
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 325 Session of
2021

INTRODUCED BY GREINER, HICKERNELL, RYAN, MILLARD, ZABEL,
WHEELAND, ZIMMERMAN, LAWRENCE, B. MILLER, FEE, MENTZER,
SANCHEZ AND PEIFER, JANUARY 28, 2021

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,
JANUARY 28, 2021

AN ACT

1 Amending Title 63 (Professions and Occupations (State Licensed))
2 of the Pennsylvania Consolidated Statutes, in powers and
3 duties, further providing for civil penalties.

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

6 Section 1. Section 3108(b) of Title 63 of the Pennsylvania
7 Consolidated Statutes is amended by adding a paragraph to read:

8 § 3108. Civil penalties.

9 * * *

10 (b) Additional powers.--In addition to the disciplinary
11 powers and duties of the licensing boards and licensing
12 commissions within the bureau under their respective practice
13 acts, licensing boards and licensing commissions shall have the
14 power, respectively:

15 * * *

16 (9) To issue, upon request of a licensee, registrant,
17 certificate holder or permit holder, an advisory opinion

1 concerning the meaning or interpretation of an act or
2 regulation pertaining to the license, registration,
3 certificate or permit issued by the licensing board or
4 commission. No person who acts in good faith on an advisory
5 opinion issued by a licensing board or commission upon the
6 person's request shall be subject to criminal or civil
7 penalties or any disciplinary action by the licensing board
8 or commission, provided that the material facts are as stated
9 in the opinion request. An advisory opinion shall not be
10 binding upon the licensing board or commission except with
11 respect to the person to whom the opinion is rendered.
12 Advisory opinions shall be public records and may be
13 published.

14 * * *

15 Section 2. Each licensing board and licensing commission, as
16 defined in 63 Pa.C.S. § 3102, shall adopt final regulations to
17 implement the addition of 63 Pa.C.S. § 3108(b)(9) within 18
18 months of the effective date of this section.

19 Section 3. This act shall take effect in 60 days.