
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2609 Session of
2018

INTRODUCED BY C. QUINN, PICKETT, BARRAR, JAMES, MILLARD, CORBIN,
YOUNGBLOOD, ROE, PHILLIPS-HILL AND WATSON, SEPTEMBER 11, 2018

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, SEPTEMBER 11, 2018

AN ACT

1 Providing for property owner's bill of rights statement.

2 The General Assembly of the Commonwealth of Pennsylvania
3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Property
6 Owner's Bill of Rights Act.

7 Section 2. Definitions.

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 "Acquiring agency." The term shall have the same meaning as
12 provided under 26 Pa.C.S. § 103 (relating to definitions).

13 "Condemn." The term shall have the same meaning as provided
14 under 26 Pa.C.S. § 103.

15 Section 3. Property owner's bill of rights statement.

16 (a) General rule.--The Attorney General shall prepare a
17 written statement that includes a bill of rights for an owner

1 whose property may be condemned by an acquiring agency through
2 the use of the agency's eminent domain authority under 26
3 Pa.C.S. (relating to eminent domain).

4 (b) Bill of rights.--The property owner's bill of rights
5 must notify the property owner of the right to:

6 (1) notice of the proposed acquisition of the owner's
7 property;

8 (2) just compensation and other damages for the property
9 condemned;

10 (3) a hearing under 26 Pa.C.S. Ch. 5 (relating to
11 procedure for determining damages) to determine just
12 compensation and measure of damages; and

13 (4) an appeal of a judgment in a condemnation
14 proceeding, including an appeal of an assessment of damages.

15 Section 4. Written statement.

16 (a) Requirement.--The written statement under section 3(a)
17 shall include all of the following:

18 (1) The title, "Property Owner's Bill of Rights."

19 (2) A description of each of the following:

20 (i) The procedure to condemn under 26 Pa.C.S. Ch. 3
21 (relating to procedure to condemn).

22 (ii) The procedure for determining damages under 26
23 Pa.C.S. Ch. 5 (relating to procedure for determining
24 damages).

25 (iii) The acquiring agency's obligations to the
26 property owner.

27 (iv) The property owner's rights during a
28 condemnation, including the right of appeal.

29 (b) Construction.--The written statement shall:

30 (1) Be in plain language easily understood by the

1 average property owner.

2 (2) Be provided by the acquiring agency with the written
3 notice required under 26 Pa.C.S. § 305(a) (relating to notice
4 to condemnee).

5 (3) Be available on the Office of Attorney General's
6 publicly accessible Internet website.

7 Section 5. Notice.

8 The property owner's bill of rights must be provided to the
9 last known address of the property owner at least seven days
10 before the agency's declaration of taking under 26 Pa.C.S. § 302
11 (relating to declaration of taking).

12 Section 6. Disclaimer.

13 The written statement provided under section 3 shall include
14 a disclaimer that the information provided in the property
15 owner's bill of rights pertains only to real property subject to
16 an acquiring agency's authority under 26 Pa.C.S. (relating to
17 eminent domain) and is not legal advice or intended to be a
18 substitute for legal counsel.

19 Section 7. Effective date.

20 This act shall take effect in 60 days.