
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL
No. 1045 Session of
1997

INTRODUCED BY PICCOLA, GERLACH, TILGHMAN, PUNT, HELFRICK, DELP,
HECKLER, GREENLEAF, TOMLINSON, RHOADES, HART, SLOCUM AND
THOMPSON, JUNE 20, 1997

REFERRED TO JUDICIARY, JUNE 20, 1997

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, rescinding the power of the Supreme Court to
3 suspend statutes.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby resolves as follows:

6 Section 1. The following amendment to the Constitution of
7 Pennsylvania is proposed in accordance with Article XI:

8 That section 10(c) of Article V be amended to read:

9 § 10. Judicial administration.

10 * * *

11 (c) The Supreme Court shall have the power to prescribe
12 general rules governing practice, procedure and the conduct of
13 all courts, justices of the peace and all officers serving
14 process or enforcing orders, judgments or decrees of any court
15 or justice of the peace, including the power to provide for
16 assignment and reassignment of classes of actions or classes of
17 appeals among the several courts as the needs of justice shall

1 require, and for admission to the bar and to practice law, and
2 the administration of all courts and supervision of all officers
3 of the Judicial Branch, if such rules are consistent with this
4 Constitution and neither abridge, enlarge nor modify the
5 substantive rights of any litigant, nor affect the right of the
6 General Assembly to determine the jurisdiction of any court or
7 justice of the peace, nor suspend nor alter any statute of
8 limitation or repose[. All laws shall be suspended to the extent
9 that they are inconsistent with rules prescribed under these
10 provisions.], nor abridge or infringe upon the legislative power
11 of the General Assembly under Article II. The Supreme Court
12 shall not have the power to suspend statutes which are
13 inconsistent with general rules.

14 * * *

15 Section 2. (a) Upon the first passage by the General
16 Assembly of this proposed constitutional amendment, the
17 Secretary of the Commonwealth shall proceed immediately to
18 comply with the advertising requirements of section 1 of Article
19 XI of the Constitution of Pennsylvania and shall transmit the
20 required advertisements to two newspapers in every county in
21 which such newspapers are published in sufficient time after
22 passage of this proposed constitutional amendment.

23 (b) Upon the second passage by the General Assembly of this
24 proposed constitutional amendment, the Secretary of the
25 Commonwealth shall proceed immediately to comply with the
26 advertising requirements of section 1 of Article XI of the
27 Constitution of Pennsylvania and shall transmit the required
28 advertisements to two newspapers in every county in which such
29 newspapers are published in sufficient time after passage of
30 this proposed constitutional amendment. The Secretary of the

1 Commonwealth shall submit this proposed constitutional amendment
2 to the qualified electors of this Commonwealth at the first
3 primary, general or municipal election occurring at least three
4 months after the proposed constitutional amendment is passed by
5 the General Assembly which meets the requirements of and is in
6 conformance with section 1 of Article XI of the Constitution of
7 Pennsylvania.