

**House Judiciary Committee Voting Meeting
Majority Caucus Room
Room 140 Main Capitol
Harrisburg, PA 17120
February 04, 2026
10:00 AM**

PLEASE NOTE: TWO AMENDMENTS HAVE BEEN ADDED TO THE AGENDA, AND THE MEETING MATERIALS HAVE BEEN UPLOADED

Agenda

House Bill 603 (ISAACSON) An Act amending the act of December 12, 1986 (P.L.1559, No.169), known as the Whistleblower Law, further providing for remedies and for enforcement.

House Bill 713 (HOWARD) An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in particular rights and immunities, further providing for declaration of policy, for definitions and for scope of subchapter.

A02412 (BRIGGS)

House Bill 1541 (HOHENSTEIN/MARLA BROWN) An Act amending the act of July 9, 1970 (P.L.484, No.164), entitled "An act relating to indemnification agreements between architects, engineers or surveyors and owners, contractors, subcontractors or suppliers and indemnification agreements relating to snow removal or ice control services," providing for void and unenforceable provisions or terms in construction contracts and for insurance coverage for additional insureds; and making editorial changes.

A02408 (LEADBETER)

House Bill 2118 (HILL-EVANS) An Act providing for museum unclaimed loaned property.

House Bill 2124 (BONNER/BRIGGS) An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, providing for uniform real property transfer on death.

And any other business that comes before the Committee

Adjournment

Please advise Maya Fitterer, MFitterer@pahouse.net, with your attendance plans. A friendly reminder - if you would like a physical copy of the materials, please print off your own prior to the meeting. We will have QR codes available at the meeting to access to the materials online. Thank you!

Attachments:

- Sunshine Memo
- HB603
- HB603 BA
- HB713
- A02412 to HB713
- HB713 BA
- HB1541
- A02408 to HB1541
- HB1541 BA

- HB2118
- HB2118 BA
- HB2124
- HB2124 BA

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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

January 30, 2026

COMMITTEES

JUDICIARY, CHAIRMAN

CAUCUSES

LIFE SCIENCE, CHAIR
BRAIN INJURY, CHAIR

PENNSYLVANIA STATE SYSTEM OF HIGHER
EDUCATION (PASSHE), BOARD OF GOVERNORS
PENNSYLVANIA COMMISSION ON CRIME &
DELINQUENCY (PCCD), COMMISSIONER

TO: House Judiciary Committee Members
FROM: Tim Briggs, Majority Chairman
RE: **Voting Meeting**

A handwritten signature in blue ink that reads "Tim Briggs".

The House Judiciary Committee will hold a **voting meeting** on **Wednesday, February 4, 2026, at 10:00 a.m. in 140 Main Capitol Building**. The Committee is scheduled to consider the following:

House Bill 603 (Isaacson) An Act amending the act of December 12, 1986 (P.L.1559, No.169), known as the Whistleblower Law, further providing for remedies and for enforcement.

House Bill 713 (Howard) Amends Title 42 (Judiciary and Judicial Procedure) in particular rights and immunities, further providing for declaration of policy, for definitions and for scope of subchapter.

House Bill 1541 (Hohenstein/Marla Brown) An Act amending the act of July 9, 1970 (P.L.484, No.164), entitled "An act relating to indemnification agreements between architects, engineers or surveyors and owners, contractors, subcontractors or suppliers and indemnification agreements relating to snow removal or ice control services," providing for void and unenforceable provisions or terms in construction contracts and for insurance coverage for additional insureds; and making editorial changes.

House Bill 2118 (Hill-Evans) An Act providing for museum unclaimed loaned property.

House Bill 2124 (Bonner/Briggs) Amends Title 20 (Decedents, Estates and Fiduciaries), providing for uniform real property transfer on death.

And any other business that comes before the committee.

Please advise Maya Fitterer, MFitterer@pahouse.net, with your attendance plans. Thank you!

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 603 Session of 2025

INTRODUCED BY ISAACSON, BURGOS, CEPEDA-FREYTIZ, CERRATO, DALEY,
DONAHUE, FREEMAN, GREEN, HILL-EVANS, KHAN, SANCHEZ AND
STEELE, FEBRUARY 12, 2025

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 12, 2025

AN ACT

1 Amending the act of December 12, 1986 (P.L.1559, No.169),
2 entitled "An act providing protection for employees who
3 report a violation or suspected violation of State, local or
4 Federal law; providing protection for employees who
5 participate in hearings, investigations, legislative
6 inquiries or court actions; and prescribing remedies and
7 penalties," further providing for remedies and for
8 enforcement.

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

11 Section 1. Sections 4(a) and 5 of the act of December 12,
12 1986 (P.L.1559, No.169), known as the Whistleblower Law, are
13 amended to read:

14 Section 4. Remedies.

15 (a) Civil action.--A person who alleges a violation of this
16 act may bring a civil action in a court of competent
17 jurisdiction, with a right of trial by jury, for appropriate
18 injunctive relief or damages, or both, within [180 days] two
19 years after the occurrence of the alleged violation.

20 * * *

1 Section 5. Enforcement.

2 (a) Relief that may be ordered.--

3 (1) A court or jury, in rendering a judgment in an
4 action brought under this act, shall order, as the court or
5 jury considers appropriate, reinstatement of the employee,
6 the payment of back wages, full reinstatement of fringe
7 benefits and seniority rights, actual damages or any
8 combination of these remedies.

9 (2) A court or jury shall also award the complainant all
10 or a portion of the costs of litigation, including reasonable
11 attorney fees and witness fees, if the complainant prevails
12 in the civil action.

13 (b) Punitive damages.--The complainant may also recover
14 punitive damages if the complainant demonstrates that the
15 defendant engaged in an unlawful retaliatory or discriminatory
16 practice in violation of section 3 with malice or reckless
17 indifference to the rights of the complainant protected under
18 this act.

19 Section 2. The amendment of sections 4(a) and 5 of the act
20 shall not be construed to affect an action or proceeding
21 commenced or right accrued before the effective date of this
22 section.

23 Section 3. This act shall take effect in 90 days.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB0603 PN0611	Prepared By:	David Vitale, Esq.
Committee:	Judiciary		(717) 705-7011,6791
Sponsor:	Isaacson, Mary	Executive Director:	David Vitale, Esq.
Date:	2/12/2025		

A. Brief Concept

Amends the Whistleblower Law to provide a complainant with a right to trial by jury; increase the statute of limitations from 180 days to 2 years; and provide for punitive damages.

C. Analysis of the Bill

Amends Act 169 of 1986 (Whistleblower Law):

A person who alleges a violation of the act will have the right to trial by jury.

The complainant will be allowed to bring a civil action for relief within two years (up from 180 days) after the occurrence of the alleged violation.

The complainant will be allowed to recover punitive damages if he demonstrates that the defendant engaged in the violation with malice or reckless indifference to his rights under the act.

Effective Date:

90 Days.

G. Relevant Existing Laws

The Whistleblower Law provides protections for whistleblowers who make a good faith report to an appropriate authority of waste or wrongdoing (or the potential for waste or wrongdoing) by a public body.

A whistleblower is defined as a person who witnesses or has evidence of wrongdoing or waste while employed and who makes a good faith report of the wrongdoing or waste, verbally or in writing, to one of the person's superiors, to an agent of the employer or to an appropriate authority.

A whistleblower is protected from discrimination, retaliation or discharge by their employer, if they:

- Make a good faith report or are about to report waste or wrongdoing by a public body; or
- Are requested by an appropriate authority to participate in an investigation, hearing or inquiry - or in a court action.

An appropriate authority may not disclose the identity of a whistleblower without consent unless disclosure is unavoidable in the investigation of an alleged violation.

A person who alleges a violation of the act can bring a civil action for injunctive relief and/or damages within 180 days after the occurrence of the violation. If the court rules in favor of the complainant, the court can order reinstatement of the employee, the payment of back wages, full reinstatement of fringe benefits and seniority rights, and/or actual damages. If the complainant wins, the court must also award the complainant all or a portion of the costs of litigation, including reasonable attorney fees and witness fees.

E. Prior Session (Previous Bill Numbers & House/Senate Votes).

HB 368 of 2023.

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 713 Session of 2025

INTRODUCED BY HOWARD, GUENST, T. DAVIS, MADDEN, WAXMAN, MAYES, CERRATO, SANCHEZ AND MALAGARI, FEBRUARY 24, 2025

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 24, 2025

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in particular rights and
3 immunities, further providing for declaration of policy, for
4 definitions and for scope of subchapter.

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

7 Section 1. Section 8340.12(2) of Title 42 of the
8 Pennsylvania Consolidated Statutes, added July 17, 2024
9 (P.L.836, No.72), is amended to read:

10 § 8340.12. Declaration of policy.

11 The General Assembly finds and declares as follows:

12 * * *

13 (2) It is in the public interest to encourage continued
14 participation in matters of public significance, including
15 disclosure of sexual offenses. This participation should not
16 be chilled through abuse of the judicial process.

17 * * *

18 Section 2. The definition of "protected public expression"
19 in section 8340.13 of Title 42, added July 17, 2024 (P.L.836,

1 No.72), is amended to read:

2 § 8340.13. Definitions.

