

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1489 Session of
1996

INTRODUCED BY BELL, APRIL 4, 1996

REFERRED TO JUDICIARY, APRIL 4, 1996

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 further providing for criminal prosecutions.

32 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 Section 1. Section 205 of the act of October 15, 1980
3 (P.L.950, No.164), known as the Commonwealth Attorneys Act, is
4 amended by adding a subsection to read:

5 Section 205. Criminal prosecutions.

6 * * *

7 (a.1) Prosecutions in Commonwealth Court.--If a district
8 attorney does not prosecute a criminal action or institute
9 criminal proceedings in a matter in which an administrative
10 agency of the Commonwealth has enforcement or investigative
11 authority within 180 days of the request of the agency, the
12 Attorney General may supersede the district attorney, upon his
13 approval, in order to prosecute the criminal action or institute
14 the criminal proceedings in Commonwealth Court.

15 * * *

16 Section 2. This act shall take effect in 60 days.