

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, MAY 22, 2023

SESSION OF 2023

207TH OF THE GENERAL ASSEMBLY

No. 19

HOUSE OF REPRESENTATIVES

The House convened at 12 m., e.d.t.

**THE SPEAKER (JOANNA E. McCLINTON)
PRESIDING**

PRAYER

HON. ROBERT E. MERSKI, member of the House of Representatives, offered the following prayer:

Thank you, Madam Speaker.

Our prayer today is composed by Sister Joan Chittister. Sister Joan is a world-renowned lecturer and an author of over 60 best-selling books on contemporary spirituality. She is a member of the Benedictine Sisters of Erie whose monastery is located in the Second Legislative District.

Let us pray:

"Loving God, lead us beyond ourselves to care and protect, to nourish and shape, to challenge and energize both the life and the world You have given us.

"God of light and God of darkness, God of conscience and God of courage lead us through this time of spiritual confusion and public uncertainty.

"Lead us beyond fear, apathy and defensiveness to new hope in You and to hearts full of faith.

"Give us the conscience it takes to comprehend what we're facing, to see what we're looking at and to say what we see so that others, hearing us, may also brave the pressure that comes with being out of public step.

"Give us the courage we need to confront those things that compromise our consciences or threaten our integrity.

"Give us, most of all, the courage to follow those before us who challenged wrong and changed it, whatever the cost to themselves....

"Finally, Great God, give us the kind of faith in You that was the mainstay of those before us who followed You from Galilee to Jerusalem doing good, raising the dead to life and singing alleluia all the way. God of Conscience, God of Courage give us whatever grace we need to work for the coming of the reign of God now, here, and always. Amen."

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was recited by members and visitors.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Wednesday, May 3, 2023, will be postponed until printed.

JOURNALS APPROVED

The SPEAKER. The following 2023 regular session Journals are in print. Without objection, they will be approved:

Tuesday, January 3, 2023;
Friday, January 6, 2023; and
Tuesday, January 24, 2023.

SPECIAL SESSION JOURNALS APPROVED

The SPEAKER. The following 2023 special session Journals are in print. Without objection, they will be approved:

Monday, January 9, 2023;
Friday, January 13, 2023;
Monday, January 16, 2023;
Thursday, January 19, 2023; and
Sunday, January 22, 2023.

The SPEAKER. Members, please take your seats as we acknowledge our very special guests.

GUESTS INTRODUCED

The SPEAKER. Our colleague, Representative Wentling, is hosting Jacob Scarvel, a freshman at Hickory High School, who is a guest page today. Welcome, Jacob.

Our colleague, Representative Davis, is hosting her lovely mother, her sisters, and her childhood friends here in the Capitol today. They are seated to the left of the Speaker. We are so honored to welcome Mrs. Celeste Veneri, Representative Davis's mother; Paula Veneri, her sister; and Nancy McMenamin and Marea Malloy, her childhood friends. Welcome to the floor of the House. We are so glad to have you.

In the gallery, our colleagues, Representatives Venkat and Mercuri, have brought students from the North Allegheny School District Swim and Diving Teams. They are celebrating their State championship wins. North Allegheny, please stand. Congratulations.

Also in the gallery, our colleague, Representative White, has brought Isabelle Rogers and family. Isabelle is from the Philadelphia Academy Charter School. She is in the fourth grade, and she won Representative White's "There Oughta Be A Law" contest. Isabelle, please stand. Congratulations.

To the left of the Speaker's rostrum, our colleague, Representative Sappey, has Logan Travers. He is here today shadowing Representative Sappey. Logan is a senior at the Tatnall School, and he has been accepted and will attend Gettysburg College this year. Congratulations, Logan.

Our colleague, Representative Flood, has brought to the gallery Roxanne Ealy, Debra Young, Donna Thorman, and Morgan Dante. They are visiting Harrisburg to learn about the legislative process. Guests of Representative Flood, please stand. Welcome.

Representative Joe Webster has brought his constituents from the Perkiomen Valley Career Study. They are seniors who are headed off to college, and they are here to shadow Representative Webster. We have in the gallery Ava Danowski, Anna Meixell, and Nyla Stokes. Please stand.

Last, but not least, we have some very special guests of Representative Isaacson in the gallery. They are women from IGNITE National. IGNITE National is a nonprofit that encourages young women from across the country to get involved in the political process. And I am so happy to see my former legislative intern, Kaya Jones, who graduated from Temple University a few years ago, and Shania Bennett. She has gone on from being my mentee. She has found better women to lead her into better places. Ignite students, please stand.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair is in receipt of information, today at work our colleague, Representative Gregory, is celebrating his birthday. Happy birthday, colleague.

LEAVES OF ABSENCE

The SPEAKER. Are there leaves of absence?

The Chair recognizes the majority whip, who indicates there are none.

The Chair recognizes the minority whip, who indicates there are none.

MASTER ROLL CALL

The SPEAKER. The Chair is about to take the master roll call. Members will proceed to vote.

The following roll call was recorded:

PRESENT—201

Abney	Flick	Krupa	Rapp
Adams	Flood	Kulik	Rigby
Armanini	Frankel	Kutz	Roae
Banta	Freeman	Kuzma	Rossi
Barton	Friel	Labs	Rowe
Bellmon	Fritz	Lawrence	Rozzi
Benham	Gallagher	Leadbeter	Ryncavage
Benninghoff	Galloway	Mackenzie, M.	Salisbury
Bernstine	Gaydos	Mackenzie, R.	Samuelson
Bizzarro	Gergely	Madden	Sanchez

Bonner	Gillen	Madsen	Sappey
Borowicz	Giral	Major	Schemel
Borowski	Gleim	Mako	Scheuren
Boyle	Green	Malagari	Schlegel
Bradford	Gregory	Maloney	Schlossberg
Brennan	Greiner	Marcell	Schmitt
Briggs	Grove	Markosek	Schweyer
Brown, A.	Guenst	Marshall	Scialabba
Brown, M.	Guzman	Matzie	Scott
Bullock	Haddock	Mayes	Shusterman
Burgos	Hamm	McAndrew	Siegel
Burns	Hanbidge	McNeill	Smith
C Freytiz	Harkins	Mehaffie	Smith-Wade-El
Cabell	Harris	Mentzer	Solomon
Causer	Heffley	Mercuri	Staats
Cephas	Hogan	Merski	Stambaugh
Cerrato	Hohenstein	Metzgar	Steele
Ciresi	Howard	Mihalek	Stehr
Conklin	Innamorato	Miller, B.	Struzzi
Cook	Irvin	Miller, D.	Sturla
Cooper	Isaacson	Moul	Takac
Curry	James	Mullins	Tomlinson
Cutler	Jones, M.	Munroe	Topper
D'Orsie	Jones, T.	Mustello	Twardzik
Daley	Jozwiak	Neilson	Venkat
Davanzo	Kail	Nelson, E.	Vitali
Davis	Kaufner	Nelson, N.	Warner
Dawkins	Kauffman	O'Mara	Warren
Deasy	Kazeem	O'Neal	Watro
Delloso	Keefer	Oberlander	Waxman
Delozier	Kenyatta	Ortitay	Webster
Diamond	Kephart	Otten	Wentling
Donahue	Kerwin	Owlett	White
Dunbar	Khan	Parker	Williams, C.
Ecker	Kim	Pashinski	Williams, D.
Emrick	Kinhead	Pickett	Young
Evans	Kinsey	Pielli	Zimmerman
Fee	Klunk	Pisciottano	
Fiedler	Kosierowski	Probst	McClinton,
Fink	Krajewski	Rabb	Speaker
Fleming	Krueger	Rader	

ADDITIONS—0

NOT VOTING—0

EXCUSED—0

The SPEAKER. Two hundred and one members having voted on the master roll call, a quorum is present.

COMMUNICATIONS

The SPEAKER. The Speaker submits the following reports for the record, which the clerk will read.

The following communications were read:

The Pennsylvania Auto Theft Prevention Authority's Annual Report for 2022.

The Department of Environmental Protection's 2022 Hazardous Sites Cleanup Fund Annual Report.

The Joint State Government Commission's report for SR 288 of 2021, Use of Contracted Workers at Medicaid Funded Long-Term Care Facilities in the Commonwealth.

(Copies of communications are on file with the Journal clerk.)

COMMUNICATIONS FROM INDEPENDENT FISCAL OFFICE

The SPEAKER. The Speaker acknowledges receipt of several letters from the Independent Fiscal Office regarding actuarial notes for the following: SB 423, PN 410, and SB 464, PN 449.

(Copies of communications are on file with the Journal clerk.)

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 101 By Representatives KHAN, KOSIEROWSKI, STEHR, HILL-EVANS, SANCHEZ, MARCELL, M. MACKENZIE, KINSEY, PROBST, MADDEN, GALLAGHER, SOLOMON, WAXMAN, VENKAT, SAPPEY, PIELLI, DELLOSO, ISAACSON, McNEILL, HOWARD, HANBIDGE, WARREN, BRENNAN, PICKETT, PARKER, CIRESI, CERRATO, B. MILLER, STURLA, GREEN, FLICK, HADDOCK, SCHWEYER, FLEMING, DONAHUE, O'MARA, MENTZER, NEILSON, MAYES, BOROWSKI, STEELE, KRAJEWSKI, SHUSTERMAN and INNAMORATO

A Resolution recognizing the month of May 2023 as "Nurses Month" in Pennsylvania.

Referred to Committee on HEALTH, May 5, 2023.

No. 102 By Representatives RABB, HILL-EVANS, HOHENSTEIN, MADDEN, McNEILL, ROZZI, SANCHEZ, KINSEY, BURGOS and PARKER

A Resolution urging the Medical Marijuana Advisory Board to encourage and facilitate State System of Higher Education universities to secure United States Drug Enforcement Administration registrations to authorize the possession of cannabis for clinical registrants to engage in hands-on work regarding cultivating, testing, processing and researching cannabis plants.

Referred to Committee on HEALTH, May 5, 2023.

No. 103 By Representatives CIRESI, NEILSON, PASHINSKI, DALEY, ISAACSON, MADDEN, SMITH-WADE-EL, SANCHEZ, FREEMAN, HILL-EVANS, DELLOSO, D. WILLIAMS, O'MARA, HADDOCK, MALAGARI, STURLA, GUENST and HOHENSTEIN

A Resolution urging the Congress of the United States to establish a national infrastructure bank.

Referred to Committee on COMMERCE, May 10, 2023.

No. 104 By Representatives STURLA, HILL-EVANS, BENNINGHOFF, KINSEY, SANCHEZ, HOWARD, FLEMING, MALAGARI, TAKAC, VITALI, HADDOCK, CERRATO, MENTZER and KHAN

A Resolution designating the week of June 4 through 10, 2023, as "Chesapeake Bay Awareness Week" in Pennsylvania.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 10, 2023.

No. 105 By Representatives STEELE, MATZIE, KHAN, FRIEL, HADDOCK, MUNROE, PROBST, T. DAVIS, MADDEN, KENYATTA, HILL-EVANS, PIELLI, SANCHEZ, D. WILLIAMS, BENHAM, MARKOSEK, RABB, DELLOSO, PARKER, KINSEY, MARSHALL, OTTEN, CONKLIN, CIRESI, KINKEAD, VENKAT, SAMUELSON, GUENST, WAXMAN, DONAHUE, MAYES, FRANKEL, KRAJEWSKI and GREEN

A Resolution urging the United States Environmental Protection Agency to re-examine the United States Pipeline and Hazardous Materials Safety Administration's hazardous materials regulations and make any necessary changes that would help to provide better protection to the public and the environment and urging the United States Congress to pass the Decreasing Emergency Railroad Accident Instances Locally (DERAIL) Act to provide for the tightening of regulations for trains carrying hazardous materials.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 10, 2023.

No. 106 By Representatives BURNS, KEEFER, SCHMITT, R. MACKENZIE, FINK, KAUFFMAN, STAMBAUGH, HAMM, M. MACKENZIE, GILLEN, ROAE, LAWRENCE and CABELL

A Concurrent Resolution petitioning the Congress of the United States to call a Convention for proposing amendments pursuant to Article V of the Constitution of the United States limited to proposing amendments that impose fiscal restraints on the Federal Government, limit the power and jurisdiction of the Federal Government and limit the terms of office for its officials and for members of Congress.

Referred to Committee on STATE GOVERNMENT, May 18, 2023.

No. 107 By Representatives SCOTT, RYNCAVAGE, PROBST, KINSEY, MADDEN, VENKAT, CERRATO, T. DAVIS, HILL-EVANS, GUENST, SANCHEZ, MARCELL, KHAN and HOWARD

A Resolution designating May 24, 2023, as "Emergency Medical Services for Children (EMSC) Day" in Pennsylvania.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 15, 2023.

No. 108 By Representatives SAPPEY, HILL-EVANS, KHAN, MADDEN, T. DAVIS, HADDOCK, SANCHEZ, CIRESI, HOWARD, CERRATO, FLEMING, STRUZZI and GAYDOS

A Resolution recognizing the days of May 12 through 21, 2023, as "Go Public Gardens Days" in Pennsylvania.

Referred to Committee on TOURISM AND ECONOMIC AND RECREATIONAL DEVELOPMENT, May 17, 2023.

No. 109 By Representatives HILL-EVANS, RIGBY, SAPPEY, VITALI, VENKAT, SOLOMON, T. DAVIS, MADDEN, MARCELL, KINSEY, PICKETT, CAUSER, GILLEN, STEELE, GUENST, CIRESI, BOROWSKI, SANCHEZ, KHAN, OBERLANDER, HOWARD, STRUZZI and O'MARA

A Resolution designating the week of May 21 through 27, 2023, as "Emergency Medical Services Week" in Pennsylvania.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 15, 2023.

No. 110 By Representatives PIELLI and SANCHEZ

A Resolution directing the Legislative Budget and Finance Committee to study and make recommendations on implementing location-based pay for State government employees.

Referred to Committee on STATE GOVERNMENT, May 18, 2023.

No. 111 By Representatives SHUSTERMAN, MADDEN, HANBIDGE, HILL-EVANS, SANCHEZ, KHAN, GREEN, CEPEDA-FREYTIZ and ROZZI

A Resolution urging the Department of Human Services to increase the fee paid to guardians of incapacitated individuals.

Referred to Committee on HUMAN SERVICES, May 18, 2023.

No. 112 By Representatives OBERLANDER, McNEILL, KEPHART, HARKINS, STAMBAUGH, PICKETT, R. MACKENZIE, KINSEY, SMITH, KHAN, CAUSER, MARSHALL, FLEMING, STAATS and KAUFFMAN

A Resolution designating June 22, 2023, as "Lineworker Appreciation Day" in Pennsylvania.

Referred to Committee on LABOR AND INDUSTRY, May 18, 2023.

No. 113 By Representatives RABB, CEPHAS, SANCHEZ, SHUSTERMAN, HILL-EVANS, MADDEN, HOHENSTEIN, KINSEY, PARKER, FLEMING, FRANKEL and SCOTT

A Resolution directing the Joint State Government Commission to conduct a study on how body-worn camera footage can be more effectively used to provide positive and safe outcomes for both law enforcement officers and civilians.

Referred to Committee on JUDICIARY, May 18, 2023.

No. 114 By Representatives BENHAM, KENYATTA, STURLA, MALAGARI, WAXMAN, KHAN, VENKAT, HILL-EVANS, SAPPEY, SIEGEL, KINSEY, MADDEN, HANBIDGE, SANCHEZ, PIELLI, McNEILL, SAMUELSON, FLEMING, GUENST, MERSKI, BRENNAN, BOROWSKI, CERRATO, HOWARD, RABB, HOHENSTEIN, T. DAVIS, SMITH-WADE-EL and O'MARA

A Resolution recognizing the month of June 2023 as "LGBTQ+ Pride Month" in Pennsylvania.

Referred to Committee on STATE GOVERNMENT, May 18, 2023.

No. 115 By Representatives SAPPEY, CERRATO, HILL-EVANS, MADDEN, KAZEEM, KINSEY, SANCHEZ, CEPEDA-FREYTIZ, VENKAT, HADDOCK, KHAN,

T. DAVIS, SCHLOSSBERG, STURLA, CIRESI, FLEMING, BOROWSKI, HOWARD, NEILSON, SCOTT and O'MARA

A Resolution designating May 25, 2023, as "Trauma and Mental Health Awareness Day" in Pennsylvania.

Referred to Committee on HEALTH, May 19, 2023.

No. 116 By Representatives KHAN, KOSIEROWSKI, STEHR, ISAACSON, WAXMAN, MADDEN, VENKAT, BRENNAN, R. MACKENZIE, PROBST, SANCHEZ, McNEILL, N. NELSON, CERRATO, PIELLI, KRAJEWSKI, PICKETT, HANBIDGE, SAPPEY, NEILSON, HILL-EVANS, HADDOCK, WARREN, BOROWSKI, MENTZER, DELLOSO and MALAGARI

A Resolution designating the month of May 2023 as "Nurses Month" in Pennsylvania.

Referred to Committee on HEALTH, May 19, 2023.

No. 117 By Representatives KAZEEM, MADDEN, STURLA, PIELLI, VENKAT, PROBST, HANBIDGE, KHAN, HILL-EVANS, BOROWSKI, VITALI, O'MARA, FLEMING, SANCHEZ, PARKER, SCHLOSSBERG, HOHENSTEIN, CERRATO, SAPPEY, WAXMAN, KINSEY, DELLOSO, CEPEDA-FREYTIZ, KENYATTA, WARREN, SHUSTERMAN, SCHWEYER, DONAHUE and HOWARD

A Resolution designating the month of June 2023 as "Gun Violence Awareness Month" in Pennsylvania.

Referred to Committee on JUDICIARY, May 19, 2023.

No. 118 By Representatives CEPEDA-FREYTIZ, HILL-EVANS, SCHLOSSBERG, MADDEN, SANCHEZ, KINSEY, CERRATO, ROZZI, PARKER, FLEMING, KHAN and SCOTT

A Resolution urging the Department of Agriculture and the Department of Education to collaborate on conducting a Statewide study of school cafeteria services provided to every school district.

Referred to Committee on EDUCATION, May 19, 2023.

HOUSE BILLS INTRODUCED AND REFERRED

No. 982 By Representatives RABB, MADDEN, SANCHEZ and DELLOSO

An Act amending the act of April 17, 2016 (P.L.84, No.16), known as the Medical Marijuana Act, in preliminary provisions, further providing for definitions; and, in program, further providing for program established.

Referred to Committee on PROFESSIONAL LICENSURE, May 5, 2023.

No. 983 By Representatives RABB, KAUFER, KRAJEWSKI, MADDEN, MALAGARI, ROZZI, STEELE, SANCHEZ, KHAN and CEPEDA-FREYTIZ

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in commercial drivers, further providing for definitions; and, in driving after imbibing alcohol or utilizing drugs,

further providing for driving under influence of alcohol or controlled substance and for authorized use not a defense.

Referred to Committee on TRANSPORTATION, May 18, 2023.

No. 995 By Representatives LAWRENCE, OWLETT, ARMANINI, BARTON, M. BROWN, CABELL, CONKLIN, FEE, GILLEN, GLEIM, GREINER, IRVIN, JAMES, JOZWIAK, KAUFER, KAUFFMAN, KRUPA, KUTZ, R. MACKENZIE, MARCELL, PASHINSKI, PICKETT, RYNCAVAGE, SMITH, STRUZZI, TWARDZIK and ZIMMERMAN

An Act providing for the creation of keystone opportunity dairy zones to facilitate the economic development of Pennsylvania's dairy industry; authorizing expenditures; providing tax exemptions, tax deductions, tax abatements and tax credits; creating additional obligations of the Commonwealth and local governmental units; prescribing powers and duties of certain State and local departments, agencies and officials; and imposing penalties.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, May 18, 2023.

No. 997 By Representatives LAWRENCE, OWLETT, ARMANINI, BARTON, M. BROWN, CABELL, CONKLIN, ECKER, FEE, GILLEN, GLEIM, GREINER, IRVIN, JAMES, JOZWIAK, KAUFER, KAUFFMAN, KEPHART, KRUPA, KUTZ, R. MACKENZIE, MARCELL, PICKETT, ROWE, RYNCAVAGE, SMITH, STAMBAUGH, STRUZZI and ZIMMERMAN

An Act authorizing the provision or sale of Pennsylvania milk in Pennsylvania schools.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, May 18, 2023.

No. 1001 By Representatives RABB, CIRESI, HILL-EVANS, MADDEN, OTTEN, SOLOMON, WARREN, PROBST, SANCHEZ, GUENST, KINSEY, HOWARD, O'MARA and SCOTT

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, providing for Plastic Pollution Task Force and for its powers and duties.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 5, 2023.

No. 1002 By Representatives RABB, SANCHEZ, MADDEN and HILL-EVANS

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in departmental powers and duties as to licensing, further providing for definitions and providing for inspection for continuing conformity to license.

Referred to Committee on HUMAN SERVICES, May 5, 2023.

No. 1020 By Representatives MEHAFFIE, SOLOMON, BURGOS, CERRATO, CIRESI, DEASY, HILL-EVANS, MADDEN, ROZZI, SANCHEZ and WARREN

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in departmental powers and duties as to supervision, providing for Keystone STARS Program; and, in departmental powers and duties as to licensing, further providing for fees, providing for Keystone STARS Program and further providing for definition.

Referred to Committee on CHILDREN AND YOUTH, May 19, 2023.

No. 1030 By Representatives MEHAFFIE, KIM, CIRESI, CONKLIN, FLEMING, GERGELY, HILL-EVANS, KERWIN, NEILSON, PASHINSKI, PICKETT, ROZZI, SANCHEZ, WARREN and ZIMMERMAN

An Act designating Hershey's Kisses as the official State candy of the Commonwealth of Pennsylvania.

Referred to Committee on STATE GOVERNMENT, May 19, 2023.

No. 1097 By Representatives HADDOCK, SCHWEYER, MADDEN, ROZZI, PROBST, T. DAVIS, SANCHEZ, BRENNAN, CIRESI, MARCELL, CEPEDA-FREYITZ and JAMES

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for moment of silence on September 11 anniversary.

Referred to Committee on EDUCATION, May 5, 2023.

No. 1101 By Representatives OTTEN, HILL-EVANS, SCHLOSSBERG, MADDEN, CIRESI, HOHENSTEIN, SANCHEZ, D. WILLIAMS, FIEDLER, PARKER, FLEMING, KINSEY, KINKEAD and FRANKEL

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in public safety, providing for the Pennsylvania Violent Death Reporting System; and imposing duties on the Department of Health.

Referred to Committee on HEALTH, May 5, 2023.

No. 1102 By Representatives CIRESI, MADDEN, T. DAVIS, M. MACKENZIE, PROBST, JAMES, HILL-EVANS, SANCHEZ, DELLOSO and CERRATO

An Act amending Titles 18 (Crimes and Offenses), 30 (Fish), 34 (Game) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in other offenses, further providing for violation of rules regarding conduct on Commonwealth property; in protection of property and waters, further providing for the offense of littering; in protection of property and persons, further providing for the offense of littering and restrictions on vehicles; and, in size, weight and load, further providing for securing loads in vehicles.

Referred to Committee on JUDICIARY, May 5, 2023.

No. 1103 By Representatives CIRESI, MADDEN, T. DAVIS, M. MACKENZIE, PROBST, JAMES, HILL-EVANS, SANCHEZ, DELLOSO and CERRATO

An Act amending the act of November 21, 1990 (P.L.539, No.133), known as the Cave Protection Act, further providing for penalties.

Referred to Committee on JUDICIARY, May 5, 2023.

No. 1104 By Representatives KHAN, PASHINSKI, CERRATO, FLEMING, BRENNAN, SHUSTERMAN, MADDEN, SANCHEZ, HOHENSTEIN, PROBST, McNEILL, ROZZI, T. DAVIS, WARREN, HILL-EVANS, KAZEEM, BOROWSKI, VENKAT, KINSEY, NEILSON, KRAJEWSKI, M. MACKENZIE, RABB, WAXMAN, HADDOCK, PARKER, MALAGARI, CEPEDA-FREYITZ, SCHWEYER and CONKLIN

An Act prohibiting the charging of admission fees for events for personal care attendants of persons with disabilities; and imposing penalties.

Referred to Committee on HUMAN SERVICES, May 5, 2023.

No. 1105 By Representatives SCIALABBA, KUTZ, ROWE and GROVE

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, providing for prohibition on medical assistance managed care payment for provider-preventable conditions.

Referred to Committee on HUMAN SERVICES, May 5, 2023.

No. 1106 By Representatives SCIALABBA, ROWE, SMITH and GILLEN

An Act amending Title 26 (Eminent Domain) of the Pennsylvania Consolidated Statutes, in procedure to condemn, further providing for notice to condemnee; and, in procedure for determining damages, further providing for appointment of viewers and for service of notice of view and hearing.

Referred to Committee on STATE GOVERNMENT, May 5, 2023.

No. 1107 By Representatives RABB, KHAN, SANCHEZ and KRAJEWSKI

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, providing for prohibition on law enforcement use of chemical weapons.

Referred to Committee on JUDICIARY, May 5, 2023.

