

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1

Session of
2023

INTRODUCED BY LAUGHLIN, J. WARD, K. WARD, PITTMAN, AUMENT,
PHILLIPS-HILL, BARTOLOTTA, MARTIN, BAKER, ARGALL, BROOKS,
BROWN, COLEMAN, DISANTO, DUSH, FARRY, GEBHARD, LANGERHOLC,
MASTRIANO, PENNYCUICK, REGAN, ROBINSON, ROTHMAN, STEFANO,
VOGEL AND YAW, JANUARY 6, 2023

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF
REPRESENTATIVES, AS AMENDED, MARCH 1, 2023

A JOINT RESOLUTION

1 Proposing ~~separate and distinct amendments~~ AN AMENDMENT to the <--
2 Constitution of the Commonwealth of Pennsylvania, further
3 providing for courts to be open and suits against the
4 Commonwealth, ~~for action on concurrent orders and resolutions~~ <--
5 ~~and for qualifications of electors.~~

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby resolves as follows:

8 ~~Section 1. The following separate and distinct amendments~~ <--
9 ~~to the Constitution of Pennsylvania are proposed in accordance~~
10 ~~with Article XI:~~

11 ~~(1)~~ SECTION 1. THE FOLLOWING AMENDMENT TO THE CONSTITUTION <--
12 OF PENNSYLVANIA IS PROPOSED IN ACCORDANCE WITH ARTICLE XI:

13 That section 11 of Article I be amended to read:

14 § 11. Courts to be open; suits against the Commonwealth.

15 (a) All courts shall be open; and every man for an injury
16 done him in his lands, goods, person or reputation shall have

remedy by due course of law, and right and justice administered without sale, denial or delay. Suits may be brought against the Commonwealth in such manner, in such courts and in such cases as the Legislature may by law direct.

(b) An individual for whom a statutory limitations period has already expired, or whose claim would otherwise be barred or limited by a statutory cap on damages, sovereign immunity or by governmental or official immunity, shall have a period of two years, without bar or limitation by such caps or immunities, from the time that this subsection becomes effective to commence an action arising from childhood sexual abuse, in such cases as provided by law at the time that this subsection becomes effective.

~~(2) That section 9 of Article III be amended to read:~~

<--

~~§ 9. Action on concurrent orders and resolutions.~~

~~Every order, resolution or vote, to which the concurrence of both Houses may be necessary, except on the questions of adjournment, disapproval of a regulation or termination or extension of a disaster emergency declaration as declared by an executive order or proclamation, or portion of a disaster emergency declaration as declared by an executive order or proclamation, shall be presented to the Governor and before it shall take effect be approved by him, or being disapproved, shall be repassed by two thirds of both Houses according to the rules and limitations prescribed in case of a bill.~~

~~(3) That section 1 of Article VII be amended to read:~~

~~§ 1. Qualifications of electors.~~

~~(a) Every citizen 21 years of age, possessing the following qualifications, shall be entitled to vote at all elections subject, however, to such laws requiring and regulating the~~

~~registration of electors as the General Assembly may enact.~~

~~1. He or she shall have been a citizen of the United States at least one month.~~

~~2. He or she shall have resided in the State 90 days immediately preceding the election.~~

~~3. He or she shall have resided in the election district where he or she shall offer to vote at least 60 days immediately preceding the election, except that if qualified to vote in an election district prior to removal of residence, he or she may, if a resident of Pennsylvania, vote in the election district from which he or she removed his or her residence within 60 days preceding the election.~~

~~(b) In addition to the qualifications under subsection (a) of this section, a qualified elector shall provide a valid identification at each election in accordance with the following:~~

~~1. When voting in person, the qualified elector shall present a valid identification before receiving a ballot to vote in person.~~

~~2. When not voting in person, the qualified elector shall provide proof of a valid identification with his or her ballot.~~

~~(c) If a qualified elector does not possess a valid identification, he or she shall, upon request and confirmation of identity, be furnished with a government issued identification at no cost to the qualified elector.~~

~~(d) For purposes of this section, the term "valid identification" means an unexpired government issued identification, unless otherwise provided for by law.~~

