
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 425 Session of
2023

INTRODUCED BY DUSH, PHILLIPS-HILL, COLEMAN AND HUTCHINSON,
MARCH 14, 2023

REFERRED TO STATE GOVERNMENT, MARCH 14, 2023

AN ACT

1 Amending Title 1 (General Provisions) of the Pennsylvania
2 Consolidated Statutes, in rules of construction, further
3 providing for legislative intent controls.

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

6 Section 1. Section 1921 of Title 1 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subsection to read:
8 § 1921. Legislative intent controls.

9 * * *

10 (d) Deference.--

11 (1) If words of a statute are not explicit, the
12 following shall apply:

13 (i) The ambiguity of the statute may not be
14 interpreted as an implicit delegation to a Commonwealth
15 department, agency, board or commission of legislative
16 rulemaking authority.

17 (ii) The ambiguity of the statute may not be used as
18 justification for any of the following:

1 (A) Interpreting the authority of a Commonwealth
2 department, agency, board or commission expansively.

3 (B) Deferring to the interpretation of a
4 Commonwealth department, agency, board or commission
5 on the question of law.

6 (2) Notwithstanding any other provision of law, this
7 subsection shall apply to the judicial review of an action by
8 a Commonwealth department, agency, board or commission under
9 the laws of this Commonwealth.

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