3 The following words and phrases when used in this subchapter
4 shall have the meanings given to them in this section unless the
5 context clearly indicates otherwise:

6 * * *

7 "Protected public expression." A person's:

8 (1) communication in a legislative, executive, judicial
9 or administrative proceeding;

10 (2) communication on an issue under consideration or
11 review in a legislative, executive, judicial or
12 administrative proceeding; [or]

13 (3) exercise, on a matter of public concern, of the
14 rights of freedom of speech or of the press, the right to
15 assemble or petition or the right of association, guaranteed
16 by:

17 (i) the First Amendment to the Constitution of the
18 United States; or

19 (ii) section 7 or 20 of Article I of the
20 Constitution of Pennsylvania[.]; or

21 (4) communication of an allegation of abuse, as defined
22 under 23 Pa.C.S. § 6102 (relating to definitions), or
23 allegation of sexual violence, as defined under section 62A03
24 (relating to definitions), provided the communication is not
25 malicious.

26 * * *

27 Section 3. Section 8340.14(b) (5) of Title 42, added July 17,
28 2024 (P.L.836, No.72), is amended to read:

29 § 8340.14. Scope of subchapter.

30 * * *

1 (b) Exclusions.--This subchapter does not apply to any of
2 the following claims asserted in a civil action:

3 * * *

4 (5) Arising under [any of the following:

5 (i) 23 Pa.C.S. Ch. 61 (relating to protection from
6 abuse).

7 (ii) Chapter 62A (relating to protection of victims
8 of sexual violence or intimidation).

9 (iii) The] the act of May 17, 1921 (P.L.682,
10 No.284), known as The Insurance Company Law of 1921.

11 * * *

12 Section 4. This act shall take effect in 90 days.

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 713

Sponsor: Briggs

Printer's No. 732

1 Amend Bill, page 1, lines 3 and 4, by striking out

2 "declaration of policy, for definitions and for"

3 Amend Bill, page 1, lines 7 through 19; page 2, lines 1

4 through 28; by striking out all of said lines on said pages and

5 inserting

6 Section 1. Section 8340.14(b)(5) of Title 42 of the

7 Pennsylvania Consolidated Statutes is amended to read:

8 Amend Bill, page 3, line 12, by striking out "4" and

9 inserting

10 2

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB0713 PN0732	Prepared By:	David Vitale, Esq. (717) 705-7011,6791
Committee:	Judiciary	Executive Director:	David Vitale, Esq.
Sponsor:	Howard, Kristine		
Date:	3/7/2025		

A. Brief Concept

Protects victims of sexual offenses from frivolous lawsuits filed by others to silence their right to public expression.

C. Analysis of the Bill

Strategic Lawsuits Against Public Participation (SLAPPs), are lawsuits filed against a person or organization for statements made or positions taken in connection with a matter of public interest or regulation. Some of the legal theories often used in SLAPPs are defamation, invasion of privacy, nuisance, malicious prosecution or abuse of process, conspiracy, intentional infliction of emotional distress and interference with contract or economic advantage.

Despite the legal theories supporting the suit, the true purpose of a SLAPP is to deter or silence critics by burdening them with the costs of a legal defense. Defendants and others are deterred from engaging in open debate about public issues for fear that they could face one of these suits and end up paying attorney's fees and expending significant time and resources to defend against a meritless claim.

This bill makes it clear that victims of sexual abuse or offenses are protected from frivolous lawsuits designed to silence their right to public expression as long as the communication is not malicious.

Specifically, the bill adds communication of an allegation of abuse, as defined under 23 Pa.C.S. § 6102 (relating to definitions), or allegation of sexual violence, as defined under section 62A03 (relating to definitions), provided the communication is not malicious to the definition of Protected public expression. And the bill eliminates the exclusion for 23 Pa.C.S. Ch. 61 (relating to protection from abuse) and Chapter 62A (relating to protection of victims of sexual violence or intimidation). This change will allow victims of these crimes to speak publicly and not risk being sued civilly.

Under current law "Protected public expression" includes the following:

1. communication in a legislative, executive, judicial or administrative proceeding;
2. communication on an issue under consideration or review in a legislative, executive, judicial or administrative proceeding; or
3. exercise, on a matter of public concern, of the rights of freedom of speech or of the press, the right to assemble or petition or the right of association, guaranteed by: (i) the First Amendment to the Constitution of the United States; or (ii) section 7 or 20 of Article I of the Constitution of Pennsylvania.

Effective Date:

90 Days.

G. Relevant Existing Laws

Act 72 of 2024

§ 8340.12. Declaration of policy.

The General Assembly finds and declares as follows:

- (1) There has been a disturbing increase in lawsuits brought primarily to chill the valid exercise of protected public expression.
- (2) It is in the public interest to encourage continued participation in matters of public significance. This participation should not be chilled through abuse of the judicial process.
- (3) This subchapter:
 - (i) grants immunity to those groups or parties exercising the rights to protected public expression;
 - and
 - (ii) awards attorney fees to parties that are forced to defend against meritless claims arising from the exercise of the rights to protected public expression.
- (4) Broad construction of this subchapter will implement the goals under paragraphs (2) and (3).

"Protected public expression." A person's:

- (1) communication in a legislative, executive, judicial or administrative proceeding;
- (2) communication on an issue under consideration or review in a legislative, executive, judicial or administrative proceeding; or
- (3) exercise, on a matter of public concern, of the rights of freedom of speech or of the press, the right to assemble or petition or the right of association, guaranteed by:
 - (i) the First Amendment to the Constitution of the United States; or
 - (ii) section 7 or 20 of Article I of the Constitution of Pennsylvania.

"Protected public expression immunity." Immunity under section 8340.15 (relating to grant of immunity).

(b) Exclusions.--This subchapter does not apply to any of the following claims asserted in a civil action:

- (1) Against a government unit or an employee or agent of a government unit acting in an official capacity.
- (2) By a government unit or an employee or agent of a government unit acting in an official capacity to enforce a law, regulation or ordinance.
- (3) Against a person primarily engaged in the business of selling or leasing goods or services if the cause of action arises out of a communication related to the person's sale or lease of the goods or services.
- (4) Seeking damages for bodily injury or death unless the claim:
 - (i) is for:
 - (A) defamation;
 - (B) publication of private facts;
 - (C) false light invasion of privacy;
 - (D) misappropriation of likeness; or
 - (E) intentional or negligent infliction of emotional distress; or
 - (ii) arises solely from a communication on a matter of public concern.
- (5) Arising under any of the following:
 - (i) 23 Pa.C.S. Ch. 61 (relating to protection from abuse).
 - (ii) Chapter 62A (relating to protection of victims of sexual violence or intimidation).
 - (iii) The act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921.
- (6) Arising under an insurance contract.
- (7) Asserting misappropriation of trade secrets or corporate opportunities against the person that allegedly misappropriated the trade secret or corporate opportunity.
- (8) Enforcing a non disparagement agreement or a covenant not to compete against a party to the agreement or covenant.
- (9) Arising out of the internal affairs, governance, dissolution, liquidation, rights or obligations between or among stockholders or partners. This paragraph includes the interpretation of the rights or obligations under the governing organic law, articles of incorporation, bylaws and agreements.
- (10) Liability or indemnity of managers of business corporations, partnerships, limited partnerships, limited liability partnerships, professional associations, business trusts, joint ventures or other business enterprises. This paragraph includes the interpretation of the rights or obligations under the governing organic law, articles of incorporation, bylaws or agreements.

E. Prior Session (Previous Bill Numbers & House/Senate Votes).

Act 72 of 2024 (HB 1466), unanimously passed the House and Senate before being signed by the Governor.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1541 Session of
2025

INTRODUCED BY HOHENSTEIN, M. BROWN, HILL-EVANS, SANCHEZ,
WEBSTER, OLSOMMER, GALLAGHER, GUENST, KOZAK, WARREN AND
OTTEN, JUNE 3, 2025

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 3, 2025

AN ACT

1 Amending the act of July 9, 1970 (P.L.484, No.164), entitled "An
2 act relating to indemnification agreements between
3 architects, engineers or surveyors and owners, contractors,
4 subcontractors or suppliers and indemnification agreements
5 relating to snow removal or ice control services," providing
6 for void and unenforceable provisions or terms in
7 construction contracts and for insurance coverage for
8 additional insureds; and making editorial changes.

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

11 Section 1. The title of the act of July 9, 1970 (P.L.484,
12 No.164), entitled "An act relating to indemnification agreements
13 between architects, engineers or surveyors and owners,
14 contractors, subcontractors or suppliers and indemnification
15 agreements relating to snow removal or ice control services," is
16 amended to read:

17 AN ACT

18 Relating to indemnification agreements between architects,
19 engineers or surveyors and owners, contractors,
20 subcontractors or suppliers [and], indemnification agreements

relating to snow removal or ice control services[.] and
indemnification agreements relating to construction
contracts.