No. 1108 By Representatives KULIK, MADDEN, HILL-EVANS, D. WILLIAMS, SANCHEZ, HOWARD, MARSHALL, WARREN and SHUSTERMAN

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in preliminary provisions relating to divorce, further providing for legislative findings and intent, for definitions and for effect of agreement between parties; and, in property rights, further providing for equitable division of marital property.

Referred to Committee on JUDICIARY, May 5, 2023.

No. 1109 By Representatives KULIK, PROBST, MADSEN, MADDEN, HILL-EVANS, SANCHEZ, STEELE, DELLOSO, SHUSTERMAN, MALAGARI, CONKLIN, DEASY and GREEN

An Act providing for real property emergency services funds in municipalities.

Referred to Committee on LOCAL GOVERNMENT, May 5, 2023.

No. 1110 By Representatives GAYDOS, M. MACKENZIE, TWARDZIK, ROZZI and GLEIM

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in pupils and attendance, further providing for exceptional children and education and training.

Referred to Committee on EDUCATION, May 5, 2023.

No. 1112 By Representatives SHUSTERMAN, SIEGEL, SANCHEZ, HOHENSTEIN, HOWARD and GREEN

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in riot, disorderly conduct and related offenses, further providing for the offense of cruelty to animal.

Referred to Committee on JUDICIARY, May 5, 2023.

No. 1113 By Representatives SHUSTERMAN, SANCHEZ, CIRESI, RABB, MADDEN, HOHENSTEIN, BOYLE, PROBST, SCHLOSSBERG, ROZZI, HOWARD, O'MARA, ISAACSON, M. MACKENZIE, R. MACKENZIE and WARREN

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in special licenses and permits, further providing for definitions, for exotic wildlife possession permits and for menagerie permits.

Referred to Committee on GAME AND FISHERIES, May 5, 2023.

No. 1114 By Representatives SHUSTERMAN, McNEILL, SCHLOSSBERG, GALLOWAY, MADDEN, SANCHEZ, CIRESI, WARREN, HOWARD, KHAN, WEBSTER, ISAACSON, M. MACKENZIE, R. MACKENZIE and BOROWSKI

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in offenses against public order and decency, further providing for the offense of transporting animals in cruel manner.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, May 5, 2023.

No. 1115 By Representatives SHUSTERMAN, CIRESI, SANCHEZ, D. WILLIAMS, CONKLIN, BOROWSKI, FRANKEL and KHAN

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, in lobbying disclosure, further providing for definitions, for reporting and for penalties.

Referred to Committee on STATE GOVERNMENT, May 5, 2023.

No. 1116 By Representatives VENKAT, KINSEY, SANCHEZ, MADDEN, PROBST, KOSIEROWSKI, HILL-EVANS, D. WILLIAMS and FLEMING

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in health care cost containment, providing for mandated health benefits obligatory review.

Referred to Committee on INSURANCE, May 5, 2023.

No. 1117 By Representatives BRENNAN, MADDEN, PROBST, PIELLI, RABB, SIEGEL, SANCHEZ, CEPEDA-FREYTIZ, KHAN, CERRATO, CIRESI, STEELE, WARREN, SHUSTERMAN, TAKAC, MALAGARI, KINKEAD, BOYLE, SCHWEYER, HANBIDGE, DONAHUE, GREEN and FLEMING

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for the offense of certain bullets prohibited.

Referred to Committee on JUDICIARY, May 5, 2023.

No. 1118 By Representatives SHUSTERMAN, FIEDLER, ISAACSON, HOHENSTEIN, KRAJEWSKI, OTTEN, BOROWSKI, KINKEAD, MADDEN, PROBST, RABB, BRENNAN, KHAN, SCHLOSSBERG, CEPHAS, CERRATO, TAKAC, SANCHEZ, KENYATTA and GREEN

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in 2022-2023 budget implementation, further providing for definitions and for Department of Human Services.

Referred to Committee on HEALTH, May 5, 2023.

No. 1119 By Representatives HOWARD, ISAACSON, MADDEN, McNEILL, SCHLOSSBERG, HILL-EVANS, BURGOS, FREEMAN, TAKAC, SAMUELSON, SHUSTERMAN, SANCHEZ, CERRATO and KIM

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offense of ethnic intimidation; and making an editorial change.

Referred to Committee on JUDICIARY, May 5, 2023.

No. 1120 By Representatives HOWARD, RABB, MADDEN, HILL-EVANS, BURGOS, PROBST, SANCHEZ, CERRATO, FLICK, McNEILL, SHUSTERMAN and OTTEN

An Act amending Titles 20 (Decedents, Estates and Fiduciaries) and 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in intestate succession, further providing for forfeiture; in elective share of surviving spouse, further providing for right of election and resident decedent; in wills, further providing for modification by circumstances; in estates, further providing for modification by divorce or pending divorce and for effect of divorce or pending divorce on designation of beneficiaries; in preliminary provisions, further providing for legislative findings and intent, for definitions and for premarital agreements; in dissolution of marital status, further providing for grounds for divorce, repealing provisions relating to counseling, further providing for grounds for annulment of voidable marriages, repealing provisions relating to defenses, to action where defendant suffering from mental disorder and to general appearance and collusion, providing for general order of divorce proceedings, repealing provisions relating to jury trial,

further providing for decree of court and repealing provisions relating to limitations on attacks upon decrees and to opening or vacating decrees; in alimony and support, further providing for bar to alimony; and, in mediation, further providing for mediation programs.

Referred to Committee on JUDICIARY, May 5, 2023.

No. 1121 By Representatives HOWARD, MADDEN, KINKEAD, SCHLOSSBERG, PARKER, HILL-EVANS, OTTEN, FIEDLER, DELLOSO, HADDOCK, SANCHEZ, WARREN and SCHWEYER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for sale or transfer of firearms, establishing the Pennsylvania Firearms Buyback Program and the Pennsylvania Firearms Buyback Program Fund and imposing duties on the Attorney General.

Referred to Committee on JUDICIARY, May 5, 2023.

No. 1122 By Representatives HOWARD, HILL-EVANS, MADDEN, ISAACSON, SANCHEZ, KHAN, DELLOSO and JAMES

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in food protection, further providing for penalties and prohibiting certain food packaging.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, May 5, 2023.

No. 1123 By Representatives KEEFER, HAMM, KAUFFMAN, D'ORSIE, ROWE, ZIMMERMAN, GLEIM and LEADBETER

An Act providing for prescribing and dispensing drugs approved by the United States Food and Drug Administration for off-label use to treat coronavirus infections causing respiratory-syndrome-related illnesses.

Referred to Committee on HEALTH, May 5, 2023.

No. 1124 By Representatives KEEFER, IRVIN, ECKER, HAMM, GROVE, KAUFFMAN, JAMES, ROWE, ZIMMERMAN, GLEIM, LEADBETER, MOUL and T. JONES

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for judicial administration.

Referred to Committee on JUDICIARY, May 5, 2023.

No. 1125 By Representatives KEEFER, TOPPER, HAMM, KAUFFMAN, GALLOWAY, ROWE, ZIMMERMAN, LEADBETER and SCIALABBA

An Act amending Titles 23 (Domestic Relations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for definitions; and, in juvenile matters, further providing for definitions.

Referred to Committee on JUDICIARY, May 5, 2023.

No. 1126 By Representatives SCHMITT, R. MACKENZIE, M. MACKENZIE, PICKETT, MARSHALL, CABELL, NEILSON and O'MARA

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in railroads, providing for crew requirement; and imposing penalties.

Referred to Committee on CONSUMER PROTECTION, TECHNOLOGY AND UTILITIES, May 5, 2023.

No. 1127 By Representatives SCHMITT, MARSHALL, KAUFFMAN, SHUSTERMAN, NEILSON and KINKEAD

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in railroads, providing for train length; and imposing penalties.

Referred to Committee on CONSUMER PROTECTION, TECHNOLOGY AND UTILITIES, May 5, 2023.

No. 1128 By Representatives JAMES, ARMANINI, FREEMAN, GILLEN, HAMM, KEEFER, SMITH, STRUZZI, ZIMMERMAN and C. WILLIAMS

An Act amending the act of June 1, 1945 (P.L.1242, No.428), known as the State Highway Law, in rural State highway system and State highways in cities, boroughs and towns, further providing for improvement, reconstruction and maintenance.

Referred to Committee on TRANSPORTATION, May 5, 2023.

No. 1129 By Representatives GREEN, MADDEN, HILL-EVANS, SANCHEZ, BURGOS, KINSEY, KENYATTA, KHAN, PARKER, GALLOWAY, N. NELSON, NEILSON, OTTEN, HOWARD and FLEMING

An Act requiring indoor contamination assessment certifications and environmental quality certifications of child day-care centers; providing for powers and duties of the Department of Health, the Department of Environmental Protection and the Department of Human Services; establishing the Child Day-Care Center Grant Program; and imposing penalties.

Referred to Committee on HEALTH, May 5, 2023.

No. 1130 By Representatives GREEN, KINSEY, MADDEN, CEPHAS, CIRESI, SANCHEZ, N. NELSON, PROBST, OTTEN, KINKEAD, D. WILLIAMS, HILL-EVANS, BULLOCK, KHAN, SCHLOSSBERG, CERRATO, HOHENSTEIN, PARKER, MADSEN, GUENST, WAXMAN, KENYATTA, DALEY and SALISBURY

An Act amending Titles 18 (Crimes and Offenses) and 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for licenses and for sale or transfer of firearms; establishing the Safe Communities Grant Program and the Safe Communities Grant Program Fund; and imposing duties on the Pennsylvania Commission on Crime and Delinquency.

Referred to Committee on JUDICIARY, May 5, 2023.

No. 1131 By Representatives BOROWSKI, PROBST, SANCHEZ, MADDEN, O'MARA, FRANKEL and CURRY

An Act amending the act of April 27, 1905 (P.L.312, No.218), entitled "An act creating a Department of Health, and defining its powers and duties," further providing for State health centers; and making editorial changes.

Referred to Committee on HEALTH, May 5, 2023.

No. 1132 By Representatives RABB, FREEMAN, McNEILL, MADDEN, GUENST, KINSEY, ROZZI, HILL-EVANS, MALAGARI, SANCHEZ, PARKER, HOWARD and FLEMING

An Act establishing the Pennsylvania Agroforestry Program and the Pennsylvania Agroforestry Fund; providing grants to resident farmers and resident businesses; and imposing duties on Department of Agriculture.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, May 10, 2023.

No. 1133 By Representatives KEEFER, HAMM, STAMBAUGH, ROAE, CIRESI, IRVIN, KAUFFMAN, STAATS, D'ORSIE, M. JONES, ROWE, ZIMMERMAN, GLEIM, LEADBETER, SCIALABBA, T. JONES, FINK, SMITH, RADER and BERNSTINE

An Act providing for zero-based budgeting.

Referred to Committee on APPROPRIATIONS, May 10, 2023.

No. 1134 By Representatives MUNROE, SANCHEZ, D. WILLIAMS, BRENNAN, T. DAVIS and CERRATO

An Act amending the act of August 5, 1932 (Sp.Sess., P.L.45, No.45), referred to as the Sterling Act, providing for remittance by a city of the first class to a nonresident's resident municipality and school district.

Referred to Committee on FINANCE, May 10, 2023.

No. 1135 By Representatives RABB, FIEDLER, GREEN, GUZMAN, HILL-EVANS, KAZEEM, HOHENSTEIN, INNAMORATO, KINKEAD, KRAJEWSKI, N. NELSON, OTTEN, SANCHEZ, SMITH-WADE-EL, WEBSTER, GIRAL, KINSEY, MADDEN, PIELLI, CEPHAS, KENYATTA, ISAACSON, FLEMING, D. WILLIAMS, WARREN, STURLA, DELLOSO, WAXMAN, FRANKEL, KHAN, O'MARA and MAYES

An Act amending the act of January 17, 1968 (P.L.11, No.5), known as The Minimum Wage Act of 1968, further providing for definitions and for minimum wages; providing for gratuities; further providing for enforcement and rules and regulations, for penalties and for civil actions; repealing provisions relating to preemption; and providing for taxpayer savings and reinvestment.

Referred to Committee on LABOR AND INDUSTRY, May 10, 2023.

No. 1137 By Representatives CIRESI, SANCHEZ, FREEMAN, MADDEN, DELLOSO, BURGOS, D. WILLIAMS, CERRATO and MALAGARI

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in special funds, further providing for disposition of Budget Stabilization Reserve Fund; and making interfund transfers.

Referred to Committee on STATE GOVERNMENT, May 10, 2023.

No. 1138 By Representatives WAXMAN, SAMUELSON, SCHLOSSBERG, BRENNAN, HILL-EVANS, GALLAGHER, SANCHEZ, MADDEN, VENKAT, PIELLI, MALAGARI, WARREN, PARKER, CERRATO, KRAJEWSKI, PISCIOTTANO, BOROWSKI, CEPHAS, KENYATTA, T. DAVIS, HANBIDGE, DELLOSO, CEPEDA-FREYITZ, HARKINS and BRIGGS

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales and use tax, further providing for definitions and for imposition of tax; and, in gross receipts tax, further providing for imposition of tax.

Referred to Committee on CONSUMER PROTECTION, TECHNOLOGY AND UTILITIES, May 10, 2023.

No. 1139 By Representatives KENYATTA, MADDEN, GALLOWAY, RABB, SANCHEZ, SAMUELSON, D. WILLIAMS, SOLOMON, PARKER, SHUSTERMAN and TAKAC

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in organization of departmental administrative boards and commissions and of advisory boards and commissions, providing for Cybersecurity Coordination Board.

Referred to Committee on COMMERCE, May 8, 2023.

No. 1140 By Representatives KRUEGER, SMITH-WADE-EL, BOROWSKI, SCHLOSSBERG, KINSEY, ISAACSON, MADDEN, PROBST, BRENNAN, T. DAVIS, HILL-EVANS, SANCHEZ, DELLOSO, MAYES, GUENST, GALLOWAY, D. WILLIAMS, HOHENSTEIN, CERRATO, O'MARA and STURLA

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in casualty insurance, providing for contraceptive coverage.

Referred to Committee on INSURANCE, May 18, 2023.

No. 1141 By Representatives HOHENSTEIN, D. MILLER, BURGOS, GUZMAN, SANCHEZ, GUENST, MADDEN, HANBIDGE, RABB, PROBST, PARKER, PASHINSKI, KINKEAD, HILL-EVANS, CIRESI, CONKLIN, FIEDLER, KRAJEWSKI, FREEMAN, N. NELSON, KHAN, BULLOCK, YOUNG, INNAMORATO and GREEN

An Act amending the act of June 23, 1978 (P.L.537, No.93), known as the Seasonal Farm Labor Act, in preliminary provisions, further providing for short title, for declaration of intent and for definitions; in wages and hours, further providing for minimum wages, for piece rates, for employment of minors, for discrimination on account of sex prohibited, for records required and notice to workers, for wage payment and for hours of labor and providing for minimum guaranteed period of employment; in regulations and inspections, further providing for rules and regulations, for inspections and entry, for permit to operate a seasonal farm labor camp, for enforcement orders, for civil remedies and for drinking water and toilet facilities and providing for food service and cooking facilities, for cooperative agreements with Federal and State agencies, for medical services and for posting of information concerning housing; in access and entry, further providing for tenancy rights, for interference prohibited and for privileged persons and providing for privacy rights of tenants; in registration of farm labor contractors, further providing for annual registration required, for qualifications of registrants, for agents exempt from registration and employment agencies, for farm labor contractors and agents and prohibited activities and for Secretary of Labor and Industry and powers and duties; in

construction, repeals, penalties and effective date, further providing for criminal penalties and providing for retaliation prohibited, for private right of action and for civil penalties and enforcement orders; and making an editorial change.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, May 10, 2023.

No. 1142 By Representatives GROVE, STRUZZI, E. NELSON, DELOZIER, LAWRENCE, ADAMS, SMITH, BERNSTINE, HAMM, MARCELL, STAATS, KAUFFMAN, ECKER, MOUL and KEEFER

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth budget procedures, further providing for revenue estimates.

Referred to Committee on APPROPRIATIONS, May 10, 2023.

No. 1143 By Representatives STRUZZI, GROVE, E. NELSON, DELOZIER, LAWRENCE, ADAMS, SMITH, BERNSTINE, HAMM, MARCELL, STAATS, KAUFFMAN, ECKER, MOUL and KEEFER

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth budget procedures, further providing for transmission of budget information to the General Assembly.

Referred to Committee on APPROPRIATIONS, May 10, 2023.

No. 1144 By Representatives E. NELSON, GROVE, STRUZZI, DELOZIER, LAWRENCE, ADAMS, SMITH, BERNSTINE, HAMM, MARCELL, STAATS, KAUFFMAN, ECKER, MOUL and KEEFER

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth budget procedures, providing for definitions and further providing for budget implementation data, for electronic access of information and for lapsing of funds.

Referred to Committee on APPROPRIATIONS, May 10, 2023.

No. 1145 By Representatives DELOZIER, GROVE, STRUZZI, E. NELSON, LAWRENCE, ADAMS, SMITH, BERNSTINE, HAMM, MARCELL, STAATS, KAUFFMAN, ECKER, MOUL and KEEFER

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth budget procedures, further providing for submission of budget to General Assembly and for transmission of budget information to the General Assembly.

Referred to Committee on APPROPRIATIONS, May 10, 2023.

No. 1146 By Representatives LAWRENCE, GROVE, STRUZZI, E. NELSON, DELOZIER, ADAMS, SMITH, BERNSTINE, HAMM, MARCELL, STAATS, KAUFFMAN, ECKER, MOUL and KEEFER

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth budget procedures, further providing for lapsing of funds.

Referred to Committee on APPROPRIATIONS, May 10, 2023.

No. 1147 By Representatives SCHLOSSBERG, MAKO, BENHAM, CEPEDA-FREYITZ, DEASY, DELOZIER, FLEMING, FLICK, GERGELY, GILLEN, GUENST, HANBIDGE, HILL-EVANS, HOWARD, KAZEEM, M. MACKENZIE, MADDEN, MALAGARI, MARCELL, MARSHALL, McANDREW, McNEILL, O'MARA, PARKER, PROBST, RYNCAVAGE, SANCHEZ, SCHWEYER, SCOTT, SIEGEL, TOMLINSON, WEBSTER and BRIGGS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in rules of the road in general, further providing for meeting or overtaking school bus and for enforcement of failure to stop for school bus with flashing red lights.

Referred to Committee on TRANSPORTATION, May 10, 2023.

No. 1148 By Representatives MARCELL, TOMLINSON, HOGAN, LABS, STAATS, GROVE, HAMM, ROWE and JAMES

An Act amending the act of August 5, 1932 (Sp.Sess., P.L.45, No.45), referred to as the Sterling Act, further providing for remittance by a city of the first class to a nonresident's resident municipality and school district.

Referred to Committee on FINANCE, May 10, 2023.

No. 1149 By Representatives STRUZZI, ECKER, JAMES, KUTZ, MARSHALL, OBERLANDER, PICKETT, SMITH and C. WILLIAMS

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in administrative organization, further providing for Pennsylvania State Police.

Referred to Committee on JUDICIARY, May 10, 2023.

No. 1150 By Representatives KULIK, MIHALEK, HILL-EVANS, GUENST, SANCHEZ, DEASY, JOZWIAK, MARSHALL, JAMES and GILLEN

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in protection from abuse, further providing for definitions and for relief.

Referred to Committee on JUDICIARY, May 10, 2023.

No. 1151 By Representatives MERSKI, PICKETT, MADDEN, MARSHALL, SANCHEZ, HILL-EVANS, HARKINS, NEILSON, TAKAC, MALAGARI, B. MILLER, ROZZI, CERRATO and CONKLIN

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in broadband services, further providing for definitions and providing for application for crossing, for review and approval of application for crossing, for procedures for crossing, for fees and costs associated with crossing, for petition to commission, for duties of commission and for miscellaneous provisions.

Referred to Committee on CONSUMER PROTECTION, TECHNOLOGY AND UTILITIES, May 18, 2023.

No. 1152 By Representatives GREEN, SANCHEZ, HILL-EVANS, FREEMAN and BRENNAN

An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, in medical professional liability, further providing for informed consent.

Referred to Committee on HEALTH, May 18, 2023.

No. 1153 By Representatives SCOTT, HILL-EVANS, PARKER, MADDEN, SOLOMON, PROBST, SANCHEZ, DELLOSO and NEILSON

An Act providing for disposal of waste tires, trash and debris, for rules and regulations and for penalties.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 18, 2023.

No. 1154 By Representatives SCOTT, SANCHEZ, KINSEY, GUENST, MADDEN, CERRATO, ROZZI, GIRAL, PROBST, HILL-EVANS, DELLOSO, D. WILLIAMS, OTTEN, O'MARA, CONKLIN, CIRESI, GILLEN, DEASY and GREEN

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in volunteer firefighters, repealing provisions relating to employment sanctions; and providing for volunteer emergency responders employer tax credit.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 18, 2023.

No. 1155 By Representatives SCOTT, MADDEN, DELLOSO, SANCHEZ, WATRO, McNEILL, HANBIDGE, T. DAVIS, HILL-EVANS, CIRESI, WARREN, CERRATO, CONKLIN and GREEN

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in service and facilities, further providing for electricity supplied to certain organizations.

Referred to Committee on CONSUMER PROTECTION, TECHNOLOGY AND UTILITIES, May 18, 2023.

No. 1156 By Representatives SCOTT, SANCHEZ, PROBST, KINSEY, KHAN, N. NELSON, WARREN, KRAJEWSKI, GREEN and KINKEAD

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in rules of evidence, providing for deceptive interrogation practices.

Referred to Committee on JUDICIARY, May 18, 2023.

No. 1157 By Representatives SCOTT, PROBST, GUENST, GIRAL, KINKEAD, SANCHEZ, HILL-EVANS, PARKER, MADDEN, HADDOCK, FRANKEL, FLEMING, OTTEN and CERRATO

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for Pennsylvania State Police.

Referred to Committee on JUDICIARY, May 18, 2023.

No. 1158 By Representatives PISCIOTTANO, MADDEN, SANCHEZ, D. WILLIAMS and FLEMING

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in matters affecting government units, further providing for exceptions to governmental immunity.

Referred to Committee on JUDICIARY, May 18, 2023.

No. 1159 By Representatives KHAN, SANCHEZ, KENYATTA, PARKER, GERGELY, MADDEN, PROBST, PIELLI, HOHENSTEIN, SCHLOSSBERG, HANBIDGE, HILL-EVANS, GUENST, WAXMAN, KINSEY, FRANKEL, D. WILLIAMS, SAMUELSON, KAZEEM, O'MARA, BOROWSKI, CEPEDA-FREYITZ, SCHWEYER and DELLOSO

An Act prohibiting discriminatory practices against applicants and enrollees under certain insurance policies based on claims or prescriptions involving prophylaxis HIV medication.

Referred to Committee on HEALTH, May 10, 2023.

No. 1160 By Representatives N. NELSON, HILL-EVANS, McNEILL, FREEMAN, MADDEN, SANCHEZ, BURGOS, KINSEY, ZIMMERMAN, CEPEDA-FREYITZ, HOGAN, DEASY, KEEFER, BOROWSKI, KRUEGER, GAYDOS, STAATS, CURRY and GREEN

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for sales by liquor licensees and restrictions.

Referred to Committee on LIQUOR CONTROL, May 15, 2023.

No. 1161 By Representatives McNEILL, MADDEN, HILL-EVANS, RABB, SANCHEZ, SAPPEY, PASHINSKI, SCHLOSSBERG, CIRESI and SCHWEYER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in other offenses, providing for the offense of sale of flavored tobacco products; and imposing a penalty.

Referred to Committee on JUDICIARY, May 18, 2023.

No. 1162 By Representatives NEILSON, BENNINGHOFF, HILL-EVANS, JAMES, HADDOCK, STAMBAUGH, SANCHEZ, MARSHALL, McNEILL, R. MACKENZIE, SIEGEL, CIRESI, STURLA, HOHENSTEIN, MALAGARI, SMITH, SCOTT and KHAN

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in special funds, providing for Public Safety and Protection Fund; and, in general budget implementation, further providing for Motor License Fund.

Referred to Committee on TRANSPORTATION, May 17, 2023.

No. 1163 By Representatives SALISBURY, MADDEN, BRENNAN, SANCHEZ, HILL-EVANS, BOROWSKI, KINKEAD, GALLAGHER, ABNEY, MULLINS, McANDREW, TAKAC, FLEMING, SAMUELSON, WAXMAN, PIELLI, PISCIOTTANO, SMITH-WADE-EL, PARKER, DONAHUE, T. DAVIS, PROBST, KAZEEM, KHAN and MERSKI

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in land banks, providing for municipal acquisition of real property.

Referred to Committee on HOUSING AND COMMUNITY DEVELOPMENT, May 18, 2023.

