

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 2596 Session of  
2022

INTRODUCED BY CONKLIN, BIZZARRO, BURNS, HOHENSTEIN, KENYATTA,  
KINSEY, KOSIEROWSKI, MADDEN, MALAGARI, SANCHEZ, SCHWEYER,  
SHUSTERMAN, STURLA AND YOUNG, MAY 13, 2022

REFERRED TO COMMITTEE ON JUDICIARY, MAY 13, 2022

## A JOINT RESOLUTION

1 Proposing separate and distinct amendments to the Constitution  
2 of the Commonwealth of Pennsylvania, further providing for  
3 ineligibility by criminal convictions, for qualifications of  
4 Governor, Lieutenant Governor and Attorney General and for  
5 qualifications of justices, judges and justices of the peace;  
6 providing for ineligibility of civil officers; and imposing a  
7 duty on the General Assembly.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby resolves as follows:

10 Section 1. The following separate and distinct amendments to  
11 the Constitution of Pennsylvania are proposed in accordance with  
12 Article XI:

13 (1) That section 7 of Article II be amended to read:

14 § 7. Ineligibility by criminal convictions.

15 No person [hereafter convicted of] sentenced for embezzlement  
16 of public moneys, bribery, perjury or other infamous crime, or  
17 for physically or sexually abusing a family or household member,  
18 shall be eligible to the General Assembly, or capable of holding  
19 any office of trust or profit in this Commonwealth.

20 For the purposes of this section, a "family or household

1 member" shall mean a spouse or a person who has been a spouse, a  
2 person living as a spouse or who lived as a spouse, a parent and  
3 a child, other persons related by consanguinity or affinity, a  
4 current or former sexual or intimate partner or a person who  
5 shares biological parenthood.

6 (2) That section 5 of Article IV be amended to read:

7 § 5. Qualifications of Governor, Lieutenant Governor and  
8 Attorney General.

9 No person shall be eligible to the office of Governor,  
10 Lieutenant Governor or Attorney General except a citizen of the  
11 United States, who shall have attained the age of 30 years, and  
12 have been seven years next preceding his election an inhabitant  
13 of this Commonwealth, unless he shall have been absent on the  
14 public business of the United States or of this Commonwealth. No  
15 person shall be eligible to the office of Attorney General  
16 except a member of the bar of the Supreme Court of Pennsylvania.  
17 No person sentenced for physically or sexually abusing a family  
18 or household member shall be eligible to the office of Governor,  
19 Lieutenant Governor or Attorney General.

20 For the purposes of this section, a "family or household  
21 member" shall mean a spouse or an individual who has been a  
22 spouse, an individual living as a spouse or who lived as a  
23 spouse, a parent and a child, other individuals related by  
24 consanguinity or affinity, a current or former sexual or  
25 intimate partner or an individual who shares biological  
26 parenthood.

27 (3) That section 12 of Article V be amended to read:

28 § 12. Qualifications of justices, judges and justices of the  
29 peace.

30 (a) Justices, judges and justices of the peace shall be

1 citizens of the Commonwealth. Justices and judges, except the  
2 judges of the traffic court in the City of Philadelphia, shall  
3 be members of the bar of the Supreme Court. Justices and judges  
4 of statewide courts, for a period of one year preceding their  
5 election or appointment and during their continuance in office,  
6 shall reside within the Commonwealth. Other judges and justices  
7 of the peace, for a period of one year preceding their election  
8 or appointment and during their continuance in office, shall  
9 reside within their respective districts, except as provided in  
10 this article for temporary assignments.

11 (b) Justices of the peace shall be members of the bar of the  
12 Supreme Court or shall complete a course of training and  
13 instruction in the duties of their respective offices and pass  
14 an examination prior to assuming office. Such courses and  
15 examinations shall be as provided by law.

