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MEMORANDUM

To: All Members of the House of Representatives

From: Representative Margo Davidson

Date: May 10, 2011

Subject: Co-sponsorship: Forced Removal of Paid Liens from County Websites

In the near future, I will be introducing a bill to amend Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes by adding language to Section 8542 (Exceptions to Governmental Immunity) which allows for the imposition of liability against a local agency for damage to a person's financial reputation. Damages and attorney fees will be recoverable for failure to properly indicate satisfaction of a lien or remove an electronic record of the lien within 48 hours of satisfaction.

Too often people struggle to pay their debts when dealing with financial hardships. If they fall behind, liens are placed against these individuals' property in an effort to guarantee payment. When a person is finally able to dig themselves out of a financial hole, they often pay off their debt, including any liens placed against them. Unfortunately, it is common for the local governing agency to continue to list an unpaid lien on their website, even those that are deemed satisfied. In an effort to help those individuals who have improved their financial situation, and who have worked hard to pay their obligation in full, my legislation would require the local governing agency to remove all satisfied liens from the county website within two days of payment. My legislation would also allow individuals to sue for damages incurred due to their financial reputations suffering from the electronic availability of their paid liens to the public.

Individuals who have taken responsibility for their actions and satisfied their debts deserve to have the opportunity for a new start and not to have their mistakes remain public for years to come.

I ask you to join me in co-sponsoring this important legislation. Please contact Dawn Coleman at 783-4907 or via e-mail at dcoleman@pahouse.net