
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 222 Session of
1997

INTRODUCED BY GREENLEAF, HECKLER, COSTA, KASUNIC AND WOZNIAK,
JANUARY 27, 1997

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, JANUARY 27, 1997

AN ACT

1 Providing for the protection of historic trees; conferring
2 powers and duties on the Bureau of Forestry; and imposing a
3 penalty.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Historic Tree
8 Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Bureau." The Bureau of Forestry in the Department of
14 Conservation and Natural Resources.

15 "Commission." The Pennsylvania Historical and Museum
16 Commission.

17 "Historic tree." A tree which is registered by the Bureau of
18 Forestry in the Department of Conservation and Natural Resources

1 under section 3(b).

2 Section 3. Registration.

3 (a) Establishment.--The bureau shall establish and maintain
4 the State Register of Historic Trees.

5 (b) Criteria.--The bureau shall register a tree under
6 subsection (c) if it determines any of the following:

7 (1) The tree is at least 200 years old.

8 (2) The tree is of particular significance for the
9 history of this Commonwealth in accordance with criteria
10 promulgated by the bureau, upon consultation with the
11 commission, as regulations.

12 (c) Procedure.--If the bureau intends to register a tree, it
13 must provide the owner of the real property on which the tree is
14 located with 60 days' notice of the proposed registration, a
15 copy of this act and an opportunity to be heard on the matter.

16 Section 4. Historic trees.

17 (a) Recording.--For each historic tree, the bureau shall
18 file with the appropriate recorder of deeds a notice stating the
19 location of the tree on the real property. The notice under this
20 subsection shall be recorded in the same manner as deeds are
21 recorded.

22 (b) Prohibition.--

23 (1) A person or a political subdivision may not, without
24 a permit under paragraph (3), intentionally destroy or deface
25 a historic tree.

26 (2) A person or political subdivision that violates
27 paragraph (1) commits a misdemeanor of the third degree and
28 shall, upon conviction, be sentenced to pay a fine of not
29 more than \$500 or to imprisonment for not more than six
30 months, or both.

1 (3) The bureau may issue a permit for treatment or
2 destruction of a historic tree upon a finding that the action
3 is necessary to protect public health, surrounding property
4 or the historic tree or to provide for any other significant
5 public need.

6 (4) The prohibitions of this subsection shall apply to
7 residential property owners who become the owners of record
8 on or after the effective date of this subsection.

9 Section 5. Effective date.

10 This act shall take effect in 60 days.