

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 860 Session of
2007

INTRODUCED BY TURZAI, BENNINGHOFF, BOYD, CAUSER, CLYMER, COX,
CREIGHTON, EVERETT, FAIRCHILD, FLECK, GABIG, GILLESPIE,
GINGRICH, GODSHALL, HERSHEY, HICKERNELL, HUTCHINSON,
KAUFFMAN, M. KELLER, KILLION, MACKERETH, MANN, MARSHALL,
MARSICO, McILHATTAN, METCALFE, R. MILLER, MUSTIO, O'NEILL,
PAYNE, PETRI, PHILLIPS, PICKETT, RAPP, REED, REICHLEY, ROAE,
ROHRER, ROSS, SCHRODER, SONNEY, STERN, R. STEVENSON, SWANGER,
TRUE, WATSON AND VULAKOVICH, MARCH 21, 2007

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 21, 2007

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

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

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

27 (b) Upon the second passage by the General Assembly of this
28 proposed constitutional amendment, the Secretary of the
29 Commonwealth shall proceed immediately to comply with the
30 advertising requirements of section 1 of Article XI of the

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