

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 341 Session of 2015

INTRODUCED BY GINGRICH, JAMES, MILLARD, DIAMOND, READSHAW, KAUFFMAN AND COHEN, FEBRUARY 5, 2015

REFERRED TO COMMITTEE ON URBAN AFFAIRS, FEBRUARY 5, 2015

AN ACT

Amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; and, in seller disclosures, further providing for disclosure form.

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

Section 1. Section 7102 of Title 68 of the Pennsylvania Consolidated Statutes is amended by adding a definition to read:
 § 7102. Definitions.

Subject to additional definitions contained in subsequent provisions of this part which are applicable to specific provisions of this part, the following words and phrases when used in this part shall have the meanings given to them in this section unless the context clearly indicates otherwise:

* * *

"Storm water facility." A basin, pond, ditch, drain, swale, culvert, pipe or other manmade feature of land which was constructed in accordance with Federal, State or local law or regulation to temporarily or permanently convey or manage storm

water.

Section 2. Section 7304(b) (13) of Title 68 is amended and the subsection is amended by adding a paragraph to read:

§ 7304. Disclosure form.

* * *

(b) Contents of property disclosure statement.--The form of property disclosure statement promulgated by the State Real Estate Commission shall call for disclosures with respect to all of the following subjects:

* * *

(13) Soils, drainage [and], boundaries and sinkholes.

* * *

(17) Condition, if known, and the location of all storm water facilities, including a statement disclosing whether ongoing maintenance of the storm water facilities is the responsibility of the property owner or the responsibility of another person or entity.

* * *

Section 3. For the purpose of implementing the amendment or addition of 68 Pa.C.S. § 7304(b) (13) and (17), revisions to the property disclosure statement shall be promulgated by the State Real Estate Commission within 120 days of the effective date of this section as a final-omitted regulation under the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, with notice of proposed rulemaking omitted under section 204 of the act of July 31, 1968 (P.L.769, No.240), referred to as the Commonwealth Documents Law.

Section 4. This act shall take effect immediately.