



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 2

PRINTERS NO. 86

PRIME SPONSOR: K. Ward

COST / (SAVINGS)

FUND	FY 2020/21	FY 2021/22
General Fund	See "Fiscal Impact"	See "Fiscal Impact"

SUMMARY: Amends the Constitution of Pennsylvania providing for equality of rights because of race and ethnicity, concurrent orders and resolutions, and for disaster emergency declaration and management.

ANALYSIS: This legislation proposes three separate amendments to the Constitution of Pennsylvania as follows:

Article I: This resolution adds a new section that would prohibit denying or abridging equality of rights under the law in the Commonwealth of Pennsylvania because of the race or ethnicity of an individual.

Section 9 of Article III: This resolution would add a provision allowing for non-presentment to the governor of a Joint Resolution terminating or extending a declaration of disaster emergency.

Article IV: This resolution adds a new section that would authorize the Governor to issue emergency declarations under circumstances provided for by law for that purpose. The General Assembly could by law grant the Governor certain enumerated powers to address and abate the declared emergency. However, a declaration by the Governor of an emergency could not last longer than 21 days unless extended by a concurrent resolution of the General Assembly approving the continuation of the declaration.

Upon the expiration of the Governor's emergency declaration, the Governor could not declare a new state of emergency based upon the same or substantially similar facts and circumstances without the passage of a concurrent resolution of the General Assembly expressly approving the new emergency declaration.

Effective Date: Upon passage in the second consecutive legislative session, the Secretary of the Commonwealth would be required to submit the proposed constitutional amendment to the qualified electors of the Commonwealth at the first primary, general or municipal election which occurs at least three months after the proposed constitutional amendment is passed by the General Assembly.

FISCAL IMPACT: The first passage of this proposed constitutional amendment was in July of 2020. Article XI, Section 1, of the Constitution of the Commonwealth of Pennsylvania requires that a joint resolution proposing to amend the Constitution be passed by the General Assembly in two consecutive legislative sessions, be advertised in two newspapers in each county after each passage and thereafter be submitted to the electorate.

For the second round of advertising for a proposed constitutional amendment, the approximate cost to advertise in the three months prior to an election typically ranges from \$1 million to \$1.5 million.

PREPARED BY: Tim Rodrigo
House Appropriations Committee (R)

DATE: February 4, 2021

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.