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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 553 Session of  
2021

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INTRODUCED BY DUSH, PHILLIPS-HILL, MASTRIANO AND PITTMAN,  
APRIL 13, 2021

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REFERRED TO JUDICIARY, APRIL 13, 2021

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AN ACT

1 Amending Title 1 (General Provisions) of the Pennsylvania  
2 Consolidated Statutes, in rules of construction, further  
3 providing for legislative intent controls.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Section 1921 of Title 1 of the Pennsylvania  
7 Consolidated Statutes is amended by adding a subsection to read:  
8 § 1921. Legislative intent controls.

9 \* \* \*

10 (d) Deference.--

11 (1) If words of a statute are not explicit, the  
12 following shall apply:

13 (i) The ambiguity of the statute may not be  
14 interpreted as an implicit delegation to a Commonwealth  
15 department, agency, board or commission of legislative  
16 rulemaking authority.

17 (ii) The ambiguity of the statute may not be used as  
18 justification for any of the following:

1                   (A) Interpreting the authority of a Commonwealth  
2                   department, agency, board or commission expansively.

3                   (B) Deferring to the interpretation a of  
4                   Commonwealth department, agency, board or commission  
5                   on the question of law.

6                   (2) Notwithstanding any other provision of law, this  
7                   subsection shall apply to the judicial review of an action by  
8                   a Commonwealth department, agency, board or commission under  
9                   the laws of this Commonwealth.

10                   Section 2. This act shall take effect in 60 days.