
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1292 Session of
2020

INTRODUCED BY FARNESE, SANTARSIERO, BLAKE, FONTANA, A. WILLIAMS,
COLLETT, HUGHES, BREWSTER, DINNIMAN, COSTA AND TARTAGLIONE,
SEPTEMBER 8, 2020

REFERRED TO BANKING AND INSURANCE, SEPTEMBER 8, 2020

AN ACT

1 Providing for prohibitions on financial institutions during a
2 declaration by the Governor of a disaster emergency.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the PA CARES Act.

7 Section 2. Definitions.

8 The following words and phrases when used in this act shall
9 have the meanings given to them in this section unless the
10 context clearly indicates otherwise:

11 "Disaster emergency." A declaration by the Governor of
12 disaster emergency under 35 Pa.C.S. § 7301(c) (relating to
13 general authority of Governor).

14 "Termination of Statewide disaster emergency." A disaster
15 emergency which is terminated or expires under 35 Pa.C.S. §
16 7301(c).

17 Section 3. Prohibition.

1 (a) Unlawful acts.--Upon declaration of a Statewide disaster
2 emergency it shall be deemed unlawful for a financial
3 institution to do any of the following during and for 90 days
4 after the termination of Statewide disaster emergency:

5 (1) Institute foreclosure proceedings.

6 (2) Institute proceedings to place a lien on owner-
7 occupied real property.

8 (3) Institute proceedings to take possession of a
9 vehicle, appliance or other home furnishing.

10 (4) Charge late fees, overdraft fees or transfer fees.

11 (5) Report adverse credit information to a credit bureau
12 or credit reporting agency.

13 (b) Termination of Statewide disaster emergency.--Upon
14 declaration of a Statewide disaster emergency, a proceeding
15 listed under section (a) pending before the courts shall be
16 automatically stayed until 90 days after the termination of
17 Statewide disaster emergency.

18 (c) Violations.--A financial institution found to be in
19 violation of this act shall be subject to a penalty of not less
20 than \$500 per occurrence.

21 Section 4. Applicability.

22 This act shall apply to the proclamation of disaster
23 emergency issued by the Governor on March 6, 2020, published at
24 50 Pa.B. 1644 (March 21, 2020), and any proclamation of disaster
25 emergency after the effective date of this section.

26 Section 5. Effective date.

27 This act shall take effect immediately.