

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 962 Session of
2019

INTRODUCED BY ROZZI, GREGORY, BRIGGS, KINSEY AND HANBIDGE,
MARCH 27, 2019

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, NOVEMBER 20, 2019

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 ~~Pennsylvania Consolidated Statutes, in limitation of time,~~ <--
3 PENNSYLVANIA CONSOLIDATED STATUTES, REFORMING REMEDIES FOR <--
4 VICTIMS OF SEXUAL ABUSE:

5 IN LIMITATION OF TIME, further providing for six months
6 limitation, for infancy, insanity or imprisonment, for no
7 limitation applicable and ~~for other offenses; and, in matters~~ <--
8 ~~affecting government~~ FOR OTHER OFFENSES; <--

9 IN MATTERS AFFECTING GOVERNMENT units, further providing
10 for exceptions to sovereign immunity, for limitations on
11 damages in actions against Commonwealth parties, for
12 exceptions to governmental immunity and for limitations on
13 damages in actions against local parties; ~~AND~~ <--

14 IN SENTENCING ALTERNATIVES, PROVIDING FOR COUNSELING
15 SERVICES FOR VICTIMS OF SEXUAL ABUSE; AND <--

16 TRANSFERRING MONEY FROM THE GENERAL FUND INTO THE CRIME
17 VICTIM'S COMPENSATION FUND.

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

20 Section 1. Section 5522 of Title 42 of the Pennsylvania
21 Consolidated Statutes is amended by adding a subsection to read:

22 § 5522. Six months limitation.

23 * * *

1 (c) Exception.--This section shall not apply to any civil
2 action or proceeding brought under section 8522(b)(10) (relating
3 to exceptions to sovereign immunity) or 8542(b)(9) (relating to
4 exceptions to governmental immunity).

5 Section 2. Section ~~5533(b)(2)(i)~~ 5533(B)(2) of Title 42 is <--
6 amended to read:

7 § 5533. Infancy, insanity or imprisonment.

8 * * *

9 (b) Infancy.--

10 * * *

11 (2) (i) If an individual entitled to bring a civil
12 action arising from [childhood] sexual abuse is under 18 <--
13 years of age at the time the cause of action accrues, the
14 individual shall have a period of [12] 37 years after
15 attaining 18 years of age in which to commence an action
16 for damages regardless of whether the individual files a
17 criminal complaint regarding the [childhood] sexual <--
18 abuse.

19 * * * <--

20 (I.1) IF AN INDIVIDUAL ENTITLED TO BRING A CIVIL <--
21 ACTION ARISING FROM SEXUAL ABUSE IS AT LEAST 18 AND LESS
22 THAN 24 YEARS OF AGE AT THE TIME THE CAUSE OF ACTION
23 OCCURS, THE INDIVIDUAL SHALL HAVE UNTIL ATTAINING 30
24 YEARS OF AGE TO COMMENCE AN ACTION FOR DAMAGES REGARDLESS
25 OF WHETHER THE INDIVIDUAL FILES A CRIMINAL COMPLAINT
26 REGARDING THE SEXUAL ABUSE.

27 (II) FOR THE PURPOSES OF THIS PARAGRAPH, THE TERM
28 ["CHILDHOOD SEXUAL ABUSE"] "SEXUAL ABUSE" SHALL INCLUDE,
29 BUT NOT BE LIMITED TO, THE FOLLOWING SEXUAL ACTIVITIES
30 BETWEEN [A MINOR] AN INDIVIDUAL WHO IS 23 YEARS OF AGE OR

1 YOUNGER AND AN ADULT, PROVIDED THAT THE INDIVIDUAL
2 BRINGING THE CIVIL ACTION ENGAGED IN SUCH ACTIVITIES AS A
3 RESULT OF FORCIBLE COMPULSION OR BY THREAT OF FORCIBLE
4 COMPULSION WHICH WOULD PREVENT RESISTANCE BY A PERSON OF
5 REASONABLE RESOLUTION:

6 (A) SEXUAL INTERCOURSE, WHICH INCLUDES
7 PENETRATION, HOWEVER SLIGHT, OF ANY BODY PART OR
8 OBJECT INTO THE SEX ORGAN OF ANOTHER;

9 (B) DEVIATE SEXUAL INTERCOURSE, WHICH INCLUDES
10 SEXUAL INTERCOURSE PER OS OR PER ANUS; AND

11 (C) INDECENT CONTACT, WHICH INCLUDES ANY
12 TOUCHING OF THE SEXUAL OR OTHER INTIMATE PARTS OF THE
13 PERSON FOR THE PURPOSE OF AROUSING OR GRATIFYING
14 SEXUAL DESIRE IN EITHER PERSON.