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

Section 1.2. The following apply to provisions or terms in a
construction contract which are void and unenforceable:

(1) A provision or term in a construction contract in which
a party shall be indemnified, held harmless or insured for
damages, claims, losses or expenses arising out of bodily injury
to persons, damage to property or economic damage caused by or
resulting from the party's negligence, in whole or in part,
shall be void as against public policy and unenforceable.

(2) As used in this section:

(i) The term "construction contract" means a covenant,
agreement or understanding in, or in connection with, a contract
or agreement made and entered into by a party relative to the
design, construction, reconstruction, alteration, repair,
maintenance, demolition, servicing or security of a building,
structure, highway, railroad, appurtenance, land development or
appliance.

(ii) The term "party" means an owner, contractor,
subcontractor, supplier, architect, engineer or land surveyor,
or an agent or employe of an owner, contractor, subcontractor,
supplier, architect, engineer or land surveyor.

Section 1.3. The following apply to insurance coverage for
an additional insured:

(1) If a construction contract requires insurance coverage
to be provided to an additional insured and the additional
insured is added to the relevant general liability insurance
policy prior to any loss involving the additional insured, the

1 insurance coverage afforded to the additional insured shall not
2 be broader than that which is required by the construction
3 contract to provide for the additional insured.

4 (2) The insurance coverage afforded to an additional insured
5 in a construction contract shall only apply to the extent
6 permitted by law.

7 (3) As used in this section:

8 (i) The term "additional insured" means an individual or
9 entity that is added to a general liability insurance policy to
10 extend coverage beyond the named insured to the individual or
11 entity.

12 (ii) The term "construction contract" means as defined in
13 section 1.2(2)(i).

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

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 1541

Sponsor: Leadbeter

Printer's No. 1812

1 Amend Bill, page 1, lines 7 and 8, by striking out "and for
2 insurance coverage for additional insureds"

3 Amend Bill, page 2, line 4, by striking out "sections" and
4 inserting

5 a section

6 Amend Bill, page 2, line 8, by striking out "a party" and
7 inserting

8 an indemnitee

9 Amend Bill, page 2, line 11, by striking out "party's" and
10 inserting

11 indemnatee's

12 Amend Bill, page 2, lines 14 through 30; page 3, lines 1
13 through 13; by striking out all of said lines on said pages and
14 inserting

15 (i) The term "construction contract" means a covenant,
16 promise, agreement or understanding in, or in connection with or
17 collateral to, a contract, agreement or purchase order, relative
18 to the construction, alteration, repair, maintenance, servicing
19 or security of a building, structure, highway, railroad,
20 appurtenance or appliance, including moving, demolition,
21 excavating, grading, clearing, site preparation or development
22 of real property connected therewith, purporting to indemnify or
23 hold harmless the indemnitee against liability for damages
24 arising out of bodily injury to persons or damage to property
25 caused by or resulting from the negligence, in whole or in part,
26 of the indemnitee.

27 (ii) The term "indemnatee" means an owner, general
28 contractor or agent or employe of an owner or general contractor
29 that presents a provision or term in a construction contract for

1 indemnification.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB1541 PN1812	Prepared By:	Michelle Batt, Esq. (717) 705-1880,6792
Committee:	Judiciary	Executive Director:	David Vitale, Esq.
Sponsor:	Hohenstein, Joe and Brown, Marla		
Date:	8/6/2025		

A. Brief Concept

Protects Pennsylvania construction contractors from being held liable for the negligence of others.

C. Analysis of the Bill

This bill will void any provision in new construction contracts in which a party is indemnified, or excused from being held liable, for damages resulting from that party's negligence. This legislation will help protect Pennsylvania construction contractors from being forced to accept liability for someone else's negligence.

Specifically, this bill amends the act of July 9, 1970, entitled "An act relating to indemnification agreements between architects, engineers or surveyors and owners, contractors, subcontractors or suppliers and indemnification agreements relating to snow removal or ice control services," by modifying the title to add "and indemnification agreements relating to construction contracts" and adding Sections 1.2 and 1.3.

Section 1.2 renders any indemnification clause in any construction contract void and unenforceable.

"Construction contract" means a covenant, agreement or understanding in, or in connection with, a contract or agreement made and entered into by a party relative to the design, construction, reconstruction, alteration, repair, maintenance, demolition, servicing or security of a building, structure, highway, railroad, appurtenance, land development or appliance.

"Party" means an owner, contractor, subcontractor, supplier, architect, engineer or land surveyor, or an agent or employe of an owner, contractor, subcontractor, supplier, architect, engineer or land surveyor.

Section 1.3 relates to insurance coverage for an individual or entity that is added to a general liability insurance policy pursuant to the terms of a construction contract, limiting the additional coverage to that which is required by the construction contract.

"Additional insured" means an individual or entity that is added to a general liability insurance policy to extend coverage beyond the named insured to the individual or entity.

Effective Date:

60 Days.

G. Relevant Existing Laws

Act of Jul. 9, 1970, (P.L. 484, No. 164) - AN ACT Relating to indemnification agreements between architects, engineers or surveyors and owners, contractors, subcontractors or suppliers and indemnification agreements relating to snow removal or ice control services.

Section 1. Every covenant, agreement or understanding in, or in connection with any contract or agreement made and entered into by owners, contractors, subcontractors or suppliers whereby an architect, engineer, surveyor or his agents, servants or employees shall be indemnified or held harmless for damages, claims, losses or expenses including attorneys' fees arising out of: (1) the preparation or approval by an architect, engineer, surveyor or his agents, servants, employees or invitees of maps, drawings, opinions, reports, surveys, change orders, designs or specifications, or (2) the giving of or the failure to give directions or instructions by the architect, engineer, surveyor or his agents, servants or employees provided such giving or failure to give is the primary cause of the damage, claim, loss or expense, shall be void as against public policy and wholly unenforceable.

Section 1.1. The following apply to snow removal or ice control services:

- (1) In a snow removal or ice control services contract between a provider and a receiver, any provision in the contract which provides that the receiver shall be indemnified, held harmless or insured by the provider from damages, claims, losses or expenses arising out of bodily injury to persons, damage to property or economic damage caused by or resulting from the receiver's negligences, in whole or in part, shall be void if the provider has been affirmatively directed not to perform the snow removal or ice control services by the receiver.
- (2) As used in this section, the term "snow removal or ice control services contract" means a contract or agreement for the performance of, or incidental to, any plowing of snow, relocation of snow or other removal of snow or mixed precipitation from a surface or deicing services. The term includes moving snow removal or deicing equipment or materials.
- (3) For the purposes of this section, a provider of snow removal or ice control services shall include agents and employees of the provider.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

None.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2118 Session of
2026

INTRODUCED BY HILL-EVANS, BRENNAN, HOWARD, SANCHEZ, GUZMAN,
D. WILLIAMS, BELLMON AND M. BROWN, JANUARY 7, 2026

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 8, 2026

AN ACT

1 Providing for museum unclaimed loaned property.

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9 Section 7. Liability.

10 Section 8. Termination of loans for unclaimed loaned property.

11 Section 9. Return or disposition of unclaimed loaned property.

12 Section 10. Title to unclaimed loaned property.

13 Section 11. Contractual obligations.

14 Section 12. Effect on other rights.

15 Section 13. Title to property acquired from museum.

16 Section 14. Expenses and conservation or protective measures.

17 Section 15. Effective date.

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

Section 1. Short title.

This act shall be known and may be cited as the Museum
Unclaimed Loaned Property Act.

Section 2. Legislative findings.

The General Assembly finds and declares the following:

(1) The residents of this Commonwealth have an interest
in the growth and maintenance of museum collections and in
the preservation and protection of unclaimed loaned property
of artistic, historic, cultural or scientific value left in
the custody of museums within this Commonwealth.

(2) Loans of property of artistic, historic, cultural or
scientific value are made to museums to further educational
purposes.

(3) When lenders of property for museums fail to stay in
contact, museums must routinely store and care for the loaned
property long after the loan periods have expired or should
reasonably be deemed expired.

(4) Nevertheless, museums have limited rights to the use
and treatment of unclaimed loaned property, all the while
bearing substantial costs related to the storage,
recordkeeping, climate control, security, periodic
inspection, insurance, general overhead and conservation
associated with the unclaimed loaned property.

(5) It is in the public's interest to:

(i) Encourage museums and the lenders of property
for museums to use due diligence in monitoring the loaned
property.

(ii) Allocate fair responsibilities between museums

1 and the lenders of property for museums.

2 (iii) Resolve expeditiously the issue of title of
3 unclaimed loaned property left in the custody of museums.

4 Section 3. Purpose of act.

5 The purpose of this act is to establish uniform rules to
6 govern the disposition of museum unclaimed loaned property.

7 Section 4. Definitions.

8 The following words and phrases when used in this act shall
9 have the meanings given to them in this section unless the
10 context clearly indicates otherwise:

11 "Claimant." An individual, corporation, partnership, trust,
12 estate or similar organization that files notice of intent to
13 preserve an interest in loaned property in the custody of a
14 museum as provided in section 9(b).

15 "Lender." An individual, corporation, partnership, trust,
16 estate or similar organization whose name appears on the records
17 of a museum as the person legally entitled to control loaned
18 property in the custody of the museum. The term includes a
19 successor of an original lender.

