

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2823 Session of  
2008

INTRODUCED BY PHILLIPS, FAIRCHILD, CALTAGIRONE, HARRIS, FLECK,  
GRUCELA, HENNESSEY, HERSHEY, HESS, MAJOR, PICKETT, ROCK,  
SIPTROTH, WOJNAROSKI, BRENNAN, MYERS AND MURT,  
OCTOBER 15, 2008

REFERRED TO COMMITTEE ON STATE GOVERNMENT, OCTOBER 15, 2008

AN ACT

1 Amending the act of August 5, 1941 (P.L.752, No.286), entitled  
2 "An act regulating and improving the civil service of certain  
3 departments and agencies of the Commonwealth; vesting in the  
4 State Civil Service Commission and a Personnel Director  
5 certain powers and duties; providing for classification of  
6 positions, adoption of compensation schedules and  
7 certification of payrolls; imposing duties upon certain  
8 officers and employees of the Commonwealth; authorizing  
9 service to other State departments or agencies and political  
10 subdivisions of the Commonwealth in matters relating to civil  
11 service; defining certain crimes and misdemeanors; imposing  
12 penalties; making certain appropriations, and repealing  
13 certain acts and parts thereof," further providing for  
14 examinations requisite for appointment and promotion.

15 The General Assembly of the Commonwealth of Pennsylvania  
16 hereby enacts as follows:

17 Section 1. Section 501(b) of the act of August 5, 1941  
18 (P.L.752, No.286), known as the Civil Service Act, amended June  
19 28, 2004 (P.L.461, No.50), is amended to read:

20 Section 501. Examinations Requisite for Appointment and  
21 Promotion.--\* \* \*

22 (b) Persons applying for positions or promotions in the  
23 classified service shall be residents of the Commonwealth or

1 former residents of the Commonwealth who meet the requirements  
2 of this subsection, and where applicable to the administrative  
3 district. Former residents of the Commonwealth must have  
4 relocated out of State for academic or employment purposes,  
5 shall plan to establish Commonwealth residency within six months  
6 of beginning employment in the classified service and must have:  
7 (1) graduated from a public, private or nonpublic secondary  
8 school in the Commonwealth or satisfied the requirements of  
9 sections 1327 and 1327.1 of the act of March 10, 1949 (P.L.30,  
10 No.14), known as the "Public School Code of [1949," within five  
11 years of applying for a position in the classified service]  
12 1949"; (2) satisfied the requirements of sections 1327 and  
13 1327.1 of the "Public School Code of 1949" or attended a public,  
14 private or nonpublic school in the Commonwealth at least eighty  
15 percent of the time while enrolled in grades one through twelve  
16 [and attended such school within five years of applying for a  
17 position in the classified service]; or (3) graduated or  
18 attended a public, private or nonpublic secondary school in the  
19 Commonwealth or satisfied the requirements of sections 1327 and  
20 1327.1 of the "Public School Code of 1949" and graduated from a  
21 postsecondary institution in the Commonwealth [within five years  
22 of applying for a position in the classified service].  
23 Notwithstanding any of the provisions of this act, whenever an  
24 appointing authority finds a lack of a sufficient number of  
25 qualified personnel available for appointment to any particular  
26 class or classes of positions, the appointing authority may  
27 present evidence thereof to the director who may waive the  
28 residence requirements for such class or classes of positions.

29 \* \* \*

30 Section 2. This act shall apply to persons who apply for

1 positions or promotions in the classified service after the  
2 effective date of this section.

3 Section 3. This act shall take effect in 60 days.