

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**  
**No. 2377** Session of  
2008

INTRODUCED BY WHEATLEY, COHEN, FRANKEL, GOODMAN, HORNAMAN,  
JAMES, JOSEPHS, KIRKLAND, KORTZ, MAHONEY, MARSHALL, MCGEEHAN,  
PAYTON, SAINATO, SIPTROTH, WAGNER, WATERS, MYERS, LONGIETTI  
AND K. SMITH, OCTOBER 15, 2008

REFERRED TO COMMITTEE ON URBAN AFFAIRS, OCTOBER 15, 2008

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, further providing for the  
3 period of limitation in the doctrine of adverse possession  
4 under certain circumstances; and making related repeals.

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

7 Section 1. Title 42 of the Pennsylvania Consolidated  
8 Statutes is amended by adding a section to read:

9 § 5527.1. Ten-year limitation.

10 Notwithstanding the provisions of section 5530(a)(1)  
11 (relating to twenty-one year limitation), an action for the  
12 possession of real property on which there is an occupied single  
13 family dwelling on a lot of one acre or less where the  
14 unimproved land is incidental to the residence must be commenced  
15 within ten years.

16 Section 2. Section 5530(a)(1) of Title 42 is amended to  
17 read:

18 § 5530. Twenty-one year limitation.

1       (a) General rule.--The following actions and proceedings  
2 must be commenced within 21 years:

3           (1) [An] Except as provided in section 5527.1 (relating  
4 to ten-year limitation), an action for the possession of real  
5 property.

6           \* \* \*

7       Section 3. (a) The act of May 31, 1901 (P.L.352, No.217),  
8 entitled "An act to provide for the recording, in certain  
9 instances, of titles to real estate acquired by twenty-one  
10 years' adverse possession," is repealed insofar as it is  
11 inconsistent with this act.

12       (b) All other acts and parts of acts are repealed insofar as  
13 they are inconsistent with this act.

14       Section 4. This act shall not affect the title to real  
15 property which is the subject of an action commenced prior to  
16 the effective date of this section.

17       Section 5. This act shall take effect in one year.