20 "Loan." A transaction between a lender and a museum
21 regarding property of the lender in which the museum maintains
22 custody of the property.

23 "Loaned property." Property that is in the possession of a
24 museum, accompanied by evidence that the lender of the property
25 intended to retain title to the property and return to take
26 physical possession of the property in the future.

27 "Museum." As follows:

28 (1) A public or private nonprofit agency or institution
29 that:

30 (i) is located in this Commonwealth;

(ii) is organized on a permanent basis for educational or aesthetic purposes; and

(iii) owns or utilizes tangible objects, cares for tangible objects and exhibits tangible objects to the public on a regular basis.

(2) The term includes a historical society, park, historic site, historic monument, archive or library.

"Museum records." Documents that are created or held by a museum in the regular course of business of the museum.

"Property." A tangible or digital object that is in the custody of a museum and that has intrinsic historical, artistic, scientific or cultural value.

"Restricted certified mail." Certified mail that carries on its face, in a conspicuous place where it will not be obliterated, the endorsement "deliver to addressee only" and for which the post office provides the mailer with a return receipt showing the date of delivery, the place of delivery and the person to whom delivered.

"Unclaimed loaned property." Property:

(1) that is on loan to a museum; and

(2) whose original lender, or any person acting legitimately on behalf of the lender, has not contacted the museum for at least 20 years from the beginning date of the loan of the property, if the loan of the property was for an indefinite or undetermined period or for at least five years after the date upon which the loan of the property for the definite period expired.

Section 5. Museum obligations to lenders.

(a) Recordkeeping for new loaned property.--For property loaned to a museum on or after the effective date of this

subsection, the museum shall do all of the following at the time of the loan:

(1) Make and retain a written record containing at least all of the following:

(i) The name, address and telephone number of the lender.

(ii) A description of the loaned property in sufficient detail for ready identification.

(iii) The beginning date of the loan.

(iv) The expiration date of the loan.

(2) Provide the lender with a signed receipt or loan agreement containing at least the record specified in paragraph (1).

(3) Inform the lender of the existence of this act and provide the lender with a copy of this act upon request of the lender.

(b) Recordkeeping for existing loaned property.--Regardless of the date of the loan of property to a museum, the museum shall do all of the following:

(1) Update the records of the museum if:

(i) a lender informs the museum of a change of address or change in ownership of the loaned property; or

(ii) the lender and museum negotiate a change in the duration of the loan.

(2) Inform the lender of the existence of this act when renewing or updating the records of an existing loan and provide the lender with a copy of this act upon request of the lender.

Section 6. Lender obligations to museums.

(a) Required notices.--Notwithstanding the date of the loan

of property in the custody of a museum, a lender shall promptly notify the museum in writing of the following:

(1) A change of the address or telephone number of the lender.

(2) The name, address and telephone number of the successor of the lender.

(3) The name, address and telephone number of the designated agent of the owner of the loaned property.

(4) A change of the address or telephone number of the designated agent of the owner of the loaned property.

(5) A change in ownership of the loaned property and the name, address and telephone number of the new owner of the loaned property.

(b) Documentation establishing ownership.--A successor of a lender shall document passage of rights of control to the loaned property in the custody of the museum.

Section 7. Liability.

(a) Prejudice.--Unless there is evidence of bad faith or gross negligence, a museum shall not be prejudiced by reason of any failure to deal with the true owner of loaned property.

(b) Surrender of loaned property.--In a case of disputed ownership of loaned property, a museum shall not be held liable for its refusal to surrender loaned property in its possession except in reliance upon a court order or judgment.

Section 8. Termination of loans for unclaimed loaned property.

(a) Authorization.--A museum may terminate a loan for unclaimed loaned property in the museum's possession in accordance with this section.

(b) Search.--A museum shall make a good faith and reasonable search for the identity and last known address of the lender

1 from the museum records and other records reasonably available
2 to the museum staff.

3 (c) Notice.--

4 (1) Following a search under subsection (b):

5 (i) If the museum identifies the lender and the
6 lender's last known address, the museum shall give actual
7 notice to the lender that the loan is terminated in
8 accordance with paragraph (2).

9 (ii) If the identity or the last known address of
10 the lender remains unknown, the museum shall give notice
11 by publication in accordance with paragraph (3).

12 (2) Actual notice of termination by a museum of a loan
13 for unclaimed loaned property shall be provided by a letter
14 to the lender, which shall be sent by restricted certified
15 mail to the last known address of the lender and which shall
16 include the following information:

17 (i) The date of notice of termination.

18 (ii) The name of the lender.

19 (iii) A description of the loaned property in
20 sufficient detail for ready identification.

21 (iv) The approximate initiating date of the loan and
22 termination date, if applicable and known.

23 (v) The name and address of the designated museum
24 official to be contacted regarding the loan.

25 (vi) A statement that within 90 days of the date of
26 the notice of termination, the lender is required to
27 remove the loaned property from the museum or contact the
28 designated museum official to preserve the lender's
29 interests in the loaned property and that failure to do
30 so will result in the loss of all rights in the loaned

property in accordance with section 10.

(3) Notice by publication of termination by a museum of a loan for unclaimed loaned property shall be provided as follows:

(i) This paragraph only applies if:

(A) a search under subsection (b) is unsuccessful and the museum is unable to send actual notice in accordance with paragraph (2); or

(B) a signed return receipt of a notice sent by restricted certified mail under paragraph (2) is not received by the museum within 30 days after the notice was mailed.

(ii) The museum shall publish the notice of termination, which includes all the information that is specified under paragraph (2) and available to the museum, in a publication of general circulation in the county of the last known address of the lender, if known, and the county in which the museum is located. The following apply:

(A) The notice shall be published at least twice and at least 60 days apart.

(B) If the loan of property was made to a branch of the museum, the museum shall be deemed to be located in the county in which the branch is located.

Section 9. Return or disposition of unclaimed loaned property.

(a) Written claim by lender.--If a museum receives a written claim of ownership for loaned property for which notice was provided under section 8(c)(2) or (3), the museum shall return the loaned property to the lender or carry out the disposition of the loaned property as the lender requests, not later than 90

1 days after receipt of the written claim of ownership. The
2 following apply:

3 (1) The lender shall advise the museum in writing as to
4 the disposition of the loaned property or how the loaned
5 property is to be returned to the lender.

6 (2) Any costs incurred as a result of returning the
7 loaned property or the disposition of the loaned property
8 shall be the responsibility of the lender, unless the lender
9 and the museum have mutually agreed to alternate
10 arrangements.

11 (b) Written claim by others.--If a museum receives a written
12 claim of ownership for loaned property for which notice was
13 provided under section 8(c)(2) or (3) from a person other than
14 the lender or lender's agent on record with the museum, the
15 museum shall determine if the ownership claim is valid not later
16 than 90 days after receipt of the written claim of ownership.
17 The following apply:

18 (1) A claimant shall submit proof of ownership to the
19 museum with the written claim of ownership.

20 (2) If more than one person submits a written claim of
21 ownership, the museum may delay its determination of
22 ownership until the competing claims are resolved by
23 agreement or legal action.

24 (3) If the museum determines that the written claim of
25 ownership is valid or if the competing claims are resolved by
26 agreement or legal action, the museum shall return the loaned
27 property to the claimant submitting the valid claim of
28 ownership or dispose of the loaned property as the valid
29 claimant requests.

30 (4) Any costs incurred as a result of returning the

1 loaned property or the disposition of the loaned property
2 shall be the responsibility of the valid claimant, unless the
3 valid claimant and the museum have mutually agreed to
4 alternate arrangements.

5 Section 10. Title to unclaimed loaned property.

6 (a) Conditions.--As of the effective date of this
7 subsection, a museum acquires title to unclaimed loaned property
8 under any of the following circumstances:

9 (1) For loaned property for which a museum provides
10 actual notice to a lender in accordance with section 8(c)(2)
11 and a signed receipt is received, if a lender of that loaned
12 property does not contact the museum within 90 days after the
13 date notice was received.

14 (2) For loaned property for which notice by publication
15 is made in accordance with section 8(c)(3), if a lender or
16 any person claiming a legal interest in that loaned property
17 does not contact the museum within 90 days after the date of
18 the second publication of the notice.

19 (b) Effect of act.--Nothing in this act shall preclude a
20 museum from availing itself of any other means of establishing
21 or perfecting title to property in the possession of the museum.

22 Section 11. Contractual obligations.

23 Notwithstanding the other provisions of this act, a lender
24 and museum may bind themselves to different loan provisions by
25 written contract.

26 Section 12. Effect on other rights.

27 (a) Escheat.--Property on loan to a museum shall not escheat
28 to the Commonwealth under Article XIII.1 of the act of April 9,
29 1929 (P.L.343, No.176), known as The Fiscal Code, or any other
30 law of this Commonwealth, but shall pass to the museum in

1 accordance with section 10.

2 (b) Federal law.--This act shall not apply to property in
3 the possession of a museum under 25 U.S.C. Ch. 32 (relating to
4 Native American Graves Protection and Repatriation).