No. 1164 By Representatives HOHENSTEIN, ORTITAY, MADDEN, PICKETT, HILL-EVANS, GALLOWAY, GALLAGHER, MALAGARI, NEILSON, MENTZER, GAYDOS and WARREN

An Act amending the act of July 9, 1970 (P.L.484, No.164), entitled "An act relating to indemnification agreements between architects, engineers or surveyors and owners, contractors, subcontractors or suppliers and indemnification agreements relating to snow removal or ice control services," further providing for title of act; and providing for indemnification agreements relative to construction contracts, including agreements for architectural, engineering or land surveying services.

Referred to Committee on COMMERCE, May 18, 2023.

No. 1165 By Representatives STEELE, KHAN, VENKAT, T. DAVIS, MADDEN, GREINER, PROBST, DELLOSO, HILL-EVANS, SCHLOSSBERG, BOROWSKI, KAZEEM, SANCHEZ, CIRESI, McANDREW, OTTEN, CEPEDA-FREYITZ, ROZZI, PISCIOTTANO, SHUSTERMAN, DEASY, GREEN, CONKLIN, HOWARD, FLEMING, CURRY, BIZZARRO, HADDOCK, DONAHUE, McNEILL and CERRATO

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, establishing the Active Volunteer First Responder Education Tax Credit Program.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 18, 2023.

No. 1166 By Representatives STEELE, PISCIOTTANO, MADDEN, SANCHEZ, PROBST, HILL-EVANS, SAPPEY, FLEMING, RABB, INNAMORATO, SHUSTERMAN, McNEILL, KINKEAD, BOROWSKI, KIM, KHAN and PIELLI

An Act providing for restrictions on the sale and application of high-PAH sealants; establishing the Safer Sealant Fund; imposing duties on the Department of Environmental Protection; and imposing penalties.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 18, 2023.

No. 1167 By Representatives STEELE, MADDEN, PROBST, SANCHEZ, VITALI, BURGOS, CIRESI, PISCIOTTANO, RABB, INNAMORATO, SHUSTERMAN, McNEILL, KINKEAD, KHAN, OTTEN, GREEN, CURRY and KINSEY

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in food protection, further providing for misbranding of food.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, May 18, 2023.

No. 1168 By Representatives BRIGGS, PIELLI, GUENST, MADDEN, HOWARD, SANCHEZ, RABB, PROBST, ROZZI and CIRESI

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in the State System of Higher Education, further providing for Board of Governors.

Referred to Committee on EDUCATION, May 18, 2023.

No. 1169 By Representatives WARREN, BURGOS, RABB, HILL-EVANS, STEELE, MADDEN, SANCHEZ, HOHENSTEIN and KRAJEWSKI

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties of the Department of General Services and its departmental administrative and advisory boards and commissions, providing for water bottle filling stations.

Referred to Committee on STATE GOVERNMENT, May 18, 2023.

No. 1170 By Representatives SAPPEY, SANCHEZ, KENYATTA, PASHINSKI, KHAN, HOWARD, MADDEN, NEILSON and O'MARA

An Act amending the act of April 28, 1937 (P.L.417, No.105), known as the Milk Marketing Law, further providing for title of act; in purpose, short title and definitions, further providing for definitions and construction; in organization of the board, further providing for appointment and terms of members and quorum; in licenses of milk dealers, further providing for grounds for refusal, suspension or revocation; in moneys and expenses of board, further providing for expenses and for payment; and, in saving provisions, repealing provisions relating to Joint Study Committee.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, May 18, 2023.

No. 1171 By Representatives HILL-EVANS, MADDEN, SANCHEZ, HADDOCK, GROVE and TOPPER

An Act amending the act of February 11, 1998 (P.L.58, No.15), known as the Combustible and Flammable Liquids Act, further providing for regulations.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 18, 2023.

No. 1172 By Representatives DALEY, RABB, HILL-EVANS, ISAACSON, SANCHEZ, MADDEN, GUENST, BURGOS, KINSEY, KINKEAD, N. NELSON, CIRESI, HOHENSTEIN, McNEILL and INNAMORATO

An Act amending Title 1 (General Provisions) of the Pennsylvania Consolidated Statutes, in rules of construction, further providing for definitions.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 18, 2023.

No. 1173 By Representatives KHAN, FLICK, CERRATO, HANBIDGE, PROBST, RABB, HOHENSTEIN, MADDEN, WAXMAN, SANCHEZ, BOROWSKI, HADDOCK, CEPEDA-FREYITZ, PARKER, HILL-EVANS, FIEDLER, NEILSON, MALAGARI, FLEMING, BELLMON, SCHWEYER, WARREN and HOWARD

An Act amending the act of June 28, 1995 (P.L.89, No.18), known as the Conservation and Natural Resources Act, in Department of Conservation and Natural Resources, further providing for community recreation and heritage conservation.

Referred to Committee on TOURISM AND ECONOMIC AND RECREATIONAL DEVELOPMENT, May 18, 2023.

No. 1174 By Representatives SHUSTERMAN, HOHENSTEIN, HILL-EVANS, SANCHEZ, MADDEN, CIRESI, MALAGARI, PROBST, RADER, KENYATTA, R. MACKENZIE and SAPPEY

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in Pennsylvania Liquor Stores, further providing for sales by Pennsylvania Liquor Stores.

Referred to Committee on LIQUOR CONTROL, May 18, 2023.

No. 1175 By Representatives SHUSTERMAN, MADDEN, CIRESI, HILL-EVANS, HOHENSTEIN, GUENST, SANCHEZ, FLEMING, HOWARD, KINKEAD, FREEMAN, KHAN, WAXMAN, BULLOCK, BOROWSKI, CEPEDA-FREYITZ and ROZZI

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for the Pilot Program for Homeless Youth in Higher Education.

Referred to Committee on EDUCATION, May 18, 2023.

No. 1176 By Representatives SHUSTERMAN, KINKEAD, FIEDLER, MADDEN, SANCHEZ, SCHLOSSBERG, PARKER, HOHENSTEIN, STURLA, KENYATTA and KHAN

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, providing for limit on handgun purchases; and establishing the Violence Prevention Account.

Referred to Committee on JUDICIARY, May 18, 2023.

No. 1179 By Representatives BOROWSKI, VITALI, SANCHEZ, MADDEN, KHAN, PROBST, PIELLI, HILL-EVANS, OTTEN and CERRATO

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in management of the condominium, providing for solar access; in management of cooperatives, providing for solar access; and, in management of planned community, providing for solar access.

Referred to Committee on HOUSING AND COMMUNITY DEVELOPMENT, May 19, 2023.

No. 1180 By Representatives PARKER, MADDEN, GUNST, SANCHEZ, HILL-EVANS and CONKLIN

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, in preliminary provisions, further providing for definitions; and, in compensation, further providing for persons eligible for compensation.

Referred to Committee on JUDICIARY, May 18, 2023.

No. 1181 By Representatives PARKER, MADDEN, SANCHEZ, HILL-EVANS, GALLOWAY, CONKLIN, KRAJEWSKI, GREEN and STEELE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in dissemination of criminal history record information, further providing for use of records for employment; imposing duties on the Department of Labor and Industry; and imposing penalties.

Referred to Committee on JUDICIARY, May 18, 2023.

No. 1182 By Representatives CAUSER, ARMANINI, BARTON, ECKER, GILLEN, GLEIM, HAMM, JAMES, JOZWIAK, KAUFFMAN, KRUPA, LEADBETER, M. MACKENZIE, MARSHALL, MOUL, OWLETT, PICKETT, RAPP, ROWE, SCIALABBA, SMITH, STEHR, STRUZZI, WARNER and ZIMMERMAN

An Act prohibiting restrictions on household appliances by Commonwealth agencies and municipalities; and providing for civil actions authorized.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 18, 2023.

No. 1183 By Representatives PISCOTTANO, MADDEN, McNEILL, T. DAVIS, McANDREW, SANCHEZ, DELLOSO, D. WILLIAMS and NEILSON

An Act providing for verification of construction contractors and for procedures for verification; establishing the Construction Contractor Verification Account; imposing penalties; and making an appropriation.

Referred to Committee on HOUSING AND COMMUNITY DEVELOPMENT, May 18, 2023.

No. 1184 By Representatives KIM, HILL-EVANS, SCHLOSSBERG, VENKAT, PICKETT, KINSEY, FREEMAN, MADDEN, GALLOWAY, SANCHEZ, GALLAGHER, BOROWSKI, MALAGARI, McNEILL, KHAN, MENTZER, M. JONES, HADDOCK, LABS, MARCELL, D. WILLIAMS, CERRATO, NEILSON and FLEMING

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, in pharmaceutical assistance for the elderly, further providing for determination of eligibility.

Referred to Committee on AGING AND OLDER ADULT SERVICES, May 18, 2023.

No. 1185 By Representatives SIEGEL, BRENNAN, SANCHEZ, MADDEN, HILL-EVANS, WAXMAN, PIELLI, T. DAVIS, SCHLOSSBERG, CEPEDA-FREYITZ and KHAN

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, in economic development programs, establishing the Pedestrianization Grant Program and the Pedestrianization Grant Fund; imposing duties on the Department of Community and Economic Development; and making an interfund transfer.

Referred to Committee on TRANSPORTATION, May 18, 2023.

No. 1186 By Representatives SIEGEL, SANCHEZ, MADDEN, HILL-EVANS, T. DAVIS, WARREN, SCHLOSSBERG, PARKER, CERRATO, CEPEDA-FREYITZ and KHAN

An Act establishing the Innovation Hub Grant Program and the Innovation Hub Account to award grants to eligible entities for the creation of innovation hubs; and making an appropriation.

Referred to Committee on COMMERCE, May 18, 2023.

No. 1187 By Representatives RABB, MAYES, WAXMAN and VENKAT

An Act amending Titles 18 (Crimes and Offenses), 23 (Domestic Relations), 42 (Judiciary and Judicial Procedure), 54 (Names) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in authorized disposition of offenders, further providing for Accelerated Rehabilitative Disposition prohibited; in criminal homicide, further providing for the offense of murder; in assault, further providing for the offense of stalking and for the offense of unauthorized administration of intoxicant; in sexual offenses, further providing for definitions and for the offense of rape, repealing provisions relating to the offense of involuntary deviate sexual intercourse and further providing for the offense of sexual assault, for the offense of institutional sexual assault, for the offense of sexual assault by sports official, volunteer or employee of nonprofit association, for the offense of aggravated indecent assault and for general rule relating to loss of property rights; in wiretapping and electronic surveillance, further providing for definitions and for order authorizing interception of wire, electronic or oral communications; in public indecency, further providing for the offense of prostitution and related offenses; in firearms and other dangerous articles, further providing for persons not to possess, use, manufacture, control, sell or transfer firearms; in minors, further providing for transmission of sexually explicit images by minor; in criminal history record information, further providing for expungement and for juvenile records; in child custody, further providing for consideration of criminal conviction; in protection from abuse, further providing for definitions; in child protective services, further providing for definitions, for exclusions from child abuse and for employees having contact with children and adoptive and foster parents; in domestic and sexual violence victim address confidentiality, further providing for penalties; in limitation of time, further providing for infancy, insanity or imprisonment, for no limitation applicable and for other offenses; in depositions and witnesses, further providing for spouses as witnesses against each other and for hearsay; in juvenile matters, further providing for definitions, for inspection of court files and records, for law enforcement records, for conduct of hearings, for transfer to criminal proceedings and for assessment of delinquent children by the State Sexual Offenders Assessment Board; in court-ordered involuntary treatment of certain sexually violent persons, further providing for definitions and for court-ordered involuntary treatment; in sentencing, further providing for sentences for second or subsequent offenses, for sentences for offenses against elderly persons, for sentences for offenses against infant persons, for sentences for offenses committed while impersonating a law enforcement officer, for sentencing for trafficking of persons, for definitions, for sexual offenses and tier system, for termination of period of registration for juvenile offenders, for assessments, for registration and for assessments; in judicial change of name, further providing for change by order of court; in Pennsylvania Board of Probation and Parole, further providing for parole procedure; and, in interstate compacts, further providing for supervision of persons paroled by other states.

Referred to Committee on JUDICIARY, May 18, 2023.

No. 1188 By Representatives RABB, BULLOCK, KENYATTA, WAXMAN, KRAJEWSKI, MADDEN, SANCHEZ, KHAN, CEPEDA-FREYITZ and HILL-EVANS

An Act amending Title 46 (Legislature) of the Pennsylvania Consolidated Statutes, providing for demographic impact statements in consideration of legislation relating to crimes, offenses and sentencing.

Referred to Committee on JUDICIARY, May 18, 2023.

No. 1189 By Representatives RABB, KINKEAD, MAYES, D. MILLER, SANCHEZ, MADDEN, KINSEY, BURGOS, D. WILLIAMS and PARKER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in general provisions, providing for inflation adjustment; in theft and related offenses, further providing for the offenses of retail theft, of library theft and of theft of secondary metal; and, in trade and commerce, further providing for buying or exchanging Federal Supplemental Nutrition Assistance Program (SNAP) benefit coupons, stamps, authorization cards or access devices.

Referred to Committee on JUDICIARY, May 18, 2023.

No. 1190 By Representatives SHUSTERMAN, ISAACSON, CIRESI, SIEGEL, PROBST, HILL-EVANS, SANCHEZ, MADDEN, KINSEY, GUENST, SCHLOSSBERG, BURGOS, SAMUELSON, HANBIDGE, D. WILLIAMS, FIEDLER, FLEMING, STURLA, FREEMAN, KINKEAD, OTTEN, KHAN, FRANKEL, SCHWEYER, BOROWSKI, CEPHAS, WARREN and PASHINSKI

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in inchoate crimes, further providing for prohibited offensive weapons; in assault, further providing for discharge of a firearm into an occupied structure; in theft and related offenses, further providing for definitions; in riot, disorderly conduct and related offenses, further providing for prohibiting of paramilitary training; in firearms and other dangerous articles, further providing for definitions, for persons not to possess, use, manufacture, control, sell or transfer firearms, for firearms not to be carried without a license, for prohibited conduct during emergency, providing for 3-D printed firearms and further providing for sale or transfer of firearms, for firearm sales surcharge, for registration of firearms and for licensing of dealers.

Referred to Committee on JUDICIARY, May 18, 2023.

No. 1191 By Representatives SHUSTERMAN, CIRESI, HILL-EVANS, HANBIDGE, SANCHEZ, STAMBAUGH, RABB, McNEILL, FREEMAN, WAXMAN, CEPEDA-FREYITZ, INNAMORATO and HOWARD

An Act providing for the return of beverage containers and for the powers and duties of the Department of Environmental Protection; imposing a returnable beverage container assessment on distributors; providing for duties of returnable beverage distributors; establishing the Returnable Beverage Container Fund; and providing for a returnable deposit value on returnable beverage containers, for redemption of empty returnable beverage containers, for redemption centers, for payment of claims from the fund and for annual report to General Assembly.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 18, 2023.

No. 1192 By Representatives SHUSTERMAN, PROBST, MADDEN, SANCHEZ, KHAN, HOHENSTEIN, STURLA, OTTEN, BOROWSKI, KRAJEWSKI, KINKEAD, GREEN, KINSEY and MAYES

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, repealing provisions relating to family planning funding limitations.

Referred to Committee on HEALTH, May 18, 2023.

No. 1193 By Representatives SHUSTERMAN, PROBST, MADDEN, SANCHEZ, KHAN, HOHENSTEIN, STURLA, OTTEN, BOROWSKI, KRAJEWSKI, KINKEAD, GREEN, KINSEY and MAYES

An Act providing for allocation of money to family planning providers; prohibiting certain allocation; and making an appropriation.

Referred to Committee on HEALTH, May 18, 2023.

No. 1194 By Representatives SHUSTERMAN, PROBST, MADDEN, SANCHEZ, KHAN, HOHENSTEIN, STURLA, OTTEN, BOROWSKI, KRAJEWSKI, KINKEAD, GREEN, KINSEY and MAYES

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in abortion, further providing for publicly owned facilities, public officials and public funds.

Referred to Committee on HEALTH, May 18, 2023.

No. 1195 By Representatives SHUSTERMAN, PROBST, MADDEN, SANCHEZ, KHAN, HOHENSTEIN, STURLA, OTTEN, BOROWSKI, KRAJEWSKI, KINKEAD, GREEN, KINSEY and MAYES

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in public assistance, repealing provisions relating to expenditure of public funds for abortions limited.

Referred to Committee on HEALTH, May 18, 2023.

No. 1196 By Representatives LAWRENCE, FLICK, HEFFLEY, JOZWIAK, KRUPA and SMITH

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in preliminary provisions, further providing for definitions; in dates of elections and primaries and special elections, further providing for affidavits of candidates; and, in nomination of candidates, further providing for affidavits of candidates, for nominations by political bodies, for examination of nomination petitions, certificates and papers and return of rejected nomination petitions, certificates and papers and for affidavits of candidates.

Referred to Committee on STATE GOVERNMENT, May 19, 2023.

No. 1197 By Representatives LAWRENCE, GILLEN, GLEIM, HAMM, JOZWIAK, KEEFER, KUZMA, OBERLANDER, ROWE, SMITH, STRUZZI and ZIMMERMAN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in powers of department and local authorities, providing for period for application review.

Referred to Committee on TRANSPORTATION, May 19, 2023.

No. 1198 By Representatives LAWRENCE, IRVIN and CIRESI

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in pupils and attendance, providing for attendance at intermediate units.

Referred to Committee on EDUCATION, May 19, 2023.

No. 1199 By Representatives NEILSON, SCHLOSSBERG, T. DAVIS, HILL-EVANS, MADDEN, DELLOSO, SANCHEZ, HOHENSTEIN and PARKER

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, in source selection and contract formation, further providing for debarment or suspension and for prequalification of bidders and offerors.

Referred to Committee on STATE GOVERNMENT, May 19, 2023.

No. 1200 By Representatives NEILSON, SCHLOSSBERG, HILL-EVANS, MADDEN, DELLOSO, HADDOCK, SANCHEZ and PARKER

An Act amending the act of August 15, 1961 (P.L.987, No.442), known as the Pennsylvania Prevailing Wage Act, further providing for prevailing wage.

Referred to Committee on LABOR AND INDUSTRY, May 19, 2023.

No. 1201 By Representatives NEILSON, CIRESI, McNEILL, KHAN, SANCHEZ, KINSEY, CEPEDA-FREYTIZ, PARKER, HILL-EVANS and GALLOWAY

An Act providing for consumer data privacy, for duties of controllers and for duties of processors; and imposing penalties.

Referred to Committee on COMMERCE, May 19, 2023.

No. 1203 By Representatives SAPPEY, OTTEN, HANBIDGE, PROBST, BRENNAN, HILL-EVANS, SANCHEZ, MADDEN, FLEMING, KAZEEM, TAKAC, WARREN and CIRESI

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in grounds and buildings, providing for automated external defibrillator placement, inspection, maintenance and plan; in school health services, further providing for automatic external defibrillators; and, in charter schools, further providing for provisions applicable to charter schools and for applicability of other provisions of this act and of other acts and regulations.

Referred to Committee on EDUCATION, May 19, 2023.

No. 1204 By Representatives SAPPEY, OTTEN, HANBIDGE, DELLOSO, PROBST, BRENNAN, HILL-EVANS, SANCHEZ, MADDEN, HOWARD, PIELLI, KAZEEM, TAKAC, KHAN and CIRESI

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school health services, further providing for sudden cardiac arrest and electrocardiogram testing.

Referred to Committee on EDUCATION, May 19, 2023.

No. 1205 By Representatives SAPPEY, HILL-EVANS, MADDEN, HOWARD, HANBIDGE, SANCHEZ, WARREN, FREEMAN, SHUSTERMAN, BURNS, OTTEN, KRAJEWSKI, BOROWSKI and GREEN

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in rates and distribution systems, further providing for valuation of acquired water and wastewater systems; and providing for water ratepayer bill of rights.

Referred to Committee on CONSUMER PROTECTION, TECHNOLOGY AND UTILITIES, May 19, 2023.

No. 1206 By Representatives FREEMAN, MADDEN, SANCHEZ, VITALI, NEILSON, BRENNAN, MALAGARI and CIRESI

An Act amending the act of May 19, 1995 (P.L.33, No.3), known as the Economic Development Agency, Fiduciary and Lender Environmental Liability Protection Act, further providing for definitions.

Referred to Committee on HOUSING AND COMMUNITY DEVELOPMENT, May 19, 2023.

No. 1207 By Representatives FREEMAN, JAMES, SALISBURY, MADDEN, SIEGEL, BENHAM, SCHLOSSBERG, PROBST, SAMUELSON, GIRAL, SANCHEZ, STURLA, HILL-EVANS, BURGOS, D. WILLIAMS, CERRATO, NEILSON, TAKAC, KINKEAD and FLEMING

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in land banks, further providing for definitions.

Referred to Committee on HOUSING AND COMMUNITY DEVELOPMENT, May 19, 2023.

No. 1208 By Representatives TWARDZIK and ZIMMERMAN

An Act amending the act of June 22, 2000 (P.L.394, No.54), known as the Tobacco Settlement Agreement Act, further providing for definitions.

Referred to Committee on HEALTH, May 19, 2023.

No. 1209 By Representatives TWARDZIK and ZIMMERMAN

An Act amending the act of December 30, 2003 (P.L.441, No.64), known as the Tobacco Product Manufacturer Directory Act, in preliminary provisions, further providing for definitions; in tobacco product manufacturers directory, further providing for directory, for certification, for required information, for agent for service of process and for records and reporting and providing for nonparticipating manufacturer and importer joint and several liability and for surety bond requirements; and imposing duties on the Office of Attorney General.

Referred to Committee on HEALTH, May 19, 2023.

No. 1210 By Representatives SAPPEY, MIHALEK, ISAACSON, MADDEN, SCHLOSSBERG, VENKAT, PASHINSKI, HANBIDGE, GUENST, CERRATO, KINSEY, FREEMAN, SANCHEZ, HOHENSTEIN, CIRESI, GALLOWAY, HILL-EVANS, NEILSON, McNEILL, HOWARD, WARREN, D. WILLIAMS, CONKLIN, O'MARA, M. JONES, ABNEY, MUSTELLO, SHUSTERMAN, T. DAVIS and STEELE

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in protection from abuse, further providing for relief, for emergency relief by minor judiciary and for arrest for violation of order.

Referred to Committee on JUDICIARY, May 19, 2023.

No. 1211 By Representatives CEPEDA-FREYTIZ, MADDEN, KINSEY, GIRAL, FLEMING, SANCHEZ, HILL-EVANS, CURRY, CIRESI, CERRATO and PARKER

An Act establishing the Youth Summer Employment Grant Program and the Youth Summer Employment Fund; and authorizing regulations.

Referred to Committee on LABOR AND INDUSTRY, May 19, 2023.

No. 1212 By Representatives KHAN, VENKAT, KOSIEROWSKI, MUNROE, SANCHEZ, KINSEY, HILL-EVANS, PROBST, HANBIDGE, MADDEN, WARREN, DELLOSO, CERRATO, FLEMING and GUENST

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in general provisions relating to health care, further providing for applicability, for definitions, for criminal penalties, for emergency medical services, for definitions, for orders, bracelets and necklaces, for revocation, for absence of order, bracelet or necklace and for emergency medical services, repealing provisions relating to advisory committee and providing for discontinuance and for Pennsylvania orders for life-sustaining treatment; and making editorial changes.

Referred to Committee on HEALTH, May 19, 2023.

No. 1213 By Representatives KHAN, KENYATTA, KOSIEROWSKI, KRAJEWSKI, SCOTT, PROBST, RABB, HOHENSTEIN, MADDEN, HANBIDGE, WAXMAN, ISAACSON, SANCHEZ, BOROWSKI, PARKER, HILL-EVANS, SHUSTERMAN, ROZZI, INNAMORATO, O'MARA, FLEMING, DELLOSO, McNEILL, MAYES, SCHWEYER, STEELE and CEPEDA-FREYTIZ

An Act requiring health insurance policies to provide coverage for pre-exposure prophylaxis and post-exposure prophylaxis HIV medication and associated laboratory tests and patient visits.

Referred to Committee on HEALTH, May 19, 2023.

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following bills for concurrence:

SB 140, PN 684

Referred to Committee on JUDICIARY, May 5, 2023.

SB 243, PN 208

Referred to Committee on HUMAN SERVICES, May 10, 2023.

SB 244, PN 685

Referred to Committee on HUMAN SERVICES, May 10, 2023.

SB 245, PN 210

Referred to Committee on HUMAN SERVICES, May 10, 2023.

SB 248, PN 212

Referred to Committee on COMMERCE, May 10, 2023.

SB 350, PN 718

Referred to Committee on STATE GOVERNMENT, May 18, 2023.

SB 411, PN 360

Referred to Committee on GAME AND FISHERIES, May 10, 2023.

SB 447, PN 370

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 10, 2023.

SB 598, PN 721

Referred to Committee on JUDICIARY, May 18, 2023.

SB 647, PN 729

Referred to Committee on EDUCATION, May 18, 2023.

SB 671, PN 671

Referred to Committee on FINANCE, May 5, 2023.

**BILLS REPORTED FROM COMMITTEES,
CONSIDERED FIRST TIME, AND TABLED****HB 497, PN 466** By Rep. NEILSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in size, weight and load, further providing for safety requirements for towed vehicles.

TRANSPORTATION.

