

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2821 Session of
2004

INTRODUCED BY S. E. CORNELL, SOLOBAY, GOODMAN, LYNCH, THOMAS,
CAUSER, SCAVELLO, BUNT, STABACK, HALUSKA, SATHER, CAPPELLI,
RUBLEY, J. TAYLOR, CRUZ, GEORGE, LEVDANSKY, WATSON,
CREIGHTON, E. Z. TAYLOR, HERSHEY, SCHRODER, GINGRICH,
GRUCELA, LEWIS, CLYMER, HERMAN, R. MILLER, HARPER, CRAHALLA,
GEIST AND HORSEY, AUGUST 16, 2004

REFERRED TO COMMITTEE ON JUDICIARY, AUGUST 16, 2004

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, providing for the offense of
3 destruction of a survey monument.

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

6 Section 1. Title 18 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 3311. Destruction of a survey monument.

9 (a) Offenses defined.--A person commits a summary offense if
10 he intentionally cuts, injures, damages, destroys, defaces or
11 removes any survey monument or marker. A person commits a
12 misdemeanor of the second degree if he willfully or maliciously
13 cuts, injures, damages, destroys, defaces or removes any survey
14 monument or marker in order to call into question a boundary
15 line.

16 (b) Restitution.--Any person convicted of violating this

1 section shall, in addition to any other penalty imposed, be
2 liable for the cost of the reestablishment of permanent survey
3 monuments or markers by a professional land surveyor and all
4 reasonable attorney fees.

5 (c) Definitions.--As used in this section, the following
6 words and phrases shall have the meanings given to them in this
7 subsection:

8 "Professional land surveyor." As defined under the act of
9 May 23, 1945 (P.L.913, No.367), known as the Engineer, Land
10 Surveyor and Geologist Registration Law.

11 "Survey monument or marker." Any object adopted or placed by
12 a professional land surveyor to define the boundaries of a
13 property, including, but not limited to, natural objects such as
14 trees or streams, or artificial monuments such as iron pins,
15 concrete monuments, set stones or party walls.

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