5 (c) Stolen property.--This act shall not apply to property
6 that is reported as stolen to a law enforcement agency, insurer
7 or the art loss register, or a successor organization having
8 similar purposes, no later than three years following the theft
9 or discovery of the theft, or was created before 1945 and
10 changed hands due to theft, seizure, confiscation, forced sale
11 or other involuntary means in Europe during the Nazi era between
12 1933 and 1945.

13 (d) Other property interests.--Property interests other than
14 those specifically addressed in this act are not altered by this
15 act.

16 Section 13. Title to property acquired from museum.

17 A museum that acquires title to unclaimed loaned property
18 under this act passes good title to another person when
19 transferring that property with the intent to pass title.

20 Section 14. Expenses and conservation or protective measures.

21 (a) Lien authorized.--As of the effective date of this
22 subsection, a museum shall have a lien for expenses for the
23 reasonable care of unclaimed loaned property after the
24 expiration date of the loan.

25 (b) Conditions required to apply conservation or protective
26 measures.--Unless the written loan agreement for the property
27 provides otherwise, a museum may apply conservation or
28 protective measures to loaned property without the permission of
29 the lender or formal notice to the lender if:

30 (1) Action is required to:

1 (i) protect the loaned property or other property in
2 the possession of the museum; or

3 (ii) protect the health and safety of the public or
4 museum staff because the loaned property is a hazard.

5 (2) Any of the following applies:

6 (i) The museum is unable to contact the lender at
7 the address on record for the lender within five business
8 days before the time in which the museum determines that
9 action is necessary.

10 (ii) The lender does not:

11 (A) respond or agree to the conservation or
12 protective measures recommended by the museum; and

13 (B) terminate the loan and take possession of
14 the loaned property on or before the fifth business
15 day after the museum contacts the lender.

16 (c) Amount of lien.--If a museum applies conservation or
17 protective measures to loaned property under this act, or with
18 the agreement of the lender, unless the written loan agreement
19 for the loaned property provides otherwise, the museum shall
20 acquire a lien on the loaned property in an amount equal to the
21 costs incurred by the museum for the conservation or protective
22 measures taken.

23 (d) Liability.--A museum shall not be liable for injury to
24 or loss of loaned property for which conservation or protective
25 measures were taken under this act, if all of the following
26 apply:

27 (1) The museum had a reasonable belief at the time that
28 the conservation or protective measures were taken that:

29 (i) the measures were necessary to protect the
30 loaned property or other property in the possession of

1 the museum; or

2 (ii) the loaned property was a hazard to the health
3 and safety of the public or museum staff.

4 (2) The museum exercised reasonable care in the choice
5 and application of the conservation or protective measures.

6 Section 15. Effective date.

7 This act shall take effect in 60 days.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB2118 PN2739	Prepared By:	Marissa Itterly
Committee:	Judiciary		(717) 705-1880,6312
Sponsor:	Hill-Evans, Carol	Executive Director:	David Vitale, Esq.
Date:	1/23/2026		

A. Brief Concept

Establishes the Museum Unclaimed Loaned Property Act to institute uniform rules to govern the disposition of museum unclaimed loaned property.

C. Analysis of the Bill

This legislation would establish the Museum Unclaimed Loaned Property Act to institute uniform rules to govern the disposition of museum unclaimed loaned property. This bill will allow Pennsylvania's private and not-for profit museums and historical societies to establish title to property that has been donated or left with them after a loan period has terminated and the lender could not be found.

"Museum" is defined in the bill as:

- A public or private nonprofit agency or institution that is:
 - located in the Commonwealth;
 - organized on a permanent basis for educational or aesthetic purposes; and
 - owns or utilizes tangible objects, cares for tangible objects, and exhibits tangible objects to the public on a regular basis.

The term would include a historical society, park, historic site, historic monument, archive, or library.

MUSEUM OBLIGATIONS TO LENDERS

For property loaned to a museum on or after the effective date of this legislation, the museum would be required to make and retain a written record containing the contact information of the lender and a description of the loaned property in sufficient detail for ready identification, the beginning date and expiration date of the loan and provide the lender a signed receipt or loan agreement. They must also inform the lender of the existence of this act and provide the lender with a copy of this act upon request of the lender.

For existing loaned property, regardless of the date of the loan of property to a museum, the museum is required to update the records of the museum if a lender informs the museum of a change of address or change in ownership of the loaned property; or the lender and museum negotiate a change in the duration of the loan. They must also inform the lender of the enactment of this legislation when renewing or updating the records of an existing loan and provide the lender with a copy of this act upon request of the lender.

LENDER OBLIGATIONS TO MUSEUM

Regardless of the date of the loan of property in the custody of a museum, a lender is required to promptly notify the museum if their contact information changes, the contact information of the successor or designated agent of the lender changes or if there is a change in ownership of the property. If there is a change in ownership, they shall provide the museum the contact information of the new owner. A successor of a lender would be required to document passage of rights of control to the loaned property in the custody of the museum.

LIABILITY

Unless there is evidence of bad faith or gross negligence, a museum will not be held liable for failure to deal with the true owner of the loaned property. In a case of disputed ownership of loaned property, a museum could not be held liable for its refusal to surrender loaned property in its possession except in reliance upon a court order or judgment.

TERMINATION OF LOANS FOR UNCLAIMED LOANED PROPERTY

A museum could terminate a loan for unclaimed loaned property in the museum's possession as long as they make a good faith and reasonable search for the identity and last known address of the lender from the museum records and other records reasonably available to the museum staff.

If the museum identifies the lender, the museum is required to give actual notice to the lender that the loan is terminated as follows:

- Actual notice of termination by a museum of a loan for unclaimed loaned property is required to be provided by a letter to the lender, which must be sent by restricted certified mail to the last known address of the lender, and which must include the following information:
 - The date of notice of termination.
 - The name of the lender.
 - A description of the loaned property in sufficient detail for ready identification.
 - The approximate initiating date of the loan and termination date, if applicable and known.
 - The name and address of the designated museum official to be contacted regarding the loan.
 - A statement that within 90 days of the date of the notice of termination, the lender would be required to remove the loaned property from the museum or contact the designated museum official to preserve the lender's interests in the loaned property and that failure to do so will result in the loss of all rights in the loaned property.

If the identity or the last known address of the lender remains unknown, the museum is required to give notice by publication in accordance with the following:

- Notice by publication of termination by a museum of a loan for unclaimed loaned property would be required to be provided if a search is unsuccessful and the museum is unable to send actual notice, or a signed return receipt of a notice sent by restricted certified mail is not received by the museum within 30 days after the notice was mailed.
- The museum would be required to publish the notice of termination, which includes all the information that is specified and available to the museum, in a publication of general circulation in the county of the last known address of the lender, if known, and the county in which the museum is located. The following apply:
 - The notice would be required to be published at least twice and at least 60 days apart.
 - If the loan of property was made to a branch of the museum, the museum would be deemed to be located in the county in which the branch is located.

RETURN OR DISPOSITION OF UNCLAIMED LOANED PROPERTY

If a museum receives a written claim of ownership for loaned property for which notice was provided, the museum is required to return the loaned property to the lender or carry out the disposition and the following applies:

- The lender is required to advise the museum in writing as to the disposition of the loaned property or how the loaned property is to be returned to the lender.
- Any costs incurred as a result of returning the loaned property or the disposition of the loaned property is the responsibility of the lender unless the lender and the museum have mutually agreed to alternate arrangements.

If a museum receives a written claim of ownership for loaned property for which notice was provided from a person other than the lender or lender's agent on record with the museum, the museum is required to determine if the ownership claim is valid not later than 90 days after receipt of the written claim of ownership and the following applies:

- A claimant would be required to submit written proof of ownership to the museum.
- If more than one person submits a written claim of ownership, the museum could delay its determination of ownership until the competing claims are resolved by agreement or legal action.
- If the museum determines that the written claim of ownership is valid or if the competing claims are resolved by agreement or legal action, the museum is required to return the loaned property to the claimant submitting the valid claim of ownership or dispose of the loaned property as the valid claimant requests.
- Any costs incurred as a result of returning the of the loaned property as the lender requests is the responsibility of the valid claimant, unless the valid claimant and the museum have mutually agreed to alternate arrangements.

TITLE TO UNCLAIMED LOANED PROPERTY

As of the effective date of this legislation, a museum would acquire title to unclaimed loaned property under any of the following circumstances:

- For loaned property for which a museum provides actual notice to a lender and a signed receipt is received and a lender of that loaned property does not contact the museum within 90 days after the date notice was received.
- For loaned property for which notice by publication is made, if a lender or any person claiming a legal interest in that loaned property does not contact the museum within 90 days after the date of the second publication of the notice.

Nothing would preclude a museum from availing itself of any other means of establishing or perfecting title to property in the possession of the museum.

OTHER CONSIDERATIONS

Property on loan to a museum would not escheat (forfeit) to the state treasury if there are no heirs or named beneficiaries to take the property upon the death of the last known owner but instead pass to the museum.

This legislation does not apply to property in the possession of a museum under the Native American Graves Protection and Repatriation Act.

