

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1634 Session of
2007

INTRODUCED BY ROSS, CALTAGIRONE, CLYMER, CREIGHTON, DALLY,
FABRIZIO, GEIST, GEORGE, GINGRICH, GRELL, HARRIS, HENNESSEY,
HERSHEY, M. KELLER, KENNEY, KIRKLAND, R. MILLER, MILNE, MOUL,
McILVAINE SMITH, THOMAS, YOUNGBLOOD, SIPTROTH, GIBBONS AND
KILLION, JUNE 26, 2007

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, OCTOBER 31, 2007

AN ACT

1 Prohibiting municipal corporations from requiring municipal
2 registration of deeds prior to recordation by recorders of
3 deeds; providing for the transfer and transmission of copies
4 of deeds for registration; and making related repeals.

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

7 Section 1. Definition.

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

11 "Municipal corporation." Any city, borough, incorporated
12 town, township of the first class, township of the second class
13 or home rule municipality formerly classified as a city,
14 borough, incorporated town or township. The term does not
15 include a city of the first class.

16 Section 2. Registration of deeds.

17 In all cases in which a municipal corporation requires by

1 ordinance or resolution that a deed or conveyance be registered
2 with that municipal corporation, the following shall apply:

3 ~~(1) The required registration may be made by registering~~ <—
4 ~~a copy or image of the deed or conveyance in lieu of the~~
5 ~~original, which copy may be delivered to the municipal~~
6 ~~corporation personally, or by mail or express, or by~~
7 ~~transmitting the image of the same to the municipal~~
8 ~~corporation by any electronic means reasonably acceptable to~~
9 ~~the municipal corporation.~~

10 (1) THE REQUIRED REGISTRATION SHALL BE MADE WITHIN TWO <—
11 BUSINESS DAYS AFTER RECORDING THE DEED, EITHER BY SENDING A
12 COPY OF THE DEED BY REGISTERED OR CERTIFIED MAIL, RETURN
13 RECEIPT REQUESTED, OR, IF AGREEABLE TO BOTH THE SENDER AND
14 THE MUNICIPAL CORPORATION, BY ELECTRONICALLY SENDING AN IMAGE
15 OF THE DEED. THE MUNICIPAL CORPORATION MAY IMPOSE A FEE FOR
16 SUCH REGISTRATION, NOT TO EXCEED \$10, WHICH SHALL ACCOMPANY
17 THE COPY IF IT IS MAILED OR, IF THE COPY IS SENT
18 ELECTRONICALLY, WHICH SHALL BE MAILED TO THE MUNICIPAL
19 CORPORATION, FIRST-CLASS PREPAID, WITHIN SEVEN BUSINESS DAYS
20 AFTER THE COPY OF THE DEED IS SENT.

21 (2) The municipal corporation shall not require that the
22 registration be made prior to recordation of the original
23 deed or conveyance with the recorder of deeds or the county
24 official responsible for the recordation of conveyances in
25 counties without recorders of deeds.

26 (3) NO MUNICIPAL CORPORATION MAY REQUIRE BY ITS <—
27 ORDINANCE OR RESOLUTION THAT THE RECORDER OF DEEDS EFFECT THE
28 ABOVE REQUIRED REGISTRATION.

29 Section 3. Inconsistent ordinance or resolution.

30 Any ordinance or resolution, or part thereof, inconsistent

1 with the provisions of this act is hereby declared to be void
2 and of no effect.

3 Section 4. Repeals.

4 (a) Specific.--The following acts and parts of acts are
5 repealed insofar as they are inconsistent with this act:

6 (1) The act of July 17, 1919 (P.L.1001, No.396),
7 entitled "An act authorizing boroughs and incorporated towns
8 to establish systems for the registration of deeds and titles
9 to real estate; imposing certain duties upon sheriffs,
10 prothonotaries, and recorders of deeds; and providing
11 penalties."

12 (2) Subarticle (b) of Article XV of the act of June 23,
13 1931 (P.L.932, No.317), known as The Third Class City Code.

14 (3) Subarticle (b) of Article XIII of the act of June
15 24, 1931 (P.L.1206, No.331), known as The First Class
16 Township Code.

17 (4) Article XXX of the act of February 1, 1966 (1965
18 P.L.1656, No.581), known as The Borough Code.

19 (b) General.--All other acts and parts of acts are repealed
20 insofar as they are inconsistent with this act.

21 Section 5. Effective date.

22 This act shall take effect in 60 days.