15 (III) FOR PURPOSES OF THIS PARAGRAPH, "FORCIBLE
16 COMPULSION" SHALL HAVE THE MEANING GIVEN TO IT IN 18
17 PA.C.S. § 3101 (RELATING TO DEFINITIONS).

18 Section 3. Section 5551 of Title 42 is amended by adding a
19 paragraph to read:

20 § 5551. No limitation applicable.

21 A prosecution for the following offenses may be commenced at
22 any time:

23 * * *

24 (7) An offense under any of the following provisions of
25 18 Pa.C.S. (relating to crimes and offenses), or a conspiracy
26 or solicitation to commit an offense under any of the
27 following provisions of 18 Pa.C.S. if the offense results
28 from the conspiracy or solicitation, if the victim was under
29 18 years of age at the time of the offense:

30 Section 3011(b) (relating to trafficking in

1 individuals).

2 Section 3012 (relating to involuntary servitude) as
3 it relates to sexual servitude.

4 Section 3121 (relating to rape).

5 Section 3122.1 (relating to statutory sexual
6 assault).

7 Section 3123 (relating to involuntary deviate sexual
8 intercourse).

9 Section 3124.1 (relating to sexual assault).

10 Section 3124.2 (relating to institutional sexual
11 assault).

12 Section 3125 (relating to aggravated indecent
13 assault).

14 Section 4302 (relating to incest).

15 ~~Section 4. Section 5552(b.1) and (c) (3) of Title 42 are~~ <--
16 ~~amended to read:~~

17 SECTION 4. SECTION 5552(B.1), (C) (3) AND (C.1) OF TITLE 42 <--
18 ARE AMENDED AND SUBSECTION (C) IS AMENDED BY ADDING A PARAGRAPH
19 TO READ:

20 § 5552. Other offenses.

21 * * *

22 (b.1) Major sexual offenses.--[A] Except as provided in
23 section 5551(7) (relating to no limitation applicable), a
24 prosecution for any of the following offenses under Title 18
25 must be commenced within 12 years after it is committed:

26 Section 3121 (relating to rape).

27 Section 3122.1 (relating to statutory sexual assault).

28 Section 3123 (relating to involuntary deviate sexual
29 intercourse).

30 Section 3124.1 (relating to sexual assault).

1 Section 3124.2 (relating to institutional sexual
2 assault).

3 Section 3125 (relating to aggravated indecent assault).

4 Section 4302 (relating to incest).

5 Section 6312 (relating to sexual abuse of children).

6 (c) Exceptions.--If the period prescribed in subsection (a),
7 (b) or (b.1) has expired, a prosecution may nevertheless be
8 commenced for:

9 * * *

10 (3) Any sexual offense committed against a minor who is
11 less than 18 years of age any time up to the later of the
12 period of limitation provided by law after the minor has
13 reached 18 years of age or the date the minor reaches [50] 55
14 years of age. As used in this paragraph, the term "sexual
15 offense" means a crime under the following provisions of
16 Title 18 [(relating to crimes and offenses):

17 Section 3011(b) (relating to trafficking in
18 individuals).

19 Section 3012 (relating to involuntary servitude) as
20 it relates to sexual servitude.

21 Section 3121 (relating to rape).

22 Section 3122.1 (relating to statutory sexual
23 assault).

24 Section 3123 (relating to involuntary deviate sexual
25 intercourse).

26 Section 3124.1 (relating to sexual assault).

27 Section 3125 (relating to aggravated indecent
28 assault).] or a conspiracy or solicitation to commit an
29 offense under any of the following provisions of Title 18
30 if the offense results from the conspiracy or

1 solicitation:

2 Section 3126 (relating to indecent assault).

3 Section 3127 (relating to indecent exposure).

4 [Section 4302 (relating to incest).]

