

PUBLIC OFFICIAL COMPENSATION LAW - OMNIBUS AMENDMENTS

Act of Oct. 16, 2020, P.L. 706, No. 79

Cl. 71

Session of 2020

No. 2020-79

HB 2487

AN ACT

Amending the act of September 30, 1983 (P.L.160, No.39), entitled "An act establishing salaries and compensation of certain public officials including justices and judges of Statewide courts, judges of courts of common pleas, judges of the Philadelphia Municipal Court, judges of the Philadelphia Traffic Court, district justices and the Governor, the Lieutenant Governor, the State Treasurer, the Auditor General, the Attorney General and certain other State officers and the salary and certain expenses of the members of the General Assembly; and repealing certain inconsistent acts," further providing for judicial salaries, for compensation of Governor and Lieutenant Governor, State Treasurer, Auditor General, Attorney General, Commissioners of the Pennsylvania Public Utility Commission and heads of departments and for members of the General Assembly; providing for cost-of-living adjustment hiatus; and making a repeal.

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

Section 1. Sections 2.1(i), 3(e) and 4(d) and (d.1) of the act of September 30, 1983 (P.L.160, No.39), known as the Public Official Compensation Law, are amended to read:

Section 2.1. Judicial salaries.

\* \* \*

(i) Annual cost-of-living adjustment.--[Beginning]

**(1) Except as provided under paragraph (2), beginning January 1, 1997, and each January 1 thereafter, the annual salaries under subsections (a) through (h) shall be increased by the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area for the most recent 12-month period for which figures have been officially reported by the United States Department of Labor, Bureau of Labor Statistics immediately prior to the date the adjustment is due to take effect. The percentage increase and salary amounts shall be determined prior to the annual effective date of the adjustment by the Supreme Court and shall be published in the Pennsylvania Bulletin by the Court Administrator of Pennsylvania within 20 days of the date the determination is made.**

**(2) The annual salaries under this section may not be increased by an annual cost-of-living adjustment under paragraph (1) for the annual period beginning January 1, 2021, and ending December 31, 2021. Notice of the provisions of this subsection shall be transmitted to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin prior to December 1, 2020.**

**(3) The annual salaries for individuals subject to 42 Pa.C.S. § 1741(a)(1) or (2) (relating to compensation of judges) may not be increased by a cost-of-living adjustment**

under 42 Pa.C.S. § 1741(b) for the annual period beginning January 1, 2021, and ending December 31, 2021. Notice of the provisions of this subsection shall be transmitted to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin prior to December 1, 2020.

Section 3. Compensation of Governor and Lieutenant Governor; State Treasurer; Auditor General; Attorney General; Commissioners of the Pennsylvania Public Utility Commission; and heads of departments.

\* \* \*

(e) Annual cost-of-living adjustment.--[Beginning]

**(1) Except as provided under paragraph (2), beginning January 1, 1997, and each January 1 thereafter, the stated annual salaries of the Governor and Lieutenant Governor, the State Treasurer, the Auditor General, the Attorney General and the heads of the departments and members of boards and commissions denoted herein shall be increased by an annual cost-of-living increase calculated by applying the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area, for the most recent 12-month period for which figures have been officially reported by the United States Department of Labor, Bureau of Labor Statistics immediately prior to the date the adjustment is due to take effect, to the then current salary amounts authorized. The percentage increase and the salary amounts shall be determined by the Governor prior to the annual effective date of the adjustment and shall be published by the Secretary of the Budget in the Pennsylvania Bulletin within ten days of the date the determination is made.**

**(2) The stated annual salaries of the Governor and Lieutenant Governor, the State Treasurer, the Auditor General, the Attorney General and the heads of the departments and members of boards and commissions may not be increased by an annual cost-of-living adjustment under paragraph (1) for the annual period beginning January 1, 2021, and ending December 31, 2021. Notice of the provisions of this subsection shall be transmitted to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin prior to December 1, 2020.**

Section 4. Members of the General Assembly.

\* \* \*

(d) Subsequent annual cost-of-living adjustment for members.--[For]

**(1) Except as provided under paragraph (2), for the 12-month period beginning December 1, 1997, through November 30, 1998, and for each like 12-month period thereafter, the salary of the members of the General Assembly shall be increased by an annual cost-of-living adjustment calculated by applying the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area, for the most recent 12-month period for which figures have been officially reported by the United States Department of Labor, Bureau of Labor Statistics immediately prior to the date the adjustment is due to take effect, to the then current salary amounts. The percentage increase and the new salary amounts shall be determined jointly by the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives prior to the annual effective date of the adjustment and shall be published by them in the Pennsylvania Bulletin within ten days of the date such determination is made.**

(2) The salary of the members of the General Assembly may not be increased by an annual cost-of-living adjustment under paragraph (1) for the period beginning December 1, 2020, through November 30, 2021. Notice of the provisions of this subsection shall be transmitted to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin prior to December 1, 2020.

(d.1) Subsequent annual cost-of-living adjustment for officers and leaders.--[For]

(1) Except as provided under paragraph (2), for the 12-month period beginning December 1, 1997, through November 30, 1998, and for each like 12-month period thereafter, the additional compensation of the officers and leaders of the General Assembly shall be increased by an annual cost-of-living adjustment calculated by applying the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area, for the most recent 12-month period for which figures have been officially reported by the United States Department of Labor, Bureau of Labor Statistics immediately prior to the date the adjustment is due to take effect, to the then current compensation. The percentage increase and the new compensation amounts shall be determined jointly by the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives prior to the annual effective date of the adjustment and shall be published in the Pennsylvania Bulletin within 20 days immediately prior to each cost-of-living increase taking effect.

(2) The additional compensation of the officers and leaders of the General Assembly may not be increased by an annual cost-of-living adjustment under paragraph (1) for the period beginning December 1, 2020, through November 30, 2021. Notice of the provisions of this subsection shall be transmitted to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin prior to December 1, 2020.

Section 2. The act is amended by adding a section to read:  
**Section 5.3. Cost-of-living adjustment hiatus.**

(a) General rule.--The salary of salaried officers of the Commonwealth, except for an individual subject to sections 2.1(i)(2) and (3), 3(e)(2), 4(d)(2) and (d.1)(2), may not be increased by a cost-of-living adjustment for the period beginning January 1, 2021, and ending December 31, 2021.

(b) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Salaried officers of the Commonwealth." The term shall have the same meaning as in section 16(a) of Article V of the Constitution of Pennsylvania.

Section 3. The following shall apply:

(1) Except as provided under paragraph (2), the provisions of this act shall not be severable.

(2) The amendment of section 2.1(i) of the act and section 4 of this act shall be severable from the remainder of this act.

Section 4. Repeals are as follows:

(1) The General Assembly declares that the repeal under paragraph (2) is necessary for the amendment of section 2.1(i) of the act.

(2) 42 Pa.C.S. § 1741(b) is repealed insofar as it is inconsistent with the amendment of section 2.1(i) of the act.

Section 5. This act shall take effect immediately.  
APPROVED--The 16th day of October, A.D. 2020.

TOM WOLF