

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 155      Session of  
2007

---

INTRODUCED BY BELFANTI, PHILLIPS, GERGELY, SCAVELLO,  
CALTAGIRONE, COHEN, CURRY, FABRIZIO, GEORGE, GOODMAN,  
GRUCELA, JAMES, KOTIK, MARKOSEK, SOLOBAY, WALKO AND  
YOUNGBLOOD, JANUARY 31, 2007

---

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 31, 2007

---

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, further providing for  
3 exceptions to sovereign immunity and governmental immunity.

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

6 Section 1. Sections 8522(b) and 8542(b) of Title 42 of the  
7 Pennsylvania Consolidated Statutes are amended by adding  
8 paragraphs to read:

9 § 8522. Exceptions to sovereign immunity.

10 \* \* \*

11 (b) Acts which may impose liability.--The following acts by  
12 a Commonwealth party may result in the imposition of liability  
13 on the Commonwealth and the defense of sovereign immunity shall  
14 not be raised to claims for damages caused by:

15 \* \* \*

16 (10) Failure to warn local municipality.--A failure of  
17 the Pennsylvania Emergency Management Agency to comply with

1     35 Pa.C.S. § 7313(6) (relating to powers and duties) that  
2     results in losses to a political subdivision or its  
3     residents.

4     § 8542. Exceptions to governmental immunity.

5     \* \* \*

6     (b) Acts which may impose liability.--The following acts by  
7     a local agency or any of its employees may result in the  
8     imposition of liability on a local agency:

9     \* \* \*

10     (9) Failure to warn residents.--A failure of a local  
11     agency to comply with 35 Pa.C.S. § 7503(9) (relating to  
12     powers and duties of political subdivisions) that results in  
13     losses to a resident of a political subdivision under the  
14     jurisdiction of the local agency.

15     \* \* \*

16     Section 2. This act shall take effect in 60 days.