This legislation does not apply to property that is reported as stolen to a law enforcement agency, insurer or the art loss register, or a successor organization having similar purposes, no later than three years following the theft or discovery of the theft, or was created before 1945 and changed hands due to theft, seizure, confiscation, forced sale or other involuntary means in Europe during the Nazi era between 1933 and 1945.

A museum that acquires title to unclaimed loaned property under this legislation passes good title to another person when transferring that property with the intent to pass title.

As of the effective date of this legislation, a museum would have a lien for expenses for the reasonable care of unclaimed loaned property after the expiration date of the loan.

Effective Date:

60 Days.

G. Relevant Existing Laws

This is freestanding legislation. The History Code in Title 37 (Historical and Museums) provides for the powers and duties of Pennsylvania Historical and Museum Commission.

There is no comprehensive, universally applied statute under Pennsylvania or federal law that governs unclaimed loaned property at museums. Museums generally rely on common law doctrines regarding abandoned or lost property. Under common law, museums must make a reasonable, good-faith effort to locate the lender or owner before claiming ownership or disposing of long-unclaimed items. Failure to do so legally could expose a museum to claims of

conversion or wrongful possession. See Commonwealth v. Wetmore, 447 A.2d 1012 (Pa. Super. 1982) (abandoned property cannot be the subject of larceny); Hamaker v. Blanchard, 35 Am.St.Rep. 664 (Pa. 1879) (a finder of lost or abandoned property generally has rights superior to everyone except the true owner).

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

Last session, SB 228 (Phillips-Hill) unanimously passed the Senate on February 7, 2024, and unanimously passed the House State Government Committee on October 1, 2024.

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2124 Session of
2026

INTRODUCED BY BONNER, BRIGGS, HANBIDGE, VENKAT, HOHENSTEIN,
SHUSTERMAN, SMITH, RIVERA, GALLAGHER, ZIMMERMAN, SOLOMON,
BOYD AND SCIALABBA, JANUARY 9, 2026

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 9, 2026

AN ACT

1 Amending Title 20 (Decedents, Estates and Fiduciaries) of the
2 Pennsylvania Consolidated Statutes, providing for uniform
3 real property transfer on death.

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

6 Section 1. Title 20 of the Pennsylvania Consolidated
7 Statutes is amended by adding chapters to read:

8 CHAPTER 21A

9 (Reserved)

10 CHAPTER 21B

11 UNIFORM REAL PROPERTY TRANSFER ON DEATH

12 Sec.

13 21B01. Short title of chapter.

14 21B02. Definitions.

15 21B03. Applicability.

16 21B04. Nonexclusivity.

17 21B05. Transfer on death deed authorized.

18 21B06. Transfer on death deed revocable.

1 21B07. Transfer on death deed nontestamentary.
2 21B08. Capacity of transferor.
3 21B09. Requirements.
4 21B10. Notice, delivery, acceptance and consideration not
5 required.
6 21B11. Revocation.
7 21B12. Effect of transfer on death deed during transferor's
8 life.
9 21B13. Effect of transfer on death deed on transferor's death
10 or divorce.
11 21B14. Slayer or elder abuser.
12 21B15. Disclaimer.
13 21B16. Simultaneous death.
14 21B17. Elective share.
15 21B18. Liability for creditor claims and statutory allowances.
16 21B19. Warning.
17 21B20. Optional form of deed.
18 21B21. Optional form of revocation.
19 21B22. Prior deeds.
20 § 21B01. Short title of chapter.

21 This chapter shall be known and may be cited as the Uniform
22 Real Property Transfer on Death Act.

23 § 21B02. Definitions.

24 The following words and phrases when used in this chapter
25 shall have the meanings given to them in this section unless the
26 context clearly indicates otherwise:

27 "Beneficiary." A person that receives property under a
28 transfer on death deed.

29 "Designated alternate beneficiary." A person that receives
30 property under a transfer on death deed when the designated

1 beneficiary predeceases the transferor.

2 "Designated beneficiary." A person designated to receive
3 property in a transfer on death deed.

4 "Joint owner." An individual who owns property concurrently
5 with one or more other individuals with a right of survivorship.
6 The term includes a joint tenant, owner of property with a right
7 of survivorship and tenant by the entirety. The term does not
8 include a tenant in common.

9 "Lapse." When a designated beneficiary predeceases a
10 transferor and no designated alternate beneficiary is named.

11 "Person." An individual, corporation, business trust,
12 estate, trust, partnership, limited liability company,
13 association, joint venture, public corporation, government or
14 governmental subdivision, agency or instrumentality or any other
15 legal or commercial entity.

16 "Property." An interest in real property located in this
17 Commonwealth which is transferable on the death of the owner.

18 "Transfer on death deed." A deed authorized under this
19 chapter.

20 "Transferor." An individual who makes a transfer on death
21 deed.

22 § 21B03. Applicability.

23 This chapter applies to a transfer on death deed made before,
24 on or after the effective date of this section by a transferor
25 dying on or after the effective date of this section.

26 § 21B04. Nonexclusivity.

27 This chapter does not affect any method of transferring
28 property otherwise permitted under the law of this Commonwealth.

29 § 21B05. Transfer on death deed authorized.

30 An individual may transfer property to one or more

beneficiaries effective at the transferor's death by a transfer on death deed. The transfer may be made to a custodian under Chapter 53 (relating to Pennsylvania Uniform Transfers to Minors Act).

§ 21B06. Transfer on death deed revocable.

A transfer on death deed is revocable even if the deed or another instrument contains a contrary provision.

§ 21B07. Transfer on death deed nontestamentary.

A transfer on death deed is nontestamentary.

§ 21B08. Capacity of transferor.

The capacity required to make or revoke a transfer on death deed is the same as the capacity required to make a will.

§ 21B09. Requirements.

A transfer on death deed:

(1) except as otherwise provided in paragraph (2), must contain the essential elements and formalities of a properly recordable deed;

(2) must state that the transfer to the designated beneficiary is to occur at the transferor's death; and

(3) must be recorded before the transferor's death in the public records in the office of the county recorder of deeds of the county where the property is located.

§ 21B10. Notice, delivery, acceptance and consideration not required.

A transfer on death deed is effective without:

(1) notice or delivery to or acceptance by the designated beneficiary during the transferor's life; or

(2) consideration.

§ 21B11. Revocation.

(a) Revocation authorized.--Subject to subsection (b), an

instrument is effective to revoke a transfer on death deed recorded as required by section 21B09(3) (relating to requirements), or any part of it, only if the instrument:

(1) is one of the following:

(i) a transfer on death deed that revokes the deed or part of the deed expressly or by inconsistency;

(ii) an instrument of revocation that expressly revokes the deed or part of the deed; or

(iii) a deed that revokes the transfer on death deed or part of the deed expressly or by inconsistency; and

(2) is acknowledged by the transferor after the acknowledgment of the transfer on death deed being revoked and recorded before the transferor's death in the office of the county recorder of deeds of the county where the transfer on death deed is recorded.

(b) More than one transferor.--If a transfer on death deed is made by more than one transferor, the following apply:

(1) revocation by a transferor does not affect the deed as to the interest of another transferor; and

(2) a transfer on death deed made by joint owners is revoked only if it is revoked by all the living joint owners.

(c) Transfer not limited.--This section does not limit a transferor's ability to transfer the property during the transferor's life.

§ 21B12. Effect of transfer on death deed during transferor's life.

(a) General rule.--During a transferor's life, a transfer on death deed does not:

(1) affect an interest or right of the transferor or any other owner, including the right to transfer or encumber the

1 property;

2 (2) affect an interest or right of a transferee, even if
3 the transferee has actual or constructive notice of the deed;

4 (3) affect an interest or right of a secured or
5 unsecured creditor or future creditor of the transferor, even
6 if the creditor has actual or constructive notice of the
7 deed;

8 (4) confer any interest in the property to the
9 designated beneficiary or affect the designated beneficiary's
10 eligibility for any public benefit;

11 (5) create a legal or equitable interest in favor of the
12 designated beneficiary; or

13 (6) subject the property to claims or process of a
14 creditor of the designated beneficiary.

15 (b) Not an asset transfer.--During a transferor's life, a
16 transfer on death deed shall not be deemed an asset transfer of
17 the property for assessing the transferor's eligibility for any
18 public benefit.

19 § 21B13. Effect of transfer on death deed on transferor's death
20 or divorce.

21 (a) Death of transferor.--Except as otherwise provided in
22 the transfer on death deed or this section, on the death of the
23 transferor, the following rules apply to property that is the
24 subject of a transfer on death deed and owned by the transferor
25 at death:

26 (1) Subject to paragraph (2), the interest in the
27 property is transferred to the designated beneficiary in
28 accordance with the deed.

29 (2) The interest of a designated beneficiary is
30 contingent on the designated beneficiary surviving the

1 transferor. The interest of a designated beneficiary that
2 fails to survive the transferor lapses. If there are multiple
3 designated beneficiaries, the effect of a lapse under this
4 paragraph results in the transfer of the interest of the
5 deceased designated beneficiary to the surviving
6 beneficiaries. If all designated beneficiaries predecease the
7 transferor, the beneficiaries' interests terminate and the
8 property passes with the transferor's estate.

