

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1434 Session of
1999

INTRODUCED BY METCALFE, ROHRER, BARRAR, BASTIAN, ARMSTRONG,
FORCIER, GODSHALL, WILT, STERN, LYNCH, SEYFERT, DeWEESE,
FREEMAN, KIRKLAND, LAUGHLIN, McCALL, READSHAW, ROBERTS,
SERAFINI, STEELMAN, TIGUE AND YOUNGBLOOD, MAY 4, 1999

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MAY 4, 1999

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 repurchase by condemnee.

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

7 Section 1. The act of June 22, 1964 (Sp.Sess., P.L.84,
8 No.6), known as the Eminent Domain Code, is amended by adding a
9 section to read:

10 Section 412. Repurchase by Condemnee.--(a) Regardless of
11 whether a condemnor has abandoned the purpose for which the
12 property has been condemned, if the condemnor has condemned a
13 fee and the property has not been substantially improved after a
14 period of twelve years, then the condemnor must offer to sell
15 the property to the condemnee at the same price paid to the
16 condemnee by the condemnor. The condemnee shall be served with
17 notice of the offer in the same manner as prescribed for the
18 service of notices in subsection (b) of section 405 of this act,

1 and shall have ninety days after receipt of such notice to make
2 written acceptance thereof.

3 (b) The condemnor may not condition any offer required to be
4 made to a condemnee under subsection (a), on the payment by the
5 condemnee of additional fees, real estate taxes or payments in
6 lieu of taxes or other costs.

7 Section 2. The addition of section 412 of the act shall be
8 retroactive.

9 Section 3. This act shall take effect in 60 days.