5 Section 4304 (relating to endangering welfare of
6 children).

7 Section 6301 (relating to corruption of minors).

8 Section 6312(b) (relating to sexual abuse of
9 children).

10 Section 6320 (relating to sexual exploitation of
11 children).

12 * * *

<--

13 (3.1) ANY SEXUAL OFFENSE COMMITTED AGAINST AN INDIVIDUAL <--

14 WHO IS 23 YEARS OF AGE OR YOUNGER ANY TIME UP TO THE LATER OF

15 THE PERIOD OF LIMITATION PROVIDED BY LAW AFTER THE INDIVIDUAL

16 HAS REACHED 24 YEARS OF AGE OR 20 YEARS AFTER THE DATE OF THE

17 OFFENSE. AS USED IN THIS PARAGRAPH, THE TERM "SEXUAL OFFENSE"

18 MEANS A CRIME UNDER THE FOLLOWING PROVISIONS OF TITLE 18 OR A

19 CONSPIRACY OR SOLICITATION TO COMMIT AN OFFENSE UNDER ANY OF

20 THE FOLLOWING PROVISIONS OF TITLE 18 IF THE OFFENSE RESULTS

21 FROM THE CONSPIRACY OR SOLICITATION:

22 SECTION 3011(A) AS IT RELATES TO SEXUAL SERVITUDE.

23 SECTION 3012 AS IT RELATES TO SEXUAL SERVITUDE.

24 SECTION 3121(A) AND (B).

25 SECTION 3123(A).

26 SECTION 3124.1.

27 SECTION 3124.2(A) AND (B).

28 SECTION 3125(A).

29 SECTION 3126.

30 SECTION 3127.

1 SECTION 4302(A).

2 * * *

3 (C.1) GENETIC IDENTIFICATION EVIDENCE.--NOTWITHSTANDING ANY
4 PROVISION OF LAW TO THE CONTRARY, IF EVIDENCE OF A MISDEMEANOR
5 SEXUAL OFFENSE SET FORTH IN SUBSECTION (C) (3) OR (3.1) OR A
6 FELONY OFFENSE IS OBTAINED CONTAINING HUMAN DEOXYRIBONUCLEIC
7 ACID (DNA) WHICH IS SUBSEQUENTLY USED TO IDENTIFY AN OTHERWISE
8 UNIDENTIFIED INDIVIDUAL AS THE PERPETRATOR OF THE OFFENSE, THE
9 PROSECUTION OF THE OFFENSE MAY BE COMMENCED WITHIN THE PERIOD OF
10 LIMITATIONS PROVIDED FOR THE OFFENSE OR ONE YEAR AFTER THE
11 IDENTITY OF THE INDIVIDUAL IS DETERMINED, WHICHEVER IS LATER.

12 * * *

13 Section 5. Section 8522(b) of Title 42 is amended by adding
14 a paragraph to read:

15 § 8522. Exceptions to sovereign immunity.

16 * * *

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

21 * * *

22 (10) Sexual abuse.--Conduct which constitutes an offense
23 enumerated under section 5551(7) (relating to no limitation
24 applicable) if the injuries to the plaintiff were caused by
25 actions or omissions of the Commonwealth party which
26 constitute negligence.

27 Section 6. Section 8528(c) (5) of Title 42 is amended and the
28 section is amended by adding a subsection to read:

29 § 8528. Limitations on damages.

30 * * *

1 (c) Types of damages recoverable.--Damages shall be
2 recoverable only for:

3 * * *

4 (5) Property losses, except that property losses shall
5 not be recoverable in claims brought pursuant to section
6 8522(b)(5) (relating to [potholes and other dangerous
7 conditions] exceptions to sovereign immunity).

8 (d) Exclusions.--This section shall not apply to damages
9 awarded under section 8522(b)(10).

10 Section 7. Section 8542(b) of Title 42 is amended by adding
11 a paragraph to read:

12 § 8542. Exceptions to governmental immunity.

13 * * *

14 (b) Acts which may impose liability.--The following acts by
15 a local agency or any of its employees may result in the
16 imposition of liability on a local agency:

17 * * *

18 (9) Sexual abuse.--Conduct which constitutes an offense
19 enumerated under section 5551(7) (relating to no limitation
20 applicable) if the injuries to the plaintiff were caused by
21 actions or omissions of the local agency which constitute
22 negligence.