9 (3) If the transferor has identified two or more
10 designated beneficiaries to receive concurrent interests in
11 the property, and the share of one or more designated
12 beneficiaries lapses or fails for any reason, the share or
13 shares shall be transferred to the remaining designated
14 beneficiaries in proportion to the interest of each in the
15 remaining part of the property held concurrently.

16 (4) Subject to paragraph (3), concurrent interests are
17 transferred to the beneficiaries in equal and undivided
18 shares with no right of survivorship.

19 (b) Divorce.--If the transferor and designated beneficiary
20 are married to each other when the transfer on death deed is
21 made, the following rules apply:

22 (1) If a divorce decree is issued after the transfer on
23 death deed was made and no deed was recorded subsequent to
24 the issuance of the decree, section 2507(2) (relating to
25 modification of circumstances) shall apply to the interest of
26 the designated beneficiary as if the transfer of the property
27 was a bequest in the transferor's will.

28 (2) If the transferor dies before the issuance of a
29 divorce decree, section 2507(2) shall apply to the interest
30 of the designated beneficiary as if the transfer of the

1 property was a bequest in the transferor's will.

2 (c) Beneficiary subject to interests.--Subject to section 1
3 of the act of April 24, 1931 (P.L.48, No.40), entitled "An act
4 requiring the recording of certain written agreements pertaining
5 to real property, and prescribing the effect thereof as to
6 subsequent purchasers, mortgagees, and judgment creditors of the
7 parties thereto," a beneficiary takes the property subject to
8 all conveyances, encumbrances, assignments, contracts,
9 mortgages, liens and other interests to which the property is
10 subject at the transferor's death. For purposes of this
11 subsection and section 1 of the act of April 24, 1931 (P.L.48,
12 No.40), the recording of the transfer on death deed is deemed to
13 have occurred at the transferor's death.

14 (d) Joint owners.--

15 (1) If a transferor is a joint owner who dies and:

16 (i) is survived by one or more other joint owners,
17 the property that is the subject of a transfer on death
18 deed belongs to the surviving joint owner or owners with
19 right of survivorship; or

20 (ii) is the last surviving joint owner, the property
21 that is the subject of a transfer on death deed belongs
22 to the designated beneficiary or beneficiaries.

23 (2) If the property that is the subject of a transfer on
24 death deed is held as tenants by the entireties and becomes
25 property held by tenants in common under other law of this
26 Commonwealth as a result of the divorce of the joint owners,
27 the interest of the designated beneficiary or beneficiaries
28 lapses.

29 (e) No covenant or warranty of title.--Notwithstanding the
30 provisions of any other law of this Commonwealth, a transfer on

death deed transfers property without covenant or warranty of title even if the deed contains a contrary provision.

(f) Exempt from realty transfer tax.--A transfer of property pursuant to a transfer on death deed shall be exempt from the State and local realty transfer tax under Articles XI-C and XI-D of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, section 301.1 of the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, and the act of August 5, 1932 (Sp.Sess., P.L.45, No.45), referred to as the Sterling Act.

(g) Due-on-sale provisions.--A lender shall not exercise a due-on-sale clause upon a transfer on death under this chapter to the extent prohibited by 12 U.S.C. § 1701j-3(d) (relating to preemption of due-on-sale prohibitions) or other law.

§ 21B14. Slayer or elder abuser.

A slayer or elder abuser as defined in section 8801 (relating to definitions) of a transferor shall be deemed to have predeceased the transferor as to property which would have passed to the slayer or elder abuser through a transfer on death deed.

§ 21B15. Disclaimer.

A beneficiary may disclaim all or part of the beneficiary's interest in property to be transferred under a transfer on death deed by recording a disclaimer under Chapter 62 (relating to disclaimers). An interest that is disclaimed under this section is deemed to have lapsed.

§ 21B16. Simultaneous death.

If all transferors and designated beneficiaries die simultaneously, the property to be transferred under a transfer on death deed shall vest in the estates of the designated

1 beneficiaries.

2 § 21B17. Elective share.

3 Property transferred under a transfer on death deed shall be
4 considered part of the transferor's probate estate for purposes
5 of a spouse's right to an elective share under Chapter 22
6 (relating to elective share of surviving spouse).

7 § 21B18. Liability for creditor claims and statutory
8 allowances.

9 (a) Enforcement by probate estate.--To the extent a
10 transferor's probate estate is insufficient to satisfy an
11 allowed claim against the estate or a statutory allowance to a
12 surviving spouse, the estate may enforce the liability against
13 property transferred at the transferor's death by a transfer on
14 death deed.

15 (b) Apportionment.--If more than one property is transferred
16 by one or more transfer on death deeds, the liability under
17 subsection (a) is apportioned among the properties in proportion
18 to their net values at the transferor's death.

19 (c) Proceeding to enforce.--A proceeding to enforce the
20 liability under this section must be commenced not later than 18
21 months after the transferor's death.

22 § 21B19. Warning.

23 (a) Requirement.--A transfer on death deed shall contain the
24 following warnings:

25 WARNING: The property transferred remains subject to
26 inheritance taxation in Pennsylvania to the same extent that
27 it would if the transferor did not execute this transfer on
28 death deed. Failure to timely pay inheritance taxes is
29 subject to interest and penalties as provided by law.

30 WARNING: The property transferred remains subject to

claims for Medicaid Estate Recovery reimbursement to the extent necessary to discharge any such claim remaining after application of the assets of the transferor's estate.

WARNING: If your designated beneficiary dies before you, the property will not transfer to them. If your designated beneficiary dies before you, you may wish to redo this deed or consult a lawyer.

(b) Validity.--A transfer on death deed recorded as required by section 21B09(3) (relating to requirements) shall be valid notwithstanding the existence of any defects in the wording of the warnings required by this section or for failure to include any warning.

§ 21B20. Optional form of deed.

The following form may be used to create a transfer on death deed. The other sections of this chapter govern the effect of this or any other instrument used to create a transfer on death deed:

(front of form)

REVOCABLE TRANSFER ON DEATH DEED

NOTICE TO OWNER

You should carefully read all information on the other side of this form. You May Want to Consult a Lawyer Before Using This Form.

This form must be recorded before your death, or it will not be effective.

IDENTIFYING INFORMATION

Owner or Owners Making This Deed:

Printed name Mailing address

1	<u>Printed name</u>	<u>Mailing address</u>
---	---------------------	------------------------

2 Legal description of the property: _____

3 _____

4 DESIGNATED BENEFICIARY

5 I designate the following beneficiary if the beneficiary
6 survives me.

7 _____

8	<u>Printed name</u>	<u>Mailing address</u>
---	---------------------	------------------------

9 Relationship to owner or owners - Optional

10 DESIGNATED ALTERNATE BENEFICIARY - Optional

11 If my primary beneficiary does not survive me, I designate
12 the following alternate beneficiary if that beneficiary survives
13 me.

15	<u>Printed name</u>	<u>Mailing address</u>
----	---------------------	------------------------

16 Relationship to owner or owners - Optional

17 TRANSFER ON DEATH

18 At my death, I transfer my interest in the described property
19 to the beneficiaries as designated above.

20 Before my death, I have the right to revoke this deed.

21 SIGNATURE OF OWNER OR OWNERS MAKING THIS DEED

22 _____ (SEAL)

23 Signature _____ Date _____

24 _____ (SEAL)

25 Signature _____ Date _____

26 WARNING: The property transferred remains subject to
27 inheritance taxation in Pennsylvania to the same extent that it
28 would if the transferor did not execute this transfer on death
29 deed. Failure to timely pay inheritance taxes is subject to
30 interest and penalties as provided by law.

1 WARNING: The property transferred remains subject to claims
2 for Medicaid Estate Recovery reimbursement to the extent
3 necessary to discharge any such claim remaining after
4 application of the assets of the transferor's estate.

5 WARNING: If your designated beneficiary dies before you, the
6 property will not transfer to them. If your designated
7 beneficiary dies before you, you may wish to redo this deed or
8 consult a lawyer.

9 ACKNOWLEDGMENT

10 (insert acknowledgment for deed here)

11 (back of form)

12 COMMON QUESTIONS ABOUT THE USE OF THIS FORM

13 What does the Transfer on Death (TOD) deed do? When you die,
14 this deed transfers the described property, subject to any liens
15 or mortgages (or other encumbrances) on the property at your
16 death. Probate is not required. The TOD deed has no effect until
17 you die. You can revoke it at any time. You are also free to
18 transfer the property to someone else during your lifetime. If
19 you do not own any interest in the property when you die, this
20 deed will have no effect.

21 How do I make a TOD deed? Complete this form or draft a
22 transfer on death deed on your own or with legal assistance.
23 Have it acknowledged (notarized) before a notary public. Record
24 the form in each county where any part of the property is
25 located. The form has no effect unless it is acknowledged
26 (notarized) and recorded before your death.

27 Is the "legal description" of the property necessary? Yes.

28 How do I find the "legal description" of the property? This
29 information may be on the deed you received when you became an
30 owner of the property. This information is also available in the

1 office of the county recorder of deeds for the county where the
2 property is located. It is very important to obtain the proper
3 "legal description" of the property. If you are not absolutely
4 sure, consult a lawyer.