HB 804, PN 762 By Rep. SCHWEYER

An Act amending the act of December 15, 1982 (P.L.1266, No.287), entitled "An act conferring limited residency status on military personnel, their dependents and civilian personnel assigned to an active duty station in Pennsylvania," further providing for residency of students.

EDUCATION.

HB 1092, PN 1140 By Rep. NEILSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in commercial drivers, further providing for disqualification.

TRANSPORTATION.

HB 1094, PN 1142 By Rep. SCHWEYER

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in pupils and attendance, providing for military child advance enrollment.

EDUCATION.

HB 1097, PN 1288 (Amended) By Rep. SCHWEYER

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for moment of silence on September 11 anniversary.

EDUCATION.

HB 1131, PN 1186 By Rep. FRANKEL

An Act amending the act of April 27, 1905 (P.L.312, No.218), entitled "An act creating a Department of Health, and defining its powers and duties," further providing for State health centers; and making editorial changes.

HEALTH.

HB 1162, PN 1213 By Rep. NEILSON

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in special funds, providing for Public Safety and Protection Fund; and, in general budget implementation, further providing for Motor License Fund.

TRANSPORTATION.

**RESOLUTIONS REPORTED
FROM COMMITTEE****HR 33, PN 273** By Rep. FRANKEL

A Resolution recognizing the month of July 2023 as "Juvenile Arthritis Awareness Month" in Pennsylvania.

HEALTH.

HR 55, PN 745 By Rep. FRANKEL

A Resolution recognizing the month of April 2023 as "Donate Life Month" in Pennsylvania.

HEALTH.

HR 74, PN 943 By Rep. FRANKEL

A Resolution designating the week of May 1 through 7, 2023, as "Tardive Dyskinesia Awareness Week" in Pennsylvania.

HEALTH.

HR 85, PN 1027 By Rep. FRANKEL

A Resolution designating the month of May 2023 as "Fitness Month" in Pennsylvania.

HEALTH.

HR 92, PN 1082 By Rep. FRANKEL

A Resolution recognizing the week of April 23 through 29, 2023, as "National Infertility Awareness Week" in Pennsylvania.

HEALTH.

HR 93, PN 1083 By Rep. FRANKEL

A Resolution designating the week of May 14 through 20, 2023, as "Food Allergy Awareness Week" in Pennsylvania.

HEALTH.

HR 96, PN 1116 By Rep. FRANKEL

A Resolution recognizing May 2, 2023, as "World Asthma Day" in Pennsylvania.

HEALTH.

HR 99, PN 1119 By Rep. FRANKEL

A Resolution recognizing the week of May 7 through 13, 2023, as "National Hospital Week" in Pennsylvania.

HEALTH.

HR 115, PN 1280 By Rep. FRANKEL

A Resolution designating May 25, 2023, as "Trauma and Mental Health Awareness Day" in Pennsylvania.

HEALTH.

HR 116, PN 1282

By Rep. FRANKEL

A Resolution designating the month of May 2023 as "Nurses Month" in Pennsylvania.

HEALTH.

**BILL REPORTED AND REREFERRED
TO COMMITTEE ON JUDICIARY**

HB 1025, PN 1022

By Rep. SCHWEYER

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in Safe2Say Program, further providing for definitions and for Safe2Say Program; in postsecondary institution sexual harassment and sexual violence policy and online reporting system, further providing for definitions, for policy for postsecondary institution sexual harassment and sexual violence and for online reporting system; and making an editorial change.

Reported from Committee on EDUCATION with request that it be rereferred to Committee on JUDICIARY.

The SPEAKER. Without objection, the bill will be so rereferred.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the majority chair, majority caucus chair, Representative Schlossberg, for a caucus announcement.

Mr. SCHLOSSBERG. Thank you, Madam Speaker.

House Democrats will caucus in person at 1 o'clock. We will be prepared to return to the floor at 2 o'clock.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the minority caucus chair, Representative Dunbar, for a caucus announcement.

Mr. DUNBAR. Thank you, Madam Speaker.

Republicans will caucus at 1:15; that is 1:15, Republicans will caucus.

Thank you, Madam Speaker.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes Representative Harris for a committee announcement.

Mr. HARRIS. Thank you, Madam Speaker.

The House Appropriations Committee will meet immediately at the break in the majority caucus room. House Appropriations Committee will meet immediately at the break in the majority caucus room.

Thank you, Madam Speaker.

The SPEAKER. The House Appropriations Committee will meet immediately at the break in the majority caucus room.

VOTE CORRECTION

The SPEAKER. For what purpose does the gentleman rise?

Mr. ARMANINI. Madam Speaker, I would like to correct the record from April 26.

The SPEAKER. The gentleman is in order and he may proceed.

Mr. ARMANINI. My vote on HB 148 was recorded as a "no." I would like to make a correction and be recorded as a "yes." Thank you.

The SPEAKER. The gentleman's remarks will be spread across the record.

RECESS

The SPEAKER. The House stands in recess until 2 o'clock p.m., unless sooner recalled by the Speaker.

RECESS EXTENDED

The time of recess was extended until 2:15 p.m.; further extended until 2:30 p.m.

AFTER RECESS

The time of recess having expired, the House was called to order.

BILLS REREPORTED FROM COMMITTEE**HB 338, PN 1090**

By Rep. HARRIS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, providing for report of theft or loss of firearm; and imposing penalties.

APPROPRIATIONS.**HB 611, PN 1120**

By Rep. HARRIS

An Act to provide appropriations from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2023, to June 30, 2024, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2023; to provide appropriations from special funds and accounts to the Executive and Judicial Departments for the fiscal year July 1, 2023, to June 30, 2024, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2023; to provide for the appropriation of Federal funds to the Executive and Judicial Departments for the fiscal year July 1, 2023, to June 30, 2024, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2023; and to provide for the additional appropriation of Federal and State funds to the Executive and Legislative Departments for the fiscal year July 1, 2022, to June 30, 2023, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2022.

APPROPRIATIONS.

HB 714, PN 1150

By Rep. HARRIS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, repealing provisions relating to sale or transfer of firearms, further providing for Pennsylvania State Police and providing for duty to report to United States Immigration and Customs Enforcement.

APPROPRIATIONS.

HB 731, PN 1091

By Rep. HARRIS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for locking device for firearms; providing for safe storage of firearm when not in use; and imposing penalties.

APPROPRIATIONS.

HB 917, PN 1151

By Rep. HARRIS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, adopting the Uniform Family Law Arbitration Act.

APPROPRIATIONS.

HB 953, PN 950

By Rep. HARRIS

An Act repealing the act of September 1, 1965 (P.L.420, No.215), known as The Frozen Dessert Law.

APPROPRIATIONS.

HB 1018, PN 1152

By Rep. HARRIS

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for persons not to possess, use, manufacture, control, sell or transfer firearms and for abandonment of firearms, weapons or ammunition; in community and municipal courts, further providing for masters; adding provisions relating to extreme risk protection orders; imposing duties on the Office of Attorney General; and imposing penalties.

APPROPRIATIONS.

SB 1, PN 385

By Rep. HARRIS

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for courts to be open and suits against the Commonwealth.

APPROPRIATIONS.

GUESTS INTRODUCED

The SPEAKER. Joining us this afternoon, in addition to our guest page, he is here with his mother, Jacob Scarvel's mother, Monica Scarvel, and his brother, Nick Scarvel. They are seated in the gallery and they are the guests of Representative Parke Wentling. They have traveled all the way from Mercer County. Please stand up so we can greet you.

ACTUARIAL NOTE

The SPEAKER. The Speaker acknowledges receipt of an actuarial note for amendment A0520 to HB 298, PN 254, from the Independent Fiscal Office.

(Copy of actuarial note is on file with the Journal clerk.)

CALENDAR**RESOLUTION**

Mr. SCHLOSSBERG called up **HR 91, PN 1043**, entitled:

A Resolution designating the week of May 7 through 13, 2023, as "Jewish Day Schools Week" in Pennsylvania and expressing appreciation and gratitude to Jewish day schools across this Commonwealth.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—201

Abney	Flick	Krupa	Rapp
Adams	Flood	Kulik	Rigby
Armanini	Frankel	Kutz	Roae
Banta	Freeman	Kuzma	Rossi
Barton	Friel	Labs	Rowe
Bellmon	Fritz	Lawrence	Rozzi
Benham	Gallagher	Leadbeter	Ryncavage
Benninghoff	Galloway	Mackenzie, M.	Salisbury
Bernstine	Gaydos	Mackenzie, R.	Samuelson
Bizzarro	Gergely	Madden	Sanchez
Bonner	Gillen	Madsen	Sapprey
Borowicz	Giral	Major	Schemel
Borowski	Gleim	Mako	Scheuren
Boyle	Green	Malagari	Schlegel
Bradford	Gregory	Maloney	Schlossberg
Brennan	Greiner	Marcell	Schmitt
Briggs	Grove	Markosek	Schweyer
Brown, A.	Guenst	Marshall	Scialabba
Brown, M.	Guzman	Matzie	Scott
Bullock	Haddock	Mayes	Shusterman
Burgos	Hamm	McAndrew	Siegel
Burns	Hanbidge	McNeill	Smith
C Freytiz	Harkins	Mehaffie	Smith-Wade-El
Cabell	Harris	Mentzer	Solomon
Causer	Heffley	Mercuri	Staats
Cephas	Hogan	Merski	Stambaugh
Cerrato	Hohenstein	Metzgar	Steele
Ciresi	Howard	Mihalek	Stehr
Conklin	Innamorato	Miller, B.	Struzzi
Cook	Irvin	Miller, D.	Sturla
Cooper	Isaacson	Moul	Takac
Curry	James	Mullins	Tomlinson
Cutler	Jones, M.	Munroe	Topper
D'Orsie	Jones, T.	Mustello	Twardzik
Daley	Jozwiak	Neilson	Venkat
Davanzo	Kail	Nelson, E.	Vitali
Davis	Kaufner	Nelson, N.	Warner
Dawkins	Kauffman	O'Mara	Warren
Deasy	Kazeem	O'Neal	Watro
Delloso	Keefer	Oberlander	Waxman

Delozier	Kenyatta	Ortitay	Webster
Diamond	Kephart	Otten	Wentling
Donahue	Kerwin	Owlett	White
Dunbar	Khan	Parker	Williams, C.
Ecker	Kim	Pashinski	Williams, D.
Emrick	Kinthead	Pickett	Young
Evans	Kinsey	Pielli	Zimmerman
Fee	Klunk	Pisciottano	
Fiedler	Kosierowski	Probst	McClinton,
Fink	Krajewski	Rabb	Speaker
Fleming	Krueger	Rader	

NAYS—0

NOT VOTING—0

EXCUSED—0

The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 134, PN 961**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for Medical Advisory Board.

On the question,
Will the House agree to the bill on second consideration?
Bill was agreed to.

* * *

The House proceeded to second consideration of **HB 295, PN 251**, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in soil and plant amendment, further providing for registration, for inspection fees, for tonnage reports and for disposition of funds.

On the question,
Will the House agree to the bill on second consideration?
Bill was agreed to.

* * *

The House proceeded to second consideration of **HB 365, PN 332**, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, in fishing licenses, further providing for exemptions from license requirements.

On the question,
Will the House agree to the bill on second consideration?
Bill was agreed to.

* * *

The House proceeded to second consideration of **HB 409, PN 377**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, in mental health: departmental powers and duties, commissioner of mental health, interstate compact, reciprocal agreements and research foundation, providing for mental health care services clearinghouse; and making an editorial change.

On the question,
Will the House agree to the bill on second consideration?
Bill was agreed to.

* * *

The House proceeded to second consideration of **HB 797, PN 757**, entitled:

An Act amending the act of June 1, 1945 (P.L.1242, No.428), known as the State Highway Law, in construction, improvement, maintenance and repair of State highways, providing for native vegetation along highways.

On the question,
Will the House agree to the bill on second consideration?
Bill was agreed to.

* * *

The House proceeded to second consideration of **HB 877, PN 853**, entitled:

An Act amending Titles 30 (Fish) and 34 (Game) of the Pennsylvania Consolidated Statutes, in fishing licenses, providing for active duty military fishing reciprocity and for disabled veteran annual fishing license reciprocity; and, in hunting and furtaking licenses, providing for active duty military hunting reciprocity and for disabled veteran annual hunting license reciprocity.

On the question,
Will the House agree to the bill on second consideration?
Bill was agreed to.

SUPPLEMENTAL CALENDAR A

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1018, PN 1152**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for persons not to possess, use, manufacture, control, sell or transfer firearms and for abandonment of firearms, weapons or ammunition; in community and municipal courts, further providing for masters; adding provisions relating to extreme risk protection orders; imposing duties on the Office of Attorney General; and imposing penalties.

On the question,
Will the House agree to the bill on third consideration?
Bill was agreed to.

(Bill analysis was read.)

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.

The question is, shall the bill pass finally?

On that question, the Chair recognizes the maker of the bill, Representative O'Mara.

Ms. O'MARA. Thank you, Madam Speaker. I think that is the first time I have said it, so I am a little bit excited.

So thank you, Madam Speaker, and thank you to the majority leader for calling this bill today.

I rise today in support of 1018, the extreme risk protection order bill in Pennsylvania, and I want to share why. When I was walking over here today – and forgive me if I am a little nervous. I am about to talk about something I have not really gone into in much detail on the floor before. But as I was walking over here, I called my husband and I asked him, remind me why I do this. And he said, because if you guys can get these bills out of the House and Senate, someone will literally be alive because of it. This is a life-and-death issue.

Extreme risk protection orders would bring a process for someone to temporarily remove firearms from someone if they are exhibiting signs that they are a threat to themselves or others. When we talked about this bill in committee, some of my colleagues referenced that there is already a way to do that and that involves a 302 involuntary commitment, and so I reached out to a psychiatrist who works at Jefferson University to ask him to explain to me how this was indeed different from an involuntary commitment. And I am going to read from his e-mail. I will share these remarks. He said the difference between a "302 requires that a patient demonstrate serious mental illness, meaning dangerousness to self or others as a result of mental illness," and dangerousness to self needs to be defined in three different types of categories, and they are very distinct. "Dangerousness to others means attempt to cause...bodily harm." Dangerousness to self means "...attempted suicide, self-mutilation, and inability to care for oneself such that death or disability will ensue within 30 days...."

Many times in many parts of this State a 302 is not utilized because someone has not actually reached that far and because a 302 results in the permanent removal of firearms, and yes, there is a process where you can get it restored, but it is very lengthy and also, you have to have consented to your commitment, and that is a key part of it. What a 302 does is "It is a preventative measure for someone showing concerning signs,..." but has not actually exhibited a threat to hurt themselves.

Now, why is that important? Because I fundamentally believe that if ERPO existed on February 2, 2003, my dad could still be alive today. There would have actually been a tool that my family would have felt comfortable using. My dad was firefighter in the Philadelphia Fire Department, served for 25 years. In 2003, I was only a 13-year-old kid, but I could tell you that there was something going on with my dad. My parents were fighting a lot. For the first time in my life, I saw my dad cry, and he did so on my shoulder. And I knew that we had guns in the house, but I was a 13-year-old kid and I did not know how to do a 302, and even if I did, I probably would not have because my dad was a firefighter, and what we know about our first responders is that they are very proud and they are very worried about losing their job if they seek help for mental illness. And that is so sad because there is such a stigma that we face in our society and we are facing it today; many of you are feeling pressure about voting on this bill and succumbing to it.

The reality is that our first responders need mental health support. In fact, we lose more first responders to suicide than we do in the line of duty, both here in Pennsylvania and in the United States. And as a 13-year-old kid, when I lost my dad to suicide, what I also learned is the reality is that you cannot really talk about that with many people, because then you become a point of gossip, people look at you differently, people blame you. I had people blame us. I went through most of my life hiding from what happened to my dad. And it was not until 2018 when I decided to run for office that I decided that I would honor him and his legacy by talking about him and by fighting for commonsense reforms that I believe can help make sure another kid does not grow up the way that I did.

And ERPOs can do that. They have been passed in 19 States, including Florida. They are very popular in Florida. In Connecticut, there was a 13.7 reduction rate of suicides after ERPOs were passed. In California, over a period of 3 years, after ERPOs were passed, 21 mass shootings were stopped. That is 21 times we did not have to see little babies being slaughtered in their classrooms or people in the grocery store or the movie theater, churches, synagogues – the list goes on and on.

And so, Madam Speaker, today I say to you, this vote is not about whether or not you respect the Second Amendment. I respect the Second Amendment. I have a concealed carry permit and I have firearms in my house that are safely stored. This is about making sure that we are doing everything to protect the right to life, liberty, and the pursuit of happiness in Pennsylvania and in the United States of America.

The last thing I want to say is, when we were talking about this at home, my husband served two tours of duty in Afghanistan. He was shot multiple times. He actually knows what it is like to be on the other side of gun violence and live through it and deal with that pain every single day. But he made a comment to me that he felt safer in Afghanistan than he does now because in Afghanistan, he was prepared and he knew the enemy. Here you do not know what is going to happen. We are scared almost everywhere we go. And we also know that we are not doing enough to support mental health right now. This is a tool that we can use to help people.

If Brad can go overseas to fight for our safety, then we can fight for our safety right here at home, and that starts with voting "yes" on HB 1018.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentlelady.

The Chair recognizes Representative Major.

Ms. MAJOR. Thank you, Madam Speaker.

I will be brief. Article I, section 21, of the Pennsylvania State Constitution, that we are sworn to uphold, clearly states: "The right of the citizens to bear arms in defense of themselves and the State shall not be questioned."

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentlelady.

The Chair recognizes Representative Schlossberg.

Mr. SCHLOSSBERG. Thank you, Madam Speaker.

I do not need to tell anybody what a country in crisis, when it comes to gun violence, looks like. The images are stark and it seems as if they are with us every single day. This week we mourn the 1-year anniversary of the massacre in Uvalde, Texas, where 19 children and 2 adults lost their lives. The pain of these massacres is fresh and sharp – and has, tragically, become distinctly American – but the tragic truth is that the tentacles of gun violence tend to reach out in different ways. Allow me to add

to the gentlewoman from Delaware County's tragic story by illuminating a more fundamental point: suicide by gun is far more common than homicide by gun. Suicides account for 54 percent of all gun deaths in the United States as of 2021, the last year where statistics were available. Since 2000 the number of deaths by suicide carried out with a gun has increased year over year.

We are often told to ignore the crisis of gun violence by pinning the blame on another crisis, that of mental health; however, it is irresponsible to try to separate the two issues. Mental health and gun violence are more often than not inextricably related. When suicide happens, it happens at a moment of crisis. At those moments when someone dies by suicide, we often find ourselves asking why. I would argue that a more important question is how. And the answer is often easy: access to guns.

Some of you have been there. If you know what the statistics are on mental health, you know that one in five Americans is actively suffering from some sort of mental health crisis. That means that 40 of the people sitting in the seats in front of me know exactly what this feeling is like, and some of you have gone deeper. Some of you know what it is like to sit in a dark room with a gun in your hand. I remember my moment, sitting in the hallway at Muhlenberg College with a bottle of pills in my right hand, glass of water in my left hand, trying to figure out why I should stay alive. Swallowing pills would have been complicated, long-acting, and painful, with no guarantee of the ultimate outcome. But I find myself wondering frequently what would have happened that morning, February 3, 2002, if I had had a gun.

Some of you have been in that deep, dark place. But for those of you who have not, you have to understand that getting someone through a moment of suicidal crisis – and it is often just a moment – is the most critical thing you can do to save someone's life. As I know, and as many of you also probably know, if you can get someone through that moment, they can recover. The impulse to die by suicide is often just that: an impulse. And if a person does not have a gun, they are far, far less likely to die.

This legislation appropriately creates a system to allow a gun to be temporarily removed from the home of a suicidal individual. This system has appropriate due process and allows for an individual to get their gun back. This is an important caveat. This is about helping someone through a crisis, not controlling someone's life. No one wants a threat of a permanent loss of access to firearms to be a stigma-imposed barrier to stop someone from getting the help they need. An individual can and should seek therapy and take prescription medication while owning a firearm. These should not be limits to someone owning a gun, but if a person is suicidal, then we must act.

Indeed, when someone is a threat to themselves or others, the community is already empowered to act to save the life of a mentally ill person, and potentially, save the lives of those around them. This legislation is a logical extension of that effort.

Now, make no mistake, we have a mental health crisis in this country, and this body has repeatedly signaled a desire to get at the root of that crisis. When there is a gun massacre or a suicide, we often site mental illness as the root cause. Sometimes that statement is accurate. That being said, what are we saying if we just quit? If we just throw our hands in the air and say, well, it is what it is. I guess this problem is too complicated to solve.

In 2021, 26,328 Americans died by suicide. If legislation like this had been in effect, there is no question that thousands of lives would have been saved. There is no question that we would have interacted with more people who would not have ended their life, who would still be alive today, recovered, able to experience joy and sorrow, and more importantly, life. This legislation will save lives. We have an obligation to enact it to keep our constituents alive and with us for at least one more day. I urge a "yes" vote.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

CONSTITUTIONAL POINT OF ORDER

The SPEAKER. The Chair recognizes Representative Bernstine.

Mr. BERNSTINE. Thank you, Madam Speaker.

Madam Speaker, I would like to raise the question of constitutionality of HB 1018, as it violates the Second Amendment of the United States Constitution, which states, "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

The SPEAKER. The gentleman, Representative Bernstine, raises the point of order that HB 1018 is unconstitutional. The Speaker, under rule 4, is required to submit questions affecting the constitutionality of a bill to the House for decision, which the Chair now does.

On the question,

Will the House sustain the constitutionality of the bill?

The SPEAKER. The Chair recognizes the gentleman, Representative Bernstine, on the motion.

Mr. BERNSTINE. Thank you, Madam Speaker.

Madam Speaker, very clearly when we were sworn in this year – and most of us several times before – we swore an oath to defend the Constitution of the Commonwealth of Pennsylvania as well as the United States of America. As I discussed earlier, this is in clear violation of the Second Amendment, and therefore, is unconstitutional, and I would appreciate a vote confirming as such.

Thank you, Madam Speaker.

The SPEAKER. The Chair recognizes Representative Cutler.

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, the good gentleman raises the issue of constitutionality. I would like to put a little bit more legal background on that argument because I do think it is important. Recently there was *New York State Rifle & Pistol Association v. Bruen*, which is referred to as the *Bruen* case, and in that case, the U.S. Supreme Court held that the government that imposes a regulation on a Second Amendment right, it must point to historical precedent from before, during, and even after the founding that evidence is a comparable tradition of gun regulation. Additionally, in the *Rahimi* case, which is a Fifth Circuit case, that court of appeals applied the *Bruen* test to a Federal law prohibiting individuals from possessing firearms while under an active restraining order relating to domestic violence. What is interesting, Madam Speaker, is in that particular case, the law struck down in *Rahimi* was a prohibition on firearms for restraining orders issued after a notice and

hearing. An interim extreme risk protection order that is authorized in this bill provides neither of those to those individuals.

Additionally, regarding the issues of constitutionality, and the prime sponsor, whom I have a great deal of respect for, brought up the issue of mental health stigma, and I would agree with her on that point. We, as a society, for too long have attached a stigma to issues of mental health. However, I do not believe that we should infringe on constitutional rights as we try to address the mental health issue.

When you look at this underlying bill as proposed, there are also serious due process concerns. I know the good gentleman did not raise that in the motion of constitutionality, but as we continue this discussion, I am sure that will come up as well, because I know personally, in my home county of Lancaster County, we have seen a weaponization of protection from abuse orders, or PFAs. Typically, when you see paperwork filed for divorce and custody, a PFA oftentimes accompanies that, and, Madam Speaker, my fear is that this will just become the latest filing that will accompany that PFA and used in those areas as well.

So I think the good gentleman has raised the proper issues of constitutionality, and I would urge support of his motion.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes Representative Bradford.

Mr. BRADFORD. Thank you, Madam Speaker.

I appreciate the good minority leader's explanation of the current constitutional situation as he sees it. I would also remind him that 19 states currently have similar statutes on the books. I would also be remiss if I did not recognize that the most recent Federal legislation, signed in a bipartisan way, actually incentivized red flag laws because of the mental health crisis that is occurring in our country, and has for some time.

And I would also be remiss – and I want to thank the good gentleman from Delaware County for making sure that any attempt, of course, to make a false statement in regards to one of these ERPOs would be punishable by a felony.

So I believe the actions of the Federal courts, the Department of Justice, and frankly, some of the actions of some of his own members, are consistent with not only the constitutionality, but the efficacy of red flag laws in addressing not just mental health challenges, but unfortunately, the poisonous combination when met with weapons.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

Those voting "aye" will vote to declare the bill to be constitutional; those voting "no" will vote to declare the bill to be unconstitutional.

On the question recurring,

Will the House sustain the constitutionality of the bill?