23 * * *

24 Section 8. Section 8553 of Title 42 is amended by adding a
25 subsection to read:

26 § 8553. Limitations on damages.

27 * * *

28 (e) Exclusions.--This section shall not apply to damages
29 awarded under section 8542(b)(9) (relating to exceptions to
30 governmental immunity).

1 SECTION 8.1. TITLE 42 IS AMENDED BY ADDING A SECTION TO <--

2 READ:

3 § 9730.3. COUNSELING SERVICES FOR VICTIMS OF SEXUAL ABUSE.

4 (A) ELIGIBILITY.--

5 (1) SUBJECT TO SUBSECTION (B), THE OFFICE SHALL PROVIDE,
6 FOR AN INDIVIDUAL WHO IS A DIRECT VICTIM OF SEXUAL ABUSE,
7 COUNSELING SERVICES RELATED TO THE SEXUAL ABUSE. PAYMENT
8 SHALL BE MADE DIRECTLY TO THE HEALTH CARE PROVIDER THAT <--
9 PROVIDES THE SERVICES FROM THE CRIME VICTIM'S COMPENSATION
10 FUND. THE OFFICE SHALL DETERMINE THE FORM AND MANNER FOR <--
11 RECEIVING PAYMENT UNDER THIS PARAGRAPH.

12 (2) ELIGIBILITY UNDER PARAGRAPH (1) IS NOT AFFECTED BY
13 AN ADVERSE DETERMINATION UNDER SECTIONS 704(C) OR 707(A) OF
14 THE ACT OF NOVEMBER 24, 1998 (P.L.882, NO.111), KNOWN AS THE
15 CRIME VICTIMS ACT.

16 (B) VALUE OF SERVICES.--

17 (1) THE TOTAL VALUE OF SERVICES UNDER SUBSECTION (A) (1)
18 SHALL NOT EXCEED:

19 (I) \$5,000 IF THE INDIVIDUAL WAS, AT THE TIME OF THE
20 SEXUAL ABUSE, 18 YEARS OF AGE OR OLDER; AND

21 (II) \$10,000 IF THE INDIVIDUAL WAS, AT THE TIME OF
22 THE SEXUAL ABUSE, UNDER 18 YEARS OF AGE.

23 (2) THE VALUE OF SERVICES UNDER SUBSECTION (A) (1) SHALL
24 BE REDUCED BY THE AMOUNT OF ANY OF THE FOLLOWING PAYMENTS
25 RECEIVED OR TO BE RECEIVED BY THE INDIVIDUAL FOR COUNSELING
26 SUBJECT TO SUBSECTION (A) AS A RESULT OF THE SEXUAL ABUSE:

27 (I) PAYMENT BY THE INDIVIDUAL WHO COMMITTED THE
28 SEXUAL ABUSE.

29 (II) PAYMENT UNDER AN INSURANCE PROGRAM OR A HEALTH
30 AND WELFARE PROGRAM. THIS SUBPARAGRAPH INCLUDES A PROGRAM

1 MANDATED BY LAW.

2 (III) PAYMENT UNDER A CONTRACT OF INSURANCE IN WHICH
3 THE INDIVIDUAL IS THE BENEFICIARY.

4 (IV) PAYMENT FROM PUBLIC FUNDS.

5 (V) PAYMENT UNDER A PENSION PROGRAM. THIS
6 SUBPARAGRAPH INCLUDES A PROGRAM PROVIDING FOR DISABILITY
7 OR SURVIVOR'S BENEFITS.

8 (VI) PAYMENT BY A PARTY ALLEGED TO BE RESPONSIBLE IN
9 WHOLE OR IN PART FOR THE SEXUAL ABUSE, WITHOUT REGARD TO
10 THE PARTY'S CRIMINAL CULPABILITY.

11 (VII) PAYMENT MADE UNDER THE CRIME VICTIMS ACT.

12 (C) COOPERATION.--

13 (1) HEALTH CARE PROVIDERS AND INSURERS SHALL RESPOND IN
14 WRITING TO A REQUEST BY THE OFFICE FOR INFORMATION RELATED TO
15 THIS SECTION WITHIN 30 DAYS OF RECEIPT OF THE REQUEST.

16 (2) COMMONWEALTH AGENCIES SHALL COOPERATE WITH THE
17 OFFICE FOR INFORMATION RELATED TO THIS SECTION.

