AN ACT

Amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in Commonwealth services, prohibiting certain regulatory action during disaster emergencies.

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

Section 1. Title 35 of the Pennsylvania Consolidated Statutes is amended by adding a section to read:

§ 7309. Regulatory action during disaster emergencies prohibited.

(a) Applicability.—This section shall apply during the period of a declaration by the Governor of a disaster emergency under section 7301(c) (relating to general authority of Governor) THAT INVOLVES THE STATEWIDE CLOSURE OF ANY GOVERNMENT OFFICES OR BUSINESSES FOR A PERIOD OF MORE THAN FIVE DAYS and notwithstanding any other provision of law.

(b) Regulations.—The following are prohibited, unless the action is directly related to responding to the disaster emergency or adhering to a Federal or State statutory timeline:
or court order:

(1) Consideration, adoption or publication within the Pennsylvania Bulletin of a proposed regulation, a final-form regulation or a final-omitted regulation subject to the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act.

(2) Conducting a department or agency advisory committee meeting.

(c) Waiver.--

(1) A Commonwealth agency may petition to the appropriate standing committees of the Senate and House of Representatives under section 7(d) of the Regulatory Review Act for a waiver of the prohibition under subsection (b). The petition must:

(i) Be in writing.

(ii) Be signed by the head of the Commonwealth agency or its governing body.

(iii) State the compelling reason why a waiver should be granted.

(iv) Be submitted to the chair of each standing committee for distribution to the respective members of the committee.

(2) A waiver under paragraph (1) shall be granted upon a majority vote of each standing committee.

Section 2. This act shall take effect immediately.