The following roll call was recorded:

YEAS—103

Abney	Fleming	Kosierowski	Rozzi
Bellmon	Frankel	Krajewski	Salisbury
Benham	Freeman	Krueger	Samuelson
Bizzarro	Friel	Kulik	Sanchez
Borowski	Gallagher	Madden	Sappey
Boyle	Galloway	Madsen	Schlossberg
Bradford	Gergely	Malagari	Schweyer

Brennan	Giral	Markosek	Scott
Briggs	Green	Matzie	Shusterman
Brown, A.	Guenst	Mayer	Siegel
Bullock	Guzman	McAndrew	Smith-Wade-El
Burgos	Haddock	McNeill	Solomon
Burns	Hanbidge	Merski	Steele
C Freytiz	Harkins	Miller, D.	Sturla
Cephas	Harris	Mullins	Takac
Cerrato	Hogan	Munroe	Tomlinson
Ciresi	Hohenstein	Neilson	Venkat
Conklin	Howard	Nelson, N.	Vitali
Curry	Innamorato	O'Mara	Warren
Daley	Isaacson	Otten	Waxman
Davis	Kazeem	Parker	Webster
Dawkins	Kenyatta	Pashinski	Williams, D.
Deasy	Khan	Pielli	Young
Delloso	Kim	Pisciottano	
Donahue	Kinhead	Probst	McClinton,
Evans	Kinsey	Rabb	Speaker
Fiedler			

NAYS—98

Adams	Fritz	Lawrence	Rapp
Armanini	Gaydos	Leadbeter	Rigby
Banta	Gillen	Mackenzie, M.	Roae
Barton	Gleim	Mackenzie, R.	Rossi
Benninghoff	Gregory	Major	Rowe
Bernstine	Greiner	Mako	Ryncavage
Bonner	Grove	Maloney	Schemel
Borowicz	Hamm	Marcell	Scheuren
Brown, M.	Heffley	Marshall	Schlegel
Cabell	Irvin	Mehaffie	Schmitt
Causser	James	Mentzer	Scialabba
Cook	Jones, M.	Mercuri	Smith
Cooper	Jones, T.	Metzgar	Staats
Cutler	Jozwiak	Mihalek	Stambaugh
D'Orsie	Kail	Miller, B.	Stehr
Davanzo	Kaufner	Moul	Struzzi
Delozier	Kauffman	Mustello	Topper
Diamond	Keefer	Nelson, E.	Twardzik
Dunbar	Kephart	O'Neal	Warner
Ecker	Kerwin	Oberlander	Watro
Emrick	Klunk	Ortitay	Wentling
Fee	Krupa	Owlett	White
Fink	Kutz	Pickett	Williams, C.
Flick	Kuzma	Rader	Zimmerman
Flood	Labs		

NOT VOTING—0

EXCUSED—0

The majority having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the bill was sustained.

On the question recurring,
Shall the bill pass finally?

CONSTITUTIONAL POINT OF ORDER

The SPEAKER. For what purpose does the gentleman rise?
Mr. BERNSTINE. Thank you, Madam Speaker.

Madam Speaker, since we chose not to pay attention to the United States Constitution, we are going to see if we can pay attention to the Pennsylvania Constitution. As a result, I would like to raise the question of constitutionality of HB 1018, as it is a violation of the Constitution of the Commonwealth of Pennsylvania under Article I, section 21, that clearly states, "The

right of the citizens to bear arms in defense of themselves and the State" – and I will say it a little loud so maybe we can pay attention this time – "shall not be questioned."

The SPEAKER. Representative Bernstine raises the point of order that HB 1018 is unconstitutional according to the Constitution of this Commonwealth. The Speaker, under rule 4, is required to submit questions affecting the constitutionality of a bill to the House for decision, which the Chair now does.

On the question,
Will the House sustain the constitutionality of the bill?

The SPEAKER. The Chair recognizes the maker of the motion, Representative Bernstine.

Mr. BERNSTINE. Thank you, Madam Speaker.

Once again, Article I, section 21, of the Pennsylvania State Constitution clearly states that "The right of the citizens to bear arms in defense of themselves and the State shall not be questioned." As a result, this is clearly questioning the right to individuals to bear arms in defense of themselves in the Commonwealth of Pennsylvania.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

Those voting "aye" will vote to declare the bill constitutional under the Commonwealth of Pennsylvania's Constitution; those voting "no" will be voting to declare the bill to be unconstitutional.

On the question recurring,
Will the House sustain the constitutionality of the bill?

The following roll call was recorded:

YEAS-103

Abney	Fleming	Kosierowski	Rozzi
Bellmon	Frankel	Krajewski	Salisbury
Benham	Freeman	Krueger	Samuelson
Bizzarro	Friel	Kulik	Sanchez
Borowski	Gallagher	Madden	Sappey
Boyle	Galloway	Madsen	Schlossberg
Bradford	Gergely	Malagari	Schweyer
Brennan	Giral	Markosek	Scott
Briggs	Green	Matzie	Shusterman
Brown, A.	Guenst	Mayes	Siegel
Bullock	Guzman	McAndrew	Smith-Wade-El
Burgos	Haddock	McNeill	Solomon
Burns	Hanbidge	Merski	Steele
C Freytiz	Harkins	Miller, D.	Sturla
Cephas	Harris	Mullins	Takac
Cerrato	Hogan	Munroe	Tomlinson
Ciresi	Hohenstein	Neilson	Venkat
Conklin	Howard	Nelson, N.	Vitali
Curry	Innamorato	O'Mara	Warren
Daley	Isaacson	Otten	Waxman
Davis	Kazeem	Parker	Webster
Dawkins	Kenyatta	Pashinski	Williams, D.
Deasy	Khan	Pielli	Young
Delloso	Kim	Pisciottano	
Donahue	Kinthead	Probst	McClinton,
Evans	Kinsey	Rabb	Speaker
Fiedler			

NAYS-98

Adams	Fritz	Lawrence	Rapp
Armanini	Gaydos	Leadbeter	Rigby
Banta	Gillen	Mackenzie, M.	Roae
Barton	Gleim	Mackenzie, R.	Rossi
Benninghoff	Gregory	Major	Rowe
Bernstine	Greiner	Mako	Ryncavage
Bonner	Grove	Maloney	Schemel
Borowicz	Hamm	Marcell	Scheuren
Brown, M.	Heffley	Marshall	Schlegel
Cabell	Irvin	Mehaffie	Schmitt
Causar	James	Mentzer	Scialabba
Cook	Jones, M.	Mercuri	Smith
Cooper	Jones, T.	Metzgar	Staats
Cutler	Jozwiak	Mihalek	Stambaugh
D'Orsie	Kail	Miller, B.	Stehr
Davanzo	Kaufner	Moul	Struzzi
Delozier	Kauffman	Mustello	Topper
Diamond	Keefer	Nelson, E.	Twardzik
Dunbar	Kephart	O'Neal	Warner
Ecker	Kerwin	Oberlander	Watro
Emrick	Klunk	Ortitay	Wentling
Fee	Krupa	Owlett	White
Fink	Kutz	Pickett	Williams, C.
Flick	Kuzma	Rader	Zimmerman
Flood	Labs		

NOT VOTING-0

EXCUSED-0

The majority having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the bill was sustained.

On the question recurring,
Shall the bill pass finally?

The SPEAKER. On that question, the Chair recognizes Representative Borowicz.

Mrs. BOROWICZ. Thank you, Madam Speaker.

I rise in strong opposition to gun control HB 1018, red flag laws. Gun control sounded too much like what the left's actual intent is to disarm Americans so they had to change it to gun violence today so people would buy into it. Well, we are not buying into it and we will not allow an unconstitutional bill such as this to stand that violates the Fifth Amendment along with the Second Amendment.

Let us explain how this would work here. Someone gets reported, police show up at your door, you lose all of your firearms, and then have a trial. That is not how it works here in America. You are innocent until proven guilty, even though Speaker Pelosi does not know that. It is called due process. Red flag laws violate your Fifth Amendment. This is an unconstitutional piece of legislation.

If Democrats cared about children's lives, they would have armed guards at our schools, and not just for the President and the Governor. But Democrats leave a no-gun zone sign at our children's school, but they have armed guards surrounding them with guns. Yes, they do. They would not want to disarm those that actually stop mass shootings, able-bodied men and sheep dogs who run towards gunshots to save lives. If Democrats cared about crime, they would not leave our border open to criminals coming in by the thousands.

But it is not really about that for them. The plan and the strategy has always been and will be to disarm law-abiding citizens, and any Republican that thinks they can vote for this today, know that you are aiding and abetting the socialism and communism that the Democrats are pushing in this nation.

Our job as Representatives in this State House is to protect and secure the rights given to us in the PA Constitution and the Constitution of the United States. I ask my colleagues to vote "no" on HB 1018.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentelady.

As a reminder to the members, during debate you should not and cannot impugn the motives of members. You can certainly talk about the bill and whether or not you support it, but please do not impugn the motive of other members.

Will the House agree to the bill?

On that question, the Chair recognizes Representative Pielli.

Mr. PIELLI. Thank you, Madam Speaker.

Madam Speaker, I come to you today to speak in support of HB 1018. I speak to you as a gun owner and a person who has a license to carry. I am also a veteran who has suffered from depression. I also worked as a correctional counselor and as an attorney for years, working with veterans who suffer from depression, anxiety, and PTSD (post-traumatic stress disorder). As some of you may have heard, we have a suicide rate, as veterans, 83 percent higher than the average American, and these suicides are often done through firearms.

I think back to all those veterans I worked with – all those faces, their stories, their pain – and I cannot help but think of those who I know who did not make it, and I wonder, could they have been saved if someone could have taken their weapons away, if someone just calmed them down and spoke to them?

I am not interested in permanently depriving you of your firearms. I, too, took an oath to support, obey, and defend the Constitution of the United States against all enemies, foreign and domestic, and I am here to tell you that this will not permanently deprive you of your weapons, but this will save veterans, and I am asking you to think of that, think of these people. This is about saving lives.

I think it is very sad that we are here impugning upon ourselves different labels. The label of a "socialist," for example, I must take exception with, as someone who served my country. I am asking us just to take a second and think about people. People; people's lives, families. You have heard from the Representative from Delaware County about her story. This will not solve all of gun violence; I get that. But even if we save some lives, is it not worth it? Think about that. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes Representative Rowe.

Mr. ROWE. Thank you, Madam Speaker.

Madam Speaker, will the sponsor of the bill rise for brief interrogation?

The SPEAKER. The gentelady declines interrogation.

Mr. ROWE. Thank you, Madam Speaker.

Madam Speaker, will the majority chairman of the Judiciary Committee stand for interrogation on the bill?

The SPEAKER. The gentleman declines interrogation.

Mr. ROWE. Thank you, Madam Speaker.

Madam Speaker, will the majority leader stand for brief interrogation on the bill?

The SPEAKER. The gentleman agrees.

Mr. ROWE. Thank you, Madam Speaker.

I appreciate that we are able to ask questions. I would like to ask, first of all, the bill specifically mentions purchasing a firearm or simply attempting to purchase a firearm as justification for the execution of an extreme risk protection order and the confiscation of an individual's property. So my question is, is purchasing or attempting to purchase a firearm an illegal act in the Commonwealth of Pennsylvania?

Mr. BRADFORD. The plain language of the statute is clear. I believe the gentleman knows the answer, but if he does not, he should just consult an English language dictionary.

POINT OF ORDER

Mr. CUTLER. Point of order, Madam Speaker.

The SPEAKER. The gentleman will state his point of order.

Mr. CUTLER. I believe the good gentleman is seeking a legitimate answer to a legitimate question regarding the application of the bill. I would simply request that we could abide, even if the answer was simply a yes or a no. I think that would be the best way to get through this as quickly and efficiently as possible.

The SPEAKER. The gentleman has agreed to be interrogated. He is able to answer questions.

Mr. BRADFORD. Madam Speaker, if I could too. Words like "confiscation" I believe have a connotation, and I believe your question was loaded, but I am glad to answer any of your well-intended questions.

Mr. ROWE. Thank you, Madam Speaker.

Moving past the assumption of motive in my question, we will move on to the reason for the inquiry – though it should seem commonsense – is that purchasing a firearm, which obviously should not be an illegal act; however, does subject an individual to an extreme risk protection order. Therefore, the question was – and let me rephrase – where else in our judicial system does doing something that is legal subject you to something like a confiscation of your personal property?

Mr. BRADFORD. So I believe it is a hypothetical, but I will say this: There are prohibited purchasers, I believe, currently. I believe you would agree that a felon should not currently be purchasing a semiautomatic weapon. Would you agree with that? I say that not to ask a question, but to answer your question.

Mr. ROWE. Well, thank you.

Unfortunately, this statute does not state a felon who attempts to purchase a firearm; it simply says "attempting to purchase...a firearm." So a law-abiding citizen attempting to purchase a firearm will be subject to an ERPO under this legislation as it is drafted. Thank you for the answer.

One more question, further on in the bill. It does require that respondents of an extreme risk protection order be required to prove their innocence in a termination hearing. Where else in our judicial system is there burden of proof laid on the innocent? Presuming why do we have a presumption of guilt in this bill versus a presumption of innocence, which has been the foundation of our judicial system and the judicial systems of most established republics and democracies around the world?

Mr. BRADFORD. Yours is not a question but a conclusion – and a wrong conclusion.

Mr. ROWE. If it is incorrect, I believe that actually the language is quite clear, if I am not mistaken, that the bill states that a termination of a hearing – the respondent seeking the

termination, rather, "...shall have the burden of proving, by a preponderance of the evidence, that the order was issued in error...." So yes, in fact, Madam Speaker, the burden of proof is on the victim, meaning that there is a presumption of guilt, not a presumption of innocence. But I thank you for your opinion on the matter.

Madam Speaker, on the bill?

Mr. BRADFORD. Was there a question there, sir?

Mr. ROWE. I asked where else in our judicial system the burden of proof was on the defendant, where we presumed guilt instead of innocence. I did not think I was going to get an answer.

Mr. BRADFORD. So there was no question.

Mr. ROWE. I asked where else in our judicial system the burden of proof is on the defendant; where else do we presume guilt instead of innocence?

Mr. BRADFORD. Again, I believe your question is rhetorical.

Mr. ROWE. Where else do we presume guilt in our judicial system?

Mr. BRADFORD. Again, guilt is a criminal conclusion.

The SPEAKER. The gentlemen will suspend.

On the bill.

Mr. ROWE. Thank you, Madam Speaker.

So I guess the answer to the question is nowhere. So I think that is why the biggest issue with this bill, Madam Speaker – it is well intended. Of course it is. We all want to save lives, and I commend the good gentlelady for wanting to address what she perceives to be an issue. However, I believe the way that the bill is drafted, it does exactly the opposite.

Madam Speaker, the way the bill is currently drafted, it does allow for an individual who is simply purchasing a firearm legally – the individual has done nothing wrong, the individual passes background checks, the individual is allowed to be a legal firearm owner; this individual could already own firearms – but simply purchasing a firearm or even attempting to purchase a firearm subjects them to an extreme risk protection order in this bill.

Then, Madam Speaker, this individual is deprived of their property. Their property is confiscated without due process, and in other states, as was mentioned, other states have these bills, but sadly, Madam Speaker, we should be learning from those other states. In Maryland, for example, before they even issued their 10th ERPO in Anne Arundel County, one person's life was lost, because when they went to seize that individual's weapon, that individual was killed in their home.

So, Madam Speaker, again, attempting to do good, this bill is creating a host of unintended consequences. So after a law-abiding individual tries to purchase a gun, is then slapped with an extreme risk protection order, as this bill allows, that individual is then added to a database and there is nothing spelled out in the bill for how that individual's name could then be removed from that database. That individual could be flagged forever, and then at a hearing to try to eliminate this unjustly applied extreme risk protection order, the individual is required to prove their innocence, prove their innocence rather than having the government, the prosecutorial body, be required to prove their guilt.

Madam Speaker, this is an aberration of our judicial system that we should be very concerned about, whether we are talking about depriving people of their private property, whether we are talking about any other issue. Presuming guilt instead of

presuming innocence is a very dangerous and dark road to go down, Madam Speaker. So I would ask for "no" vote on this bill based on the fact that we are upending the judicial precedent that has existed in this country and this Commonwealth for hundreds of years protecting victims and their rights, and we are upending that by presuming guilt instead of presuming innocence.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

On that question, the Chair recognizes Representative Diamond.

Mr. DIAMOND. Thank you, Madam Speaker.

Madam Speaker, a previous speaker said that this is okay because we are not permanently taking away your right to bear firearms, to possess firearms. Temporarily is okay. That is strange to me. It is stunning to me that this body which just went through, less than 3 years ago, an instance where His Excellency, the Governor, put forth policies that stripped Pennsylvanians temporarily of their rights to contract, of their rights to pursue happiness, and of their rights to leave their homes, and was rejected at the ballot box by the people of this Commonwealth—

POINT OF ORDER

Mr. BRADFORD. Point of order, Madam Speaker?

Mr. DIAMOND. It is amazing to me, Madam Speaker—

The SPEAKER. The gentleman will suspend.

For what purpose does the gentleman, Representative Bradford, rise?

Mr. BRADFORD. The gentleman is far afield.

The SPEAKER. The gentleman's point of order is well taken. Reminder for the Representative speaking to stay on HB 1018.

POINTS OF ORDER

Mr. CUTLER. Point of order, Madam Speaker?

The SPEAKER. You may state your point of order.

Mr. CUTLER. Regarding the good gentleman's point of order about being far afield, I think it is entirely appropriate that the gentleman use other examples of the government's view of being temporary. So I do believe he is staying within the confines of the debate and the bill that is here before us.

The SPEAKER. The gentleman's point of order is not well taken. The gentleman speaking will confine his remarks to relevant comments on the passage of HB 1018.

Mr. CUTLER. Point of order, Madam Speaker?

The SPEAKER. For what purpose does the gentleman rise?

Mr. CUTLER. Madam Speaker, what would be the proper parliamentary process, then, under your rules in addressing the other leader's point of order, which I view to be invalid?

POINT OF ORDER

Mr. BRADFORD. Point of order, Madam Speaker.

The SPEAKER. The gentleman will suspend.

The Chair has already ruled on your point of order.

Mr. CUTLER. Madam Speaker?

The SPEAKER. I am talking. I am talking.

If you disagree with the Chair's ruling, you may file a motion to appeal the ruling of the Chair.

POINT OF ORDER

Mr. CUTLER. Point of order, Madam Speaker.

Mr. BRADFORD. I think I was up.

Mr. CUTLER. Point of order, Madam Speaker.

Mr. BRADFORD. Madam Speaker, I believe I had made my point of order first.

The SPEAKER. The majority leader is recognized, as you did make a point of order as we were explaining the prior decision and the protocol for appealing decisions.

Mr. BRADFORD. And I apologize, Madam Speaker. I just was hoping that I would be recognized in order.

The good gentleman, the minority leader, I believe referred to it as "your rules," directed to the Speaker. I believe the minority leader well knows, as a former Speaker, they are not any one person or individual's rules. They are the collective rules of this body which were voted on in a democratic way.

PARLIAMENTARY INQUIRY

Mr. CUTLER. Point of order, Madam Speaker.

The SPEAKER. For what purpose does the gentleman rise?

Mr. CUTLER. Madam Speaker, respectfully, my inquiry – and perhaps this is a parliamentary inquiry – was not regarding how to appeal a ruling of the Chair. I am very familiar with that. We have had the opportunity to do it several times. However, my inquiry was, according to the rules, if the good gentleman interrupts a member who was in the middle of discussing a bill and I wish to defend the member because I believe he is on point, what would the proper procedure be to comment during the good gentleman's point of order? Not appeal your decision of whether or not he was afield, but actually discuss the point of order itself.

Mason's Manual is very clear that points of order can be raised on subsequent points of order, and you, as Speaker, in fact ruled on my point of order detailing how to overturn the ruling of the Chair, which implies that it would in fact have been in order because you made a decision.

The SPEAKER. The Chair thanks the gentleman.

Reading from the rules of the House of Representatives of the Commonwealth of Pennsylvania 2023-2024 session, for everyone's reference, rule 4 states: "The decision of the Speaker shall stand as the decision of the House unless so appealed and overturned by a majority of the members elected to the House. The Speaker may, in the first instance, submit the question to the House. Questions involving the constitutionality of any matters shall be decided by the House. On questions of order there shall be no debate except on an appeal from the decision of the Speaker or on reference of a question to the House. In either case, no member shall speak more than once except by leave of the House."

POINT OF ORDER

Mr. CUTLER. Point of order, Madam Speaker?

The SPEAKER. The gentleman will state his point of order.

Mr. CUTLER. And, Madam Speaker, I am happy to have a parliamentary discussion after session in greater detail; however, my original question has not been answered. If an individual interrupts a member who is appropriately debating a bill, at what point can we object, as the floor leaders, to discuss that?

I understand that you keep going back to that you have made a ruling. Madam Speaker, respectfully, it is not an issue of a ruling; it is whether or not people can be interrupted while they are discussing the merits of the bill. I would offer they should not be because this is the place that we should discuss these issues. I am glad to schedule a meeting at the conclusion of session because, respectfully, the idea – and this is something that I myself did when I was in the rostrum – the idea that the leaders cannot debate over whether or not the debate was appropriate is a wholesale change of past precedents here in the House.

The SPEAKER. The Chair thanks the gentleman.

Again, for the reference of the members, reading from rules of the House of Representatives, Commonwealth of Pennsylvania, 2023-2024 session, under rule 4, "On questions of order there shall be no debate...." I am going to read it again just so all the members hear: "On questions of order there shall be no debate except on an appeal from the decision of the Speaker or on reference of a question to the House. In either case, no member shall speak more than once except by leave of the House."

Representative Diamond, you may proceed.

Mr. DIAMOND. Thank you, Madam Speaker.

Madam Speaker, I would like to continue to speak on the bill and its provisions to temporarily strip Pennsylvanians of their constitutional rights, and I believe that is actually in the bill, Madam Speaker. And I would ask if it would be okay if we were to temporarily strip the rights of people to speak, temporarily strip their rights to a jury trial, temporarily strip their rights to not be discriminated against based on their ethnicity, race, religion, and everything else we prohibit discrimination on? I would ask, would we temporarily restrict someone's right to peacefully assemble? And no, we should not. And that is why this bill is a horrific piece of legislation.

I understand that the person who an ERPO would be filed against would have their day in court. But guess what? Until such time, they would be restricted from exercising their constitutional right to defend themselves and be prepared to defend the Commonwealth. Temporary, permanent; does not matter. It is an insult, an insult to the founding of our Commonwealth and its principles to temporarily restrict any right listed in Article I without due process. Even temporarily is restricting that right.

Madam Speaker, I have spoken about this on the floor. I have been the victim of retaliatory PFAs which stripped me of my rights to enjoy my home. They were later withdrawn, and it does not matter that it was only temporary for me. I was still unfairly stripped of my right to be in my own home. Stripping someone of their rights without due process is wrong, even temporarily. And I would add, Madam Speaker, I know that the constitutionality of this has been brought up before, but I want to remind this body that Article I, section 25, states that "To guard against transgressions of the high powers which we have delegated, we declare that everything in this article" – referring to Article I – is excepted out of the general powers of government" – that is what we are doing right here; this is the general powers of government – "and shall forever remain inviolate." Forever out of the powers of general government. We are the powers of general government. And you, with the powers of general government, are now arguing that we should temporarily strip people of their rights, which is forbidden by Article I, section 25, of our Constitution.

Madam Speaker, this is a horrible bill and I urge anyone who stood here on this floor and took an oath of this Constitution to vote "no" on it. It is a horrible bill. There is only one good thing about this bill. It is that I know, deep down in my heart, it will go, if you pass it, to the Senate to die.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes Representative Borowski on HB 1018.

Mrs. BOROWSKI. Thank you, Madam Speaker. I appreciate the opportunity.

I rise today in support of HB 1018, and I have a story to share. Wednesday, March 28, a young mother by the name of Stephanie Miller went to a local Wawa for what she thought was a child custody exchange. It was a safe place, a place where there were a lot of people, a place where she thought she could deal with an ex-husband whom she had had several protection from abuse orders against; documented violence and domestic abuse.

That night she lost her life at the Wawa, killed in my township by her ex-husband, a man who had threatened her in the past with violence and in fact had threatened to kill her. This man had been troubled for many years and he finally acted on what he told her he was going to do, with a weapon he had purchased 12 days prior.

I was the president of the Radnor Township Board of Commissioners at the time and I naively thought, along with some of the residents of my township, that we could enact our own legislation, frustrated by the fact that this body had not moved on any gun legislation, that it had sat dormant for many years. We went about crafting our own ordinance to allow for ERPO in our township. I will never forget the look on my solicitor's face when he came to me and said, "Lisa, you cannot enact laws that are more restrictive than the State." That has lived with me. At the time we then decided to write a letter to this body, a letter to all of the leaders of this body from 30,000 residents of a township that I represented. We never heard a word. There was no legislation enacted, nothing ever happened, and the life of Stephanie Miller was lost after her husband purchased an automatic weapon 12 days prior and acted upon his threat to kill her.

So today I urge my colleagues to join me in doing more than writing a letter. I urge you to vote for HB 1018. I thank the gentlelady from Delaware County for putting this bill together and putting it on the floor. I hope that my colleagues will join me, because today I have an opportunity to do more than just write a letter. Thank you.

The SPEAKER. The Chair thanks the gentlelady.

