

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1323 Session of
1984

INTRODUCED BY LEWIS, SINGEL, STAPLETON, REIBMAN, O'PAKE, KELLEY
AND ANDREZESKI, MARCH 27, 1984

REFERRED TO JUDICIARY, MARCH 27, 1984

AN ACT

1 Amending the act of October 15, 1980 (P.L.950, No.164), entitled
2 "A supplement to the act of April 9, 1929 (P.L.177, No.175),
3 entitled 'An act providing for and reorganizing the conduct
4 of the executive and administrative work of the Commonwealth
5 by the Executive Department thereof and the administrative
6 departments, boards, commissions, and officers thereof,
7 including the boards of trustees of State Normal Schools, or
8 Teachers Colleges; abolishing, creating, reorganizing or
9 authorizing the reorganization of certain administrative
10 departments, boards, and commissions; defining the powers and
11 duties of the Governor and other executive and administrative
12 officers, and of the several administrative departments,
13 boards, commissions, and officers; fixing the salaries of the
14 Governor, Lieutenant Governor, and certain other executive
15 and administrative officers; providing for the appointment of
16 certain administrative officers, and of all deputies and
17 other assistants and employes in certain departments, boards,
18 and commissions; and prescribing the manner in which the
19 number and compensation of the deputies and all other
20 assistants and employes of certain departments, boards and
21 commissions shall be determined,' implementing the addition
22 of section 4.1 to Article IV of the Constitution of
23 Pennsylvania; establishing the Office of Attorney General
24 elected by the citizens and setting forth powers and duties
25 of the Attorney General; creating an Office of General
26 Counsel and providing for legal services for Commonwealth
27 agencies; transferring, reorganizing or reconstituting
28 certain boards, commissions and agencies; placing certain
29 duties upon the courts and district attorneys; repealing
30 certain acts and parts of acts and making appropriations,"
31 providing for the review and approval of all contracts for
32 legal services initiated by the executive branch or an
33 executive agency and for filings and reports relating to such

1 contracts for legal services.

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

4 Section 1. The act of October 15, 1980 (P.L.950, No.164),
5 known as the Commonwealth Attorneys Act, is amended by adding a
6 section to read:

7 Section 104. Contracts for Legal Services.

8 (a) Approval.--Prior to the execution of any contract by the
9 executive branch or any executive agency for legal services to
10 be provided by any professional corporation, partnership, law
11 firm or private attorney who is not a Commonwealth employee, the
12 contract shall be reviewed and approved by the Governor, the
13 Attorney General and the State Treasurer.

14 (b) Approval of modifications.--Any addendum, amendment,
15 supplemental agreement or any other form of modification of a
16 contract for legal services which affects the nature or extent
17 of the legal services, the duration of the contract, the
18 financial terms of the contract or the provider of the services
19 shall be subject to the same review and approval as set forth in
20 subsection (a).

21 (c) Restrictions.--No legal services shall be initiated
22 until the contract receives the approval of all three officers.
23 No legal services shall be provided beyond the time period of
24 the original contract or exceed the contracted ceiling prior to
25 the approval of any modification.

26 (d) Filing of contracts.--

27 (1) All contracts for legal services and any
28 modifications thereto shall be in writing and filed with the
29 State Treasurer and shall be subject to the provisions of the
30 act of June 21, 1957 (P.L.390, No.212), referred to as the

1 Right-to-Know Law.

2 (2) Copies of all contracts for legal services and any
3 modifications thereto shall also be filed, upon execution,
4 with the Majority and Minority Chairmen of the Appropriations
5 Committees in the Senate and the House of Representatives
6 along with a description of the purpose of the contract and a
7 brief justification for the contract.

8 (3) On or before December 31 of each year, the Governor,
9 the Attorney General and the State Treasurer shall file
10 jointly with the President pro tempore of the Senate and the
11 Speaker of the House of Representatives an itemized listing
12 of all contracted providers of legal services, the duration
13 of the contract, the terms including any modifications and
14 the financial costs for the calendar year covered by the
15 filing.

16 Section 2. The provisions of section 1 of this act shall
17 apply to all contracts executed on or after the effective date
18 of this act and to all modifications of any existing contracts
19 which modifications are executed on or after the effective date
20 of this act.

21 Section 3. This act shall take effect immediately.