

## AMENDMENTS TO HOUSE BILL NO. 951

Sponsor: SENATOR BAKER

Printer's No. 1158

1 Amend Bill, page 1, line 11, by inserting after "IMMUNITY;"  
2 waiving sovereign immunity and governmental immunity;

3 Amend Bill, page 5, line 4, by inserting after "ACTION."  
4 An award granted to an individual under this subsection may  
5 not be limited by a statutory limitation on damages.

6 Amend Bill, page 6, by inserting between lines 11 and 12

7 (ii) Conduct under the following provisions of 18  
8 Pa.C.S. (relating to crimes and offenses), or a  
9 conspiracy or solicitation to commit an offense under  
10 those provisions of 18 Pa.C.S. if the offense results  
11 from the conspiracy or solicitation, if the injuries to  
12 the plaintiff were caused by actions or omissions of the  
13 Commonwealth party which constitute negligence and the  
14 plaintiff was at least 18 years of age and less than 24  
15 years of age at the time the conduct occurred:

16 (A) Section 3012 (relating to involuntary  
17 servitude).

18 (B) Section 3121 (relating to rape).

19 (C) Section 3123 (a) (relating to involuntary  
20 deviate sexual intercourse).

21 (D) Section 3124.1 (relating to sexual assault).

22 (E) Section 3124.2(a), (a.2) and (a.4) (relating  
23 to institutional sexual assault).

24 (F) Section 3125(a) (1), (2), (3), (4), (5) and  
25 (6) (relating to aggravated indecent assault).

26 Amend Bill, page 6, line 12, by striking out "(II) THIS  
27 PARAGRAPH" and inserting

28 (iii) Subparagraph (i)

29 Amend Bill, page 6, by inserting between lines 16 and 17

30 (iv) Subparagraph (ii) shall apply prospectively to  
31 a cause of action that arises after the effective date of  
32 this subparagraph.

Amend Bill, page 6, by inserting between lines 28 and 29

(ii) Conduct under the following provisions of 18 Pa.C.S. (relating to crimes and offenses), or a conspiracy or solicitation to commit an offense under those provisions of 18 Pa.C.S. if the offense results from the conspiracy or solicitation, if the injuries to the plaintiff were caused by actions or omissions of the local agency which constitute negligence and the plaintiff was at least 18 years of age and less than 24 years of age at the time the conduct occurred:

(A) Section 3012 (relating to involuntary servitude).

(B) Section 3121 (relating to rape).

(C) Section 3123(a) (relating to involuntary deviate sexual intercourse).

(D) Section 3124.1 (relating to sexual assault).

(E) Section 3124.2(a), (a.2) and (a.4) (relating to institutional sexual assault).

(F) Section 3125(a)(1), (2), (3), (4), (5) and (6) (relating to aggravated indecent assault).

Amend Bill, page 6, line 29, by striking out "(II) THIS PARAGRAPH" and inserting

(iii) Subparagraph (i)

Amend Bill, page 7, by inserting between lines 3 and 4

(iv) Subparagraph (ii) shall apply prospectively to a cause of action that arises after the effective date of this subparagraph.

Amend Bill, page 7, line 6, by inserting after "TO"

and shall

Amend Bill, page 7, line 13, by striking out "THE" and inserting

Except for the addition of 42 Pa.C.S. §§ 8522(b)(10)(ii) and (iv) and 8542(b)(9)(ii) and (iv), the

Amend Bill, page 8, by inserting between lines 1 and 2

Section 4.2. The Commonwealth waives sovereign immunity retroactively and a local agency waives governmental immunity retroactively in any action where the limitations period has not expired prior to the effective date of this section and to an action subject to 42 Pa.C.S. § 5533(c) that was barred by an existing statute of limitations on the effective date of this section. Section 5522 of 42 Pa.C.S. shall not apply to an action subject to 42 Pa.C.S. § 5533(c).

1 Amend Bill, page 8, line 2, by striking out "4.2" and  
2 inserting  
3 4.3