

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 161 Session of 2012

INTRODUCED BY BRUBAKER, SCARNATI, PILEGGI, GREENLEAF, ROBBINS, D. WHITE, WOZNIAK, RAFFERTY, YUDICHAK, ERICKSON, BAKER, ALLOWAY, ARGALL, MENSCH, BROWNE, DINNIMAN, HUGHES AND BLAKE, MAY 22, 2012

SENATOR CORMAN, APPROPRIATIONS, RE-REPORTED AS AMENDED, JUNE 18, 2012

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, providing for criteria for institutions of
3 purely public charity.

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

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

8 ~~That Article III be amended by adding a section to read:~~ ←

9 ~~§ 18.1. Criteria for institutions of purely public charity.~~

10 ~~If the General Assembly exercises its authority under section~~
11 ~~2(a) (v) of Article VIII of this Constitution by legislation, no~~
12 ~~criteria other than those specified in the legislation may be~~
13 ~~used to determine the qualifications of an institution of purely~~
14 ~~public charity.~~

15 THAT SECTION 2(B) OF ARTICLE VIII BE AMENDED BY ADDING A ←

16 CLAUSE TO READ:

1 § 2. EXEMPTIONS AND SPECIAL PROVISIONS.

2 * * *

3 (B) THE GENERAL ASSEMBLY MAY, BY LAW:

4 * * *

5 (VII) ESTABLISH UNIFORM STANDARDS AND QUALIFICATIONS WHICH
6 SHALL BE THE CRITERIA TO DETERMINE QUALIFICATION AS INSTITUTIONS
7 OF PURELY PUBLIC CHARITY UNDER CLAUSE (V) OF SUBSECTION (A) OF
8 THIS SECTION.

9 * * *

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

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

1 three months after the proposed constitutional amendment is
2 passed by the General Assembly.