

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2180 Session of
2003

INTRODUCED BY RUFFING, WOJNAROSKI, KELLER, CASORIO, BASTIAN,
BEBKO-JONES, CLYMER, EGOLF, FEESE, GERGELY, GOODMAN, GRUCELA,
HARHAI, HARRIS, HERSHEY, KIRKLAND, LYNCH, McCALL, McNAUGHTON,
METCALFE, O'NEILL, SCHRODER, SHANER, SOLOBAY, E. Z. TAYLOR
AND WANSACZ, NOVEMBER 19, 2003

REFERRED TO COMMITTEE ON JUDICIARY, NOVEMBER 19, 2003

AN ACT

1 Amending the act of October 15, 1980 (P.L.950, No.164),
2 entitled, "A supplement to the act of April 9, 1929 (P.L.177,
3 No.175), entitled 'An act providing for and reorganizing the
4 conduct of the executive and administrative work of the
5 Commonwealth by the Executive Department thereof and the
6 administrative departments, boards, commissions, and officers
7 thereof, including the boards of trustees of State Normal
8 Schools, or Teachers Colleges; abolishing, creating,
9 reorganizing or authorizing the reorganization of certain
10 administrative departments, boards, and commissions; defining
11 the powers and duties of the Governor and other executive and
12 administrative officers, and of the several administrative
13 departments, boards, commissions, and officers; fixing the
14 salaries of the Governor, Lieutenant Governor, and certain
15 other executive and administrative officers; providing for
16 the appointment of certain administrative officers, and of
17 all deputies and other assistants and employes in certain
18 departments, boards, and commissions; and prescribing the
19 manner in which the number and compensation of the deputies
20 and all other assistants and employes of certain departments,
21 boards and commissions shall be determined,' implementing the
22 addition of section 4.1 to Article IV of the Constitution of
23 Pennsylvania; establishing the Office of Attorney General
24 elected by the citizens and setting forth powers and duties
25 of the Attorney General; creating an Office of General
26 Counsel and providing for legal services for Commonwealth
27 agencies; transferring, reorganizing or reconstituting
28 certain boards, commissions and agencies; placing certain
29 duties upon the courts and district attorneys; repealing
30 certain acts and parts of acts and making appropriations,"
31 providing for prohibited activity.

1 The General Assembly of the Commonwealth of Pennsylvania
2 hereby enacts as follows:

3 Section 1. The act of October 15, 1980 (P.L.950, No.164),
4 known as the Commonwealth Attorneys Act, is amended by adding a
5 section to read:

6 Section 209. Prohibited activity.

7 Neither the Attorney General nor any other officer or
8 employee of the Commonwealth shall avoid or settle any civil
9 lawsuit by entering into any agreement, consent agreement,
10 consent decree, settlement agreement, stipulation or other
11 writing that would have the purpose or effect, or both, of
12 committing the Commonwealth or any of its instrumentalities to
13 pay for sex-reassignment surgery or for any medical treatment,
14 including, but not limited to, hormone therapy, that is
15 preparatory or ancillary thereto, for or on behalf of any person
16 who is incarcerated in any jail, penitentiary, prison or other
17 correctional institution. Any such writing is hereby declared to
18 be contrary to public policy and is null and void ab initio. In
19 the event that a court orders such payment, the Attorney General
20 shall appeal that decision to the next higher court unless all
21 appeals permitted by law have been exhausted.

22 Section 2. This act shall take effect immediately.