

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2672 Session of
1994

INTRODUCED BY CALTAGIRONE, GORDNER, LAUGHLIN, TRELLO, DALEY,
MELIO, MIHALICH, COLAIZZO, TIGUE, D. R. WRIGHT, OLASZ,
WILLIAMS AND PISTELLA, APRIL 11, 1994

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 11, 1994

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 appointment of a special prosecutor for
32 cases involving conflict of interest of the Office of
33 Attorney General.

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

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

6 CHAPTER 2-A

7 SPECIAL PROSECUTOR

8 Section 201-A. Special prosecutor.

9 (a) Duties.--A matter involving possible criminal conduct on
10 the part of the Attorney General or any assistant or deputy
11 thereof shall be investigated and prosecuted if necessary by a
12 special prosecutor selected by the General Assembly.

13 (b) Selection.--A special prosecutor shall be authorized
14 only by adoption of a concurrent resolution by each house of the
15 General Assembly. The resolution may name an individual to serve
16 as special prosecutor or it may authorize the Judiciary
17 Committee of the Senate and the Judiciary Committee of the House
18 of Representatives to select an individual to serve as special
19 prosecutor.

20 (c) Trial.--Any prosecution that may result from an
21 investigation by the special prosecutor shall be conducted by
22 trial in the Dauphin County Court of Common Pleas.

23 Section 2. This act shall take effect immediately.