

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 270 Session of
2007

INTRODUCED BY CAPPELLI, BAKER, EACHUS, HARRIS, PHILLIPS,
SIPTROTH AND STERN, FEBRUARY 6, 2007

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 6, 2007

AN ACT

Amending the act of October 15, 1980 (P.L.950, No.164), entitled "A supplement to the act of April 9, 1929 (P.L.177, No.175), entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined,' implementing the addition of section 4.1 to Article IV of the Constitution of Pennsylvania; establishing the Office of Attorney General elected by the citizens and setting forth powers and duties of the Attorney General; creating an Office of General Counsel and providing for legal services for Commonwealth agencies; transferring, reorganizing or reconstituting certain boards, commissions and agencies; placing certain duties upon the courts and district attorneys; repealing certain acts and parts of acts and making appropriations," further providing for legal advice and civil matters.

The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 Section 1. Section 204(e) of the act of October 15, 1980
3 (P.L.950, No.164), known as the Commonwealth Attorneys Act, is
4 amended to read:

5 Section 204. Legal advice and civil matters.

6 * * *

7 (e) Limitations in civil litigations.--

8 (1) The Attorney General shall not agree to the entry of
9 a consent decree in any action against the Commonwealth or
10 any agency without the approval of the Governor and notice to
11 the General Assembly through the offices of the Secretary of
12 the Senate and the Chief Clerk of the House of
13 Representatives.

14 (2) If the Attorney General represents the Commonwealth
15 or any agency in negotiation of a consent decree, the
16 Attorney General shall continue to represent the Commonwealth
17 or agency if the decree is challenged after entry.

18 * * *

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