

## AMENDMENTS TO HOUSE BILL NO. 14

Sponsor: SENATOR BAKER

Printer's No. 9

1 Amend Bill, page 1, prior passage line, by striking out "J.R.  
2 2019-2" and inserting

3 NONE

4 Amend Bill, page 1, line 1, by inserting after "an"  
5 emergency

6 Amend Bill, page 1, lines 6 through 18; page 2, lines 1  
7 through 26; by striking out all of said lines on said pages and  
8 inserting

9 Section 1. The following shall apply:

10 (1) The General Assembly finds and declares as follows:

11 (i) A constitutional amendment creating a two-year  
12 window for victims to bring civil actions against their  
13 abusers unencumbered by the Statute of Limitations, the  
14 doctrine of Sovereign Immunity or the cap on damages  
15 placed on litigation against public entities, was  
16 initially passed by Joint Resolution 2 of 2019 (P.L.835,  
17 J.R.2).

18 (ii) Section 1 of Article XI of the Constitution of  
19 Pennsylvania requires an amendment to the Constitution of  
20 Pennsylvania to be passed by a majority in each chamber  
21 in consecutive legislative sessions and published by the  
22 Secretary of the Commonwealth.

23 (iii) The constitutional amendment in subparagraph  
24 (i) could be submitted on May 18, 2021, to the electors  
25 upon passage in this legislative session but for the  
26 failure of the Secretary of the Commonwealth to publish  
27 constitutionally required notice.

28 (iv) The Secretary's failure frustrates the  
29 Constitutional amendment process; denies the People of  
30 Pennsylvania their opportunity to have their voices heard  
31 in amending their Constitution; and, threatens the very  
32 nature of the Commonwealth's Republican form of  
33 government.

34 (v) The failure under subparagraph (iii) requires

1 several additional years to remedy, prevents the  
2 amendment from being presented to the electors on May 18,  
3 2021, and is an act beyond the control of the General  
4 Assembly and of the citizens and, therefore, constitutes  
5 an emergency.

6 (2) The General Assembly hereby determines that the  
7 deprivation of the rights granted to the People of this  
8 Commonwealth to vote on an amendment to Pennsylvania's  
9 chartering document by an unelected bureaucrat constitutes a  
10 major emergency that threatens or is about to threaten this  
11 Commonwealth and the safety or welfare of this Commonwealth  
12 and therefore requires prompt amendment of the Constitution  
13 of Pennsylvania by this constitutional amendment.

14 Section 2. The following amendment to the Constitution of  
15 Pennsylvania is proposed in accordance with Article XI:

16 That section 11 of Article I be amended to read:

17 § 11. Courts to be open; suits against the Commonwealth.

18 (a) All courts shall be open; and every man for an injury  
19 done him in his lands, goods, person or reputation shall have  
20 remedy by due course of law, and right and justice administered  
21 without sale, denial or delay. Suits may be brought against the  
22 Commonwealth in such manner, in such courts and in such cases as  
23 the Legislature may by law direct.

24 (b) An individual for whom a statutory limitations period  
25 has already expired, or whose claim would otherwise be barred or  
26 limited by a statutory cap on damages, sovereign immunity or by  
27 governmental or official immunity, shall have a period of two  
28 years, without bar or limitation by such caps or immunities,  
29 from the time that this subsection becomes effective to commence  
30 an action arising from childhood sexual abuse, in such cases as  
31 provided by law at the time that this subsection becomes  
32 effective.

33 Section 3. Upon passage by the General Assembly of this  
34 proposed constitutional amendment, the Secretary of the  
35 Commonwealth shall proceed immediately to comply with the  
36 advertising requirements of section 1(a) of Article XI of the  
37 Constitution of Pennsylvania and shall transmit the required  
38 advertisements to two newspapers in every county in which such  
39 newspapers are published in sufficient time after passage of  
40 this proposed constitutional amendment. The Secretary of the  
41 Commonwealth shall submit this proposed constitutional amendment  
42 to the qualified electors of this Commonwealth at the first  
43 primary, general or municipal election which meets the  
44 requirements of and is in conformance with section 1(a) of  
45 Article XI of the Constitution of Pennsylvania.