The Chair recognizes Representative Banta on final passage, HB 1018.

Mr. BANTA. Thank you, Madam Speaker.

It is my honor to speak to you and this body for my first time. Thank you.

I just want to say that I have worked 18 years as a security specialist. I have traveled to several third-world countries. I have never felt safer than being around men carrying sidearms, because I looked after their life and they looked after mine. If an active shooter came into this building, I assure you that I would protect you with my life, as much as I would have anybody I ever protected. It does not matter if there was a transgender standing right here beside me, I would protect that transgender here and I would protect them with my life. I would protect anybody in this House with my life.

I am sorry, sir, the point I am just trying to make – no disrespect – the point I am trying to make here is that—

Mr. BRADFORD. Madam Speaker, can we just redirect the gentleman back onto the topic.

Mr. BANTA. Okay. Thank you, sir. No problem. Sorry.

I am just saying I would protect you all equally. So it is that important to me.

But I want to say something. My father said to me one time – and jokingly, of course; jokingly – "Son, everybody in this world is crazy except for me and you, and I'm not so sure about you." So the point of the story is, if we are okay to point fingers at somebody, we could say, as the good fellow said earlier that he was suicidal, we could say that he is not fit to carry.

This red flag law is very dangerous. Thank you so very much for listening to me. Thank you for your time. I yield.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes Representative Madden on HB 1018, final passage.

Ms. MADDEN. Thank you, Madam Speaker.

Coming from an academic background and listening to all of these arguments about how this is our constitutional right to carry a firearm – constitutional right, constitutional right – I would like to point out that the last greatest Republican President, Abraham Lincoln, he suspended habeas corpus in order to keep our country together. He also was criticized for suspending First Amendment rights—

POINT OF ORDER

Mr. CUTLER. Point of order, Madam Speaker?

Ms. MADDEN. —because it was necessary for an action.

The SPEAKER. The gentlelady will suspend.

For what purpose does the gentleman rise?

Mr. CUTLER. Respectfully, the good lady is far afield from the issue at hand, which is ERPOs. I simply encourage you to please discuss staying within that confined debate.

The SPEAKER. The Chair thanks the gentleman.

Other members have brought up the constitutionality of this bill and Executive orders and the like, so the gentlelady is in order and may proceed.

Ms. MADDEN. Thank you, Madam Speaker.

And that was my point, academically, that we have suspended rights, and we talked about our former Governor and how he suspended so many rights when we were experiencing a once-in-a-century pandemic. How many of those rights have you lost forever and ever? Anything? You can go out to eat in a restaurant. You can go get your nails done. All those rights have been given back to you because we addressed the issue.

So now I want to address the issue in this bill that my colleague, the gentlelady from Delaware County, brought up and told her really painful story about losing her dad to gun violence and how the chairman, the gentleman from Lehigh County, talked about how more people die from gun death who are mentally ill. So we are not looking to take away your guns just because we want to take away your Second Amendment right. These are very specific times in which this emergency court order can be sent out: "Suicide threats or attempts...Threats or acts of violence or attempted acts of violence...Domestic abuse...Cruelty to animals...Abuse of controlled substances...Unlawful or reckless use...brandishing a firearm...Recent acquisition or attempted

acquisition of a firearm." Who in their right mind would want anybody in this condition to have access to a firearm?

This is not a permanent thing. This is to take firearms out of a dangerous household and to give people a chance to work things out and to get counseling. We have not heard one argument on this side of the aisle about mental health and how we address mental health and firearms. This bill is a pathway to do both of those things, and I am going to be a "yes" vote.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentledady.

The Chair recognizes Representative Leadbeter.

Mr. LEADBETER. Thank you, Madam Speaker.

On the bill, Madam Speaker?

The SPEAKER. The gentleman may proceed.

Mr. LEADBETER. Thank you, Madam Speaker.

In the language of the bill, factors in determining whether grounds exist to issue an extreme risk protection order are indeed listed, and when examining the actual language of the bill, it includes "cruelty to animals" under Pennsylvania definition. But the line does not stop there. It extends to "...or a similar law in another state." This factor would subject Pennsylvanians to another State's laws. Hunters, owners of backyard flocks, or individuals who have any other interaction with animals within the Commonwealth, that that interaction in another State be defined as "cruelty" would place Pennsylvanians at the mercy of another State's laws.

This body should not pass legislation that would subject Pennsylvanians to another State's laws while they reside in this Commonwealth. For this reason I urge a "no" vote on HB 1018.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

As is the custom of this House, the Chair is about to recognize the floor leaders. Are there any other members seeking recognition on final passage of HB 1018?

The Chair recognizes Representative Eric Nelson.

Mr. E. NELSON. Thank you, Madam Speaker.

I did not anticipate that list was ending so quickly. Thank you for the opportunity to rise and oppose this bill. And we have to say, if we want to speak the truth, and earlier members mentioned the goal of this bill is to combat gun violence, then should we not be pursuing the criminals that are perpetrating the crimes? Whether we talk about First Amendment, Second Amendment, if we talk about crime and the desire to crime – right? – mentions data, Representatives mentioned data, but if we look at the city of Pittsburgh, in their last study, 80 percent of guns used in violent crime were illegally owned by those individuals. If we want to talk about gun deaths and the reality in Pennsylvania, that is a clear Philadelphia problem. The party that wants to defund the police—

The SPEAKER. The gentleman will suspend. The gentleman is speaking impertinently towards the city of the first class. If the gentleman maintains decorum, he may continue.

Mr. E. NELSON. Thank you, Madam Speaker.

And I do seek to maintain decorum. And the reason we mention the city of the first class, because if we talk about the last year of record – even though my mike was silenced – the number of homicides in that city should not be silent. The entire city of the first class last year, record 2020, had 562 gun violence deaths. The entire State of Pennsylvania, the rest of the entire State in that same year had 136 firearm homicides. So when we talk about a city with a problem or a city that is choosing not to pursue their criminals, we should focus on the problem.

POINT OF ORDER

Mr. BRADFORD. Madam Speaker, the gentleman seems very far afield.

Mr. E. NELSON. Madam Speaker, as I bring it back—

The SPEAKER. The gentleman will suspend and await a ruling.

Mr. E. NELSON. Thank you.

The SPEAKER. The gentleman will confine his remarks to HB 1018.

Mr. E. NELSON. Thank you, Madam Speaker.

I think the bill applies to the entire State, including the city with significantly higher gun homicide deaths.

But let us focus on the actual merits of the bill itself and let us ask the question to this chamber – who is choosing to vote to take firearms away from citizens who will not have an ability to be heard – even though I may be silenced for a third time, the facts speak for themselves, and those facts are, who is going to take the guns? We have seen the maker of the bill already decline interrogation because she does not want to face the fact that this is a clear officer safety issue—

POINT OF ORDER

Mr. BRADFORD. Madam Speaker, the gentleman is questioning motives.

The SPEAKER. The gentleman will suspend. The gentleman will suspend. The gentleman will not question motives of other members during debate.

For what purpose does the gentleman, Representative Bradford, rise?

Mr. BRADFORD. I apologize, Madam Speaker. I believe you have dealt with the—

The SPEAKER. And for the record, the gentleman has not been silenced. But if the gentleman does not follow the rules of debate, he will not be recognized any further today. You may continue.

Mr. E. NELSON. Thank you, Madam Speaker.

Staying as focused as we can on the bill, what this bill does not address is who will take the guns. Twenty-four hours without the ability defend themselves, a citizen, a lawful citizen of this State will be forced to turn in all of their handguns immediately within 24 hours or someone is going to take them. During Appropriations hearings just a few months ago, we had the troopers – no idea how much money it will cost. The Troopers Association opposes this bill, because they know in the bill, in the writing of the bill, a judge can decide 1-year suspension of firearms, which will cause our law enforcement officers to be terminated from their position. But was there any desire or ability to curb that time, to shorten that time? Was there any desire or ability to recognize we have a 302 system in Pennsylvania – pretty effective – and a 302 system could be used in the area of suicide or harm for themselves or another.

This bill is a clear infringement, yet another step on taking a citizen's ability to protect themselves and not allow them even a day in court. We should not only oppose this bill, but we should let it be known the true intent. To eliminate a citizen's ability to face their accuser from a domestic violence – remember, we passed that bill; mandatory turning in, domestic violence already covered, 302 already covered. Crimes do not seem to be prosecuted in certain areas the way that they could be, but this

bill goes after lawful gun owners, forcing them to not be able to protect themselves, and we should all oppose it.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes Representative Kinkead.

Ms. KINKEAD. Thank you, Madam Speaker.

First, I want to talk about the factors that have been brought up about the grounds to actually issue an extreme protection order. We have heard prior speakers talk about individual grounds that would allow for someone to have an extreme risk protection order issued; however, no one factor is determinant. They are all part of a judge's decision. They are weighed collectively, in addition to any information the court finds to be reliable, if it is admissible, including the statement by the respondent. We have other laws, including our divorce law, that allow judges to take into account multiple different factors and weigh a preponderance of the evidence in making their decision. That is all that this does. Recency of acquisition or attempted acquisition of a firearm is not determinant of whether or not an extreme risk protection order would be issued.

Also, a prior speaker addressed the burden of proof for terminating an extreme risk protection order, and I would like to clarify that this is not a criminal statute, so guilt and innocence are irrelevant. What the respondent at a termination hearing, why they have the burden of proof is because they are seeking to terminate the order early, and when you are trying to get any order terminated before the judge has determined it should be terminated, you always have the burden of proof to make that argument. It is on you to prove an early termination.

We have talked over and over and over again about 302, and I want to talk to you guys about the fact that it takes years and thousands, or tens of thousands of dollars to actually have your gun owner rights restored if you are 302'd. It happened to my cousin; he is still battling it.

So the reality is that this allows for us to protect people from themselves, from others, and to preserve someone's right to own firearms. It accomplishes both things. And if we had had something like this in place, Jon Abentroth, whom I went to high school with, would still be alive. Thank you.

THE SPEAKER PRO TEMPORE (ROBERT F. MATZIE) PRESIDING

The SPEAKER pro tempore. The Chair thanks the gentlelady and recognizes the gentleman, the majority chairman of the Appropriations Committee, Representative Harris.

Mr. HARRIS. Thank you, Mr. Speaker. I will be real quick.

It seems as though the gentleman had a lot to say about the city of the first class, so let us do this. If you really care about the homicides that are happening in the city of the first class, let us do this. Let us stop all of the points of order, let us stop all of the speeches, and let us just run the bills, because my police in the city of the first class, they want this bill. My police in the city of the first class, they want lost and stolen. My police in the city of the first class, they want all of these pieces of legislation to help them actually fight crime.

So if you give a darn about what is happening in the city of the first class beyond just speaking about it, let us stop talking, let us run the bills, and let us see where the votes lie. Because

I will tell you where I am voting on all of them. Let us see how much you really care about the city of the first class.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Representative Struzzi.

Mr. STRUZZI. Thank you, Mr. Speaker.

I rise today to oppose HB 1018, though I appreciate the catalyst behind it and I certainly appreciate the mental health crisis we face in our State and in our nation and in our society right now. But I do not think this bill is the answer because it will take away the rights of law-abiding citizens.

But I do want to say that there is an alternative to this extreme bill. There is a Web site out there right now, an organization, a nonprofit organization across this Commonwealth called holdmyguns.org. If you are facing a mental health crisis, or someone in your family, it should not have to go to the point where we have to take it to the courts or we have to get law enforcement involved in every case. Holdmyguns.org will work with a local gun dealer to safely store those firearms until this person is through their mental health crisis. So if you are having a bad day, you are having a bad week, you are having a bad month, it does not have to come to this extreme level. Holdmyguns.org, and I think gun advocates would support that as well. So thank you for your time.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman. There are no further speakers listed before we go to the leaders.

The Chair recognizes the minority leader, Representative Cutler.

Mr. CUTLER. Thank you, Mr. Speaker.

Mr. Speaker, this will likely become a recurring theme as we discuss each of the four bills, and that is – and I appreciate the good lady from Allegheny County highlighting this – the impact on lawful gun owners versus everyone else and what that means. I agree that the 302 process needs improved. I agree that it is flawed, and to get your firearms restored after a 302 admission is nearly impossible for most individuals. However, that does not mean that we should add another flawed process into that mix in the name of not improving the 302 process or the mental health.

The mental health stigma that exists that the prime sponsor spoke about is real. We have debated a lot of bills here. Actually, we have not debated them because we agreed on them. We discussed a lot of bills in this chamber regarding the mental health issues. However, this bill is a risk of just adding to that list of the stigma. I referenced it during the constitutionality arguments, and that is the issue of due process. In the *Rahimi* case, the court was very clear, and this was declared unconstitutional after notice and after a hearing, none of which this bill has. That is an issue, Mr. Speaker.

I discussed weaponization of PFAs. And you can add this one to the list. It will simply be used in that manner in some cases; not every case, not every case, but if it is going to be used in that manner to gain a leg up on custody hearings or divorce proceedings, it is simply wrong. Now, it is criminal; my good friend, the leader, pointed that out.

But let us talk about the burden of proof that was raised during this debate. It is factually accurate to say there are different burdens of proof for the red flag bill, which is a civil proceeding, and a preponderance of the evidence – is it more likely than not? – versus proving the criminal conviction of somebody wrongfully

filing a report. That will be clear and convincing, because it is criminal conduct. I believe it is a felony that the good gentleman from Delaware County included. So there is a disparate burden upon the two parties. The person who owns the firearms will have to prove that they are innocent, and the person who may have potentially filed a false report will have to wait for the State to prove that they are guilty. I, for one, believe that we should never operate in the world of presumed guilt. I think there are many on the floor that if this were not the underlying issue would agree with that statement.

Most importantly, Mr. Speaker, the State Troopers Association is against it, and I think that is an important issue, because as was pointed out in the opening statement by the prime sponsor, first responders and our frontline workers are in fact in the line of work that has a higher occurrence of mental health issues, concerns, PTSD, and divorce rates, all of which could be weaponized through this process, and I believe that is why that they are in opposition to this.

I agree that we need to find a solution to the mental health problem, both those that end in suicide, but just those that exist at all, but, Mr. Speaker, this bill does not actually get to that point, and that is the issue that we are now confronted with.

For those reasons I am a "no" on this bill, with the hope that we can work on a better solution for mental health; a better solution, Mr. Speaker, for our citizens so that they can exercise their constitutional rights safely and responsibly and not live in fear of government, that was outlined previously, that overreaches with a temporary law that could be extended for a very long period of time.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the majority leader, Representative Bradford.

Mr. BRADFORD. Thank you, Mr. Speaker.

I would like to follow up on some of the words of the good minority leader. He just said, and I think most of us would agree, that the 302 system is imperfect. He is not wrong; we agree. We also are humble enough to recognize that this bill today is a start; it is not a finish. It is an opportunity, if those of good intent and goodwill want to engage this conversation, because if he is serious about his desire to take on the issue of not only gun violence, but mental health challenges, and the intersection of the two, then he should join with us and work through this process. But if, like has been the case for the last 12 years, that we never talk about the issue of guns and we never bring up an ERPO bill, and frankly, after 12 years never tried to reform the 302 process, it is a little bit like crocodile tears to say on the verge of passage, well, maybe we should do something about this.

Let me tell you what our friends in Washington, DC, did. See, in a bipartisan way, they passed what is known as the Bipartisan Safer Communities Act. See, Democrats and Republicans got together and they said it was time to pass something on the issue of ERPO, and they did that. They incentivized States like Pennsylvania. In fact, they made Federal dollars available to do that very thing. And by a vote of 234 to 193, and 65 to 33 in the Senate, Democrats and Republicans came together and endorsed this very kind of legislation.

And let me tell you about some of the known gun grabbers who supported that legislation. Mitch McConnell, Mitch McConnell voted for it. He did not seem to struggle with the constitutional issues that some here are. Pat Toomey, our former United States Senator, a Republican, voted for it.

And you know, I just wanted to say this: "I am a strong supporter of the Second Amendment" – I am – "and all the protections that it entails. I also believe that we have no higher responsibility as leaders, no higher responsibility as human beings than to protect our children and to keep our community safe. These are not and must not be mutually exclusive...." I should tell you, those are not my words. Those are the words of Congressman Brian Fitzpatrick, who joined that Democrat and Republican coalition to pass these bills, because, see, they recognized in Washington, DC, that it was the right thing to do.

But let me tell you when they recognized it. They did not recognize it on a random Monday in May like we are confronted. They recognized it days after the Uvalde, Texas, massacre of 19 schoolchildren. Because, see, the only time these issues really get addressed in a meaningful way is in the wake of a slaughter of our children. And if we are being really honest, and the gentleman from the first class reminds me of this, the slow grind that goes on of gun violence in the cities is too often ignored. It is when that violence touches suburban neighborhoods like mine or communities across this Commonwealth that we finally stand up and say, "Do something." Well, that is what moved our Federal friends. After the Uvalde, Texas, tragedy, a State that is typically not friendly to gun safety legislation, a State that saw 19 children slaughtered, and the argument that has been made by the minority is, all you need is a good guy with a gun to feel safe and they will put down the bad guy. Well, I think we all saw in Uvalde, sadly, that faced with superior firepower and a person with a reckless disregard for human life and a desire to kill and lose their own life in the process, that even a good man with a gun is no answer.

And you know, we would be wrong also not to recognize that only 10 days after the Uvalde massacre was the Buffalo massacre, where a racist sociopath killed 10 African-Americans in their supermarket because of the color of their skin. Listen, there is enough hate and violence and illness in our world, but there must be solutions, and not just in the wake of those massacres, but on otherwise ordinary Mondays in Harrisburg, where we can finally pass this legislation.

And let me say this to the good gentleman from Westmoreland, because he rightfully talks about the plague of gun violence in the city of first class, a city that borders my own, my own county. Let us talk about the high rates of gun violence in Philadelphia. Out of 100,000 individuals, 19.45 Philadelphians will be touched by gun violence. It is the highest in this Commonwealth. It is painful, it is unacceptable, and we have a need for bipartisan solutions to help our city of the first class. But if we make it just about the city of the first class, we do so at our peril and we do so in a way that is self-deluding, because you know what the second highest county is? Not exactly the blue sea that is Philadelphia; it is ruby red Fulton County at 17.11. And you know what is third? Lawrence County at 16.06, and fourth is Wayne County at 17.2, and fifth is Elk County at 15.8. This is not about to cast aspersions about our respective counties or whether they are blue or red; it is to tell you that these are not blue or red problems. These are problems that affect all of us equally, and to act like these are Democrat or Republican problems that require a Democrat or Republican solution is painfully naive. It is closing your eyes and it is failing to address the slow slaughter in the city of the first class; the huge, heartbreaking, mass slaughters in our schools and in our supermarkets; and yes, the suicides that happen in red county, Pennsylvania.

Now, look, we can talk about how we deal with this in a bipartisan way. At the last budget we were supposed to do \$100 million for mental health. Sadly, the former majority party never moved on that. This majority will and we will make that happen. We will spend those dollars on mental health and we will do far more. And in the budget process ahead, we will ask our friends to work with us on the DHS (Department of Human Services) budget to make sure we address the problems with mental health. And let me tell you something. This majority party will work with you to fund the police, fund the police at levels you have never seen before, because we recognize that these challenges, again, are not blue and red. They are all of ours and they need to be addressed.

So I do not want to belabor this point. I want to move on to the vote, as the good gentleman said, but let us do so with some facts and some recognition that we are in this together as Pennsylvanians, and let us get about the work of addressing this problem once and for all.

Thank you, Mr. Speaker.

**THE SPEAKER (JOANNA E. McCLINTON)
PRESIDING**

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—102

Abney	Fleming	Kosierowski	Rozzi
Bellmon	Frankel	Krajewski	Salisbury
Benham	Freeman	Krueger	Samuelson
Bizzarro	Friel	Kulik	Sanchez
Borowski	Gallagher	Madden	Sappey
Boyle	Galloway	Madsen	Schlossberg
Bradford	Gergely	Malagari	Schweyer
Brennan	Giral	Markosek	Scott
Briggs	Green	Matzie	Shusterman
Brown, A.	Guenst	Mayes	Siegel
Bullock	Guzman	McAndrew	Smith-Wade-El
Burgos	Haddock	McNeill	Solomon
C Freytiz	Hanbidge	Merski	Steele
Cephas	Harkins	Miller, D.	Sturla
Cerrato	Harris	Mullins	Takac
Ciresi	Hogan	Munroe	Tomlinson
Conklin	Hohenstein	Neilson	Venkat
Curry	Howard	Nelson, N.	Vitali
Daley	Innamorato	O'Mara	Warren
Davis	Isaacson	Otten	Waxman
Dawkins	Kazeem	Parker	Webster
Deasy	Kenyatta	Pashinski	Williams, D.
Delloso	Khan	Pielli	Young
Donahue	Kim	Pisciottano	
Evans	Kinthead	Probst	McClinton,
Fiedler	Kinsey	Rabb	Speaker

NAYS—99

Adams	Flood	Labs	Rapp
Armanini	Fritz	Lawrence	Rigby
Banta	Gaydos	Leadbeter	Roae
Barton	Gillen	Mackenzie, M.	Rossi

Benninghoff	Gleim	Mackenzie, R.	Rowe
Bernstine	Gregory	Major	Ryncavage
Bonner	Greiner	Mako	Schemel
Borowicz	Grove	Maloney	Scheuren
Brown, M.	Hamm	Marcell	Schlegel
Burns	Heffley	Marshall	Schmitt
Cabell	Irvin	Mehaffie	Scialabba
Causar	James	Mentzer	Smith
Cook	Jones, M.	Mercuri	Staats
Cooper	Jones, T.	Metzgar	Stambaugh
Cutler	Jozwiak	Mihalek	Stehr
D'Orsie	Kail	Miller, B.	Struzzi
Davanzo	Kaufner	Moul	Topper
Delozier	Kauffman	Mustello	Twardzik
Diamond	Keefe	Nelson, E.	Warner
Dunbar	Kephart	O'Neal	Watro
Ecker	Kerwin	Oberlander	Wentling
Emrick	Klunk	Ortitay	White
Fee	Krupa	Owlett	Williams, C.
Fink	Kutz	Pickett	Zimmerman
Flick	Kuzma	Rader	

NOT VOTING—0

EXCUSED—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

* * *

The House proceeded to third consideration of **HB 338, PN 1090**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, providing for report of theft or loss of firearm; and imposing penalties.

On the question,
Will the House agree to the bill on third consideration?
Bill was agreed to.

(Bill analysis was read.)

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage. The question is, shall the bill pass finally?

On that question, the Chair recognizes the maker of the bill, Representative Sanchez.

Mr. SANCHEZ. Thank you, Madam Speaker.

HB 338 would require lost or stolen firearms to be reported to law enforcement within 72 hours of the owner discovering their guns are missing – let me emphasize that – discovering their guns are missing.

Madam Speaker, this bill is simple and instinctive. If your car is stolen, you call the police. If you lose your credit card, you report that to the bank. Similarly, if your gun is stolen or misplaced, that should be reported too. Unfortunately, this commonsense action is not already required by law, and too often – 40 percent of the time – lost or stolen firearms are not reported.

Who takes advantage of this gap in the law? Well, it is gun traffickers, and they are fueling the ongoing epidemic of gun violence in our country. An average of 21 guns go missing every day in Pennsylvania, and that adds up very quickly – especially with those 40 percent unreported – to a lot of guns in the wrong hands. Requiring gun owners to report lost or stolen firearms to police would deter gun trafficking and discourage straw purchasing of guns. It also even assists lawful gun owners by facilitating the recovery of their lost or stolen firearm.

Ultimately, this law would strengthen public safety without penalizing responsible gun owners and is entirely consistent with the Constitution, and we know it works from other States. To be clear about who this law would punish, it is only those people who willfully choose not to report when they discover their firearm is missing.

So please, help us do something to slow the pipeline of guns to the hands of criminals. Vote "yes" and let us pass HB 338 today.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes Representative Major.

Ms. MAJOR. Thank you, Madam Speaker.

This might sound familiar to everybody here, but I am just going to say it again. Article I, section 21, of the Pennsylvania State Constitution states: "The right of the citizens to bear arms in defense of themselves and the State shall not be questioned." Thank you.

The SPEAKER. The Chair thanks the gentlelady.

The Chair recognizes Representative Kenyatta.

Mr. KENYATTA. Thank you, Madam Speaker.

I will aspire to be as brief as the gentlelady as well.

You know, usually you come up here and you try to convince people of the righteousness of your approach and of your legislation. Madam Speaker, I am not going to do that today. I think people have strongly held views on this. And I hope, Madam Speaker, that in a couple of minutes here we will have 102 votes to send this bill to the Pennsylvania Senate across the hall.

I just want to say something briefly, Madam Speaker, to the folks who know the real cost of gun violence. Some of them are sitting upstairs right now looking down as this debate goes on. Some of them are at home. Some of them are still in bed mourning the loss of their loved ones. Some of them decided to take that pain and turn it into action. They became activists in their neighborhoods because they know the real impacts of gun violence. I want to say to all of them, we hear you, we see you, and for the first time in this House in too long, we are listening and we are going to do something about it. We are going to do something about it.

