
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1132 Session of
2020

INTRODUCED BY HUGHES, FONTANA, SANTARSIERO, COSTA AND SCHWANK,
APRIL 30, 2020

REFERRED TO JUDICIARY, APRIL 30, 2020

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in limitation of time,
3 providing for action in judicial emergency.

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

6 Section 1. Chapter 55 of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subchapter to read:

8 SUBCHAPTER E

9 ACTION IN JUDICIAL EMERGENCY

10 Sec.

11 5591. (Reserved).

12 5592. Real property and tenancy-related actions related to
13 COVID-19 outbreak.

14 § 5591. (Reserved).

15 § 5592. Real property and tenancy-related actions related to
16 COVID-19 outbreak.

17 (a) General rule.--Notwithstanding any provision of law to
18 the contrary, the following shall apply relating to the COVID-19

1 outbreak:

2 (1) No court in this Commonwealth may accept any filing
3 or pleading instituting a new action arising under the act of
4 April 6, 1951 (P.L.69, No.20), known as The Landlord and
5 Tenant Act of 1951, until 60 days after the expiration of
6 judicial emergency by the Pennsylvania Supreme Court or
7 president judge of a judicial district under Pa.R.J.A. No.
8 1952 (relating to emergency actions, duties and authorities),
9 whichever is later. During the period of judicial emergency
10 or delay under this paragraph, a landlord may not charge fees
11 or penalties under The Landlord and Tenant Act of 1951. No
12 fees or penalties that would have otherwise accrued but for a
13 judicial emergency or the delay under this paragraph may be
14 assessed.

15 (2) If an action arising under The Landlord and Tenant
16 Act of 1951 was filed or a judgment by agreement has been
17 executed within 30 days prior to the declaration of a
18 judicial emergency by the Pennsylvania Supreme Court or
19 president judge of a judicial district under Pa.R.J.A. No.
20 1952, a landlord may not proceed with the action until 60
21 days after the expiration of judicial emergency by the
22 Pennsylvania Supreme Court or president judge of a judicial
23 district under Pa.R.J.A. No. 1952, whichever is later. It
24 shall not be a breach of a covered judgment by agreement if
25 the tenant complies with all applicable conditions of the
26 agreement within 60 days after the expiration of a judicial
27 emergency by the Pennsylvania Supreme Court or president
28 judge of a judicial district under Pa.R.J.A. No. 1952,
29 whichever is later. No writ may be executed until 60 days
30 after the expiration of a judicial emergency by the

1 Pennsylvania Supreme Court or president judge of a judicial
2 district, whichever is later. A landlord, during a judicial
3 emergency under this paragraph, otherwise eligible to charge
4 fees or penalties under The Landlord and Tenant Act of 1951,
5 may not charge fees or penalties during the time of judicial
6 emergency or delay under this paragraph. No fees or penalties
7 that would have otherwise accrued but for a judicial
8 emergency or delay under this paragraph may be assessed.

9 (3) No court may accept a new action relating to the
10 foreclosure on a residential property until 60 days after the
11 expiration of a judicial emergency by the Pennsylvania
12 Supreme Court or president judge of a judicial district under
13 Pa.R.J.A. No. 1952, whichever is later. During a period of
14 judicial emergency under this paragraph, a petitioner,
15 otherwise eligible to charge fees or penalties, may not
16 charge fees or penalties during the time of judicial
17 emergency or delay under this paragraph. No fees or penalties
18 that would have otherwise accrued but for the judicial
19 emergency or delay under this paragraph may be assessed.

20 (4) If an action relating to the foreclosure of a
21 residential property was commenced prior to the issuance of
22 declaration of a judicial emergency by the Pennsylvania
23 Supreme Court or president judge of a judicial district under
24 Pa.R.J.A. No. 1952, a petitioner may not proceed with an
25 action until 60 days after the expiration of a judicial
26 emergency by the Pennsylvania Supreme Court or president
27 judge of a judicial district under Pa.R.J.A. No. 1952,
28 whichever is later. During a period of a judicial emergency
29 under this paragraph, a petitioner, otherwise eligible to
30 charge fees or penalties, may not charge fees or penalties

1 during the time of judicial emergency or delay under this
2 paragraph. No fees or penalties that would have otherwise
3 accrued but for a judicial emergency or delay under this
4 paragraph may be assessed.

5 (b) Definition--As used in this section, the term

6 "foreclosure" shall include:

7 (1) An action of mortgage foreclosure under Pa.R.C.P.
8 Subch. I (relating to action of mortgage foreclosure).

9 (2) An action in ejectment under Pa.R.C.P. Subch. C
10 (relating to action in ejectment).

11 (3) An action to sell property to recover delinquent
12 real estate taxes under:

13 (i) the act of May 16, 1923 (P.L.207, No.153),
14 referred to as the Municipal Claim and Tax Lien Law; and

15 (ii) the act of July 7, 1947 (P.L.1368, No.542),
16 known as the Real Estate Tax Sale Law.

17 (4) An action under the act of November 24, 1976
18 (P.L.1176, No.261), known as the Manufactured Home Community
19 Rights Act.

20 Section 2. This act shall take effect immediately.