

AN ACT

1 Amending the act of November 10, 1999 (P.L.491, No.45), entitled
2 "An act establishing a uniform construction code; imposing
3 powers and duties on municipalities and the Department of
4 Labor and Industry; providing for enforcement; imposing
5 penalties; and making repeals," in exemptions, applicability
6 and penalties, establishing the Residential Construction
7 Catastrophic Loss Fund and imposing duties on the Department
8 of Labor and Industry.

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

11 Section 1. The act of November 10, 1999 (P.L.491, No.45),
12 known as the Pennsylvania Construction Code Act, is amended by
13 adding a section to read:

14 Section 904. Residential Construction Catastrophic Loss Fund.

15 (a) Establishment of fund.--The Residential Construction
16 Catastrophic Loss Fund is created within the department.

17 (b) Fee.--The department, in addition to assessing any fees
18 under 34 Pa. Code § 401.2 (relating to department fees) or
19 401.2a (relating to municipal and third-party agency fees) shall
20 also collect the Residential Construction Catastrophic Loss Fee

1 as follows:

2 (1) The department shall collect a Residential
3 Construction Catastrophic Loss Fee for newly constructed
4 residential buildings at a rate of \$25 plus 5¢ per square
5 foot of floor area.

6 (2) The amount collected from this fee shall be
7 deposited into the Residential Construction Catastrophic Loss
8 Fund which shall be managed by the department.

9 (c) Use of funds.--The Residential Construction Catastrophic
10 Loss Fund may be used to reimburse homeowners for costs incurred
11 as a result of poor construction practices whether for work
12 attempted on the homeowner's property or the property of a
13 neighbor including the costs of engineering surveys or other
14 planning documentation.

15 (d) Application.--The department shall develop regulations
16 for the following:

17 (1) A process for receiving applications for
18 reimbursement including proper forms.

19 (2) Certification process for damages.

20 (3) Maximum reimbursement amounts based on number of
21 claims and available funds on an annual basis.

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