

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2751 Session of
1980

INTRODUCED BY WASS, M. R. CLARK AND STEWART, JUNE 24, 1980

REFERRED TO COMMITTEE ON APPROPRIATIONS, JUNE 24, 1980

AN ACT

1 Amending the act of June 22, 1964 (Sp.Sess., P.L.84, No.6),
2 entitled "An act to codify, amend, revise and consolidate the
3 laws relating to eminent domain," further providing for
4 measure of damages for property affected by the Great Flood
5 of July, 1977.

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

8 Section 1. Subsection (e) of section 602, act of June 22,
9 1964 (Sp.Sess., P.L.84, No.6), known as the "Eminent Domain
10 Code," amended July 13, 1979 (P.L.103, No.42), is amended to
11 read:

12 Section 602. Measure of Damages.--* * *

13 (e) Subsections (c) and (d) are applicable only where the
14 damage resulting from such natural disaster has occurred within
15 three years prior to the initiation of negotiations for or
16 notice of intent to acquire or order to vacate the property and
17 during the ownership of the property by the condemnee.

18 Notwithstanding the preceding sentence, where damage resulted
19 from the Great Flood of July, 1977, subsections (c) and (d) are

1 applicable if such damage has occurred within four years prior
2 to the initiation of negotiations for or notice of intent to
3 acquire or order to vacate the property and during the ownership
4 of the property by the condemnee. The damage to be excluded
5 shall include only actual physical damage to the property for
6 which the condemnee has not received any compensation or
7 reimbursement.

8 Section 2. This act shall take effect immediately.