
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 785

Session of
1985

INTRODUCED BY PISTELLA, NAHILL, HALUSKA, GREENWOOD, RYBAK,
DALEY, TRELLO, SEMMEL, BALDWIN, PETRONE AND CIVERA, APRIL 9,
1985

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 9, 1985

AN ACT

1 Amending the act of May 10, 1927 (P.L.884, No.451), entitled, as
2 amended, "An act modifying the common-law rule relating to
3 property hereafter acquired by husband and wife as tenants by
4 entireties, where such husband and wife are subsequently
5 divorced; creating a tenancy in common in such cases;
6 providing for the sale of property held by husband and wife
7 as tenants by entireties where they have been divorced; and
8 directing the distribution of the proceeds of such sale,"
9 further providing for status of real property held by certain
10 divorced persons.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. Section 1 of the act of May 10, 1927 (P.L.884,
14 No.451), entitled, as amended, "An act modifying the common-law
15 rule relating to property hereafter acquired by husband and wife
16 as tenants by entireties, where such husband and wife are
17 subsequently divorced; creating a tenancy in common in such
18 cases; providing for the sale of property held by husband and
19 wife as tenants by entireties where they have been divorced; and
20 directing the distribution of the proceeds of such sale,"
21 amended May 17, 1949 (P.L.1394, No.412) and repealed in part

1 April 28, 1978 (P.L.202, No.53), is amended to read:

2 Section 1. Be it enacted, &c., That whenever any husband and
3 wife, hereafter acquiring property as tenants by entireties,
4 shall be divorced, and neither of them has a pending claim for
5 equitable distribution of marital property, they shall
6 thereafter hold such property as tenants in common of equal one-
7 half shares in value and either of them may bring suit, against
8 the other to have the property sold and the proceeds divided
9 between them. If the parties are divorced prior to the
10 adjudication of a pending claim by either party for equitable
11 distribution of marital property, the tenancy by entireties is
12 not severed but shall continue until the adjudication of the
13 equitable distribution claim.

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