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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 462 Session of  
2015

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INTRODUCED BY ROEBUCK, BISHOP, THOMAS, J. HARRIS, ROZZI,  
WHEATLEY, FREEMAN, D. COSTA, KINSEY, COHEN, KORTZ, BROWNLIE,  
V. BROWN, McCARTER AND GILLEN, FEBRUARY 12, 2015

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REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 12, 2015

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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 exceptions to  
4 sovereign immunity and for limitations on damages.

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

7 Section 1. Section 8522(b) of Title 42 of the Pennsylvania  
8 Consolidated Statutes is amended by adding a paragraph to read:  
9 § 8522. Exceptions to sovereign immunity.

10 \* \* \*

11 (b) Acts which may impose liability.--The following acts by  
12 a Commonwealth party may result in the imposition of liability  
13 on the Commonwealth and the defense of sovereign immunity shall  
14 not be raised to claims for damages caused by:

15 \* \* \*

16 (10) Wrongful imprisonment.--Damages under this  
17 paragraph shall not exceed the following:

18 (i) a sum equal to twice the amount of the gross

1 wages of the plaintiff earned in the year prior to his  
2 arrest or \$25,000, whichever is greater, for each year of  
3 wrongful imprisonment;

4 (ii) reasonable attorney fees and court costs  
5 incurred by the plaintiff as a result of the wrongful  
6 conviction; and

7 (iii) restitution in an amount equal to the fines,  
8 surcharges and penalties incurred by the plaintiff as a  
9 result of the wrongful conviction.

10 Section 2. Section 8528 of Title 42 is amended by adding a  
11 subsection to read:

12 § 8528. Limitations on damages.

13 \* \* \*

14 (d) Nonapplicability.--This section shall not apply to  
15 damages for wrongful imprisonment under section 8522(10)  
16 (relating to exceptions to sovereign immunity).

17 Section 3. This act shall apply to any person found to have  
18 been wrongfully imprisoned under 42 Pa.C.S. Ch. 95 Subch. B.

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