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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 708

Session of  
1983

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INTRODUCED BY HUTCHINSON, APRIL 11, 1983

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REFERRED TO COMMITTEE ON JUDICIARY, APRIL 11, 1983

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A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth  
2 of Pennsylvania, prohibiting the Supreme Court from  
3 suspending 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 Pennsylvania is proposed in accordance with Article XI:

8 That section 10(c) of Article V be amended to read:

9 § 10. Judicial administration.

10 \* \* \*

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

13 \* \* \*