

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1300 Session of 2024

INTRODUCED BY LANGERHOLC, DUSH, VOGEL, LAUGHLIN, PHILLIPS-HILL,  
DiSANTO AND J. WARD, JULY 25, 2024

REFERRED TO JUDICIARY, JULY 25, 2024

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, in matters affecting  
3 government units, further providing for limitations on  
4 damages relating to actions against Commonwealth parties and  
5 for limitations on damages relating to actions against local  
6 parties.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Section 8528(b) of Title 42 of the Pennsylvania  
10 Consolidated Statutes is amended and the section is amended by  
11 adding a subsection to read:

12 § 8528. Limitations on damages.

13 \* \* \*

14 (b) Amount recoverable.--Damages arising from the same cause  
15 of action or transaction or occurrence or series of causes of  
16 action or transactions or occurrences shall not exceed \$250,000  
17 in favor of any plaintiff or \$1,000,000 in the aggregate[.],  
18 except in cases involving permanent dismemberment or death, in  
19 which case damages arising from the same cause of action or  
20 transaction or occurrence or series of causes of action or

1 transactions or occurrences shall not exceed \$1,000,000 in favor  
2 of any plaintiff or \$2,000,000 in the aggregate.

3 \* \* \*

4 (c.1) Insurance benefits.--If a claimant receives or is  
5 entitled to receive benefits under a policy of insurance other  
6 than a life insurance policy as a result of losses for which  
7 damages are recoverable under subsection (c), the amount of the  
8 benefits shall be deducted from the amount of damages that would  
9 otherwise be recoverable by the claimant.

10 \* \* \*

11 Section 2. Section 8553(b) and (c)(2)(ii) of Title 42 are  
12 amended to read:

13 § 8553. Limitations on damages.

14 \* \* \*

15 (b) Amounts recoverable.--Damages arising from the same  
16 cause of action or transaction or occurrence or series of causes  
17 of action or transactions or occurrences shall not exceed  
18 \$500,000 in the aggregate[.], except in cases involving  
19 permanent dismemberment or death, in which case damages arising  
20 from the same cause of action or transaction or occurrence or  
21 series of causes of action or transactions or occurrences shall  
22 not exceed \$1,000,000 in the aggregate.

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

25 \* \* \*

26 (2) Pain and suffering in the following instances:

27 \* \* \*

28 (ii) only in cases of permanent loss of a bodily  
29 function, permanent disfigurement or permanent  
30 dismemberment where the medical and dental expenses

1           referred to in paragraph (3) are in excess of [\$1,500]  
2           \$10,000.

3           \* \* \*

4           Section 3. This act shall apply to all causes of action or  
5 transactions or occurrences, or series of causes of action or  
6 transactions or occurrences that occurred on or after the  
7 effective date of this section.

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