

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 521

Session of  
1975

INTRODUCED BY WESTERBERG, RENWICK, ANDERSON AND SHELHAMER,  
FEBRUARY 19, 1975

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 19, 1975

AN ACT

1 Amending the act of December 22, 1951 (P.L.1726, No.463),  
2 entitled "An act relating to the loyalty to the United States  
3 and the Commonwealth of Pennsylvania of public officers and  
4 employes, including teachers and other employes of the public  
5 school system, and officers and employes of State-aided  
6 institutions of learning; requiring oaths or affirmations by  
7 applicants for public office or employment and by present  
8 appointed officers and employes; prohibiting appointment or  
9 employment and requiring discharges after hearing in certain  
10 cases; imposing conditions on the payment of appropriations  
11 to State-aided institutions of learning; requiring statements  
12 under oath or affirmation of candidates for elective public  
13 offices; and imposing duties on State and local appointing  
14 authorities and certain other State officers," providing for  
15 changes in the loyalty oath.

16 The General Assembly of the Commonwealth of Pennsylvania  
17 hereby enacts as follows:

18 Section 1. Section 4, act of December 22, 1951 (P.L.1726,  
19 No.463), known as the "Pennsylvania Loyalty Act," amended June  
20 29, 1967 (P.L.146, No.35), is amended to read:

21 Section 4. Procedure in Appointments; Statement and Oath of  
22 Applicants.--Every appointing authority shall establish, by  
23 rules, regulations, or otherwise, procedures designed to  
24 ascertain, before any person, including teachers and other

1 employees of the public school system, is appointed or employed,  
2 that he is not a subversive person. In the event the applicant  
3 is deemed to be a subversive person, he shall not be appointed  
4 or employed. In addition, each applicant shall be required to  
5 make a written statement, under oath or affirmation, which  
6 statement shall contain notice that it is subject to the  
7 penalties of perjury, and shall be in the following form:

8 "I, ....., do solemnly swear (or affirm)  
9 that I will support, obey and defend the Constitution of the  
10 United States and the Constitution of this Commonwealth, and  
11 that I will discharge the duties of .....  
12 with fidelity.

13 "And I do further swear (or affirm) that I [am not knowingly  
14 a member with the specific intent to further the aims of any  
15 organization that advocates,] do not advocate, nor am I a member  
16 with the specific intent to further the unlawful aims of any  
17 organization that advocates, immediate action directed to  
18 inciting or producing imminent lawless action with the  
19 likelihood that such advocacy will produce or incite such action  
20 as the overthrow of the government of the United States or of  
21 this Commonwealth by force or violence or other unconstitutional  
22 means, or seeking by force or violence to deny other persons  
23 their rights under the Constitution of the United States or of  
24 this Commonwealth.

25 "And I do further swear (or affirm) that I will not knowingly  
26 become a member with the specific intent to further the unlawful  
27 aims of such organization during the period that I am an employe  
28 of the Commonwealth of Pennsylvania (or political subdivision  
29 thereof)."

30 Section 2. This act shall take effect immediately.