

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILLNo. **1282** Session of
2015

INTRODUCED BY WAGNER, BARTOLOTTA AND RESCHENTHALER, JUNE 2, 2016

AS REPORTED FROM COMMITTEE ON URBAN AFFAIRS, HOUSE OF
REPRESENTATIVES, AS AMENDED, SEPTEMBER 21, 2016

AN ACT

1 Amending Title 68 (Real and Personal Property) of the
2 Pennsylvania Consolidated Statutes, in creation, alteration
3 and termination of condominiums, further providing for
4 amendment of declaration; in creation, alteration and
5 termination of cooperatives, further providing for amendment
6 of declaration; and, in creation, alteration and termination
7 of planned communities, further providing for amendment of
8 declaration.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Sections 3219(c), 4216(c) and 5219(c) of Title 68
12 of the Pennsylvania Consolidated Statutes are amended to read:

13 § 3219. Amendment of declaration.

14 * * *

15 (c) Recording amendment.--The following shall apply:

16 (1) Every amendment to the declaration must be recorded
17 in every county in which any portion of the condominium is
18 located in the same records as are maintained for the
19 recording of deeds of real property and shall be indexed in
20 the name of the condominium in both the grantor and grantee

1 index. An amendment is effective only upon recordation. ~~If a~~ <--
2 ~~county office requires the indexing of an amendment by~~
3 ~~reference to each uniform parcel identifier number assigned~~
4 ~~to the units within the condominium, the county office may~~
5 ~~not require the payment of a charge, cost or fee to index the~~
6 ~~amendment.~~

7 (2) EXCEPT FOR COUNTIES WHICH DO NOT MAINTAIN A UNIFORM <--
8 PARCEL IDENTIFIER NUMBER SYSTEM OF INDEXING, ALL COUNTIES
9 SHALL ASSIGN A MASTER PARCEL NUMBER TO EACH CONDOMINIUM, AND
10 EVERY AMENDMENT TO THE DECLARATION SHALL BE INDEXED AGAINST
11 THE MASTER PARCEL. IF REQUIRED BY THE COUNTY, AN AMENDMENT
12 MAY BE INDEXED AGAINST A PARCEL ASSIGNED TO EACH UNIT WITHIN
13 THE CONDOMINIUM, BUT NO FEES SHALL BE CHARGED TO EACH UNIT
14 UNLESS THE INDEXING AGAINST EACH PARCEL IS REQUESTED BY THE
15 DECLARANT OR ASSOCIATION.

16 ~~(2)~~ (3) The provisions of this subsection shall control <--
17 over any conflicting provisions in any other statute,
18 regulation or ordinance.

19 * * *

20 § 4216. Amendment of declaration.

21 * * *

22 (c) Recording amendment.--The following shall apply:

23 (1) Every amendment to the declaration must be recorded
24 in every county in which any portion of the cooperative is
25 located in the same records as are maintained for the
26 recording of deeds of real property and is effective only
27 upon recordation. In cases where the amendment is executed by
28 the association, it shall be indexed in the name of the
29 cooperative and the association in both the grantor and the
30 grantee index. In cases where the amendment is executed by

1 the declarant or one or more proprietary lessees, it shall be
2 indexed in the grantee's index in the name of the cooperative
3 and the association and in the grantor's index in the name of
4 the declarant or proprietary lessee or lessees, as well as in
5 the name of the association. ~~If a county office requires the~~ <--
6 ~~indexing of an amendment by reference to each proprietary~~
7 ~~lessee or the uniform parcel identifier number assigned to~~
8 ~~the units within the cooperative, the county office may not~~
9 ~~require the payment of a charge, cost or fee to index the~~
10 ~~amendment.~~

11 (2) EXCEPT FOR COUNTIES WHICH DO NOT MAINTAIN A UNIFORM <--
12 PARCEL IDENTIFIER NUMBER SYSTEM OF INDEXING, ALL COUNTIES
13 SHALL ASSIGN A MASTER PARCEL NUMBER TO EACH COOPERATIVE, AND
14 EVERY AMENDMENT TO THE DECLARATION SHALL BE INDEXED AGAINST
15 THE MASTER PARCEL. IF REQUIRED BY THE COUNTY, AN AMENDMENT
16 MAY BE INDEXED AGAINST A PARCEL ASSIGNED TO EACH UNIT WITHIN
17 THE COOPERATIVE, BUT NO FEES SHALL BE CHARGED TO EACH UNIT
18 UNLESS THE INDEXING AGAINST EACH PARCEL IS REQUESTED BY THE
19 DECLARANT OR ASSOCIATION.

20 ~~(2)~~ (3) The provisions of this subsection shall control <--
21 over any conflicting provisions in any other statute,
22 regulation or ordinance.

23 * * *

24 § 5219. Amendment of declaration.

25 * * *

26 (c) Recording amendment.--The following shall apply:

27 (1) Every amendment to the declaration must be recorded
28 in every county in which any portion of the planned community
29 is located in the same records as are maintained for the
30 recording of deeds of real property and shall be indexed in

1 the name of the planned community in both the grantor and
2 grantee index. An amendment is effective only upon recording.
3 ~~If a county office requires the indexing of an amendment by~~ <--
4 ~~reference to each uniform parcel identifier number assigned~~
5 ~~to the units within the planned community, the county office~~
6 ~~may not require the payment of a charge, cost or fee to index~~
7 ~~the amendment.~~ (2) EXCEPT FOR COUNTIES WHICH DO NOT MAINTAIN <--
8 A UNIFORM PARCEL IDENTIFIER NUMBER SYSTEM OF INDEXING, ALL
9 COUNTIES SHALL ASSIGN A MASTER PARCEL NUMBER TO EACH PLANNED
10 COMMUNITY, AND EVERY AMENDMENT TO THE DECLARATION SHALL BE
11 INDEXED AGAINST THE MASTER PARCEL. IF REQUIRED BY THE COUNTY,
12 AN AMENDMENT MAY BE INDEXED AGAINST A PARCEL ASSIGNED TO EACH
13 UNIT WITHIN THE PLANNED COMMUNITY, BUT NO FEES SHALL BE
14 CHARGED TO EACH UNIT UNLESS THE INDEXING AGAINST EACH PARCEL
15 IS REQUESTED BY THE DECLARANT OR ASSOCIATION.

16 ~~(2)~~ (3) The provisions of this subsection shall control <--
17 over any conflicting provisions in any other statute,
18 regulation or ordinance.

19 * * *

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