
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1324 Session of
2011

INTRODUCED BY YAW, NOVEMBER 10, 2011

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, NOVEMBER 10,
2011

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in particular rights and
3 immunities, providing for actions to quiet title involving
4 subsurface rights.

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 § 8320.1. Actions to quiet title involving subsurface rights.

10 (a) Rebuttable presumption.--In an action to quiet title
11 involving subsurface rights to real property, failure by any
12 person claiming to hold the subsurface rights, other than the
13 surface owner of the real property, to exercise the subsurface
14 rights for a period in excess of 50 years shall create a
15 rebuttable presumption that the subsurface rights have been
16 abandoned by such person in favor of the surface owner.

17 (b) Definition.--As used in this section, "subsurface
18 rights" means mineral, oil or gas rights, or any combination of
19 those rights.

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