

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2674

Session of
1978

INTRODUCED BY FRYER, RUGGIERO, COLE, MORRIS, WEIDNER,
A. C. FOSTER JR., LIVENGOD, DeMEDIO, LOGUE, TRELLO AND
M. H. GEORGE, SEPTEMBER 11, 1978

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, SEPTEMBER 11, 1978

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, permitting the General Assembly to enact
3 laws which will limit the liability of the Commonwealth and
4 its political subdivisions in certain instances.

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

7 Section 1. The following amendment to the Constitution of
8 the Commonwealth of Pennsylvania is proposed in accordance with
9 the provisions of Article XI thereof:

10 That section 18 of Article III be amended to read:

11 § 18. Compensation laws allowed to General Assembly.

12 The General Assembly may enact laws requiring the payment by
13 employers, or employers and employees jointly, of reasonable
14 compensation for injuries to employees arising in the course of
15 their employment, and for occupational diseases of employees,
16 whether or not such injuries or diseases result in death, and
17 regardless of fault of employer or employee, and fixing the
18 basis of ascertainment of such compensation and the maximum and

1 minimum limits thereof, and providing special or general
2 remedies for the collection thereof[; but in]. The General
3 Assembly may enact laws to limit the liability of the
4 Commonwealth and its political subdivisions. In no other cases
5 shall the General Assembly limit the amount to be recovered for
6 injuries resulting in death, or for injuries to persons or
7 property, and in case of death from such injuries, the right of
8 action shall survive, and the General Assembly shall prescribe
9 for whose benefit such actions shall be prosecuted. No act shall
10 prescribe any limitations of time within which suits may be
11 brought against corporations for injuries to persons or
12 property, or for other causes different from those fixed by
13 general laws regulating actions against natural persons, and
14 such acts now existing are avoided.

15 Section 2. This proposed amendment shall be submitted by the
16 Secretary of the Commonwealth to the qualified electors of the
17 State, at the primary or general election next held after the
18 advertising requirements of Article XI, section 1 of the
19 Constitution of the Commonwealth of Pennsylvania have been
20 satisfied.