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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2087 Session of  
2019

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INTRODUCED BY EVERETT, PICKETT, WHEELAND, MILLARD, STAATS, RYAN,  
MALONEY, B. MILLER, GAYDOS, HENNESSEY AND DeLUCA,  
NOVEMBER 22, 2019

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REFERRED TO COMMITTEE ON TRANSPORTATION, NOVEMBER 22, 2019

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AN ACT

1 Amending Title 26 (Eminent Domain) of the Pennsylvania  
2 Consolidated Statutes, in just compensation and measure of  
3 damages, further providing for limited reimbursement of  
4 appraisal, attorney and engineering fees.

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

7 Section 1. Section 710(a) of Title 26 of the Pennsylvania  
8 Consolidated Statutes is amended to read:

9 § 710. Limited reimbursement of appraisal, attorney and  
10 engineering fees.

11 (a) General rule.--The owner of any right, title or interest  
12 in real property acquired or injured by an acquiring agency, who  
13 is not eligible for reimbursement of fees under section 306(g)  
14 (relating to preliminary objections), 308(d) (relating to  
15 revocation of condemnation proceedings) or 709 (relating to  
16 condemnee's costs where no declaration of taking filed), shall  
17 be reimbursed in an amount not to exceed [\$4,000] 10% of the  
18 total award of just compensation per property, regardless of

1 right, title or interest, as a payment toward reasonable  
2 expenses actually incurred for appraisal, attorney and  
3 engineering fees, except where the taking is for an easement  
4 related to underground piping for water or sewer infrastructure,  
5 in which case the reimbursement is limited to \$1,000, regardless  
6 of right, title or interest.

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