
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1429 Session of
2019

INTRODUCED BY GALLOWAY, HILL-EVANS, FREEMAN, SCHLOSSBERG, RABB,
CALTAGIRONE, YOUNGBLOOD, CIRESI, JOHNSON-HARRELL, KINSEY,
MADDEN AND M. K. KELLER, MAY 8, 2019

REFERRED TO COMMITTEE ON COMMERCE, MAY 8, 2019

AN ACT

1 Amending the act of January 30, 1974 (P.L.13, No.6), entitled
2 "An act regulating agreements for the loan or use of money;
3 establishing a maximum lawful interest rate in the
4 Commonwealth; providing for a legal rate of interest;
5 detailing exceptions to the maximum lawful interest rate for
6 residential mortgages and for any loans in the principal
7 amount of more than fifty thousand dollars and Federally
8 insured or guaranteed loans and unsecured, noncollateralized
9 loans in excess of thirty-five thousand dollars and business
10 loans in excess of ten thousand dollars; providing
11 protections to debtors to whom loans are made including the
12 provision for disclosure of facts relevant to the making of
13 residential mortgages, providing for notice of intention to
14 foreclose and establishment of a right to cure defaults on
15 residential mortgage obligations, provision for the payment
16 of attorney's fees with regard to residential mortgage
17 obligations and providing for certain interest rates by banks
18 and bank and trust companies; clarifying the substantive law
19 on the filing of and execution on a confessed judgment;
20 prohibiting waiver of provisions of this act, specifying
21 powers and duties of the Secretary of Banking, and
22 establishing remedies and providing penalties for violations
23 of this act," in protective provisions, further providing for
24 notice of intention to foreclose.

25 The General Assembly of the Commonwealth of Pennsylvania

26 hereby enacts as follows:

27 Section 1. Section 403(a) of the act of January 30, 1974
28 (P.L.13, No.6), referred to as the Loan Interest and Protection

1 Law, is amended to read:

2 Section 403. Notice of Intention to Foreclose.--(a)

3 [~~Before~~] In each and every instance, before any residential
4 mortgage lender may accelerate the maturity of any residential
5 mortgage obligation, commence or pursue any legal action
6 including mortgage foreclosure to recover under such obligation,
7 or take possession of any security of the residential mortgage
8 debtor for such residential mortgage obligation, such person
9 shall give the residential mortgage debtor notice of such
10 intention at least thirty days in advance as provided in this
11 section.

12 * * *

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