

AMENDMENTS TO SENATE BILL NO. 976

Sponsor: REPRESENTATIVE KAUFFMAN

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1 Amend Bill, page 1, line 2, by inserting after "Statutes,"
2 in jurisdiction of appellate courts, providing for commerce
3 court program; and,

4 Amend Bill, page 1, line 4, by inserting after "courts"
5 and providing for commerce courts

6 Amend Bill, page 1, lines 7 through 9, by striking out all of
7 said lines and inserting

8 Section 1. Title 42 of the Pennsylvania Consolidated
9 Statutes is amended by adding a section to read:

10 § 743. Commerce court program.

11 (a) Appeals.--The Superior Court may establish from
12 available funds a commerce court program that shall have
13 specialized jurisdiction. In a commerce court program
14 established under this section, the specialized jurisdiction of
15 appeals relating to the following matters may be vested in the
16 program:

17 (1) The internal affairs, governance, dissolution,
18 liquidation, rights or obligations between or among owners
19 and liability or indemnity of managers of business
20 corporations, partnerships, limited partnerships, limited
21 liability partnerships, professional associations, business
22 trusts, joint ventures or other business enterprises,
23 including any actions involving the interpretation of the
24 rights or obligations under the organic law, articles of
25 incorporation, bylaws or agreements governing these
26 enterprises.

27 (2) Disputes between or among two or more business
28 enterprises relating to a transaction, business relationship
29 or a contract.

30 (b) Rules.--The court may adopt rules for the administration
31 of the program established under this section. The rules may not
32 be inconsistent with this section or any rule established by the
33 Supreme Court.

34 (c) Jurisdiction.--Nothing under this section shall be
35 construed to affect the jurisdiction of an appellate court as

1 provided by law other than this section.

2 Section 2. Section 916(a) of Title 42 is amended and the
3 section is amended by adding subsections to read:

4 Amend Bill, page 3, by inserting between lines 1 and 2

5 Section 3. Title 42 is amended by adding a section to read:
6 § 916.1. Commerce courts.

7 (a) Establishment.--The court of common pleas of a judicial
8 district may establish from available funds a commerce court
9 that shall have specialized jurisdiction. In a court of common
10 pleas that has established a commerce court under this section,
11 the exclusive jurisdiction of cases relating to the following
12 matters may be vested in the commerce court:

13 (1) The internal affairs, governance, dissolution,
14 liquidation, rights or obligations between or among owners
15 and liability or indemnity of managers of business
16 corporations, partnerships, limited partnerships, limited
17 liability partnerships, professional associations, business
18 trusts, joint ventures or other business enterprises,
19 including any actions involving the interpretation of the
20 rights or obligations under the organic law, articles of
21 incorporation, bylaws or agreements governing these
22 enterprises.

23 (2) Disputes between or among two or more business
24 enterprises relating to a transaction, business relationship
25 or a contract.

26 (b) Rules.--The court may adopt local rules for the
27 administration of commerce courts established under this
28 section. The local rules may not be inconsistent with this
29 section or any rule established by the Supreme Court.

30 (c) Statewide commerce courts coordinator.--To the extent
31 that funds are available, the Supreme Court may appoint a
32 Statewide commerce court coordinator. The coordinator may:

33 (1) Encourage and assist in the establishment of
34 commerce courts in each judicial district.

35 (2) Develop model guidelines for the administration of
36 commerce courts and their related services.

37 (3) Establish procedures for monitoring commerce courts
38 and for evaluating the effectiveness of commerce courts.

39 (d) Advisory committee.--The Supreme Court may establish,
40 from available funds, an interdisciplinary and interbranch
41 advisory committee to advise and assist the Statewide commerce
42 courts coordinator in monitoring and administering commerce
43 courts Statewide.

44 Amend Bill, page 3, line 2, by striking out "2" and inserting