

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 259 Session of 2019

INTRODUCED BY DINNIMAN, FOLMER, K. WARD, SCHWANK, COSTA AND MENSCH, FEBRUARY 7, 2019

REFERRED TO JUDICIARY, FEBRUARY 7, 2019

AN ACT

1 Amending Title 26 (Eminent Domain) of the Pennsylvania
 2 Consolidated Statutes, in general provisions, providing for
 3 property owner's bill of rights statement.

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

6 Section 1. Title 26 of the Pennsylvania Consolidated
 7 Statutes is amended by adding a section to read:

8 § 104. Property owner's bill of rights statement.

9 (a) General rule.--The Attorney General shall prepare a
 10 written statement that includes a bill of rights for an owner
 11 whose property may be condemned by an acquiring agency through
 12 the use of the agency's eminent domain authority under this
 13 title.

14 (b) Bill of rights.--The property owner's bill of rights
 15 must notify the property owner of the right to:

16 (1) notice of the proposed acquisition of the owner's
 17 property;

18 (2) just compensation and other damages for the property

1 condemned;

2 (3) a hearing under Chapter 5 (relating to procedure for
3 determining damages) to determine just compensation and
4 measure of damages; and

5 (4) an appeal of a judgment in a condemnation
6 proceeding, including an appeal of an assessment of damages.

7 (c) Written statement.--The written statement shall include
8 all of the following:

9 (1) The title, "Property Owner's Bill of Rights."

10 (2) A description of each of the following:

11 (i) The procedure to condemn under Chapter 3
12 (relating to procedure to condemn).

13 (ii) The procedure for determining damages under
14 Chapter 5.

15 (iii) The acquiring agency's obligations to the
16 property owner.

17 (iv) The property owner's rights during a
18 condemnation, including the right of appeal.

19 (d) Construction.--The written statement shall:

20 (1) Be in plain language easily understood by the
21 average property owner.

22 (2) Be provided by the acquiring agency with the written
23 notice required under section 305(a) (relating to notice to
24 condemnee).

25 (3) Be available on the Office of Attorney General's
26 publicly accessible Internet website.

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