

LAW AND JUSTICE (44 PA.C.S.) AND LEGAL NOTICES (45 PA.C.S.) -
FLEXIBILITY IN EMERGENCY PUBLICATION OF THE PENNSYLVANIA
BULLETIN, DEFINITIONS AND PRELIMINARY PUBLICATION IN
PENNSYLVANIA BULLETIN

Act of Nov. 5, 2021, P.L. 427, No. 82

Cl. 44

Session of 2021
No. 2021-82

HB 1452

AN ACT

Amending Titles 44 (Law and Justice) and 45 (Legal Notices) of the Pennsylvania Consolidated Statutes, providing for flexibility in emergency publication of the Pennsylvania Bulletin: in Uniform Electronic Legal Material Act, further providing for definitions; and, in codification and publication of documents, further providing for preliminary publication in Pennsylvania Bulletin.

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

Section 1. The General Assembly finds and declares as follows:

(1) Situations like the COVID-19 disaster emergency jeopardize the weekly publication of the Pennsylvania Bulletin.

(2) It is necessary to provide a procedure for the electronic publication of the Pennsylvania Bulletin and to provide flexibility on the date of publication when emergency circumstances dictate.

Section 2. The definitions of "legal material" and "official publisher" in section 702 of Title 44 of the Pennsylvania Consolidated Statutes are amended to read:

§ 702. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

* * *

"Legal material." Whether or not in effect, any of the following:

(1) The Constitution of the Commonwealth of Pennsylvania.

(2) The Laws of Pennsylvania under 1 Pa.C.S. § 1103 (relating to preparation of statutes for printing).

(3) The Pennsylvania Code **and the Pennsylvania Bulletin.**

(4) A Commonwealth agency regulation that has or had the effect of law.

(5) (Reserved).

(6) Reported decisions of:

(i) the Supreme Court;

(ii) Superior Court; or

(iii) Commonwealth Court.

(7) Rules of court under 42 Pa.C.S. § 1722 (relating to adoption of administrative and procedural rules).

"Official publisher." As follows:

(1) For the Constitution of the Commonwealth of Pennsylvania, the bureau.

(2) For the Laws of Pennsylvania under 1 Pa.C.S. § 1105 (relating to editing statutes for printing), the bureau.

(3) For the Pennsylvania Code[, the bureau] **and the Pennsylvania Bulletin, the Joint Committee on Documents.**

(4) For a regulation published in the Pennsylvania Code, the bureau.

(5) (Reserved).

(6) (Reserved).

(7) For a State court decision included under paragraph (6) of the definition of "legal material," the prothonotary of the applicable court.

(8) For rules of court under 42 Pa.C.S. § 1722, the Administrative Office of Pennsylvania Courts.

(9) (Reserved).

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Section 3. Section 724(b) of Title 45 is amended to read:
§ 724. Preliminary publication in Pennsylvania Bulletin.

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(b) Frequency and format of bulletin.--**The following shall apply:**

(1) The bulletin shall be published at least once each week and shall contain all previously unpublished documents duly filed prior to the closing date and hour of the issue, which date and hour shall appear upon the first page of such issue. All issues of the bulletin shall contain a table of contents. A cumulative index shall be published at least once each three months. [The]

(2) **Notwithstanding paragraph (1), the** joint committee may provide for [more frequent] **different** publication of the bulletin and indices as circumstances may require.

(3) There shall be published with each document **under this section** a notation of the date of filing thereof.

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Section 4. This act shall take effect immediately.

APPROVED--The 5th day of November, A.D. 2021.

TOM WOLF