5 Can I change my mind before I record the TOD deed? Yes. If
6 you have not yet recorded the deed and want to change your mind,
7 simply tear up or otherwise destroy the deed.

8 How do I "record" the TOD deed? Take the completed and
9 acknowledged form to the office of the county recorder of deeds
10 of the county where the property is located. Follow the
11 instructions given by the county recorder to make the form part
12 of the official property records. If the property is in more
13 than one county, you should record the deed in each county.

14 Does the TOD deed allow my beneficiary to avoid inheritance
15 taxes, Medicaid Estate Recovery or other debts I may have? No.
16 Your beneficiary is still responsible for ensuring that your
17 debts are paid, including inheritance taxes and Medicaid Estate
18 Recovery.

19 Can I later revoke the TOD deed if I change my mind? Yes.
20 You can revoke the TOD deed. No one, including the
21 beneficiaries, can prevent you from revoking the deed.

22 How do I revoke the TOD deed after it is recorded? There are
23 three ways to revoke a recorded TOD deed:

24 (1) Complete and acknowledge a revocation form and
25 record it in each county where the property is located.

26 (2) Complete and acknowledge a new TOD deed that
27 disposes of the same property and record it in each county
28 where the property is located.

29 (3) Record a deed that transfers the property to someone
30 else during your lifetime. You may not revoke the TOD deed in

your will.

I am being pressured to complete this form. What should I do?

Do not complete this form under pressure. Seek help from a
trusted family member, friend or lawyer. You may be able to get
free legal advice from a legal services organization.

Do I need to tell the beneficiaries about the TOD deed? No,
but it is recommended. Secrecy can cause later complications and
might make it easier for others to commit fraud.

I have other questions about this form. What should I do?
This form is designed to fit some but not all situations. If you
have other questions, you are encouraged to consult a lawyer.
You may be able to get free legal advice from a legal services
organization.

§ 21B21. Optional form of revocation.

The following form may be used to create an instrument of
revocation of a transfer on death deed. The other sections of
this chapter govern the effect of this or any other instrument
used to revoke a transfer on death deed.

(front of form)

REVOCATION OF TRANSFER ON DEATH DEED

NOTICE TO OWNER

This revocation must be recorded before you die or it will
not be effective.

If you are the only owner of this property, this revocation
form voids the transfer on death deed(s) you have previously
signed and recorded, as long as you properly complete this
revocation form and record it before your death.

If you own this property as a "tenant in common" with other
people, this revocation form voids only your proportional
interest in the transfer on death deed(s) you have previously

1 signed and recorded, as long as you properly complete this
2 revocation form and record it before your death.

3 If you own this property as a "joint tenant" or as a "tenant
4 by the entirety" with another person(s) who is still alive, this
5 revocation is not valid unless those other living person(s) also
6 sign the revocation form.

7 IDENTIFYING INFORMATION

8 Owner or Owners of Property Making This Revocation:

9 _____

10 Printed name _____ Mailing address

11 _____

12 Printed name _____ Mailing address

13 Legal description of the property: _____

14 _____

15 REVOCATION

16 I revoke all my previous transfers of this property by
17 transfer on death deed.

18 SIGNATURE OF OWNER OR OWNERS MAKING THIS REVOCATION

19 _____ (SEAL) _____

20 Signature _____ Date

21 _____ (SEAL) _____

22 Signature _____ Date

23 ACKNOWLEDGMENT

24 (insert acknowledgment here)

25 (back of form)

26 COMMON QUESTIONS ABOUT THE USE OF THIS FORM

27 How do I use this form to revoke a Transfer on Death (TOD)
28 deed? Complete this form. Have it acknowledged (notarized)
29 before a notary public or other individual authorized to take
30 acknowledgments. Record the form in the public records in the

office of the county recorder of deeds of each county where the property is located. The form must be acknowledged (notarized) and recorded before your death or it has no effect.

How do I find the "legal description" of the property? This information may be on the TOD deed. It may also be available in the office of the county recorder of deeds for the county where the property is located. If you are not absolutely sure, consult a lawyer.

How do I "record" the form? Take the completed and acknowledged (notarized) form to the office of the county recorder of deeds of the county where the property is located. Follow the instructions given by the county recorder to make the form part of the official property records. If the property is located in more than one county, you should record the form in each of those counties.

I am being pressured to complete this form. What should I do? Do not complete this form under pressure. Seek help from a trusted family member, friend or lawyer.

I have other questions about this form. What should I do? This form is designed to fit some but not all situations. If you have other questions, consult a lawyer.

§ 21B22. Prior deeds.

This chapter does not affect the validity or effect of any deed made prior to the effective date of this section.

Section 2. This act shall take effect in 180 days.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB2124 PN2744	Prepared By:	Michelle Batt, Esq. (717) 705-1880,6792
Committee:	Judiciary	Executive Director:	David Vitale, Esq.
Sponsor:	Bonner, Timothy and Briggs, Tim		
Date:	1/16/2026		

A. Brief Concept

Enacts the Uniform Real Property Transfer on Death Act in Pennsylvania, enabling owners to pass on real property outside of probate.

C. Analysis of the Bill

Amends Title 20 (Decedents, Estates and Fiduciaries) by adding Chapter 21B (Uniform Real Property Transfer on Death) which provides a nonexclusive process for the transfer of real property after the owner passes.

Under the act, any owner of real property may elect to transfer their property to one or more beneficiaries at the owner's death by a "transfer on death deed" (or TODDs), authorized by this act.

TODDs are always revocable during the life of the owner and are nontestamentary instruments, though to create such a TODD, the owner must have the same capacity as is required to make a will.

To be valid, a TODD must:

- contain the essential elements and formalities of a properly recordable deed;
- must state that the transfer to the designated beneficiary is to occur at the transferor's death; and
- must be recorded before the transferor's death in the public records in the office of the county recorder of deeds of the county where the property is located.

Neither notice, delivery, acceptance nor consideration are required to effectuate a TODD.

To be effective, any instrument purporting to revoke a TODD must be acknowledged by the transferor after the acknowledgment of the TODD being revoked and recorded before the transferor's death in the office of the county recorder of deeds of the county where the TODD is recorded and:

- be another TODD that revokes the deed or part of the deed expressly or by inconsistency;
- be an instrument of revocation that expressly revokes the deed or part of the deed; or
- be a deed that revokes the TODD or part of the deed expressly or by inconsistency; and

If a TODD is made by more than one transferor, revocation by a transferor does not affect the deed as to the interest of another transferor; and a TODD made by joint owners is revoked only if it is revoked by all the living joint owners.

During the owner's life, TODDs do not create any interest in the property for the designated beneficiary or beneficiaries, and a TODD does not limit an owner's ability to transfer the property.

On the owner's death, the property is transferred to the designated beneficiary or beneficiaries in accordance with the TODD and subject to all conveyances, encumbrances, assignments,

contracts, mortgages, liens and other interests to which the property is subject at the time of the owner's death but without covenant or warranty, provided that the designated beneficiary or beneficiaries survive the owner. The interest of any beneficiary who predeceases the owner lapses. If all beneficiaries predecease the owner, the property will pass with the owner's estate.

If the owner and designated beneficiary are married to each other at the time a TODD is made and then subsequently divorce or initiate divorce proceedings and no other deed or other instrument of revocation was recorded at the time of the owner's death, then the TODD shall be treated as a bequest in the owner's will and Title 20 Pa.C.S. Section 2507(2) (relating to modification of circumstances) shall apply.

If an owner is a joint owner who dies and is survived by one or more other joint owners, the property that is the subject of a transfer on death deed belongs to the surviving joint owner or owners with right of survivorship.

Any property transferred via a TODD is exempt from State and local realty transfer tax and no lender shall exercise a due-on-sale clause.

A slayer or elder abuser as defined in section 8801 (relating to definitions) of an owner shall be deemed to have predeceased the transferor as to property which would have passed to the slayer or elder abuser through a TODD.

A beneficiary may disclaim all or part of the beneficiary's interest in property to be transferred under a transfer on death deed by recording a disclaimer under Chapter 62 (relating to disclaimers). An interest that is disclaimed under this section is deemed to have lapsed.

If all owners and designated beneficiaries die simultaneously, the property to be transferred shall vest in the estates of the designated beneficiaries.

Property transferred under a transfer on death deed shall be considered part of the transferor's probate estate for purposes of a spouse's right to an elective share under Chapter 22 (relating to elective share of surviving spouse).

To the extent a transferor's probate estate is insufficient to satisfy an allowed claim against the estate or a statutory allowance to a surviving spouse, the estate may enforce the liability against property transferred at the transferor's death by a transfer on death deed. And if more than one property is transferred by one or more transfer on death deeds, the liability is apportioned among the properties in proportion to their net values at the transferor's death. A proceeding to enforce the liability under this section must be commenced not later than 18 months after the transferor's death.

The bill also provides an optional form of deed for creating a TODD.

Effective Date:

180 Days.

G. Relevant Existing Laws

Under current law (20 Pa.C.S. §§ 3131 - 3138), real property is required to pass through probate.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

None.

the Pennsylvania House of Representatives and may not be utilized as such.