

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 732 Session of 2023

INTRODUCED BY SAVAL, STREET, FONTANA, DILLON, KEARNEY,
CAPPELLETTI, COSTA AND KANE, JUNE 2, 2023

REFERRED TO JUDICIARY, JUNE 2, 2023

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in personnel of the
3 system, further providing for appointment of personnel; and
4 making a repeal.

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

7 Section 1. Section 2301 of Title 42 of the Pennsylvania
8 Consolidated Statutes is amended by adding subsections to read:
9 § 2301. Appointment of personnel.

10 * * *

11 (d) Personnel in certain cases involving real property.--A
12 court may not appoint a private entity to serve a writ of
13 possession or alias writ, perform a lockout or in any way
14 enforce a judgment for possession of real property arising from
15 an ejectment case or an eviction case.

16 (e) Definitions.--As used in this section, the following
17 words and phrases shall have the meanings given to them in this
18 subsection unless the context clearly indicates otherwise:

19 "Ejectment case." An action in ejectment to regain

1 possession of real property.

2 "Eviction case." An action to regain possession of real
3 property brought under the act of April 6, 1951 (P.L.69, No.20),
4 known as The Landlord and Tenant Act of 1951.

5 "Private entity." An individual or a for-profit or nonprofit
6 company, organization, contractor or similar entity that is not
7 employed directly by a State, county or local government.

8 Section 2. Repeals are as follows:

9 (1) The General Assembly declares that the repeal under
10 paragraph (2) is necessary to effectuate the addition of 42
11 Pa.C.S. § 2301(d) and (e).

12 (2) Section 17 of the act of July 9, 1976 (P.L.586,
13 No.142), known as the Judiciary Act of 1976, is repealed.

14 Section 3. This act shall take effect in 60 days.