

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 38

Session of
2005

INTRODUCED BY LEDERER, BELFANTI, McGEEHAN, DONATUCCI, GEORGE,
DALEY, McCALL, CAWLEY, CRUZ, JAMES, PISTELLA, WALKO, KIRKLAND
AND WASHINGTON, JANUARY 25, 2005

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 25, 2005

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, increasing the two-year
3 statute of limitations for certain actions.

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

6 Section 1. Section 5524 of Title 42 of the Pennsylvania
7 Consolidated Statutes, amended November 24, 2004 (P.L.1243,
8 No.152), is amended to read:

9 § 5524. [Two year] Three-year limitation.

10 The following actions and proceedings must be commenced
11 within [two] three years:

12 (1) An action for assault, battery, false imprisonment,
13 false arrest, malicious prosecution or malicious abuse of
14 process.

15 (2) An action to recover damages for injuries to the
16 person or for the death of an individual caused by the
17 wrongful act or neglect or unlawful violence or negligence of
18 another.

1 (3) An action for taking, detaining or injuring personal
2 property, including actions for specific recovery thereof.

3 (4) An action for waste or trespass of real property.

4 (5) An action upon a statute for a civil penalty or
5 forfeiture.

6 (6) An action against any officer of any government unit
7 for the nonpayment of money or the nondelivery of property
8 collected upon on execution or otherwise in his possession.

9 (7) Any other action or proceeding to recover damages
10 for injury to person or property which is founded on
11 negligent, intentional, or otherwise tortious conduct or any
12 other action or proceeding sounding in trespass, including
13 deceit or fraud, except an action or proceeding subject to
14 another limitation specified in this subchapter.

15 Section 2. This act shall apply to all causes of action
16 arising after July 1, 2005.

17 Section 3. This act shall take effect immediately.