

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 936 Session of 2013

INTRODUCED BY EICHELBERGER, ERICKSON, BLAKE, ROBBINS AND  
WOZNIAK, MAY 31, 2013

REFERRED TO FINANCE, MAY 31, 2013

AN ACT

1 Amending the act of July 7, 1947 (P.L.1368, No.542), entitled,  
2 as amended, "An act amending, revising and consolidating the  
3 laws relating to delinquent county, city, except of the first  
4 and second class and second class A, borough, town, township,  
5 school district, except of the first class and school  
6 districts within cities of the second class A, and  
7 institution district taxes, providing when, how and upon what  
8 property, and to what extent liens shall be allowed for such  
9 taxes, the return and entering of claims therefor; the  
10 collection and adjudication of such claims, sales of real  
11 property, including seated and unseated lands, subject to the  
12 lien of such tax claims; the disposition of the proceeds  
13 thereof, including State taxes and municipal claims recovered  
14 and the redemption of property; providing for the discharge  
15 and divestiture by certain tax sales of all estates in  
16 property and of mortgages and liens on such property, and the  
17 proceedings therefor; creating a Tax Claim Bureau in each  
18 county, except counties of the first and second class, to act  
19 as agent for taxing districts; defining its powers and  
20 duties, including sales of property, the management of  
21 property taken in sequestration, and the management, sale and  
22 disposition of property heretofore sold to the county  
23 commissioners, taxing districts and trustees at tax sales;  
24 providing a method for the service of process and notices;  
25 imposing duties on taxing districts and their officers and on  
26 tax collectors, and certain expenses on counties and for  
27 their reimbursement by taxing districts; and repealing  
28 existing laws," in sale of property, providing for additional  
29 costs for rehabilitation and maintenance.

30 The General Assembly of the Commonwealth of Pennsylvania

31 hereby enacts as follows:

1 Section 1. The act of July 7, 1947 (P.L.1368, No.542), known  
2 as the Real Estate Tax Sale Law, is amended by adding a section  
3 to read:

4 Section 612.3. Additional Costs for Rehabilitation and  
5 Maintenance.--(a) Notwithstanding any limitations contained in  
6 section 206, in the case of property exposed to upset sale and  
7 not sold at upset sale, the bureau may incur, and may recover as  
8 costs from proceeds prior to any distribution in any subsequent  
9 sale to the extent authorized by this or any other act, the  
10 following:

11 (1) Costs of rehabilitation and maintenance as may be, in  
12 the sole discretion of the bureau, reasonably necessary to  
13 address safety issues or restore or maintain the property in a  
14 salable condition.

15 (2) Costs of rehabilitation and maintenance necessary to  
16 ensure the property is maintained in compliance with property  
17 maintenance codes.

18 (b) Nothing in this section shall be construed as creating  
19 any affirmative duty on the part of the county or bureau to  
20 rehabilitate or maintain property or as imposing any liability  
21 on a county or bureau for injuries to persons or property that  
22 may occur on property subject to rehabilitation and maintenance  
23 under this section.

24 (c) Definitions.--As used in this section, the following  
25 words and phrases shall have the meanings given to them in this  
26 subsection unless the context clearly indicates otherwise:

27 "Costs of Rehabilitation," costs and expenses for  
28 construction, stabilization, rehabilitation, demolition and  
29 reasonable nonconstruction costs. The term includes  
30 environmental remediation, architectural, engineering and legal

1 fees, permits, financing fees and insurance costs. The term does  
2 not include construction of new structures.

3 "Costs of Maintenance," costs and expenses for materials and  
4 services related to the upkeep or preservation of the condition  
5 of the property, including ordinary and necessary repairs.

6 "Property Maintenance Codes," municipal ordinances which  
7 regulate the maintenance or development of real property. The  
8 term includes building codes, housing codes and public safety  
9 codes.

10 Section 2. This act shall take effect immediately.