

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 274 Session of  
2007

INTRODUCED BY CAPPELLI, BENNINGHOFF, BOYD, CALTAGIRONE,  
CREIGHTON, CURRY, DeLUCA, GEIST, GINGRICH, HENNESSEY,  
PETRARCA, PHILLIPS AND REED, FEBRUARY 6, 2007

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 6, 2007

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, further providing, in  
3 matters affecting government units, for exceptions to  
4 sovereign immunity for Commonwealth parties.

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

7 Section 1. Section 8522(b)(4) of Title 42 of the  
8 Pennsylvania Consolidated Statutes is amended to read:

9 § 8522. Exceptions to sovereign immunity.

10 \* \* \*

11 (b) Acts which may impose liability.--The following acts by  
12 a Commonwealth party may result in the imposition of liability  
13 on the Commonwealth, and the defense of sovereign immunity shall  
14 not be raised to claims for damages caused by:

15 \* \* \*

16 (4) Commonwealth real estate, highways and sidewalks.--A  
17 dangerous condition of Commonwealth agency real estate, guide  
18 rails and sidewalks, including Commonwealth-owned real

1 property, leaseholds in the possession of a Commonwealth  
2 agency and Commonwealth-owned real property leased by a  
3 Commonwealth agency to private persons, and highways under  
4 the jurisdiction of a Commonwealth agency, except conditions  
5 described in paragraph (5).

6 \* \* \*

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