

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL  
No. 2022 Session of  
1999

INTRODUCED BY JAMES, WATERS, RAMOS, WASHINGTON, CURRY, ROONEY,  
JOSEPHS, YOUNGBLOOD, THOMAS, STABACK, M. COHEN, DeWEESE,  
STURLA, KENNEY, TRELLO, ROEBUCK, MYERS, CARN AND HORSEY,  
NOVEMBER 1, 1999

REFERRED TO COMMITTEE ON JUDICIARY, NOVEMBER 1, 1999

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, further providing for  
3 exceptions to sovereign immunity and for limitations on  
4 damages.

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

7 Section 1. Section 8522(b) of Title 42 of the Pennsylvania  
8 Consolidated Statutes is amended by adding a paragraph to read:  
9 § 8522. Exceptions to sovereign immunity.

10 \* \* \*

11 (b) Acts which may impose liability.--The following acts by  
12 a Commonwealth party may result in the imposition of liability  
13 on the Commonwealth and the defense of sovereign immunity shall  
14 not be raised to claims for damages caused by:

15 \* \* \*

16 (10) Wrongful imprisonment.--Damages under this  
17 paragraph shall not exceed the following:

18 (i) a sum equal to twice the amount of the gross

1        wages of the plaintiff earned in the year prior to his  
2        arrest or \$20,000, whichever is greater, for each year of  
3        wrongful imprisonment;

4            (ii) reasonable attorney fees and court costs  
5        incurred by the plaintiff as a result of the wrongful  
6        conviction; and

7            (iii) restitution of all fines, surcharges and  
8        penalties incurred by the plaintiff as a result of the  
9        wrongful conviction.

10       Section 2. Section 8528 of Title 42 is amended by adding a  
11 subsection to read:

12       § 8528. Limitations on damages.

13       \* \* \*

14       (d) Nonapplicability.--This section shall not apply to  
15 damages for wrongful imprisonment under section 8522(b)(10).

16       Section 3. This act shall apply to any person found to have  
17 been wrongfully imprisoned under 42 Pa.C.S. Ch. 95 Subch. B.

18       Section 4. This act shall take effect in 60 days.