

## AMENDMENTS TO HOUSE BILL NO. 854

Sponsor: SENATOR K. WARD

Printer's No. 1155

1 Amend Bill, page 1, line 21, by inserting after "retention"  
2 and for temporary regulatory flexibility authority

3 Amend Bill, page 1, lines 25 and 26, by striking out "an  
4 article" and inserting  
5 articles

6 Amend Bill, pages 2 and 3, lines 1 through 30; page 4, lines  
7 1 through 8; by striking out all of said lines on said pages and  
8 inserting

COVID-19 RECORD RETENTIONSection 2101-E. Definitions.

9  
10 The following words and phrases when used in this article  
11 shall have the meanings given to them in this section unless the  
12 context clearly indicates otherwise:  
13

14 "COVID-19." The coronavirus disease 2019, being an  
15 infectious disease caused by severe acute respiratory syndrome  
16 coronavirus 2 that was first identified during December 2019 in  
17 Wuhan, China.

18 "Executive agency." An office, department, authority, board,  
19 multistate agency or commission of the executive branch of the  
20 Commonwealth which is subject to the policy supervision and  
21 control of the Governor.

22 "Order." Any of the following:

23 (1) the declaration of disaster emergency issued by the  
24 Governor on March 6, 2020, published at 50 Pa.B. 1644 (March  
25 21, 2020); or

26 (2) a declaration of disaster emergency relating to  
27 COVID-19 which is issued after March 6, 2020.

28 "Record." Information, regardless of physical form or  
29 characteristics, that documents a transaction or activity of an  
30 executive agency and that is created, received or retained  
31 pursuant to law or in connection with a transaction, business or  
32 activity of the executive agency. The term includes a document,  
33 paper, letter, map, book, tape, photograph, film or sound  
34 recording, information stored or maintained electronically and a

1 data-processed or image-processed document.

2 Section 2102-E. Retention of records related to COVID-19.

3 An executive agency shall preserve all records in possession  
4 of the agency relating to the order in accordance with the  
5 executive agency's existing record retention policy.

6 Section 2103-E. Construction.

7 Nothing in this article shall be construed to reduce the  
8 retention period of any Commonwealth record as provided by law  
9 or prevent the transfer of records to the State Archives for  
10 permanent retention.

11 ARTICLE XXI-F

12 TEMPORARY REGULATORY FLEXIBILITY AUTHORITY

13 Section 2101-F. Definitions.

14 The following words and phrases when used in this article  
15 shall have the meanings given to them in this section unless the  
16 context clearly indicates otherwise:

17 "COVID-19." The coronavirus disease 2019, being an  
18 infectious disease caused by severe acute respiratory syndrome  
19 coronavirus 2 that was first identified during December 2019 in  
20 Wuhan, China.

21 "Order." Any of the following:

22 (1) the declaration of disaster emergency issued by the  
23 Governor on March 6, 2020, published at 50 Pa.B. 1644 (March  
24 21, 2020); or

25 (2) a declaration of disaster emergency relating to  
26 COVID-19 which is issued after March 6, 2020.

27 Section 2102-F. Temporary regulatory flexibility authority.

28 (a) Extension.--The suspension of a regulatory statute  
29 prescribing the procedures for conduct of Commonwealth business,  
30 or an order, rule or regulation of an Commonwealth agency which  
31 was suspended under 35 Pa.C.S. § 7301(f)(1) (relating to general  
32 authority of Governor) as of the last day that the order, as  
33 amended and renewed, was in effect is extended until September  
34 30, 2021, unless sooner terminated by the authority which  
35 initially authorized the suspension.

36 (b) Applicability.--A suspension which is extended under  
37 subsection (a) shall be retroactive to the last day that the  
38 order, as amended and renewed, was in effect.

39 (c) Notice.--Upon the termination of an extension of a  
40 suspension under subsection (a), the authority which terminated  
41 the extension of the suspension shall notify all of the  
42 following:

43 (1) The President pro tempore of the Senate.

44 (2) The Majority Leader of the Senate.

45 (3) The Minority Leader of the Senate.

46 (4) The Speaker of the House of Representatives.

47 (5) The Majority Leader of the House of Representatives.

48 (6) The Minority Leader of the House of Representatives.

49 (7) The chair and minority chair of each committee of  
50 the Senate and of the House of Representatives which have  
51 oversight authority over the Commonwealth agency which

1 administers the regulatory statute, order, rule or  
2 regulation.