~~Section 2. The following procedure applies to the proposed constitutional amendments in this joint resolution:~~

1 ~~(1) Upon first passage by the General Assembly of the~~
2 ~~amendments, the Secretary of the Commonwealth shall proceed~~
3 ~~immediately to comply with the advertising requirements of~~
4 ~~section 1 of Article XI of the Constitution of Pennsylvania.~~

5 ~~(2) Upon the second passage of the amendments by the~~
6 ~~General Assembly, the Secretary of the Commonwealth shall~~
7 ~~proceed immediately to comply with the advertising~~
8 ~~requirements of section 1 of Article XI of the Constitution~~
9 ~~of Pennsylvania. The Secretary of the Commonwealth shall:~~

10 ~~(i) Submit the amendment under section 1(1) of this~~
11 ~~resolution to the qualified electors of this Commonwealth~~
12 ~~as a separate ballot question at the first primary~~
13 ~~election which meets the requirements of section 1 of~~
14 ~~Article XI of the Constitution of Pennsylvania.~~

15 ~~(ii) Submit the amendment under section 1(2) of this~~
16 ~~resolution to the qualified electors of this Commonwealth~~
17 ~~as a separate ballot question at the first primary~~
18 ~~election which meets the requirements of section 1 of~~
19 ~~Article XI of the Constitution of Pennsylvania.~~

20 ~~(iii) Submit the amendment under section 1(3) of~~
21 ~~this resolution to the qualified electors of this~~
22 ~~Commonwealth as a separate ballot question at the first~~
23 ~~primary election which meets the requirements of section~~
24 ~~1 of Article XI of the Constitution of Pennsylvania.~~

25 SECTION 2. (A) UPON THE FIRST PASSAGE BY THE GENERAL <--
26 ASSEMBLY OF THIS PROPOSED CONSTITUTIONAL AMENDMENT, THE
27 SECRETARY OF THE COMMONWEALTH SHALL PROCEED IMMEDIATELY TO
28 COMPLY WITH THE ADVERTISING REQUIREMENTS OF SECTION 1 OF ARTICLE
29 XI OF THE CONSTITUTION OF PENNSYLVANIA AND SHALL TRANSMIT THE
30 REQUIRED ADVERTISEMENTS TO TWO NEWSPAPERS IN EVERY COUNTY IN

1 WHICH SUCH NEWSPAPERS ARE PUBLISHED IN SUFFICIENT TIME AFTER
2 PASSAGE OF THIS PROPOSED CONSTITUTIONAL AMENDMENT.

3 (B) UPON THE SECOND PASSAGE BY THE GENERAL ASSEMBLY OF THIS
4 PROPOSED CONSTITUTIONAL AMENDMENT, THE SECRETARY OF THE
5 COMMONWEALTH SHALL PROCEED IMMEDIATELY TO COMPLY WITH THE
6 ADVERTISING REQUIREMENTS OF SECTION 1 OF ARTICLE XI OF THE
7 CONSTITUTION OF PENNSYLVANIA AND SHALL TRANSMIT THE REQUIRED
8 ADVERTISEMENTS TO TWO NEWSPAPERS IN EVERY COUNTY IN WHICH SUCH
9 NEWSPAPERS ARE PUBLISHED IN SUFFICIENT TIME AFTER PASSAGE OF
10 THIS PROPOSED CONSTITUTIONAL AMENDMENT. THE SECRETARY OF THE
11 COMMONWEALTH SHALL SUBMIT THIS PROPOSED CONSTITUTIONAL AMENDMENT
12 TO THE QUALIFIED ELECTORS OF THIS COMMONWEALTH AT THE FIRST
13 GENERAL OR MUNICIPAL ELECTION WHICH MEETS THE REQUIREMENTS OF
14 AND IS IN CONFORMANCE WITH SECTION 1 OF ARTICLE XI OF THE
15 CONSTITUTION OF PENNSYLVANIA AND WHICH OCCURS AT LEAST THREE
16 MONTHS AFTER THE PROPOSED CONSTITUTIONAL AMENDMENT IS PASSED BY
17 THE GENERAL ASSEMBLY.