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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2266 Session of  
2005

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INTRODUCED BY TANGRETTI, CALTAGIRONE, CRAHALLA, CREIGHTON,  
DALLY, DeWEESE, FABRIZIO, GOOD, GOODMAN, HARHAI, HENNESSEY,  
HERMAN, MANN, MARKOSEK, MICOZZIE, NAILOR, PISTELLA, REED,  
SCAVELLO, SCHRODER, SOLOBAY, SURRA, J. TAYLOR, TIGUE,  
WOJNAROSKI AND YOUNGBLOOD, NOVEMBER 22, 2005

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REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, NOVEMBER 22, 2005

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AN ACT

1 Amending Title 68 (Real and Personal Property) of the  
2 Pennsylvania Consolidated Statutes, further providing for  
3 disclosure form.

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

6 Section 1. Section 7304 of Title 68 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 7304. Disclosure form.

9 (a) General rule.--A form of property disclosure statement  
10 that satisfies the requirements of this chapter shall be  
11 promulgated by the State Real Estate Commission. Nothing in this  
12 chapter shall preclude a seller from using a form of property  
13 disclosure statement that contains additional provisions that  
14 require greater specificity or that call for the disclosure of  
15 the condition or existence of other features of the property.

16 (b) Contents of property disclosure statement.--The form of  
17 property disclosure statement promulgated by the State Real

1 Estate Commission shall call for disclosures with respect to all  
2 of the following subjects:

- 3 (1) Seller's expertise in contracting, engineering,  
4 architecture or other areas related to the construction and  
5 conditions of the property and its improvements.
- 6 (2) When the property was last occupied by the seller.
- 7 (3) Roof.
- 8 (4) Basements and crawl spaces.
- 9 (5) Termites/wood destroying insects, dry rot and pests.
- 10 (6) Structural problems.
- 11 (7) Additions, remodeling and structural changes to the  
12 property.
- 13 (8) Water and sewage systems or service.
- 14 (9) Plumbing system.
- 15 (10) Heating and air conditioning.
- 16 (11) Electrical system.
- 17 (12) Other equipment and appliances included in the  
18 sale.
- 19 (13) Soils, drainage and boundaries.
- 20 (14) Presence of hazardous substances.
- 21 (15) Condominiums and other homeowners associations.
- 22 (16) Legal issues affecting title or that would  
23 interfere with use and enjoyment of the property.

24 (17) Prior use of the premises for the manufacture of  
25 methamphetamine, ecstasy or LSD.

26 (c) Transitional rule.--Until a form of property disclosure  
27 statement has been promulgated by the commission, the form  
28 prescribed under the act of July 2, 1996 (P.L.500, No.84), known  
29 as the Real Estate Seller Disclosure Act, shall be deemed to be  
30 the form contemplated under subsection (b).

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