
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 341 Session of
2015

INTRODUCED BY GINGRICH, JAMES, MILLARD, DIAMOND, READSHAW,
KAUFFMAN AND COHEN, FEBRUARY 5, 2015

REFERRED TO COMMITTEE ON URBAN AFFAIRS, FEBRUARY 5, 2015

AN ACT

1 Amending Title 68 (Real and Personal Property) of the
2 Pennsylvania Consolidated Statutes, in general provisions,
3 further providing for definitions; and, in seller
4 disclosures, further providing for disclosure form.

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

7 Section 1. Section 7102 of Title 68 of the Pennsylvania
8 Consolidated Statutes is amended by adding a definition to read:
9 § 7102. Definitions.

10 Subject to additional definitions contained in subsequent
11 provisions of this part which are applicable to specific
12 provisions of this part, the following words and phrases when
13 used in this part shall have the meanings given to them in this
14 section unless the context clearly indicates otherwise:

15 * * *

16 "Storm water facility." A basin, pond, ditch, drain, swale,
17 culvert, pipe or other manmade feature of land which was
18 constructed in accordance with Federal, State or local law or
19 regulation to temporarily or permanently convey or manage storm

1 water.

2 Section 2. Section 7304(b) (13) of Title 68 is amended and
3 the subsection is amended by adding a paragraph to read:

4 § 7304. Disclosure form.

5 * * *

6 (b) Contents of property disclosure statement.--The form of
7 property disclosure statement promulgated by the State Real
8 Estate Commission shall call for disclosures with respect to all
9 of the following subjects:

10 * * *

11 (13) Soils, drainage [and], boundaries and sinkholes.

12 * * *

13 (17) Condition, if known, and the location of all storm
14 water facilities, including a statement disclosing whether
15 ongoing maintenance of the storm water facilities is the
16 responsibility of the property owner or the responsibility of
17 another person or entity.

18 * * *

19 Section 3. For the purpose of implementing the amendment or
20 addition of 68 Pa.C.S. § 7304(b) (13) and (17), revisions to the
21 property disclosure statement shall be promulgated by the State
22 Real Estate Commission within 120 days of the effective date of
23 this section as a final-omitted regulation under the act of June
24 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act,
25 with notice of proposed rulemaking omitted under section 204 of
26 the act of July 31, 1968 (P.L.769, No.240), referred to as the
27 Commonwealth Documents Law.

28 Section 4. This act shall take effect immediately.