

AMENDMENTS TO SENATE RESOLUTION NO. 146

Sponsor: SENATOR AUMENT

Printer's No. 939

1 Amend Resolution, page 1, line 3, by striking out "\$ 8528"

2 and inserting

3 §§ 8528 and 8553

4 Amend Resolution, page 1, lines 16 and 17, by striking out

5 "under the eight aforementioned areas of liability"

6 Amend Resolution, page 2, by inserting between lines 21 and

7 22

8 WHEREAS, In 1980, the General Assembly enacted Act 142 of
9 1980, which placed similar limitations on tort liability for
10 local government entities by limiting the liability to \$500,000
11 per event or occurrence and limiting recovery to specific types
12 of damages under 42 Pa.C.S. §§ 8542 and 8553; and

13 Amend Resolution, page 3, lines 19 through 27, by striking

14 out all of said lines and inserting

15 RESOLVED, That the Senate direct the Legislative Budget and
16 Finance Committee to conduct a study and prepare a report
17 concerning the limitations on liability under 42 Pa.C.S. §§ 8528
18 and 8553; and be it further

19 RESOLVED, That the study include all of the following:

20 (1) An examination of the impact on litigants, including
21 inflation and other factors affecting the appropriateness of
22 the current limitations on liability.

23 (2) An examination of the impact of changing the
24 limitations on liability on State and local government
25 entities, including the ability of State and local government
26 entities to raise revenues and provide services, benefits and
27 programs.

28 (3) A review of the factors contained in the Joint State
29 Government Commission's 1978 report on the recommendations of
30 the Task Force on Sovereign Immunity as they relate
31 specifically to caps on recovery and waivers of sovereign and
32 governmental immunity.

1 (4) A consideration of any other factors that will allow
2 the General Assembly to evaluate and determine whether the
3 limitations on liability should be increased;
4 and be it further

5 Amend Resolution, page 3, line 29, by striking out "June" and
6 inserting

7 April