

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **544** Session of
1961

MESSRS. McMENAMIN, WEINER AND DEVLIN, IN PLACE,
APRIL 18, 1961.

AS AMENDED ON SECOND READING, MAY 22, 1961.

AN ACT

Providing for the appointment of a disinterested real estate expert in all proceedings arising from the exercise of eminent domain

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

- 1 Section 1 In all proceedings before the court of common pleas
- 2 which are the result of an appeal from a board of viewers or which are
- 3 the result of a waiver of the right to have the damages assessed by a
- 4 board of viewers which proceedings arise from the exercise of the right

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through is to be omitted from bill. Underscoring indicates new matter added to existing law. [Brackets] indicate matter stricken from existing law.

1 of eminent domain the court shall appoint a disinterested real estate
2 expert who shall testify as to his opinion of the market value of the
3 condemned property THE FAIR MARKET VALUE OF THE CON-
4 DEMNED PROPERTY IMMEDIATELY BEFORE THE TAKING
5 AND AS TO THE FAIR MARKET VALUE OF THE CONDEMNED
6 PROPERTY IMMEDIATELY AFTER THE TAKING AND AS
7 AFFECTED THEREBY OR AS MAY OTHERWISE BE RE-
8 QUIRED BY LAW This expert shall file a report with the court which
9 shall be available to all parties at least fifteen days before trial in which
10 he shall set forth the prices he has determined upon and in general the
11 facts upon which this opinion was based The costs incurred under this
12 section shall be assessed equally to the parties to the proceedings as
13 determined by the court
14 Section 2 This act shall take effect immediately

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We certify that this bill has passed the Senate and the House of Representatives.

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Chief Clerk, Senate

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President pro tempore, Senate

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Speaker, House of Representatives

Approved The day of A. D. 1961.

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Governor