

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1337 Session of
1982

INTRODUCED BY MESSINGER, FUMO, EARLY AND STAMPONE, FEBRUARY 23,
1982

REFERRED TO JUDICIARY, FEBRUARY 23, 1982

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 to certain municipalities.

32 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 Section 1. Subsection (a) of section 204, act of October 15,
3 1980 (P.L.950, No.164), known as the "Commonwealth Attorneys
4 Act," is amended by adding a paragraph to read:

5 Section 204. Legal advice and civil matters.

6 (a) Legal advice.--

7 * * *

8 (5) It shall be the duty of the Attorney General to
9 furnish, upon written request of any municipal official, a
10 legal opinion in any case where it is alleged that a conflict
11 exists between a municipal ordinance and the laws of the
12 Commonwealth. The legal advice of the Attorney General shall
13 be binding until overturned by a court of competent
14 jurisdiction.

15 * * *

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