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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 332 Session of  
2019

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INTRODUCED BY GROVE, PICKETT, KAUFFMAN, PYLE, RYAN, MILLARD,  
FRITZ, SAYLOR, LAWRENCE, KEEFER, HERSHEY, ECKER, JONES AND  
KORTZ, FEBRUARY 1, 2019

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REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 1, 2019

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AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, in jurisdiction of  
3 appellate courts, providing for commerce court program; and,  
4 in organization and jurisdiction of courts of common pleas,  
5 providing for commerce courts.

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

8 Section 1. Title 42 of the Pennsylvania Consolidated  
9 Statutes is amended by adding sections to read:

10 § 743. Commerce court program.

11 (a) Appeals.--The Superior Court may establish from  
12 available funds a commerce court program that shall have  
13 specialized jurisdiction. In a commerce court program  
14 established under this section, the specialized jurisdiction of  
15 appeals relating to the following matters may be vested in the  
16 program:

17 (1) The internal affairs, governance, dissolution,  
18 liquidation, rights or obligations between or among owners  
19 and liability or indemnity of managers of business

1 corporations, partnerships, limited partnerships, limited  
2 liability partnerships, professional associations, business  
3 trusts, joint ventures or other business enterprises,  
4 including any actions involving the interpretation of the  
5 rights or obligations under the organic law, articles of  
6 incorporation, bylaws or agreements governing these  
7 enterprises.

8 (2) Disputes between or among two or more business  
9 enterprises relating to a transaction, business relationship  
10 or a contract.

11 (b) Rules.--The court may adopt rules for the administration  
12 of the program established under this section. The rules may not  
13 be inconsistent with this section or any rule established by the  
14 Supreme Court.

15 § 916.1. Commerce courts.

16 (a) Establishment.--The court of common pleas of a judicial  
17 district may establish from available funds a commerce court  
18 that shall have specialized jurisdiction. In a court of common  
19 pleas that has established a commerce court under this section,  
20 the exclusive jurisdiction of cases relating to the following  
21 matters may be vested in the commerce court:

22 (1) The internal affairs, governance, dissolution,  
23 liquidation, rights or obligations between or among owners  
24 and liability or indemnity of managers of business  
25 corporations, partnerships, limited partnerships, limited  
26 liability partnerships, professional associations, business  
27 trusts, joint ventures or other business enterprises,  
28 including any actions involving the interpretation of the  
29 rights or obligations under the organic law, articles of  
30 incorporation, bylaws or agreements governing these

1 enterprises.

2 (2) Disputes between or among two or more business  
3 enterprises relating to a transaction, business relationship  
4 or a contract.

5 (b) Rules.--The court may adopt local rules for the  
6 administration of commerce courts established under this  
7 section. The local rules may not be inconsistent with this  
8 section or any rule established by the Supreme Court.

9 (c) Statewide commerce courts coordinator.--To the extent  
10 that funds are available, the Supreme Court may appoint a  
11 Statewide commerce court coordinator. The coordinator may:

12 (1) Encourage and assist in the establishment of  
13 commerce courts in each judicial district.

14 (2) Develop model guidelines for the administration of  
15 commerce courts and their related services.

16 (3) Establish procedures for monitoring commerce courts  
17 and for evaluating the effectiveness of commerce courts.

18 (d) Advisory committee.--The Supreme Court may establish,  
19 from available funds, an interdisciplinary and interbranch  
20 advisory committee to advise and assist the Statewide commerce  
21 courts coordinator in monitoring and administrating commerce  
22 courts Statewide.

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