

No. 1982-104

## AN ACT

HB 1284

Amending the act of June 22, 1964 (1st Sp.Sess., P.L.84, No.6), entitled "An act to codify, amend, revise and consolidate the laws relating to eminent domain," further providing for the payment of compensation and expenses and making a repeal.

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

Section 1. Section 411, act of June 22, 1964 (1st Sp.Sess., P.L.84, No.6), known as the "Eminent Domain Code," is repealed.

Section 2. The act is amended by adding a section to read:

***Section 617.1. Monetary Just Compensation; Attempted Avoidance.—Where a condemnor attempts to avoid the payment of monetary "just compensation," to which the condemnee otherwise would be entitled by use of a substitute for monetary compensation and the condemnee incurs expenses, including appraisal, attorney and engineering fees, in securing an adjudication that such substitute is not adequate, the condemnee shall be reimbursed by the condemnor for all such expenses incurred.***

Section 3. This act shall take effect immediately.

APPROVED—The 1st day of May, A. D. 1982.

DICK THORNBURGH