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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2656 Session of  
2018

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INTRODUCED BY SCHEMEL, SEPTEMBER 24, 2018

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REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 24, 2018

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A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth  
2 of Pennsylvania, further providing for courts to be open and  
3 suits against the Commonwealth.

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 11 of Article I be amended to read:

9 § 11. Courts to be open; suits against the Commonwealth.

10 (a) All courts shall be open; and every man for an injury  
11 done him in his lands, goods, person or reputation shall have  
12 remedy by due course of law, and right and justice administered  
13 without sale, denial or delay. Suits may be brought against the  
14 Commonwealth in such manner, in such courts and in such cases as  
15 the Legislature may by law direct.

16 (b) A civil action arising from child sexual abuse which is  
17 statutorily barred prior to the effective date of this  
18 subsection shall be revived for two years after the effective

1 date of this subsection.

2 Section 2. (a) Upon the first passage by the General  
3 Assembly of this proposed constitutional amendment, the  
4 Secretary of the Commonwealth shall proceed immediately to  
5 comply with the advertising requirements of section 1 of Article  
6 XI of the Constitution of Pennsylvania and shall transmit the  
7 required advertisements to two newspapers in every county in  
8 which such newspapers are published in sufficient time after  
9 passage of this proposed constitutional amendment.

10 (b) Upon the second passage by the General Assembly of this  
11 proposed constitutional amendment, the Secretary of the  
12 Commonwealth shall proceed immediately to comply with the  
13 advertising requirements of section 1 of Article XI of the  
14 Constitution of Pennsylvania and shall transmit the required  
15 advertisements to two newspapers in every county in which such  
16 newspapers are published in sufficient time after passage of  
17 this proposed constitutional amendment. The Secretary of the  
18 Commonwealth shall submit this proposed constitutional amendment  
19 to the qualified electors of this Commonwealth at the first  
20 primary, general or municipal election which meets the  
21 requirements of and is in conformance with section 1 of Article  
22 XI of the Constitution of Pennsylvania and which occurs at least  
23 three months after the proposed constitutional amendment is  
24 passed by the General Assembly.