

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2127 Session of
2003

INTRODUCED BY CAPPELLI, GEIST, FEESE, E. Z. TAYLOR AND
DENLINGER, OCTOBER 27, 2003

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 27, 2003

AN ACT

1 Amending the act of October 15, 1980 (P.L.950, No.164), entitled
2 "A supplement to the act of April 9, 1929 (P.L.177, No.175),
3 entitled 'An act providing for and reorganizing the conduct
4 of the executive and administrative work of the Commonwealth
5 by the Executive Department thereof and the administrative
6 departments, boards, commissions, and officers thereof,
7 including the boards of trustees of State Normal Schools, or
8 Teachers Colleges; abolishing, creating, reorganizing or
9 authorizing the reorganization of certain administrative
10 departments, boards, and commissions; defining the powers and
11 duties of the Governor and other executive and administrative
12 officers, and of the several administrative departments,
13 boards, commissions, and officers; fixing the salaries of the
14 Governor, Lieutenant Governor, and certain other executive
15 and administrative officers; providing for the appointment of
16 certain administrative officers, and of all deputies and
17 other assistants and employes in certain departments, boards,
18 and commissions; and prescribing the manner in which the
19 number and compensation of the deputies and all other
20 assistants and employes of certain departments, boards and
21 commissions shall be determined,' implementing the addition
22 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 further providing for legal advice and civil matters.

32 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 Section 1. Section 204(e) of the act of October 15, 1980
3 (P.L.950, No.164), known as the Commonwealth Attorneys Act, is
4 amended to read:

5 Section 204. Legal advice and civil matters.

6 * * *

7 (e) Limitations in civil litigations.--The Attorney General
8 shall not agree to the entry of a consent decree in any action
9 against the Commonwealth or any agency without the approval of
10 the Governor and notice to the General Assembly through the
11 offices of the Secretary of the Senate and the Chief Clerk of
12 the House of Representatives. If the Attorney General represents
13 the Commonwealth or any agency in negotiation of a consent
14 decree, the Attorney General shall continue to represent the
15 Commonwealth or agency if the decree is challenged after entry.

16 * * *

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