

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1202 Session of
2009

INTRODUCED BY WALKO, FRANKEL, BRENNAN, CREIGHTON, DONATUCCI,
EVERETT, FLECK, GABLER, GEORGE, GRUCELA, HARHAI, HENNESSEY,
KILLION, MAHER, MAHONEY, MURT, PARKER, PYLE, READSHAW,
SIPTROTH, STEVENSON, SWANGER, J. TAYLOR, VULAKOVICH, GIBBONS
AND HORNAMAN, APRIL 3, 2009

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 3, 2009

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, authorizing legislation to allow persons in
3 the National Guard or in a reserve component of the armed
4 forces of the United States, whether activated or not, to
5 hold public office concurrently with their service.

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

8 Section 1. The following amendment to the Constitution of
9 Pennsylvania is proposed in accordance with Article XI:

10 That section 2 of Article VI be amended to read:

11 § 2. Incompatible offices.

12 No member of Congress from this State, nor any person holding
13 or exercising any office or appointment of trust or profit

14 (except in the National Guard or in a reserve component of the
15 armed forces of the United States, whether activated or not)

16 under the United States, shall at the same time hold or exercise
17 any office in this State to which a salary, fees or perquisites
18 shall be attached. The General Assembly may by law declare what

1 offices are incompatible.

2 Section 2. (a) Upon the first passage by the General
3 Assembly of this proposed constitutional amendment, the
4 Secretary of the Commonwealth shall proceed immediately to
5 comply with the advertising requirements of section 1 of Article
6 XI of the Constitution of Pennsylvania and shall transmit the
7 required advertisements to two newspapers in every county in
8 which such newspapers are published in sufficient time after
9 passage of this proposed constitutional amendment.

10 (b) Upon the second passage by the General Assembly of this
11 proposed constitutional amendment, the Secretary of the
12 Commonwealth shall proceed immediately to comply with the
13 advertising requirements of section 1 of Article XI of the
14 Constitution of Pennsylvania and shall transmit the required
15 advertisements to two newspapers in every county in which such
16 newspapers are published in sufficient time after passage of
17 this proposed constitutional amendment. The Secretary of the
18 Commonwealth shall submit this proposed constitutional amendment
19 to the qualified electors of this Commonwealth at the first
20 primary, general or municipal election which meets the
21 requirements of and is in conformance with section 1 of Article
22 XI of the Constitution of Pennsylvania and which occurs at least
23 three months after the proposed constitutional amendment is
24 passed by the General Assembly.