

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2328 Session of
1976

INTRODUCED BY GLEASON AND BUTERA, APRIL 6, 1976

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 6, 1976

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employes in certain departments, boards,
17 and commissions; and prescribing the manner in which the
18 number and compensation of the deputies and all other
19 assistants and employes of certain departments, boards and
20 commissions shall be determined," further providing for the
21 powers and duties of the Department of Justice in certain
22 criminal cases involving Commonwealth officials and employes.

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

25 Section 1. Subsection (b) of section 903, act of April 9,
26 1929 (P.L.177, No.175), known as "The Administrative Code of
27 1929," amended December 17, 1970 (P.L.935, No.292), is amended
28 to read:

1 Section 903. Litigation.--The Department of Justice shall
2 have the power, and its duty shall be:

3 * * *

4 (b) To represent the Commonwealth, or any department, other
5 than the Department of the Auditor General, board, commission,
6 or officer thereof, in any litigation to which the Commonwealth
7 or such department, board, commission, or officer, may be a
8 party, or in which the Commonwealth or such department, board,
9 commission, or officer, is permitted or required by law to
10 intervene or interplead. The Commonwealth shall not pay or
11 reimburse for attorney's fees and other attendant expenses any
12 State official or State employe who is a defendant in a criminal
13 case arising from acts or omissions of said defendant while in
14 the service of the Commonwealth.

15 Section 2. This act shall take effect immediately.