During my time as a Representative, I have attended too many funerals, too many vigils, seen too many balloons get let go, too many teddy bears be left on the side of the road, but today for those families, we cannot bring back your loved one, but we can do something. We can make sure they did not lose their lives in vain. We can do something. I do not believe in this nihilist approach of there is nothing we can do. There is a lot that we can do, and there are four pieces of legislation that we are going to move to pass today.

Particularly, I want to say something to Charlene Cooper, who works in my district office. Charlene's godson was shot eight times – eight times. I will never forget Charlene telling me that, and her being so committed to the people of the district that she

did not want any days off. She said, "Malcolm, go to Harrisburg and do something."

Today, for Charlene Cooper, for so many countless people whom I could stand up here for hours and name, we hear you, we see you, and I am going to be voting "yes." Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes Representative Bonner.

Mr. BONNER. Thank you, Madam Speaker.

Our Constitution was adopted in 1789, conditioned upon the passage of a Bill of Rights, which occurred in 1791. The Constitution was only adopted with the promise those Bill of Rights would be enacted because many of the people in the country at that time did not trust the Federal government. When our Founding Fathers put together the Bill of Rights, they numbered them with their most important priority to our Founding Fathers. The right to bear arms is the second most important amendment found within our Bill of Rights. They gave it that particular number.

The Second Amendment truly recognizes what won the independence of the United States, the militia, a ragtag assemblage of farmers, tradesmen, professionals, and laborers who brought their muskets and pistols to the field of battle and defeated the most powerful army and navy known in world history to that point in time. The Second Amendment then recognized the importance and necessity of the militia, but it also recognizes that the people, not just those in the militia, have the right to keep and bear arms. As the Second Amendment states, "A well regulated Militia, being necessary to the security of a free State, the right of the people" – not just the members of the militia, but the right of the people – "to keep and bear Arms, shall not be infringed." The Second Amendment does not limit the right to bear arms to those who are in the militia. It says the right is in the people.

The United States so valued the right of the people to bear arms that we are only one of three nations in the world that have it in their Constitution. Now some 230 years later, the individual's constitutional right to bear arms, which was instrumental in achieving our independence, is under attack more so than any other provision in the Constitution.

In order to determine whether legislation is in accord with the Second Amendment of the Constitution, two cases must be considered as we deliberate this issue. The first case is *District of Columbia v. Heller*, decided in 2008. There the Supreme Court dealt with the very issue, does the right to bear arms only apply to the militia, or does it apply to our citizens? The specific ruling of the United States Supreme Court is that this is a right that belongs to the people, not just to those who are in the militia, and it is the right of the people to enjoy weapons in common use within society to defend themselves, to defend their families, and to defend this nation.

The second case decided by the United States Supreme Court, which must be considered as part of your deliberations, is *New York State Rifle & Pistol Association v. Bruen*. It was decided just last year. The Supreme Court's decision in the *Bruen* case has tremendous impact upon our ability to adopt legislation regulating firearms. In *Bruen*, the Supreme Court held that if the conduct that you are now seeking to regulate existed in the 18th and 19th centuries and it was not regulated at that time, you do not have constitutional authority to regulate it at this time.

The stealing or loss of firearms is not a new development in our history. It has existed since the development of firearms. It existed in the 18th and 19th centuries, yet the government never

passed any legislation whatsoever to deal with that issue. And under the *Bruen* decision, it is saying you cannot adopt legislation to deal with it now. It is constitutionally protected.

Aside from the historical test set forth in *Bruen*, HB 338 is just not good policy. It criminalizes someone who is exercising their constitutional right to own and possess a firearm. Other than mandated professionals, who are required by law to report child abuse, we have no other crime that makes it a crime not to report some particular offense. So in this regard, if my car is stolen, I do not have any legal obligation to report it. If I observe a drug deal, I have no legal obligation to report it. You are now making a second exception and you are dealing with a person who has the constitutional right to own and possess that firearm. You are making that individual a criminal under this legislation if he misplaces or loses his firearm and fails to report it.

I have prosecuted cases for nearly 20 years, and I can tell you that never once did I handle a case where I said, you know what? If we had just had one more firearm statute on the books, this crime would never have happened. I never said that to myself in any case, and I have handled many cases involving firearms.

The United States Supreme Court also said in *Bruen* that the Second Amendment is not a second-class right. The court noted there was no similar regulation on the freedom of speech, yet the violence in video games, the Internet, and the movies contributes to violence in this nation more so than the gun. Our children are being indoctrinated daily with violence even before they have a gun in their hand, and yet we see no regulations or statutes attempting to address the issue of violence under the First Amendment.

Since *Bruen* was adopted just 8 months ago, 31 State's statutes have been declared unconstitutional because they do pass the historical test that if you have conduct that was occurring 200 years ago and you did not regulate it then, you cannot regulate it now. The Second Amendment and the legal rights of lawful gun owners then must be protected as much as those who exercise their right of religion, free speech, freedom from self-incrimination, and freedom from unreasonable searches and seizures. It is not a second-class constitutional right.

CONSTITUTIONAL POINT OF ORDER

Mr. BONNER. I hope your vote today upholds the Second Amendment as written by our Founding Fathers and as upheld by the United States Supreme Court. This legislation will not withstand the scrutiny of the courts and it should not withstand the scrutiny of this body.

With that being said, Madam Speaker, I would move to have HB 338, declared unconstitutional as not being in compliance with the *Bruen* case and not being in compliance with the *Heller* case and not being in compliance with the decisions of the final arbiter of constitutional rights in this country, the United States Supreme Court.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

Representative Bonner raises the point of order that HB 338 is unconstitutional. The Speaker, under rule 4, is required to submit questions affecting the constitutionality of a bill to the House for decision, which the Chair now does.

On the question,

Will the House sustain the constitutionality of the bill?

The SPEAKER. The Chair recognizes Representative Bonner.

Mr. BONNER. Madam Speaker, I would ask to reserve my right to speak at the conclusion of the debate.

The SPEAKER. The Chair thanks the gentleman.

Are any members seeking to be recognized for debate on the gentleman's motion?

The gentleman is in order and may proceed.

Mr. BONNER. Thank you, Madam Speaker.

Madam Speaker, I have nothing more to add at this time, only to say that, as was mentioned earlier, we have all taken the oath to support, obey, and defend the Constitution. Now, that oath may at times interfere with our personal thoughts as to what should or should not be done, but at the end of the day, you must have sound constitutional reasons to support or not support a particular piece of legislation. I am saying to you today that under the *Bruen* case, this statute, this one in particular is unconstitutional because this conduct was occurring when our country was founded, yet we did not regulate it, and the Supreme Court has said, if you have not regulated it in the history of this nation, you cannot start regulating it today. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Those voting "aye" will vote to declare the bill to be constitutional; those voting "no" will be voting to declare the bill to be unconstitutional.

On the question recurring,

Will the House sustain the constitutionality of the bill?

The following roll call was recorded:

YEAS—101

Abney	Fiedler	Kosierowski	Rozzi
Bellmon	Fleming	Krajewski	Salisbury
Benham	Frankel	Krueger	Samuelson
Bizzarro	Freeman	Kulik	Sanchez
Borowski	Friel	Madden	Sappey
Boyle	Gallagher	Madsen	Schlossberg
Bradford	Galloway	Malagari	Schweyer
Brennan	Gergely	Markosek	Scott
Briggs	Giral	Matzie	Shusterman
Brown, A.	Green	Mayes	Siegel
Bullock	Guenst	McAndrew	Smith-Wade-El
Burgos	Guzman	McNeill	Solomon
Burns	Haddock	Merski	Steele
C Freytiz	Hanbidge	Miller, D.	Sturla
Cephas	Harkins	Mullins	Takac
Cerrato	Harris	Munroe	Venkat
Ciresi	Hohenstein	Neilson	Vitali
Conklin	Howard	Nelson, N.	Warren
Curry	Innamorato	O'Mara	Waxman
Daley	Isaacson	Otten	Webster
Davis	Kazeem	Parker	Williams, D.
Dawkins	Kenyatta	Pashinski	Young
Deasy	Khan	Pielli	
Delloso	Kim	Pisciottano	McClinton,
Donahue	Kinhead	Probst	Speaker
Evans	Kinsey	Rabb	

NAYS—100

Adams	Fritz	Labs	Rapp
Armanini	Gaydos	Lawrence	Rigby
Banta	Gillen	Leadbeter	Roae
Barton	Gleim	Mackenzie, M.	Rossi
Benninghoff	Gregory	Mackenzie, R.	Rowe
Bernstine	Greiner	Major	Ryncavage
Bonner	Grove	Mako	Schemel
Borowicz	Hamm	Maloney	Scheuren
Brown, M.	Heffley	Marcell	Schlegel
Cabell	Hogan	Marshall	Schmitt
Causar	Irvin	Mehaffie	Scialabba
Cook	James	Mentzer	Smith
Cooper	Jones, M.	Mercuri	Staats
Cutler	Jones, T.	Metzgar	Stambaugh
D'Orsie	Jozwiak	Mihalek	Stehr
Davanzo	Kail	Miller, B.	Struzzi
Delozier	Kaufner	Moul	Tomlinson
Diamond	Kauffman	Mustello	Topper
Dunbar	Keefer	Nelson, E.	Twardzik
Ecker	Kephart	O'Neal	Warner
Emrick	Kerwin	Oberlander	Watro
Fee	Klunk	Ortitay	Wentling
Fink	Krupa	Owlett	White
Flick	Kutz	Pickett	Williams, C.
Flood	Kuzma	Rader	Zimmerman

NOT VOTING—0

EXCUSED—0

The majority having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the bill was sustained.

On the question recurring,
Shall the bill pass finally?

The SPEAKER. On that question, the Chair recognizes Representative Siegel.

Mr. SIEGEL. Thank you, Madam Speaker.

Now, we have gotten something of a history lesson today on this bill and really matter of that the Constitution and the history of the Second Amendment, and there seems to be this insinuation that for all of American history, the Second Amendment has never been subject to any debate or discourse. And I think we would be remiss today if we did not consider the writings of the late Justice John Paul Stevens, who discussed in great detail and depth the fact that for the majority of our history up until 2008, there was no interpretation of the Second Amendment other than that of the fact that it governed a well-regulated militia.

In fact, in 1939, during *U.S. v. Miller*, Justice James McReynolds declared that the court could not help but take notice that a New York law banning the purchase and the sale of sawed-off shotguns was a constitutionally permissible provision because they had no reasonable relation to the efficiency or preservation of a well-regulated militia.

And we would be further remiss as a body if we did not acknowledge in debating this legislation here today the statements of Chief Justice Warren Burger, appointed by the oh-so-liberal Richard Nixon, who said that the debate and the discourse and discussion around the Second Amendment – the kind that we are having here today – had been the subject of the greatest piece of fraud ever subjected to the American people by a special interest group, the NRA (National Rifle Association),

because for most of American history up until the *Heller* decision, the Supreme Court was quite clear in its interpretation that the Second Amendment meant only that of a well-regulated militia, which, yes, in the 1800s and the early founding days of our country was a group of ragtag minutemen called up at a moment's notice to defend our country. Now today it is the National Guard. We are no longer individually required to own firearms to defend our country from the British Empire or any other foreign adversary because we have a formal standing Army.

But let me bring this debate back today to facts and reality, because in Allentown, I can tell you that passing a requirement that responsible gun owners have to report the theft of their firearms or the loss of their firearms would definitively save lives, because I can think of a mother and well-known community activist in my community who in 2012 had her 17-year-old son shot dead in cold blood in his bed. Why? Because a couple in the Lehigh Valley, as cowardly as they were criminal, had a history of straw purchasing guns on behalf of those who had no legal right to own them – 40 guns in total. And when they were questioned by American law enforcement, by our local police, they simply said the gun was stolen and that is where the case ended because there was no paper trail, no means of holding those individuals accountable, and as a result of that, as the inability to hold those individuals accountable, a young man had his life tragically cut short at 17, with a whole world of existence and life and fulfillment ahead of him.

And we know that in States that have lost or reporting requirements, gun trafficking and illicit gun sales go down by 46 percent. We know that lives would be saved by legislation like this. We know that we could support American law enforcement in their mission of keeping our communities safe, which is why so many law enforcement agencies around the country believe in legislation like this and why it is nothing short of irresponsible as legislators and as a body to do anything than keep track and keep in consistency with the vast majority of the judicious interpretation of the Second Amendment.

So let us do the right thing and let us save lives here in the Commonwealth to make sure that there are no more Kareems across Pennsylvania. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Agreeable to the provision of the Constitution, the yeas and nays— The Chair recognizes the minority leader, Representative Cutler.

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, I was wondering if the prime sponsor of the bill would stand for brief interrogation.

The SPEAKER. The gentleman indicates that he will not.

Mr. CUTLER. Would the majority leader?

The SPEAKER. The gentleman indicates that he will be happy to.

Mr. CUTLER. Wonderful. Thank you, Madam Speaker.

Madam Speaker, on page 1, line 10, where it says, "Duty to report" – and I am reading from the bill – "An owner or other person lawfully in possession of a firearm who suffers the loss or theft of a firearm shall..." and it goes through the reporting requirements. Can an owner be a criminal under this proposal? Or is the word "lawfully" meant to apply to both, possession and owner?

Mr. BRADFORD. What do you mean by a criminal? Someone who has been adjudicated, guilty of a crime previously, or by—

Mr. CUTLER. Yeah, a prohibited person.

Mr. BRADFORD. Hold on. I need to finish. Someone who has been previously adjudicated of a criminal act or is by possessing a weapon committing a criminal act?

Mr. CUTLER. It could be either. It could be an individual engaged in criminal activity or a previously adjudicated, and therefore, prohibited person.

Mr. BRADFORD. So that person should not already be possessing a weapon because they are a prohibited purchaser and should not be in possession legally in the Commonwealth.

Mr. CUTLER. Agreed.

Madam Speaker, one additional question. Would a criminal be required to report a firearm if it were stolen from them?

Mr. BRADFORD. Well, an interesting hypothetical; it would seem to be yes.

Mr. CUTLER. Thank you, Madam Speaker.

On the bill, if I may?

The SPEAKER. The Chair thanks the gentleman, and you may proceed.

Mr. CUTLER. I thank the gentleman for answering those questions because it was not clear in the way that the bill was written, and I would like to work through the mechanics of the bill because it is actually very important.

I would offer that, according to a United States Supreme Court case known as the *Haynes* case, criminals actually have a Fifth Amendment right to not report. So I do think that the prime sponsor included the correct word "lawfully" in possession when he wrote the bill; however, the *Haynes* case is very clear, and I want everybody to understand this. If this bill only applies to lawful gun owners, as written – you know, lawfully in possession or an owner – then it would be constitutional on one front in the *Haynes* case but unconstitutional for the reasons given previously. If criminals are not required to report – we heard plenty of discussion on the last bill. It is in fact the criminal activity, the straw purchases, that the good gentleman who spoke right before me spoke about, and I would agree that they are the problem. The vast majority of firearms that are used in criminal activity in fact are straw purchases, and I think that is a term that we throw around here, but for the listeners outside the building, I would like to explain that. A straw purchase is when somebody who legally can buy a gun does so and then transfers it to a prohibited person or a criminal, in this case, and that is known as a straw purchase. And I understand that they are very difficult, very difficult to prove, because, as the good gentleman outlined, there is a built-in alibi regarding a straw purchase; however, that is already legal to prosecute them under our current laws and charge them for illegal activity because straw purchasing is in fact illegal.

So what we are left with with this bill as it is drafted is a bill that potentially only applies to law-abiding citizens – who, by the way, already report their firearms. Why, you ask? Because if their guns are found, they want them back; or two, if they are not found, they want to file an insurance claim to get their money so they can go purchase another firearm. So the *Haynes* case is very clear, while the bill is not, that a prohibited person would have no duty to report. So what you have got here before us today is a bill that would only apply to lawful gun owners who already report their firearms.

Now, if we want to give the illusion of doing something that would have an impact on straw purchases, this bill does not even meet that requirement. Let us go through a hypothetical, because I think it is informative. If you have two people who live side by

side, one individual is a lawful law-abiding citizen who purchases a firearm in a perfectly legal manner, takes it home. You have another individual who is his neighbor and they are a criminal and they obtain a firearm illegally. What you will have is you have now made the lawful gun owner a criminal when he fails to report and the criminal has no duty to report. Madam Speaker, I think that puts the world upside down. Honest people and lawful owners, as I pointed out previously, already report their firearms lost and stolen. It is the dishonest people that do not that engage in straw purchases, as the prior speaker discussed. So if they are engaged in criminal activity, according to the *Haynes* case, this bill does not apply to them.

So let us make this crystal clear. This potentially makes lawful gun owners criminals for failing to report and puts no burden, no duty on criminals to follow the law or to report their guns once they are engaged in illegal activity. Why on earth would we let criminals who are the root of all the crime and all the problems off the hook for reporting a gun that is lost and stolen? So we are going to enact – let this sink in – we are going to enact laws that only already apply to law-abiding citizens. Madam Speaker, I think that is absurd. I urge a "no" vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes Representative Bradford.

Mr. BRADFORD. Thank you, Madam Speaker.

You know, I believe the minority leader did a real service to the Commonwealth in that he said we need to boil down what a straw purchase is. Well, I want to boil down why 12 years of inaction on any gun safety legislation could come out of this body because of the very absurdity we just heard play out this afternoon. I believe the gentleman said – and I appreciate what he said – that straw purchases are a problem and it needs to be addressed, but for 12 years we did nothing to address the problem or recognize it was a problem. And then today there is legislation in front of you to deal with it, and instead of saying, hey, here are my ideas on how we may make this legislation better; no, what we are going to do is explain in an Orwellian circular logic that everyone complies with the law but it is not the law and therefore we should not have the law. But everyone who is actually watching the nightly news in any city in America knows that these cities, as the gentleman concedes, are awash with illegal guns that are largely purchased by straws.

Listen, when you have a 102-member majority, it is a humble majority. We are more than willing to listen to any idea, but when the ideas are just absurd and circular and result in doing nothing, because what these folks would propose, in fact what they did for 12 years, was nothing. They did not deal with the straw purchase issue, because frankly, it is, why do that? This is the hard work of governing. This is the reality of recognizing that if you want to deal with cities that are awash with people that are illegally purchasing these weapons, you have got to deal with it, and that is why law enforcement supports lost and stolen, that is why we all know that the gun shops in the suburbs too often are engaged in this behavior, and we know that the private sales.

Now, look, we need to get honest about the discussion. And the good gentleman – and I forget your county, sir – had a great discussion about the constitutional issue. There is an individual right to firearms in this country. We recognize that in the *Heller* case, and we also recognize that the Supreme Court last year in the *Bruen* case moved the discussion further. And let us be honest, last year was a banner year for the Supreme Court. They did a lot of things. But listen, if we are going to have a discussion about individual rights and we are going to have a discussion

about straw purchase and lost and stolen, we have got to recognize these laws exist throughout the Commonwealth – or throughout the country because States pass them all the time because they recognize the problem with straw purchases and to act otherwise is absurd.

So again, the gentleman said it is an absurd bill. I would say it is an absurd argument. What we need to do is get to the work of governing. And if the gentleman has a better idea on straw purchases, we are all ears, but let us move this bill forward so we can have that discussion today.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

For what purpose does the gentleman rise?

Mr. CUTLER. To respond to the leader's allegations regarding legislative activity.

The SPEAKER. The gentleman will suspend.

Someone stood up with a point of order.

Mr. MALONEY. Thank you, Madam Speaker.

I just got to tell you, I heard probably a half a dozen times—

The SPEAKER. For what purpose does the gentleman rise?

Mr. MALONEY. Clarification of a word. Is "absurd" a compliment?

The SPEAKER. That is not a parliamentary inquiry.

Mr. MALONEY. So can I get an explanation of it being used multiple times?

The SPEAKER. The gentleman is not recognized for that purpose.

Does the gentleman want to speak on final passage after the leaders have spoken?

Mr. MALONEY. Thank you, Madam Speaker. No.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority leader, Representative Cutler.

Mr. CUTLER. Madam Speaker, thank you very much for the second recognition, which I know is somewhat unusual, but however, the majority leader made some allegations that, quite frankly, are deficient on facts.

Saying that nothing has been done over the last 12 years is factually inaccurate. And furthermore, while we worked on these issues in a bipartisan way and they had bipartisan support, I would like to quickly tick through some of them.

We had the special task force on gun violence, which was in the budget and funded at the request of our members here in this chamber. And I thank the good gentleman, the Republican from Delaware County, who led on that effort, as well as the good lady from Philadelphia who also led on that issue. We also passed mandatory minimums, and we impeached a district attorney who refused to prosecute people who violated illegal firearms and use them in the commissions of crimes.

I will tell you what we did not do. We did not defund the police. We did not say that it would be better if we had less police, a message that I would simply point out in the most recent Philadelphia primary played out the other way. It was the promise of more cops, more enforcement that won that day.

So to categorize it as absurd, Madam Speaker, is offensive. I understand that it is different than the way that you would solve the issue; however, given the fact that you voted for some of the very same things that we discussed, I would welcome you to our team, whether that is absurd or not. So thank you.

However, on final passage, the absurdity does not stop with this bill in the fact that it does not apply to criminals and they would have no duty to report or, or it does and it is unconstitutional under the *Haynes* case. I am tired of hearing that other chambers all across the country have trampled on constitutional rights and that somehow makes it okay for us to do it here. Whether it is the Fifth Amendment against self-incrimination that is found in the *Haynes* case or the Second Amendment that we are debating here today, all constitutional rights deserve to be defended. All legislation should comply with those constitutional rights, and Madam Speaker, this bill is deficient. I urge a "no" vote.

The SPEAKER. The Chair thanks the gentleman, and the Chair recognizes Representative Bradford.

Mr. BRADFORD. No absurdity about it, the bill we just passed was introduced and supported by a Republican prime sponsor last session. I do not think it ever made it out of committee. I think that is absurd. I think what you saw today is called progress. Thank you.

On the question recurring,

Shall the bill pass finally?

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—100

Abney	Fleming	Krajewski	Rozzi
Bellmon	Frankel	Krueger	Salisbury
Benham	Freeman	Kulik	Samuelson
Bizzarro	Friel	Madden	Sanchez
Borowski	Gallagher	Madsen	Sappety
Boyle	Galloway	Malagari	Schlossberg
Bradford	Gergely	Markosek	Schweyer
Brennan	Giral	Matzie	Scott
Briggs	Green	Mayes	Shusterman
Brown, A.	Guenst	McAndrew	Siegel
Bullock	Guzman	McNeill	Smith-Wade-El
Burgos	Haddock	Merski	Solomon
C Freytiz	Hanbidge	Miller, D.	Steele
Cephas	Harkins	Mullins	Sturla
Cerrato	Harris	Munroe	Takac
Ciresi	Hohenstein	Neilson	Venkat
Conklin	Howard	Nelson, N.	Vitali
Curry	Innamorato	O'Mara	Warren
Daley	Isaacson	Otten	Waxman
Davis	Kazeem	Parker	Webster
Dawkins	Kenyatta	Pashinski	Williams, D.
Deasy	Khan	Pielli	Young
Delloso	Kim	Pisciottano	
Donahue	Kinthead	Probst	McClinton,
Evans	Kinsey	Rabb	Speaker
Fiedler	Kosierowski		

NAYS—101

Adams	Fritz	Labs	Rapp
Armanini	Gaydos	Lawrence	Rigby
Banta	Gillen	Leadbeter	Roae
Barton	Gleim	Mackenzie, M.	Rossi
Benninghoff	Gregory	Mackenzie, R.	Rowe
Bernstine	Greiner	Major	Ryncavage
Bonner	Grove	Mako	Schemel
Borowicz	Hamm	Maloney	Scheuren
Brown, M.	Heffley	Marcell	Schlegel
Burns	Hogan	Marshall	Schmitt

Cabell	Irvin	Mehaffie	Scialabba
Causser	James	Mentzer	Smith
Cook	Jones, M.	Mercuri	Staats
Cooper	Jones, T.	Metzgar	Stambaugh
Cutler	Jozwiak	Mihalek	Stehr
D'Orsie	Kail	Miller, B.	Struzzi
Davanzo	Kaufer	Moul	Tomlinson
Delozier	Kauffman	Mustello	Topper
Diamond	Keefer	Nelson, E.	Twardzik
Dunbar	Kephart	O'Neal	Warner
Ecker	Kerwin	Oberlander	Watro
Emrick	Klunk	Ortitay	Wentling
Fee	Krupa	Owlett	White
Fink	Kutz	Pickett	Williams, C.
Flick	Kuzma	Rader	Zimmerman
Flood			

NOT VOTING—0

EXCUSED—0

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill fell.

* * *

The House proceeded to third consideration of **HB 714, PN 1150**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, repealing provisions relating to sale or transfer of firearms, further providing for Pennsylvania State Police and providing for duty to report to United States Immigration and Customs Enforcement.

On the question,
Will the House agree to the bill on third consideration?
Bill was agreed to.

(Bill analysis was read.)

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?

On that question, the Chair recognizes Representative Mihalek.

The Chair recognizes Representative Major.

Ms. MAJOR. Thank you, Madam Speaker.

