

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 196 Session of  
2007

INTRODUCED BY REICHLEY, HARHART, LEACH, SIPTROTH AND J. TAYLOR,  
FEBRUARY 5, 2007

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 5, 2007

AN ACT

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

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

6 Section 1. Section 8542(b) of Title 42 of the Pennsylvania  
7 Consolidated Statutes is amended by adding a paragraph to read:

8 § 8542. Exceptions to governmental immunity.

9 \* \* \*

10 (9) Public schools.--A dangerous condition on the  
11 premises or grounds of a public school caused by a student  
12 who has a history of violent, criminal or delinquent  
13 behavior, including, but not limited to, the infliction of  
14 serious bodily injury to the personnel or other students of  
15 the school, except that the claimant to recover must  
16 establish that the dangerous condition created a reasonably  
17 foreseeable risk of the kind of injury which was incurred and  
18 that the local agency had actual notice or could reasonably

1     be charged with notice under the circumstances of the  
2     dangerous condition at a sufficient time prior to the event  
3     to have taken measures to protect against the dangerous  
4     condition.

5             \* \* \*

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