

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2196 Session of
1976

INTRODUCED BY A. K. HUTCHINSON, SALOOM, PETRARCA, LAUDADIO AND
SCHMITT, MARCH 10, 1976

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 10, 1976

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania prohibiting the Supreme Court from suspending
3 laws enacted by the General Assembly.

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 the Commonwealth of Pennsylvania is proposed in accordance with
8 the provisions of Article XI thereof.

9 That subsection (c) of section ten of Article V be amended to
10 read:

11 Section 10. Judicial Administration.-- * * *

12 (c) The Supreme Court shall have the power to prescribe
13 general rules governing practice, procedure and the conduct of
14 all courts, justices of the peace and all officers serving
15 process or enforcing orders, judgments or decrees of any court
16 or justice of the peace, including the power to provide for
17 assignment and reassignment of classes of actions or classes of
18 appeals among the several courts as the needs of justice shall

1 require, and for admission to the bar and to practice law, and
2 the administration of all courts and supervision of all officers
3 of the judicial branch, if such rules are consistent with this
4 Constitution and neither abridge, enlarge nor modify the
5 substantive rights of any litigant, nor affect the right of the
6 General Assembly to determine the jurisdiction of any court or
7 justice of the peace, nor suspend nor alter any statute of
8 limitation or repose. [All laws shall be suspended to the extent
9 that they are inconsistent with rules prescribed under these
10 provisions.] The Supreme Court shall not have the power to
11 suspend laws enacted on the same or similar subjects by the
12 General Assembly.

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