

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 743

Session of  
1975

INTRODUCED BY NOLAN, ROSS, DUFFIELD, MELLOW, ORLANDO, STAPLETON,  
MURRAY AND KELLEY, JUNE 9, 1975

REFERRED TO STATE GOVERNMENT, JUNE 9, 1975

AN ACT

1 Prohibiting the employment of certain individuals in positions  
2 designated by the General Assembly and providing a penalty.

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

5 Section 1. Definitions.--As used in this act:

6 "Homosexual" means one who is inclined to or who practices or  
7 engages in sexual or erotic activity with a member of one's own  
8 sex.

9 "Individuals convicted of sex crimes" means any individual  
10 convicted of violations of Chapter 31 of Title 18 (Crimes and  
11 Offenses) of the act of November 25, 1970 (P.L.707, No.230),  
12 known as the Pennsylvania Consolidated Statutes or violations of  
13 the prior act of June 24, 1939 (P.L.872, No.375), known as "The  
14 Penal Code" insofar as they related to sex connected offenses.

15 Section 2. Certain Hiring Prohibited.--(a) Notwithstanding  
16 any law or executive order or directive to the contrary, no  
17 individual or governmental agency having the power to hire  
18 individuals to fill vacant positions shall hire any homosexual

1 or individual convicted of a sex crime to fill any of the  
2 following positions:

3 (1) State policeman.

4 (2) State correctional guards or staff.

5 (3) Correction counselors.

6 (4) State probation officers.

7 (5) Officers, nurses and staff for any State institution  
8 dealing with mental illness and mental retardation.

9 (6) Officers and staff for any State institution which  
10 treats or rehabilitates individuals suffering from physical  
11 handicaps.

12 (b) Any individual who violates the provisions of subsection  
13 (a) shall be dismissed from their position and be guilty of a  
14 summary offense and subject to a fine of \$300 and imprisonment  
15 of 90 days.

16 Section 3. Construction.--This act is deemed to be and shall  
17 be construed to be a sound exercise of those residual police  
18 powers inherent within this Commonwealth and necessary for the  
19 public health, welfare and safety of the citizens of this  
20 Commonwealth.

21 Section 4. Effective Date.--This act shall take effect  
22 immediately.