18 (3) A PERSON THAT FAILS TO RESPOND TO A REQUEST UNDER
19 PARAGRAPH (1) SHALL BE SUBJECT TO A PENALTY OF NOT MORE THAN
20 \$50 PER DAY, UP TO AND INCLUDING THE DATE OF COMPLIANCE. THE
21 OFFICE ~~SHALL~~ MAY ENFORCE THIS PARAGRAPH. THE OFFICE MAY <--
22 UTILIZE REVENUE UNDER THIS PARAGRAPH TO IMPLEMENT THIS
23 SECTION OR TO ASSIST LOCAL VICTIM SERVICE AGENCIES.

24 (D) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
25 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
26 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

27 "COUNSELING SERVICES." MENTAL HEALTH THERAPY PERFORMED BY OR <--
28 UNDER THE SUPERVISION OF A HEALTH CARE PROVIDER.

29 "DIRECT VICTIM." AN INDIVIDUAL AGAINST WHOM A CRIME HAS BEEN
30 COMMITTED OR ATTEMPTED AND WHO AS A DIRECT RESULT OF THE

1 CRIMINAL ACT OR ATTEMPT SUFFERS PHYSICAL OR MENTAL INJURY.

2 "HEALTH CARE PROVIDER." A PERSON LICENSED, CERTIFIED OR <--
3 APPROVED BY THE COMMONWEALTH TO PROVIDE HEALTH CARE OR
4 PROFESSIONAL MEDICAL SERVICES.

5 "HEALTH CARE PROVIDER." ANY OF THE FOLLOWING: <--

6 (1) A PSYCHIATRIST.

7 (2) AN INDIVIDUAL LICENSED UNDER THE ACT OF MARCH 23,
8 1972 (P.L.136, NO.52), KNOWN AS THE PROFESSIONAL
9 PSYCHOLOGISTS PRACTICE ACT.

10 (3) A LICENSED PROFESSIONAL COUNSELOR, AS DEFINED IN
11 SECTION 3 OF THE ACT OF JULY 9, 1987 (P.L.220, NO.39), KNOWN
12 AS THE SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND
13 PROFESSIONAL COUNSELORS ACT.

14 (4) A LICENSED SOCIAL WORKER, AS DEFINED IN SECTION 3 OF
15 THE SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND
16 PROFESSIONAL COUNSELORS ACT.

17 "OFFICE." THE OFFICE OF VICTIMS' SERVICES IN THE <--
18 PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY.

19 "SEXUAL ABUSE." CONDUCT WHICH OCCURS IN THIS COMMONWEALTH <--
20 AND WOULD CONSTITUTE AN OFFENSE UNDER ANY OF THE FOLLOWING
21 PROVISIONS OF 18 PA.C.S. (RELATING TO CRIMES AND OFFENSES):

22 SECTION 3011(B) (RELATING TO TRAFFICKING IN INDIVIDUALS).

23 SECTION 3012 (RELATING TO INVOLUNTARY SERVITUDE) AS IT
24 RELATES TO SEXUAL SERVITUDE.

25 SECTION 3121 (RELATING TO RAPE).

26 SECTION 3122.1 (RELATING TO STATUTORY SEXUAL ASSAULT).

27 SECTION 3123 (RELATING TO INVOLUNTARY DEVIATE SEXUAL
28 INTERCOURSE).

29 SECTION 3124.1 (RELATING TO SEXUAL ASSAULT).

30 SECTION 3124.2 (RELATING TO INSTITUTIONAL SEXUAL

1 ASSAULT).

2 SECTION 3125 (RELATING TO AGGRAVATED INDECENT ASSAULT).

3 SECTION 3126 (RELATING TO INDECENT ASSAULT).

4 SECTION 3127 (RELATING TO INDECENT EXPOSURE).

5 SECTION 4302 (RELATING TO INCEST).

6 SECTION 6312 (RELATING TO SEXUAL ABUSE OF CHILDREN).

7 SECTION 8.2. THE SUM OF \$5,000,000 IS TRANSFERRED FROM THE <--
8 GENERAL FUND TO THE CRIME VICTIM'S COMPENSATION FUND TO BE USED
9 UNTIL JUNE 30, 2021, TO IMPLEMENT THE ADDITION OF 42 PA.C.S. §
10 9730.3(A) (1) FOR COUNSELING SERVICES PROVIDED AFTER THE
11 EFFECTIVE DATE OF THIS SECTION. IN FISCAL YEARS BEGINNING AFTER
12 JUNE 30, 2021, THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY TO
13 IMPLEMENT THE ADDITION OF 42 PA.C.S. § 9730.3(A) (1).

