
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 615 Session of
2021

INTRODUCED BY SIMS, KINSEY, GUENST, SANCHEZ AND GALLOWAY,
FEBRUARY 24, 2021

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 24, 2021

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in matters affecting
3 government units, providing for declaration of policy and
4 further providing for limitations on damages.

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

7 Section 1. Title 42 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 8503. Declaration of policy.

10 The General Assembly finds and declares as follows:

11 (1) Under section 8541 (relating to governmental
12 immunity generally), an exception to immunity of a political
13 subdivision is a matter of legislative grace.

14 (2) Prioritizing recovery for property damage to owner-
15 occupied real property is the best use for limited
16 governmental resources to satisfy liability for property
17 damage.

18 Section 2. Section 8553(c)(6) of Title 42 is amended to
19 read:

1 § 8553. Limitations on damages.

2 * * *

3 (c) Types of losses recognized.--Damages shall be
4 recoverable only for:

5 * * *

6 (6) Property losses. Damages under this paragraph for a
7 single act shall be recovered as follows:

8 (i) First, by all individuals who:

9 (A) suffer damage to owner-occupied real
10 property; and

11 (B) meet the time requirements of sections
12 5522(a) (relating to six months limitation) and
13 5524(4) (relating to two year limitation).

14 (ii) Then, by all other persons.

15 * * *

16 Section 3. This act shall apply to causes of action which
17 arise on or after the effective date of this section.

18 Section 4. This act shall take effect in 60 days.