
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 688

Session of
1975

INTRODUCED BY FINEMAN, HAMMOCK, BERSON, BRUNNER, ECKENSBERGER,
RUGGIERO, MANDERINO AND IRVIS, MARCH 10, 1975

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 11, 1975

AN ACT

1 Authorizing, pursuant to the authority granted to the
2 Legislature by section 11 of Article I of the Constitution of
3 the Commonwealth of Pennsylvania, suit against the
4 Commonwealth of Pennsylvania as a party defendant and
5 permitting the joinder of the Commonwealth as a party
6 defendant in certain cases.

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

9 Section 1. Pursuant to the authority granted to the
10 Legislature by section 11 of Article I of the Constitution of
11 the Commonwealth of Pennsylvania, it is herein provided that
12 whenever any person sustains bodily injury, death or damage to
13 property caused by the negligence of any employee of the
14 Commonwealth of Pennsylvania while such employee was acting
15 within the scope of his employment suit may be brought against
16 the Commonwealth as a party defendant. Whenever any such person
17 sues the employee to recover damages therefor, the joinder of
18 the Commonwealth as a party defendant is hereby authorized. Such
19 actions shall be brought in the court of common pleas in any
20 county where similar actions at law are authorized to be brought

1 and trial by jury shall be as in all cases at common law. In any
2 such suit, the Commonwealth shall not plead governmental
3 immunity as a defense.

4 Section 2. Nothing contained herein shall be construed to
5 repeal or modify the act of June 2, 1915 (P.L.736, No.338),
6 known as "The Pennsylvania Workmen's Compensation Act."

7 Section 3. Clause (1) of subsection (a) of section 401, act
8 of July 31, 1970 (P.L.673, No.223), known as the "Appellate
9 Court Jurisdiction Act of 1970," is repealed in so far as such
10 clause relates to the provisions of this act.

11 Section 4. This act shall take effect immediately.