14 Section 9. The provisions of this act are severable. If any
15 provision of this act is held invalid, the invalidity shall not
16 affect other provisions or applications of this act which can be
17 given effect without the invalid provision or application.

18 Section 10. This act shall apply as follows:

19 (1) The amendment or addition of 42 Pa.C.S. §§ ~~5533(b)~~ <--
20 ~~(2)(i)~~ 5533(B), 5551(7) and 5552(b.1) and, (c) (3) AND (3.1) <--
21 shall not be applied to revive an action which has been
22 barred by an existing statute of limitations on the effective
23 date of this section.

24 (2) The amendment of 42 Pa.C.S. § ~~5533(b)(2)(i)~~ 5533(B) <--
25 (2) shall apply retroactively to civil actions where the
26 limitations period has not expired prior to the effective
27 date of this section.

28 ~~(3) The amendment or addition of the following~~ <--
29 ~~provisions shall apply retroactively, including to civil~~
30 ~~actions where the limitation period has expired prior to the~~

1 ~~effective date of this section:~~

2 ~~(i) 42 Pa.C.S. § 5522(c).~~

3 ~~(ii) 42 Pa.C.S. § 8522(b)(10).~~

4 ~~(iii) 42 Pa.C.S. § 8528(d).~~

5 ~~(iv) 42 Pa.C.S. § 8542(b)(9).~~

6 ~~(v) 42 Pa.C.S. § 8553(e).~~

7 ~~Section 11. This act shall take effect as follows:~~

8 ~~(1) This section shall take effect immediately.~~

9 ~~(2) The remainder of this act shall take effect upon the~~
10 ~~first passage of House Bill No. 963, Printer's No. 1130~~
11 ~~(2019), by both chambers of the General Assembly.~~

12 (3) THE ADDITION OF 42 PA.C.S. §§ 5522(C), 8522(B)(10), <--
13 8528(D), 8542(B)(9) AND 8553(E) SHALL APPLY AS FOLLOWS:

14 (I) PROSPECTIVELY, TO A CAUSE OF ACTION WHICH ARISES
15 ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION.

16 (II) RETROACTIVELY, TO A CAUSE OF ACTION IF THE
17 CAUSE OF ACTION AROSE BEFORE THE EFFECTIVE DATE OF THIS
18 SECTION. NOTHING IN THIS SUBPARAGRAPH SHALL DO ANY OF THE
19 FOLLOWING:

20 (A) REVIVE A CAUSE OF ACTION AS TO WHICH THE
21 LIMITATION PERIOD HAS EXPIRED PRIOR TO THE EFFECTIVE
22 DATE OF THIS SECTION.

23 (B) PERMIT THE APPLICATION OF THE ADDITION OF 42
24 PA.C.S. §§ 5522(C), 8522(B)(10), 8528(D), 8542(B)(9)
25 AND 8553(E) TO A CLAIM:

26 (I) THAT IS SUBJECT TO A FINAL JUDGMENT
27 WHICH, ON THE EFFECTIVE DATE OF THIS SECTION, IS
28 NOT SUBJECT TO APPEAL; OR

29 (II) THAT, ON THE EFFECTIVE DATE OF THIS
30 SECTION, HAS BEEN NONJUDICIALLY RESOLVED IN ITS

1 ENTIRETY BY THE PARTIES, IN A FORM WHICH IS
2 ENFORCEABLE.

3 SECTION 11. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

4 (1) THE FOLLOWING PROVISIONS SHALL TAKE EFFECT
5 IMMEDIATELY:

6 (I) SECTION 10 OF THIS ACT.

7 (II) THIS SECTION.

8 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT UPON
9 FIRST PASSAGE OF HOUSE BILL NO. 963, PRINTER'S NO. 1130
10 (2019), BY BOTH CHAMBERS OF THE GENERAL ASSEMBLY OR
11 IMMEDIATELY, WHICHEVER IS LATER.