 50 Pa.B. 1644 (March 21, 2020), and any renewal of  
16 the state of disaster emergency, is terminated or expires under  
17 35 Pa.C.S. § 7301(c) (relating to general authority of  
18 Governor):

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

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

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

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

37 (2) Home inspectors, professional engineers and

1 architects.

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

6 (4) Real estate appraisers.

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

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

11 Section 102-A. Compliance.

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

18 Section 103-A. Effect of subsequent orders.

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