

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 382 Session of 2023

INTRODUCED BY ISAACSON, NEILSON, GIRAL, HILL-EVANS, MADDEN, SANCHEZ AND D. WILLIAMS, MARCH 14, 2023

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, MARCH 14, 2023

AN ACT

1 Amending Title 68 (Real and Personal Property) of the
 2 Pennsylvania Consolidated Statutes, in real estate
 3 foreclosure, providing for code compliance notice following
 4 sheriff's sale.

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

7 Section 1. Title 68 of the Pennsylvania Consolidated
 8 Statutes is amended by adding a section to read:

9 § 2307.1. Code compliance notice following sheriff's sale.

10 (a) Notice.--The Department of Labor and Industry shall
 11 prepare and provide a code compliance notice for each county in
 12 this Commonwealth. The following apply:

13 (1) The notice shall be provided to each county sheriff
 14 within 30 days of the effective date of this paragraph.

15 (2) The notice may be provided electronically to a
 16 sheriff's office if the Department of Labor and Industry can
 17 confirm receipt of the notice.

18 (3) The notice for each county shall include, but not be
 19 limited to, the following:

1 (i) A list of municipalities in each county with the
2 following information for each municipality:

3 (A) General contact information for the
4 municipality.

5 (B) If the municipality has elected to enforce
6 the Uniform Construction Code under the act of
7 November 10, 1999 (P.L.491, No.45), known as the
8 Pennsylvania Construction Code Act, and:

9 (I) For municipalities that have elected to
10 enforce the Uniform Construction Code, the name
11 and contact information for the building code
12 official and whether the municipality has enacted
13 amendments to the Uniform Construction Code.

14 (II) For municipalities that have elected
15 not to enforce the Uniform Construction Code, the
16 contact information for the appropriate Uniform
17 Construction Code staff at the Department of
18 Labor and Industry.

19 (ii) Plain language information about compliance
20 with the Uniform Construction Code and the permits that
21 may be required before construction on a property can
22 commence. The information under this subparagraph shall
23 include a statement that the purchaser should contact the
24 building code official or the Department of Labor and
25 Industry, whichever is applicable for the municipality
26 where the property is located, to obtain additional
27 information about the requirements of the Uniform
28 Construction Code.

29 (iii) Plain language information explaining that
30 municipalities may have enacted municipal zoning

1 ordinances or other municipal ordinances, which may
2 require a permit, a variance or other compliance measures
3 before construction on a property may commence. The
4 information under this subparagraph shall include a
5 statement that the purchaser should contact the
6 municipality where the property is located to obtain
7 additional information about how to comply with municipal
8 requirements.

9 (iv) Any other relevant information that the
10 Department of Labor and Industry deems appropriate to
11 provide the purchaser of a property at a sheriff's sale.

12 (b) Duty of sheriff.--A sheriff shall provide the code
13 compliance notice required under subsection (a) to any purchaser
14 of a property at a sheriff's sale. The code compliance notice
15 shall be posted on the sheriff's publicly accessible Internet
16 website, in the location where other information about sheriff's
17 sales is displayed, and the notice shall be made available to
18 prospective purchasers attending a sheriff's sale.

19 (c) Updates.--The Department of Labor and Industry shall be
20 responsible for updating the code compliance notices under
21 subsection (a) on an annual basis. The following apply:

22 (1) The updated notice shall be provided to each county
23 sheriff prior to December 31 each year, beginning the year
24 after the notice required by subsection (a) is provided for
25 the first time.

26 (2) The updated notice may be provided electronically to
27 a sheriff's office if the Department of Labor and Industry
28 can confirm receipt of the updated notice.

29 (d) Application.--The provisions of this section shall apply
30 to properties purchased or sold in accordance with the

1 provisions of the act of May 16, 1923 (P.L.207, No.153),
2 referred to as the Municipal Claim and Tax Lien Law, and the act
3 of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax
4 Sale Law.

5 Section 2. This act shall take effect as follows:

6 (1) The addition of 68 Pa.C.S. § 2307.1(b) shall take
7 effect in 151 days.

8 (2) This section shall take effect immediately.

9 (3) The remainder of this act shall take effect in 120
10 days.