

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1976 Session of 2011

INTRODUCED BY CUTLER, AUMENT, BAKER, BLOOM, BOYD, CLYMER, DENLINGER, GINGRICH, GODSHALL, GRELL, GROVE, HESS, HICKERNELL, KAMPF, KAUFFMAN, LAWRENCE, METCALFE, SAYLOR, SCHRODER, STERN, TALLMAN, VULAKOVICH, REICHLEY, CREIGHTON AND BEAR, NOVEMBER 10, 2011

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, DECEMBER 5, 2011

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, FURTHER PROVIDING FOR
3 ORIGINAL JURISDICTION AND VENUE IN COURTS OF COMMON PLEAS;
4 AND providing for venue in personal injury actions against
5 corporations and similar entities.



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

8 ~~Section 1. Title 42 of the Pennsylvania Consolidated
9 Statutes is amended by adding a section to read:~~



10 SECTION 1. SECTION 931(C) OF TITLE 42 OF THE PENNSYLVANIA
11 CONSOLIDATED STATUTES IS AMENDED TO READ:



12 § 931. ORIGINAL JURISDICTION AND VENUE.

13 \* \* \*

14 (C) VENUE AND PROCESS.--EXCEPT AS PROVIDED BY [SECTION]
15 SECTIONS 5101.1 (RELATING TO VENUE IN MEDICAL PROFESSIONAL
16 LIABILITY ACTIONS) AND 5101.2 (RELATING TO VENUE IN PERSONAL
17 INJURY ACTIONS AGAINST CORPORATIONS AND SIMILAR ENTITIES) AND

1 SUBCHAPTER B OF CHAPTER 85 (RELATING TO ACTIONS AGAINST  
2 COMMONWEALTH PARTIES), THE VENUE OF A COURT OF COMMON PLEAS  
3 CONCERNING MATTERS OVER WHICH JURISDICTION IS CONFERRED BY THIS  
4 SECTION SHALL BE AS PRESCRIBED BY GENERAL RULE. THE PROCESS OF  
5 THE COURT SHALL EXTEND BEYOND THE TERRITORIAL LIMITS OF THE  
6 JUDICIAL DISTRICT TO THE EXTENT PRESCRIBED BY GENERAL RULE.  
7 EXCEPT AS OTHERWISE PRESCRIBED BY GENERAL RULE, IN A PROCEEDING  
8 TO ENFORCE AN ORDER OF A GOVERNMENT AGENCY THE PROCESS OF THE  
9 COURT SHALL EXTEND THROUGHOUT THIS COMMONWEALTH.

10 SECTION 2. TITLE 42 IS AMENDED BY ADDING A SECTION TO READ:

11 § 5101.2. Venue in personal injury actions against corporations  
12 and similar entities.

13 (a) General rule.--Except as provided in section 5101.1  
14 (relating to venue in medical professional liability actions)  
15 and notwithstanding any law or rule to the contrary, a civil  
16 action or proceeding against a corporation or similar entity to  
17 recover damages for death or injury to a person may be brought  
18 in, and only in, one of the following:

19 (1) The county where the plaintiff ~~resides~~ IS DOMICILED. ←

20 (2) The county where ALL OR A PREDOMINANT PART OF the ←  
21 cause of action arose.

22 (3) The county where the ~~registered office or principal~~ ←  
23 place of business of the corporation or similar entity is  
24 located.

25 (b) Multiple corporate defendants.--Actions to enforce joint  
26 or joint and several liability against two or more corporations  
27 or similar entities, which otherwise must be brought separately  
28 in multiple counties as a result of this section, shall be  
29 brought in the county where the plaintiff ~~resides~~ IS DOMICILED ←  
30 or the county where the cause of action arose. The court, for

1 good cause, may transfer the action to a county where it might  
2 have been brought against one or more of the defendants under  
3 this section.

4 (c) Definitions.--As used in this section, the following  
5 words and phrases shall have the meanings given to them in this  
6 subsection:

7 "Corporation or similar entity." Any public, quasi-public or  
8 private corporation, insurance association or exchange, joint  
9 stock company or association, limited liability company,  
10 professional association, business trust or any other  
11 association which is regarded as an entity distinct from the  
12 members composing the association, but does not include the  
13 Commonwealth of Pennsylvania, a political subdivision, municipal  
14 or other local authority, a partnership or an unincorporated  
15 association.

16 "County where ALL OR A PREDOMINANT PART OF the cause of ←  
17 action arose." The county where the act, omission, impact,  
18 trauma or other contact alleged as the factual cause of the  
19 injury or death occurred.

20 "Good cause." A finding that the convenience of the parties  
21 and witnesses and the efficiency and costs of litigation clearly  
22 weigh in favor of a transfer.

23 Section 2 3. This act shall apply to actions initiated on or ←  
24 after the effective date of this section.

25 Section 3 4. This act shall take effect in 60 days. ←