
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 444 Session of
2020

INTRODUCED BY KLUNK, KAUFFMAN, PICKETT, RADER, RIGBY AND ROWE,
JUNE 29, 2020

REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, JUNE 29, 2020

AN ACT

1 Providing for limitation on damages in actions against entities
2 for children.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Limitation
7 on Damages in Actions Against Entities for Children Act.

8 Section 2. Limitation on damages.

9 (a) General rule.--Except as provided in subsection (b), an
10 action for damages against a nonprofit organization as defined
11 under section 501(c)(3) of the Internal Revenue Code of 1986
12 (Public Law 99-514, 26 U.S.C. § 501(c)(3)) that is subject to
13 the requirements of 55 Pa. Code Ch. 3680 (relating to
14 administration and operation of a children and youth social
15 service agency) or 55 Pa. Code Ch. 3800 (relating to child
16 residential and day treatment facilities) shall be limited as
17 provided under 42 Pa.C.S. § 8553 (relating to limitations on
18 damages) if the injuries to the plaintiff were caused by actions

1 or omissions of the nonprofit organization.

2 (b) Exception.--The limitation provided in subsection (a)
3 shall not apply to a claim arising from conduct that constitutes
4 an offense under 42 Pa.C.S. § 5551(7) (relating to no limitation
5 applicable), if the injuries to the plaintiff were caused by
6 actions or omissions of the nonprofit organization.

7 Section 3. Applicability.

8 This act shall apply to causes of action arising during the
9 proclamation of disaster emergency issued by the Governor on
10 March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020), and
11 any renewal of the state of disaster emergency.

12 Section 4. Effective date.

13 This act shall take effect immediately.