

GENERAL PROVISIONS (1 PA.C.S.) - AMEND LOCAL OR SPECIAL LEGISLATION
NOTICE AND BOARD OF COMMISSIONERS ON UNIFORM STATE LAWS REESTABLISHMENT

Act of Oct. 30, 2001, P.L. 815, No. 79

Cl. 01

Session of 2001

No. 2001-79

HB 815

AN ACT

Amending Title 1 (General Provisions) of the Pennsylvania Consolidated Statutes, further providing for notice for local or special legislation; reestablishing the Board of Commissioners on Uniform State Laws; and making repeals.

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

Section 1. Section 1102(a) and (e) of Title 1 of the Pennsylvania Consolidated Statutes are amended to read:

§ 1102. Publication of notice of application for local or special legislation.

(a) General rule.--No local or special bill[, either] to [repeal or] enact a local or special statute[,] shall be passed by the General Assembly, unless notice of the intention to apply therefor shall be published, once a week for four successive weeks, in not less than two newspapers of general circulation, and also in the legal journal, if any, published in the county or in each of the several counties where the matter or thing affected may be. Where the matter or thing affected is in a municipality, publication shall be made in two newspapers of general circulation published in such municipality, if any, and, if none, then in two newspapers published in the county, and, in either event, also in the legal journal, if any, published in the county. Where only one newspaper of general circulation is published in a county or in a municipality, publication in such one newspaper and in the legal journal, if any, shall be deemed sufficient.

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(e) Exception from notice requirement.--Notice shall not be required to be given under this section of a proposal to repeal a local or special statute by [a] **any of the following:**

(1) **A** general bill which codifies, compiles or revises the law or any part thereof.

(2) **A bill which:**

(i) **only eliminates obsolete statutory provisions;**
and

(ii) **makes specific reference in its title to that elimination.**

Section 2. Title 1 is amended by adding a part to read:

PART VII. MISCELLANEOUS PROVISIONS

Chapter

31. Board of Commissioners on Uniform State Laws

CHAPTER 31

BOARD OF COMMISSIONERS ON UNIFORM STATE LAWS

Sec.

3101. Definitions.

3102. Board established.

3103. Powers and duties.

§ 3101. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section:

"Board." The Board of Commissioners on Uniform State Laws.

§ 3102. Board established.

(a) Establishment.--The Board of Commissioners on Uniform State Laws is reestablished within the Office of General Counsel.

(b) Composition.--The board shall be composed of nine commissioners learned in the law:

(1) The Governor shall appoint three commissioners.

(2) The President pro tempore of the Senate shall appoint one commissioner.

(3) The Speaker of the House of Representatives shall appoint one commissioner.

(4) The Minority Leader of the Senate shall appoint one commissioner.

(5) The Minority Leader of the House of Representatives shall appoint one commissioner.

(6) The Attorney General shall serve as an ex officio commissioner.

(7) The General Counsel shall serve as an ex officio commissioner.

(c) Terms.--

(1) A commissioner under subsection (b)(1) shall serve a term of four years, calculated from the date of appointment.

(2) A commissioner under subsection (b)(2), (3), (4) or (5) shall serve at the pleasure of the appointing authority.

(d) Officers.--The General Counsel shall serve as chairman of the board.

(e) Quorum.--Five commissioners constitute a quorum.

§ 3103. Powers and duties.

The board has the following powers and duties:

(1) To examine subjects it deems necessary.

(2) To ascertain the best means to effect an assimilation and uniformity of state legislation throughout the United States on the subjects examined under paragraph (1).

(3) To meet with the National Conference of Commissioners on Uniform State Laws, at annual and other sessions, to:

(i) promote uniformity of state legislation in the United States; and

(ii) join the conference in measures deemed most expedient to advance the objective of paragraphs (1) and (2).

Section 3. Members of the Board of Commissioners on Uniform State Laws on the effective date of this act shall continue as commissioners for the balance of their terms.

Section 4. The following acts and parts of acts are repealed to the extent specified:

Section 1 of the act of April 20, 1917 (P.L.90, No.54), entitled "An act constituting a Board of Commissioners on Uniform State Laws; authorizing the appointment of the commissioners, defining their duties, and providing for their expenses," absolutely.

Section 202 of the act of June 7, 1923 (P.L.498, No.274), known as The Administrative Code, to the extent that it places the Board of Commissioners on Uniform State Laws in the Department of Justice.

Sections 404 and 910 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, absolutely.

Section 5. This act shall take effect immediately.

APPROVED--The 30th day of October, A. D. 2001.

MARK S. SCHWEIKER