

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1253 Session of
2011

INTRODUCED BY BLAKE, FONTANA, TARTAGLIONE, FERLO, MENSCH, COSTA,
HUGHES, SCHWANK, MCILHINNEY, BOSCOLA, BREWSTER, EARLL,
YUDICHAK, WAUGH AND BROWNE, SEPTEMBER 20, 2011

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, SEPTEMBER 20,
2011

AN ACT

1 Amending the act of June 2, 1959 (P.L.454, No.86), entitled "An
2 act permitting the recording of leases, subleases and
3 agreements to lease or sublease; permitting the recording of
4 memoranda thereof; prescribing the minimum contents of such
5 memoranda; prescribing the effect of recording such
6 instruments, including provisions thereof for the purchase of
7 or refusal on the demised premises; and specifying that the
8 recording of such a memorandum shall be a sufficient
9 recording of the full lease, sublease, or agreement in
10 connection with the assignment or mortgaging of the lessee's
11 interest therein," providing for requirement for certain
12 leases and imposing a duty of certain lessees relating to the
13 recording of mortgages.

14 The General Assembly of the Commonwealth of Pennsylvania
15 hereby enacts as follows:

16 Section 1. The act of June 2, 1959 (P.L.454, No.86),
17 entitled "An act permitting the recording of leases, subleases
18 and agreements to lease or sublease; permitting the recording of
19 memoranda thereof; prescribing the minimum contents of such
20 memoranda; prescribing the effect of recording such instruments,
21 including provisions thereof for the purchase of or refusal on
22 the demised premises; and specifying that the recording of such

1 a memorandum shall be a sufficient recording of the full lease,
2 sublease, or agreement in connection with the assignment or
3 mortgaging of the lessee's interest therein," is amended by
4 adding sections to read:

5 Section 6.1. Any agreement for the conveyance, lease,
6 sublease, agreement or memorandum thereof of property for the
7 purposes of granting mineral rights including oil or gas
8 exploration or extraction shall include a specific provision
9 notifying the owner or lessor that such conveyance, lease,
10 sublease, agreement or memorandum thereof may be the subject of
11 a mortgage by the lessee.

12 Section 6.2. Within thirty days of the recording by a lessee
13 of any mortgage of property that is the subject of any recorded
14 lease, sublease, agreement or memorandum thereof concerning a
15 grant of mineral rights including oil or gas exploration or
16 extraction, the lessee shall notify, by first class mail, the
17 recorded owner of the real estate identified in the deed and the
18 occupant at the address of the real estate identified in the
19 deed, if that address is different from the record owner's
20 address, that a mortgage on the lease, sublease, agreement or
21 memorandum thereof has been recorded by the lessee.

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