
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 23 Session of
2023

INTRODUCED BY BAKER, LAUGHLIN, TARTAGLIONE, FONTANA, KANE,
SCHWANK, LANGERHOLC, CAPPELLETTI, SANTARSIERO, COSTA AND
AUMENT, JANUARY 19, 2023

REFERRED TO STATE GOVERNMENT, JANUARY 19, 2023

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) An individual for whom a statutory limitations period
17 has already expired, or whose claim would otherwise be barred or

1 limited by a statutory cap on damages, sovereign immunity or by
2 governmental or official immunity, shall have a period of two
3 years, without bar or limitation by such caps or immunities,
4 from the time that this subsection becomes effective to commence
5 an action arising from childhood sexual abuse, in such cases as
6 provided by law at the time that this subsection becomes
7 effective.

8 Section 2. The following procedure applies to the proposed
9 constitutional amendment in this joint resolution:

10 (1) Upon the first passage by the General Assembly of
11 the amendment, the Secretary of the Commonwealth shall
12 proceed immediately to comply with the advertising
13 requirements of section 1 of Article XI of the Constitution
14 of Pennsylvania.

15 (2) Upon the second passage by the General Assembly of
16 the amendment, the Secretary of the Commonwealth shall
17 proceed immediately to comply with the advertising
18 requirements of section 1 of Article XI of the Constitution
19 of Pennsylvania. The Secretary of the Commonwealth shall
20 submit the amendment to the qualified electors of this
21 Commonwealth at the first general election which meets the
22 requirements of section 1 of Article XI of the Constitution
23 of Pennsylvania.