I am saying it again. Article I, section 21, of the Pennsylvania State Constitution states: "The right of the citizens to bear arms in defense of themselves and the State shall not be questioned."

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentlelady.

Agreeable to the provisions of the Constitution— The Chair recognizes Representative Grove.

Mr. GROVE. Thank you. Will the prime sponsor stand for interrogation?

The SPEAKER. The gentleman declines.

Mr. GROVE. The majority chairman of the Judiciary Committee stand for interrogation?

The SPEAKER. The gentleman declines.

Mr. GROVE. Majority leader stand for interrogation?

The SPEAKER. The gentleman happily welcomes.

Mr. GROVE. Thank you. I appreciate it.

Would the provisions underlined in this bill provide a free ID for an individual to exercise their constitutional right, as you need a photo ID under universal background checks to actually purchase a firearm?

Mr. BRADFORD. It does not as currently contemplated.

Mr. GROVE. Thank you.

Thank you, Madam Speaker. On the bill?

The SPEAKER. The gentleman may proceed.

Mr. GROVE. As we have debated constitutional rights in this, in this Commonwealth on numerous fronts, whether it was voting or for a purchase of a firearm, we have heard many, many times the fact that an ID will disenfranchise individuals from exercising their rights. This has been contemplated particularly on the voting side of this by providing individuals a free ID so they can exercise their rights. If individuals do not have an ID, they will not be able to exercise their rights under this law, thus disenfranchising them and ensuring that they cannot fully exercise their rights.

Furthermore, an ID is actually important to become part of the economy. In order to open a bank account, purchase Sudafed for your child if they are sick – there are numerous things in this society you need an ID for to participate in.

Madam Speaker, I think it is clearly important that individuals are not disenfranchised. This legislation would do that. Since it does not provide that free ID, it would probably not meet the courts, particularly the Commonwealth Court, who made the ruling on the previous voter ID bill we had here that it would be unconstitutional, thus void.

Thank you, Madam Speaker. I would urge my colleagues to vote "no" on this.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes Representative Borowicz.

Mrs. BOROWICZ. Thank you, Madam Speaker.

I rise in strong opposition to gun control HB 714, known as a gun registry.

Right outside of my district there is a great sign that says, "We didn't win the Revolutionary War with registered guns." We hear, quote, "universal background checks," but what this does is creates a gun registry, which if you know history, dictators never started with just confiscating and disarming populations. They were told they must just register their guns, then they were confiscated, which led to complete control and loss of life by the millions at the hands of tyrannical governments.

You want to know the truth of what has killed more people over the last hundred years? It is tyrannical governments. Hitler, 17 million people; 6 million unarmed Jewish citizens. A Holocaust survivor – look her up on YouTube – she said that they would have gone down fighting when they came for us, but we had nothing to defend ourselves with. She warned us in America to never register or give up your guns. In fact, she said, do not just have guns, but make sure you have ammo for those guns. An armed population is the greatest deterrent of tyrannical governments.

Stalin, 23 million people. Mao Zedong, anywhere from 49 to 78 million people dead. It is estimated that over 100 million people have died from 1900 to 1987 by Communist regimes.

You know what the government does with people who are disarmed? Anything that it wants to. The Founding Fathers did not just finish hunting, they finished fighting a tyrannical government and said the second thing we are going to write

down, the second thing that they wrote was to acknowledge our God-given right of self-defense and tell us to go get a gun. Behind every blade of grass, the beaming light of liberty has been preserved by God and guns, and that is why we will never surrender our God-given Second Amendment against a tyrannical government. That right cannot even be questioned, much less create a gun registry of everything we have and own. A gun registry leads to confiscation – period – and anyone telling you differently does not know history.

Let me remind you again, our jobs as Representatives in this State House is to protect and secure the rights given to us in the PA Constitution and the Constitution of the United States. I ask all of my colleagues, vote "no" on HB 714.

Thank you, Madam Speaker.

The SPEAKER. The Chair thanks the gentlelady.

The Chair recognizes Representative Kenyatta.

Mr. KENYATTA. Thank you, Madam Speaker.

I just want to say, everything you just heard from the previous Fox News segment is wrong, and for somebody—

POINT OF ORDER

Mr. CUTLER. Point of order, Madam Speaker?

The SPEAKER. The gentleman will state his point of order.

Mr. CUTLER. Madam Speaker, I believe it is the procedure and past policy of the House not to state inflammatory comments directed at individuals who are speaking. I would simply urge the gentleman to comment on the bill and not the tone or tenor of the prior speaker.

Mr. KENYATTA. Thank you.

The SPEAKER. The gentleman will suspend and await a decision.

The gentleman has a right to contradict the facts stated by a previous speaker. The gentleman is in order and may continue.

Mr. KENYATTA. Thank you, Madam Speaker.

I would just say this briefly, for all of the talk from previous members about the people who have died in Philadelphia, which it seems to me they are more interested in scoring what I guess they believe are political points instead of actually—

POINT OF ORDER

Mr. CUTLER. Point of order, Madam Speaker?

Mr. KENYATTA. You are not on the rostrum – still cutting me off.

Mr. CUTLER. Point of order, Madam Speaker.

The SPEAKER. The gentleman will suspend.

For what purpose does the gentleman, Representative Cutler, rise?

Mr. CUTLER. Madam Speaker, I was raising a legitimate point of order regarding the member going after other members' motives – to use his terminology, "political points" – and for him to direct debate to me would be a serious breach of decorum here on this floor.

The SPEAKER. The gentleman's point of order is well taken.

The gentleman speaking should stick to HB 714. You are in order, and you may proceed.

Mr. KENYATTA. Thank you, Madam Speaker.

I just want to say this very briefly and I will end. Universal background checks are supported by a large majority of Americans because they are common sense. And all of the things

that are being said about registries and everything else is completely disconnected from the reality of this legislation and from the fact that we can keep a lot of people safe by ensuring that folks who should not have access to weapons do not get access to those weapons. That is what this is about. And instead of debating what this bill is about, we have heard a lot of misrepresentations from people who clearly are well, well endowed with talking points from organizations that have made it clear they do not want any gun safety legislation to come out of this body.

And, Madam Speaker, I know that we are talking about points of order. I do not know if the Charlie Brown hecklers, if that is in our rules or not. But I would say, for many people, including folks in the city of the first class, this is not a joke. We have people whom we love and whom we care about who are asking for us to do something about public safety, and as the last mayoral election was mentioned, I would say that all the candidates in that race, including the person who won, supported universal background checks, and I hope that we would support it on the floor today.

The SPEAKER. The Chair recognizes the leaders.

Representative Cutler.

Mr. CUTLER. Thank you, Madam Speaker.

Madam Speaker, I actually want to talk about a mechanical problem that is in the bill, which might not be as exciting to some of the members here in the chamber, because I understand that the good gentleman referenced cities of the first class and I recognize that they do not have the individuals that I am about to mention, and that, Madam Speaker, are the issues that are going to arise here in the Commonwealth for our members of the plain sect.

Madam Speaker, they have a religious objection to getting photo IDs, and as the good gentleman from York County previously outlined, photo IDs are in fact a requirement any time that you go through a background check. I went through it several times myself. When you fill out the form, you answer a series of questions and you must provide photographic ID.

Madam Speaker, what makes this particular issue challenging is, while the current law applies to handguns, the truth is, members of the plain sect typically do not buy handguns because you typically do not hunt with them; therefore, that provision does not in fact apply to them currently. Where it does apply to them is in the world of long guns, which is being deleted here. Those are rifles and shotguns that can be used to hunt.

So, Madam Speaker, what we have here is a proposal to ensure that members of the plain sect will never, ever again be able to follow both the tenets of their religion as well as purchase a firearm, should they wish to do so to exercise their constitutional right to hunt and enjoy the environment here in the Commonwealth. I recognize that that may not be an issue for everybody, but it is certainly an issue for me coming from Lancaster County, and I would offer that it is likely an issue for many more of the members who might not be aware of that particular problem in our laws. I can tell you that when we did it through the voting laws, we made provisions there to grant a religious exception. Unfortunately, the background checks that we currently have that are federally compliant do not have that.

So, Madam Speaker, I am a "no" on this bill. For that and many other reasons, I would urge a "no" vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes Representative Bradford, majority leader.

Mr. BRADFORD. Thank you, Madam Speaker.

Let me begin by saying something that Pennsylvania does not recognize enough. We have a very robust background system for gun purchases in Pennsylvania, and we should be lauded for it. And this legislation by the Representative from Bucks proposes to close a rather narrow loophole.

The gentleman mentions that you need an ID to buy a weapon, in most cases, in Pennsylvania, and that is true, because if you are purchasing from a federally licensed firearm dealer, you need to show ID and go through a background check.

Now, the good lady from Clinton compares these laws to something out of – and again, I do not want to misquote her – but Stalin's Russia and Hitler's Nazi Germany. I would contend – in fact, I think the facts would indicate – that we already have background checks for most of these things.

Now, let me tell you what my district attorney in Montgomery County tells me this issue is about. He says if you go to the Oaks Gun Show and you purchase a weapon inside the gun show, more than likely it is from a federally licensed firearm dealer and you have a background check. And if you purchase a handgun, it is a universal background check. But if you go in the parking lot in a private sale between two individuals – maybe someone you met on the Internet, maybe someone you met in the gun show – and they said, "Hey, I got a gun in my trunk. You want to go buy it?" you can transfer that weapon without a background check.

That seems to be an absurd loophole, and it does not seem to be some overarching, insane idea that we should make sure that that transaction – which if we are being honest is probably one of the most problematic transactions. And since it is a long gun – and again, I am not as, I am not as down on the background check as some. But Pennsylvania's background check clearly says a long gun, which could be – and I know different gun folks have a different view of what is an assault weapon – but an AR-15 purchased in the Oaks Gun Show, you are going to need a background check. But if you want to purchase that AR-15 in the parking lot in a private transaction with a nonfederally licensed firearm dealer, you can purchase that weapon without a background check. I do not want to overuse the word "absurd," but that strikes me as an absurd result. In fact, I would argue that that is probably a transaction we want to make sure there is a background check for.

Now, one can argue whether we should close the gun show loophole, but I got to tell you, this is not major legislation. This is not a heavy lift. This is the potential for someone to transfer a very lethal weapon in a private transaction with no background check. Pennsylvania should be proud of its background check system, and it should make sure it is universal and it should make sure that every transaction partakes in that.

So again, I do not want to belabor the point. This is a modest bill with a modest impact that will have real impact on some of the most lethal weapons in our Commonwealth, and I would suggest we all vote "yes" to close the gun show loophole once and for all.

Thank you, Madam Speaker.

On the question recurring,
Shall the bill pass finally?

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—109

Abney	Frankel	Krueger	Salisbury
Bellmon	Freeman	Kulik	Samuelson
Benham	Friel	Madden	Sanchez
Bizzarro	Gallagher	Madsen	Sappay
Borowski	Galloway	Malagari	Schlossberg
Boyle	Gaydos	Marcell	Schweyer
Bradford	Gergely	Markosek	Scott
Brennan	Giral	Matzie	Shusterman
Briggs	Green	Mayes	Siegel
Brown, A.	Guenst	McAndrew	Smith-Wade-El
Bullock	Guzman	McNeill	Solomon
Burgos	Haddock	Mercuri	Steele
C Freytiz	Hanbidge	Merski	Sturla
Cephas	Harkins	Mihalek	Takac
Cerrato	Harris	Miller, D.	Tomlinson
Ciresi	Hogan	Mullins	Venkat
Conklin	Hohenstein	Munroe	Vitali
Curry	Howard	Neilson	Warren
Daley	Innamorato	Nelson, N.	Waxman
Davis	Isaacson	O'Mara	Webster
Dawkins	Kazeem	Otten	White
Deasy	Kenyatta	Parker	Williams, C.
Delloso	Khan	Pashinski	Williams, D.
Delozier	Kim	Pielli	Young
Donahue	Kinhead	Pisciottano	
Evans	Kinsey	Probst	McClinton, Speaker
Fiedler	Kosierowski	Rabb	
Fleming	Krajewski	Rozzi	

NAYS—92

Adams	Flick	Kutz	Rader
Armanini	Flood	Kuzma	Rapp
Banta	Fritz	Labs	Rigby
Barton	Gillen	Lawrence	Roae
Benninghoff	Gleim	Leadbeter	Rossi
Bernstine	Gregory	Mackenzie, M.	Rowe
Bonner	Greiner	Mackenzie, R.	Ryncavage
Borowicz	Grove	Major	Schemel
Brown, M.	Hamm	Mako	Scheuren
Burns	Heffley	Maloney	Schlegel
Cabell	Irvin	Marshall	Schmitt
Causar	James	Mehaffie	Scialabba
Cook	Jones, M.	Mentzer	Smith
Cooper	Jones, T.	Metzgar	Staats
Cutler	Jozwiak	Miller, B.	Stambaugh
D'Orsie	Kail	Moul	Stehr
Davanzo	Kaufner	Mustello	Struzzi
Diamond	Kauffman	Nelson, E.	Topper
Dunbar	Keefer	O'Neal	Twardzik
Ecker	Kephart	Oberlander	Warner
Emrick	Kerwin	Ortitay	Watro
Fee	Klunk	Owlett	Wentling
Fink	Krupa	Pickett	Zimmerman

NOT VOTING—0

EXCUSED—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

* * *

The House proceeded to third consideration of **HB 953, PN 950**, entitled:

An Act repealing the act of September 1, 1965 (P.L.420, No.215), known as The Frozen Dessert Law.

On the question,
Will the House agree to the bill on third consideration?
Bill was agreed to.

(Bill analysis was read.)

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.

The question is, shall the bill pass finally?

Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—200

Abney	Flood	Kulik	Rapp
Adams	Frankel	Kutz	Rigby
Armanini	Freeman	Kuzma	Roae
Banta	Friel	Labs	Rossi
Barton	Fritz	Lawrence	Rowe
Bellmon	Gallagher	Leadbeter	Rozzi
Benham	Galloway	Mackenzie, M.	Ryncavage
Benninghoff	Gaydos	Mackenzie, R.	Salisbury
Bernstine	Gergely	Madden	Samuelson
Bizzarro	Gillen	Madsen	Sanchez
Bonner	Giral	Major	Sappey
Borowicz	Gleim	Mako	Schemel
Borowski	Green	Malagari	Scheuren
Boyle	Gregory	Maloney	Schlegel
Bradford	Greiner	Marcell	Schlossberg
Brennan	Grove	Markosek	Schmitt
Briggs	Guenst	Marshall	Schweyer
Brown, A.	Guzman	Matzie	Scialabba
Brown, M.	Haddock	Mayes	Scott
Bullock	Hamm	McAndrew	Shusterman
Burgos	Hanbidge	McNeill	Siegel
Burns	Harkins	Mehaffie	Smith
C Freytiz	Harris	Mentzer	Smith-Wade-El
Cabell	Heffley	Mercuri	Solomon
Causar	Hogan	Merski	Staats
Cephas	Hohenstein	Metzgar	Stambaugh
Cerrato	Howard	Mihalek	Steele
Ciresi	Innamorato	Miller, B.	Stehr
Conklin	Irvin	Miller, D.	Struzzi
Cook	Isaacson	Moul	Sturla
Cooper	James	Mullins	Takac
Curry	Jones, M.	Munroe	Tomlinson
Cutler	Jones, T.	Mustello	Topper
D'Orsie	Jozwiak	Neilson	Twardzik
Daley	Kail	Nelson, E.	Venkat
Davanzo	Kaufer	Nelson, N.	Vitali
Davis	Kauffman	O'Mara	Warner
Dawkins	Kazeem	O'Neal	Warren
Deasy	Keefer	Oberlander	Watro
Delloso	Kenyatta	Ortitay	Waxman
Delozier	Kephart	Otten	Webster
Donahue	Kerwin	Owlett	Wentling
Dunbar	Khan	Parker	White
Ecker	Kim	Pashinski	Williams, C.
Emrick	Kinthead	Pickett	Williams, D.
Evans	Kinsey	Pielli	Young
Fee	Klunk	Pisciottano	Zimmerman
Fiedler	Kosierowski	Probst	
Fink	Krajewski	Rabb	McClinton,
Fleming	Krueger	Rader	Speaker
Flick	Krupa		

NAYS—1

Diamond

NOT VOTING—0

EXCUSED—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

* * *

The House proceeded to third consideration of **HB 917, PN 1151**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, adopting the Uniform Family Law Arbitration Act.

On the question,
Will the House agree to the bill on third consideration?
Bill was agreed to.

(Bill analysis was read.)

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.

The question is, shall the bill pass finally?

On that question, the Chair recognizes the maker of the bill, Representative Shusterman.

Ms. SHUSTERMAN. Thank you, Madam Speaker.

I rise today in support of HB 917. Family court disputes are often costly and painful. Whether they involve marital property, child custody, or other family disputes, these cases make a lasting impact on everyone involved. I have had a divorce go to trial and I would have preferred to resolve it differently. Why? Because it would have better served my child not to have his family going to court repeatedly.

Too often the outcomes of family law cases are determined by the partner who has deeper pockets and better access to legal counsel. Pennsylvanians should have a choice in how they want to settle their family disputes, including the option to choose arbitration. Arbitration is a voluntary, private process to resolve disputes rather than going to court. During arbitration, a neutral third party hears arguments, evaluates evidence, and makes a legally binding ruling. Passing the Uniform Family Law Arbitration Act will level the legal playing field, saving families time and money, while also reducing stress on our legal system.

I want to thank my colleagues, the gentelady from Bucks and the gentelady from York, for advocating for this bill, and I implore our colleagues to join us in providing a simpler, less costly, and more efficient means of resolving family disputes. Thank you.

The SPEAKER. The Chair thanks the gentelady.

On the question recurring,
Shall the bill pass finally?

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—201

Abney	Flick	Krupa	Rapp
Adams	Flood	Kulik	Rigby
Armanini	Frankel	Kutz	Roae
Banta	Freeman	Kuzma	Rossi
Barton	Friel	Labs	Rowe
Bellmon	Fritz	Lawrence	Rozzi
Benham	Gallagher	Leadbeter	Ryncavage
Benninghoff	Galloway	Mackenzie, M.	Salisbury
Bernstine	Gaydos	Mackenzie, R.	Samuelson
Bizzarro	Gergely	Madden	Sanchez
Bonner	Gillen	Madsen	Sappey
Borowicz	Giral	Major	Schemel
Borowski	Gleim	Mako	Scheuren
Boyle	Green	Malagari	Schlegel
Bradford	Gregory	Maloney	Schlossberg
Brennan	Greiner	Marcell	Schmitt
Briggs	Grove	Markosek	Schweyer
Brown, A.	Guenst	Marshall	Scialabba
Brown, M.	Guzman	Matzie	Scott
Bullock	Haddock	Mayes	Shusterman
Burgos	Hamm	McAndrew	Siegel
Burns	Hanbidge	McNeill	Smith
C Freytiz	Harkins	Mehaffie	Smith-Wade-El
Cabell	Harris	Mentzer	Solomon
Causer	Heffley	Mercuri	Staats
Cephas	Hogan	Merski	Stambaugh
Cerrato	Hohenstein	Metzgar	Steele
Ciresi	Howard	Mihalek	Stehr
Conklin	Innamorato	Miller, B.	Struzzi
Cook	Irvin	Miller, D.	Sturla
Cooper	Isaacson	Moul	Takac
Curry	James	Mullins	Tomlinson
Cutler	Jones, M.	Munroe	Topper
D'Orsie	Jones, T.	Mustello	Twardzik
Daley	Jozwiak	Neilson	Venkat
Davanzo	Kail	Nelson, E.	Vitali
Davis	Kaufer	Nelson, N.	Warner
Dawkins	Kauffman	O'Mara	Warren
Deasy	Kazeem	O'Neal	Watro
Delloso	Keefer	Oberlander	Waxman
Delozier	Kenyatta	Ortitay	Webster
Diamond	Kephart	Otten	Wentling
Donahue	Kerwin	Owlett	White
Dunbar	Khan	Parker	Williams, C.
Ecker	Kim	Pashinski	Williams, D.
Emrick	Kinkead	Pickett	Young
Evans	Kinsey	Pielli	Zimmerman
Fee	Klunk	Pisciottano	
Fiedler	Kosierowski	Probst	McClinton,
Fink	Krajewski	Rabb	Speaker
Fleming	Krueger	Rader	

NAYS—0

NOT VOTING—0

EXCUSED—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

* * *

The House proceeded to third consideration of **SB 1, PN 385**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for courts to be open and suits against the Commonwealth.

On the question,
Will the House agree to the bill on third consideration?
Bill was agreed to.

(Bill analysis was read.)

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.

The question is, shall the bill pass finally?

Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—145

Abney	Flick	Labs	Ryncavage
Adams	Frankel	Lawrence	Salisbury
Bellmon	Freeman	Mackenzie, M.	Samuelson
Benham	Friel	Mackenzie, R.	Sanchez
Benninghoff	Gallagher	Madden	Sappey
Bizzarro	Galloway	Madsen	Scheuren
Bonner	Gergely	Malagari	Schlegel
Borowski	Gillen	Maloney	Schlossberg
Boyle	Giral	Marcell	Schmitt
Bradford	Green	Markosek	Schweyer
Brennan	Gregory	Marshall	Scialabba
Briggs	Greiner	Matzie	Scott
Brown, A.	Guenst	Mayes	Shusterman
Bullock	Guzman	McAndrew	Siegel
Burgos	Haddock	McNeill	Smith-Wade-El
Burns	Hanbidge	Mehaffie	Solomon
C Freytiz	Harkins	Mentzer	Steele
Cabell	Harris	Merski	Struzzi
Causer	Hogan	Metzgar	Sturla
Cephas	Hohenstein	Miller, B.	Takac
Cerrato	Howard	Miller, D.	Tomlinson
Ciresi	Innamorato	Mullins	Topper
Conklin	Isaacson	Munroe	Venkat
Curry	Jozwiak	Neilson	Vitali
Cutler	Kaufer	Nelson, N.	Warren
Daley	Kazeem	O'Mara	Watro
Davis	Kenyatta	Ortitay	Waxman
Dawkins	Khan	Otten	Webster
Deasy	Kim	Parker	Wentling
Delloso	Kinkead	Pashinski	White
Delozier	Kinsey	Pielli	Williams, C.
Donahue	Klunk	Pisciottano	Williams, D.
Emrick	Kosierowski	Probst	Young
Evans	Krajewski	Rabb	
Fee	Krueger	Rapp	McClinton,
Fiedler	Kulik	Rigby	Speaker
Fleming	Kutz	Rozzi	

NAYS—56

Armanini	Flood	Kephart	Owlett
Banta	Fritz	Kerwin	Pickett
Barton	Gaydos	Krupa	Rader
Bernstine	Gleim	Kuzma	Roae

Borowicz	Grove	Leadbeter	Rossi
Brown, M.	Hamm	Major	Rowe
Cook	Heffley	Mako	Schemel
Cooper	Irvin	Mercuri	Smith
D'Orsie	James	Mihalek	Staats
Davanzo	Jones, M.	Moul	Stambaugh
Diamond	Jones, T.	Mustello	Stehr
Dunbar	Kail	Nelson, E.	Twardzik
Ecker	Kauffman	O'Neal	Warner
Fink	Keefer	Oberlander	Zimmerman

NOT VOTING—0

EXCUSED—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

RECONSIDERATION MOTION FILED

The SPEAKER. The Chair is in receipt of a motion to reconsider. Pursuant to rule 26, we, the undersigned, move that the vote by the which the House defeated HB 338, PN 1090, on the 22d day of May be reconsidered. Sincerely, Representative Bradford, Representative Miller.

For the information of the members, there will be no further votes; however, there will be housekeeping.

LABOR AND INDUSTRY COMMITTEE MEETING

The SPEAKER. For what purpose does the gentleman from Philadelphia County, Representative Dawkins, rise?

Mr. DAWKINS. Announcement of a voting meeting tomorrow morning at 10 in room 60. We are going to be taking up HB 967 and HR 60 tomorrow morning at 10 in room 60.

The SPEAKER. The Chair thanks the gentleman.

The Labor and Industry Committee will meet tomorrow morning at 10 in room 60.

Are there any others with committee announcements?

BILLS RECOMMITTED

The SPEAKER. The majority leader moves that the following bills be recommitted to the Committee on Appropriations:

HB 134;
HB 295;
HB 365;
HB 409;
HB 797; and
HB 877.

On the question,
Will the House agree to the motion?
Motion was agreed to.

BILLS REMOVED FROM TABLE

The SPEAKER. The majority leader moves that the following bills be removed from the tabled calendar and placed on the active calendar:

HB 95;
HB 246;
HB 577;
HB 611;
HB 804;
HB 922; and
HB 1094.

On the question,
Will the House agree to the motion?
Motion was agreed to.

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, all remaining bills and resolutions on today's calendar will be passed over. The Chair hears no objection.

ADJOURNMENT

The SPEAKER. The Chair is in receipt of a motion by the gentlelady from Delaware County, Representative O'Mara, that the House now adjourn until Tuesday, May 23, 2023, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 5:15 p.m., e.d.t., the House adjourned.