

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1972 Session of
2001

INTRODUCED BY GODSHALL, ALLEN, BARRAR, CAPPELLI, CLYMER,
CORNELL, CREIGHTON, DALLY, EGOLF, J. EVANS, FAIRCHILD,
FICHTER, HERSHEY, LEH, MELIO, ROSS, SATHER, SAYLOR, SCHRODER,
SHANER, STEIL, STERN, E. Z. TAYLOR, VANCE, WATSON AND
M. WRIGHT, OCTOBER 1, 2001

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 1, 2001

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 venue.

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

6 Section 1. Section 931(c) of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 931. Original jurisdiction and venue.

9 * * *

10 (c) Venue and process.--Except as provided by Subchapter B
11 of Chapter 85 (relating to actions against Commonwealth parties)
12 and sections 5105.1 (relating to venue) and 5106 (relating to
13 change of venue), the venue of a court of common pleas
14 concerning matters over which jurisdiction is conferred by this
15 section shall be as prescribed by general rule. The process of
16 the court shall extend beyond the territorial limits of the
17 judicial district to the extent prescribed by general rule.

1 Except as otherwise prescribed by general rule, in a proceeding
2 to enforce an order of a government agency the process of the
3 court shall extend throughout this Commonwealth.

4 Section 2. Title 42 is amended by adding a section to read:

5 § 5105.1. Venue.

6 Notwithstanding any other provision of law to the contrary,
7 an action brought pursuant to the act of October 15, 1975
8 (P.L.390, No.111), known as the Health Care Services Malpractice
9 Act, against a defendant may be brought in and only in a county
10 in which the cause of action arose.

11 Section 3. Section 5106 of Title 42 is amended to read:

12 § 5106. Change of venue.

13 [The] (a) General rule.--Subject to subsection (b), the
14 power to change the venue in civil and criminal cases shall be
15 vested in the courts, to be exercised in such manner as shall be
16 provided or prescribed by [law.] court rule or statute.

17 (b) Exception.--In all actions brought pursuant to the act
18 of October 15, 1975 (P.L.390, No.111), known as the Health Care
19 Services Malpractice Act, where a defendant objects to a change
20 of venue, the court shall not transfer the action.

21 Section 4. This act shall apply to all civil actions filed
22 on or after the effective date of this section.

23 Section 5. The Secretary of the Commonwealth shall transmit
24 to the Legislative Reference Bureau, for publication in the
25 Pennsylvania Bulletin, notice of adoption of an amendment to the
26 Constitution of Pennsylvania which deals with venue.

27 Section 6. This act shall take effect as follows:

28 (1) Section 5 and this section shall take effect
29 immediately.

30 (2) The amendment or addition of 42 Pa.C.S. §§ 931(c),

1 5105.1 and 5106 shall take effect upon publication in the
2 Pennsylvania Bulletin of the notice under section 5.

3 (3) Section 4 of this act shall take effect upon
4 publication in the Pennsylvania Bulletin of the notice under
5 section 5.