16 (c) No person sentenced for physically or sexually abusing a  
17 family or household member shall be eligible to be a justice,  
18 judge or justice of the peace. For the purposes of this  
19 subsection, a "family or household member" shall mean a spouse  
20 or an individual who has been a spouse, an individual living as  
21 a spouse or who lived as a spouse, a parent and a child, other  
22 individuals related by consanguinity or affinity, a current or  
23 former sexual or intimate partner or an individual who shares  
24 biological parenthood.

25 (4) That Article VI be amended by adding a section to read:  
26 § 2.1. Ineligibility of civil officers.

27 No person sentenced for physically or sexually abusing a  
28 family or household member shall be eligible to the office of a  
29 civil officer. For the purposes of this section, a "family or  
30 household member" shall mean a spouse or an individual who has

1 been a spouse, an individual living as a spouse or who lived as  
2 a spouse, a parent and a child, other individuals related by  
3 consanguinity or affinity, a current or former sexual or  
4 intimate partner or an individual who shares biological  
5 parenthood.

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

14 (b) Upon the second passage by the General Assembly of these  
15 proposed constitutional amendments, the Secretary of the  
16 Commonwealth shall proceed immediately to comply with the  
17 advertising requirements of section 1 of Article XI of the  
18 Constitution of Pennsylvania and shall transmit the required  
19 advertisements to two newspapers in every county in which such  
20 newspapers are published in sufficient time after passage of  
21 these proposed constitutional amendments. The Secretary of the  
22 Commonwealth shall:

23 (1) Submit the proposed constitutional amendment under  
24 section 1(1) of this resolution to the qualified electors of  
25 this Commonwealth as a single ballot question at the first  
26 primary, general or municipal election which meets the  
27 requirements of and is in conformance with section 1 of  
28 Article XI of the Constitution of Pennsylvania and which  
29 occurs at least three months after the proposed  
30 constitutional amendment is passed by the General Assembly.

1           (2) Submit the proposed constitutional amendment under  
2 section 1(2) of this resolution to the qualified electors of  
3 this Commonwealth as separate ballot questions at the first  
4 primary, general or municipal election which meets the  
5 requirements of and is in conformance with section 1 of  
6 Article XI of the Constitution of Pennsylvania and which  
7 occurs at least three months after the proposed  
8 constitutional amendment is passed by the General Assembly.

9           (3) Submit the proposed constitutional amendment under  
10 section 1(3) of this resolution to the qualified electors of  
11 this Commonwealth as separate ballot questions at the first  
12 primary, general or municipal election which meets the  
13 requirements of and is in conformance with section 1 of  
14 Article XI of the Constitution of Pennsylvania and which  
15 occurs at least three months after the proposed  
16 constitutional amendment is passed by the General Assembly.

17           (4) Submit the proposed constitutional amendment under  
18 section 1(4) of this resolution to the qualified electors of  
19 this Commonwealth as separate ballot questions at the first  
20 primary, general or municipal election which meets the  
21 requirements of and is in conformance with section 1 of  
22 Article XI of the Constitution of Pennsylvania and which  
23 occurs at least three months after the proposed  
24 constitutional amendment is passed by the General Assembly.

25 Section 3. The following shall apply:

26           (1) The amendment of section 7 of Article II of the  
27 Constitution of Pennsylvania shall apply to persons elected  
28 or appointed on and after the adoption of the constitutional  
29 amendments by the electorate.

30           (2) The amendment of section 5 of Article IV of the

1 Constitution of Pennsylvania shall apply to persons elected  
2 on and after the adoption of the constitutional amendment by  
3 the electorate.

4 (3) The amendment of section 12 of Article V of the  
5 Constitution of Pennsylvania shall apply to persons elected  
6 or appointed on and after the adoption of the constitutional  
7 amendment by the electorate.

8 (4) The addition of section 2.1 of Article VI of the  
9 Constitution of Pennsylvania shall apply to persons elected  
10 or appointed on and after the adoption of the constitutional  
11 amendments by the electorate.

12 Section 4. Within two years of the approval of any of the  
13 constitutional amendments under section 2, the General Assembly  
14 shall, by statute, define physical or sexual abuse for purposes  
15 of the approved constitutional amendments.