

## AN ACT

1 Amending the act of July 11, 2006 (P.L.1134, No.115), entitled  
2 "An act providing for the creation of a trust for the benefit  
3 of certain owners of interests in oil and gas; authorizing  
4 the trustee to enter into leases of interests in oil and gas  
5 under terms and conditions authorized by the court of common  
6 pleas; providing for the administration of the trust and for  
7 payment of moneys to the trustee; and imposing penalties for  
8 nonpayment," further providing for administration of trust.

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

11 Section 1. Section 5 of the act of July 11, 2006 (P.L.1134,  
12 No.115), known as the Dormant Oil and Gas Act, is amended by  
13 adding a subsection to read:

14 Section 5. Administration of trust.

15 \* \* \*

16 (c.1) Recovery contracts.--

17 (1) An agreement or power of attorney to recover or  
18 collect funds held in trust under this section shall be valid  
19 and enforceable only if:

20 (i) It is in writing and duly signed and

1 acknowledged by the putative owner.

2 (ii) It clearly states the fee or compensation to be  
3 paid, which may not exceed 30% of the value of the  
4 putative owner's share of the trust.

5 (iii) It discloses the general existence of the  
6 trust as having been established under this act and the  
7 general nature of the putative owner's interest in the  
8 trust.

9 (2) An agreement or power of attorney entered into under  
10 this section shall not be rendered unenforceable by  
11 application of the doctrines of champerty, barratry,  
12 maintenance or any similar common law doctrine.

13 \* \* \*

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