

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 326

Session of
1981

INTRODUCED BY ALDEN, MANDERINO, ARTY, JOHNSON, McINTYRE,
SPENCER, VROON, TELEK, MICOZZIE, E. Z. TAYLOR, SWEET,
PICCOLA, EARLEY, KUKOVICH, HOEFFEL, WACHOB, H. WILLIAMS,
WHITE, HAGARTY, LAUGHLIN, McVERRY, GANNON, GEIST, LASHINGER,
MANMILLER, REBER, MORRIS, PIEVSKY AND KANUCK,
FEBRUARY 2, 1981

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 2, 1981

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, permitting parties to
3 civil actions for personal injury or death to argue the
4 amount of damages which should be awarded.

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

7 Section 1. Title 42, act of November 25, 1970 (P.L.707,
8 No.230), known as the Pennsylvania Consolidated Statutes, is
9 amended by adding a section to read:

10 § 7103. Arguing damages to be awarded in civil actions for
11 personal injury or death.

12 (a) General rule.--In any civil action alleging compensatory
13 or exemplary damages by or on behalf of a party including
14 without limitation, actions for personal injury or death in
15 which the sum of damages recoverable is not liquidated or
16 otherwise agreed to, it shall be permissible for any party to
17 argue to the court, jury, arbitrators or other trier of fact the

1 dollar amount of the damages which should be awarded.

2 (b) Explanation required.--When a party argues the dollar
3 amount of damages as authorized by subsection (a), that party
4 must also include, as part of their argument, an explanation
5 that the amount of damages sought or suggested is not
6 controlling, and that the amount of recovery may be in a higher
7 or lesser sum than the figure suggested.

8 Section 2. This act shall take effect immediately and shall
9 apply to all civil actions now pending.