

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 369 Session of
2005

INTRODUCED BY CAPPELLI, BASTIAN, CALTAGIRONE, GOOD, LEACH,
LEDERER, REICHLEY, SEMMEL, TANGRETTI, E. Z. TAYLOR, TIGUE AND
WALKO, FEBRUARY 9, 2005

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 9, 2005

AN ACT

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

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

6 Section 1. Section 8522(b)(4) of Title 42 of the
7 Pennsylvania Consolidated Statutes is amended to read:

8 § 8522. Exceptions to sovereign immunity.

9 * * *

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

14 * * *

15 (4) Commonwealth real estate, highways and sidewalks.--A
16 dangerous condition of Commonwealth agency real estate, guide
17 rails and sidewalks, including Commonwealth-owned real
18 property, leaseholds in the possession of a Commonwealth

1 agency and Commonwealth-owned real property leased by a
2 Commonwealth agency to private persons, and highways under
3 the jurisdiction of a Commonwealth agency, except conditions
4 described in paragraph (5).

5 * * *

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