
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 358 Session of
1999

INTRODUCED BY GREENLEAF, MUSTO, COSTA, KASUNIC AND KUKOVICH,
FEBRUARY 8, 1999

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, FEBRUARY 8, 1999

AN ACT

1 Providing for the protection of historic trees; conferring
2 powers and duties on the Bureau of Forestry; and imposing a
3 penalty.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Historic Tree
8 Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Bureau." The Bureau of Forestry in the Department of
14 Conservation and Natural Resources.

15 "Commission." The Pennsylvania Historical and Museum
16 Commission.

17 "Historic tree." A tree which is registered by the Bureau of
18 Forestry in the Department of Conservation and Natural Resources

1 under section 3(b).

2 Section 3. Registration.

3 (a) Establishment.--The bureau shall establish and maintain
4 the State Register of Historic Trees.

5 (b) Criteria.--The bureau shall register a tree under
6 subsection (c) if it determines any of the following:

7 (1) The tree is at least 200 years old.

8 (2) The tree is of particular significance for the
9 history of this Commonwealth in accordance with criteria
10 promulgated by the bureau, upon consultation with the
11 commission, as regulations.

12 (c) Procedure.--If the bureau intends to register a tree, it
13 must provide the owner of the real property on which the tree is
14 located with 60 days' notice of the proposed registration, a
15 copy of this act and an opportunity to be heard on the matter.

16 Section 4. Recording of historic trees.

17 For each historic tree, the bureau shall file with the
18 appropriate recorder of deeds a notice stating the location of
19 the tree on the real property. The notice under this subsection
20 shall be recorded in the same manner as deeds are recorded.

21 Section 5. Prohibition and penalty.

22 (a) General rule.--A person or a political subdivision may
23 not, without a permit under section 6, intentionally destroy or
24 deface a historic tree.

25 (b) Penalty.--A person or political subdivision that
26 violates subsection (a) commits a misdemeanor of the third
27 degree and shall, upon conviction, be sentenced to pay a fine of
28 not more than \$500 or to imprisonment for not more than six
29 months, or both.

30 Section 6. Permits.

1 The bureau may issue a permit for treatment or destruction of
2 a historic tree upon a finding that the action is necessary to
3 protect public health, surrounding property or the historic tree
4 or to provide for any other significant public need.

5 Section 7. Applicability.

6 Section 5 shall apply to any residential property owner who
7 becomes the owner of record on or after the effective date of
8 this act.

9 Section 8. Effective date.

10 This act shall take effect in 60 days.