
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 951 Session of
2021

INTRODUCED BY ROZZI, MARCH 17, 2021

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 17, 2021

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in matters affecting
3 government unites, further providing for exceptions to
4 sovereign immunity and for exceptions to governmental
5 immunity; and making a repeal.

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

8 Section 1. Sections 8522(b)(10) and 8542(b)(9) of Title 42
9 of the Pennsylvania Consolidated Statutes, added November 26,
10 2019 (P.L.641, No.87), are amended to read:

11 § 8522. Exceptions to sovereign immunity.

12 * * *

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

17 * * *

18 (10) Sexual abuse.--The following shall apply:

19 (i) Conduct which constitutes an offense enumerated
20 under section 5551(7) (relating to no limitation

1 applicable) if the injuries to the plaintiff were caused
2 by actions or omissions of the Commonwealth party which
3 constitute negligence.

4 (ii) This paragraph shall apply retroactively to a
5 cause of action that arose prior to the effective date of
6 this subparagraph.

7 § 8542. Exceptions to governmental immunity.

8 * * *

9 (b) Acts which may impose liability.--The following acts by
10 a local agency or any of its employees may result in the
11 imposition of liability on a local agency:

12 * * *

13 (9) Sexual abuse.--The following shall apply:

14 (i) Conduct which constitutes an offense enumerated
15 under section 5551(7) (relating to no limitation
16 applicable) if the injuries to the plaintiff were caused
17 by actions or omissions of the local agency which
18 constitute negligence.

19 (ii) This paragraph shall apply retroactively to a
20 cause of action that arose prior to the effective date of
21 this subparagraph.

22 * * *

23 Section 2. Repeals are as follows:

24 (1) The General Assembly declares that the repeal under
25 paragraph (2) is necessary to effectuate the amendment of 42
26 Pa.C.S. §§ 8522(b)(10) and 8542(b)(9).

27 (2) Section 10(3)(ii) of the act of November 26, 2019
28 (P.L.641, No.87), is repealed insofar as the section applies
29 to 42 Pa.C.S. §§ 8522(b)(10) and 8542(b)(9).

30 Section 3. This act shall take effect immediately.