
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 728 Session of
2003

INTRODUCED BY C. WILLIAMS AND KITCHEN, MAY 9, 2003

REFERRED TO JUDICIARY, MAY 9, 2003

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, further providing for compensation laws
3 allowed to the General Assembly.

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

6 Section 1. The following amendment to the Constitution of
7 Pennsylvania is proposed in accordance with Article XI:

8 That section 18 of Article III be amended to read:

9 § 18. Compensation laws allowed to General Assembly.

10 The General Assembly may enact laws requiring the payment by
11 employers, or employers and employees jointly, of reasonable
12 compensation for injuries to employees arising in the course of
13 their employment, and for occupational diseases of employees,
14 whether or not such injuries or diseases result in death, and
15 regardless of fault of employer or employee, and fixing the
16 basis of ascertainment of such compensation and the maximum and
17 minimum limits thereof, and providing special or general

1 remedies for the collection thereof[; but in no other cases
2 shall the General Assembly limit the amount to be recovered for
3 injuries resulting in death, or for injuries to persons or
4 property, and in]. The General Assembly shall not limit the
5 recovery of economic damages for injuries resulting in death, or
6 for injuries to persons or property; however the General
7 Assembly may by statute limit the recovery of noneconomic
8 damages resulting from negligence in medical treatment. In case
9 of death from such injuries, the right of action shall survive,
10 and the General Assembly shall prescribe for whose benefit such
11 actions shall be prosecuted. No act shall prescribe any
12 limitations of time within which suits may be brought against
13 corporations for injuries to persons or property, or for other
14 causes different from those fixed by general laws regulating
15 actions against natural persons, and such acts now existing are
16 avoided.

17 Section 2. (a) Upon the first passage by the General
18 Assembly of this proposed constitutional amendment, the
19 Secretary of the Commonwealth shall proceed immediately to
20 comply with the advertising requirements of section 1 of Article
21 XI of the Constitution of Pennsylvania and shall transmit the
22 required advertisements to two newspapers in every county in
23 which such newspapers are published in sufficient time after
24 passage of this proposed constitutional amendment.

25 (b) Upon the second passage by the General Assembly of this
26 proposed constitutional amendment, the Secretary of the
27 Commonwealth shall proceed immediately to comply with the
28 advertising requirements of section 1 of Article XI of the
29 Constitution of Pennsylvania and shall transmit the required
30 advertisements to two newspapers in every county in which such

1 newspapers are published in sufficient time after passage of
2 this proposed constitutional amendment. The Secretary of the
3 Commonwealth shall submit this proposed constitutional amendment
4 to the qualified electors of this Commonwealth at the first
5 primary, general or municipal election which meets the
6 requirements of and is in conformance with section 1 of Article
7 XI of the Constitution of Pennsylvania and which occurs at least
8 three months after the proposed constitutional amendment is
9 passed by the General Assembly.