
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 749 Session of
2013

INTRODUCED BY GREENLEAF, STACK, TEPLITZ, LEACH, FONTANA,
YUDICHAK, HUGHES, COSTA AND TARTAGLIONE, APRIL 3, 2013

REFERRED TO JUDICIARY, APRIL 3, 2013

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in general provisions
3 relating to civil actions and proceedings, further providing
4 for comparative negligence.

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

7 Section 1. Section 7102(a.1)(3) of Title 42 of the
8 Pennsylvania Consolidated Statutes is amended to read:

9 § 7102. Comparative negligence.

10 * * *

11 (a.1) Recovery against joint defendant; contribution.--

12 * * *

13 (3) A defendant's liability in any of the following
14 actions shall be joint and several, and the court shall enter
15 a joint and several judgment in favor of the plaintiff and
16 against the defendant for the total dollar amount awarded as
17 damages:

18 (i) Intentional misrepresentation.

19 (ii) An intentional tort.

1 (iii) Where the defendant has been held liable for
2 not less than 60% of the total liability apportioned to
3 all parties.

4 (iv) A release or threatened release of a hazardous
5 substance under section 702 of the act of October 18,
6 1988 (P.L.756, No.108), known as the Hazardous Sites
7 Cleanup Act.

8 (v) A civil action in which a defendant has violated
9 section 497 of the act of April 12, 1951 (P.L.90, No.21),
10 known as the Liquor Code.

11 (vi) Where a person under 18 years of age has a
12 beneficial interest.

13 * * *

14 Section 2. This act shall take effect in 60 days.