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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 233 Session of  
2017

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INTRODUCED BY BOSCOLA, HUGHES, FONTANA, FARNESE, SCHWANK,  
BREWSTER, HAYWOOD, TARTAGLIONE AND YUDICHAK, JANUARY 26, 2017

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REFERRED TO JUDICIARY, JANUARY 26, 2017

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AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, in limitation of time,  
3 further providing for limitations on civil actions based on  
4 certain assaults.

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

7 Section 1. Sections 5524 and 5531 of Title 42 of the  
8 Pennsylvania Consolidated Statutes are amended to read:

9 § 5524. Two year limitation.

10 The following actions and proceedings must be commenced  
11 within two years:

12 (1) [An] Except as provided in section 5531(4) (relating  
13 to no limitation), an action for assault, battery, false  
14 imprisonment, false arrest, malicious prosecution or  
15 malicious abuse of process.

16 (2) [An] Except as provided in section 5531(4), an  
17 action to recover damages for injuries to the person or for  
18 the death of an individual caused by the wrongful act or  
19 neglect or unlawful violence or negligence of another.

1 (3) An action for taking, detaining or injuring personal  
2 property, including actions for specific recovery thereof.

3 (4) An action for waste or trespass of real property.

4 (5) An action upon a statute for a civil penalty or  
5 forfeiture.

6 (6) An action against any officer of any government unit  
7 for the nonpayment of money or the nondelivery of property  
8 collected upon on execution or otherwise in his possession.

9 (7) [Any] Except as provided in section 5531(4), any  
10 other action or proceeding to recover damages for injury to  
11 person or property which is founded on negligent,  
12 intentional, or otherwise tortious conduct or any other  
13 action or proceeding sounding in trespass, including deceit  
14 or fraud, except an action or proceeding subject to another  
15 limitation specified in this subchapter.

16 (8) An action to recover damages for injury to a person  
17 or for the death of a person caused by exposure to asbestos  
18 shall be commenced within two years from the date on which  
19 the person is informed by a licensed physician that the  
20 person has been injured by such exposure or upon the date on  
21 which the person knew or in the exercise of reasonable  
22 diligence should have known that the person had an injury  
23 which was caused by such exposure, whichever date occurs  
24 first.

25 § 5531. No limitation.

26 The following actions and proceedings may be commenced at any  
27 time notwithstanding any other provision of this subchapter  
28 except section 5521 (relating to limitations on foreign claims):

29 (1) An action against an attorney at law by or on behalf  
30 of a client to enforce any implied or resulting trust as to

1 real property.

2 (2) An action by the Commonwealth, a county or an  
3 institution district against the real or personal property of  
4 persons who were public charges, including mental patients,  
5 to recover the cost of their maintenance and support.

6 (3) An action by the Commonwealth, a county or an  
7 institution district against the real or personal property of  
8 persons who were legally liable to pay for the maintenance  
9 and support of persons who were public charges, including  
10 mental patients, to recover the cost of their maintenance and  
11 support.

12 (4) A personal injury action based on sexual abuse of a  
13 minor in violation of any of the following provisions of 18  
14 Pa.C.S. (relating to crimes and offenses):

15 (i) section 3121 (relating to rape);

16 (ii) section 3122.1 (relating to statutory sexual  
17 assault);

18 (iii) section 3123 (relating to involuntary deviate  
19 sexual intercourse);

20 (iv) section 3124.1 (relating to sexual assault);

21 (v) section 3124.2 (relating to institutional sexual  
22 assault);

23 (vi) section 3125 (relating to aggravated indecent  
24 assault);

25 (vii) section 3126 (relating to indecent assault);

26 (viii) section 3127 (relating to indecent exposure);

27 (ix) section 4302 (relating to incest); or

28 (x) section 6312(b) (relating to sexual abuse of  
29 children).

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