
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 194 Session of
2007

INTRODUCED BY GREENLEAF, ERICKSON, PILEGGI, ORIE, COSTA,
TARTAGLIONE, MUSTO, WASHINGTON, O'PAKE, FONTANA, KITCHEN AND
BROWNE, OCTOBER 16, 2007

REFERRED TO PUBLIC HEALTH AND WELFARE, OCTOBER 16, 2007

A RESOLUTION

1 Directing the Joint State Government Commission to establish a
2 legislative task force with an advisory committee of experts
3 to review, update and codify Pennsylvania's public health
4 law.

5 WHEREAS, Pennsylvania's public health law is a patchwork of
6 statutes mostly contained in Purdon's Title 35 (Health and
7 Safety), but also scattered throughout other titles, old case
8 law and State and local regulations; and

9 WHEREAS, Many of Pennsylvania's public health statutes date
10 to the 1950s or earlier, such as the very significant act of
11 April 23, 1956 (1955 P.L.1510, No.500), known as the Disease
12 Prevention and Control Law of 1955; and

13 WHEREAS, Pennsylvania's public health case law dates
14 primarily to the late 19th and early 20th centuries, predating
15 contemporary constitutional due process standards; and

16 WHEREAS, The Administrative Office of Pennsylvania Courts and
17 the University of Pittsburgh Graduate School of Public Health
18 Center for Public Health Preparedness developed a Pennsylvania

1 Public Health Law Bench Book for judges, showing the need to
2 substantially upgrade Pennsylvania's public health law; and

3 WHEREAS, Increased global travel and emerging biological
4 threats have the potential for creating serious Statewide public
5 health concerns; and

6 WHEREAS, Pennsylvania's public health law, including
7 statutes, regulations and case law, should be reviewed so the
8 law may be updated and codified to address modern public health
9 issues; and

10 WHEREAS, The emergency management services provisions of 35
11 Pa.C.S. (relating to health and safety) are the only provisions
12 of the title that have been codified; and

13 WHEREAS, Codification is the process of revising and
14 restating statutes into a concise code of law that is clear,
15 consistent and organized; and

16 WHEREAS, The public health law provisions of 35 Pa.C.S.
17 should be codified so that they are consolidated with the
18 emergency management services provisions of the title; therefore
19 be it

20 RESOLVED, That the Senate direct the Joint State Government
21 Commission to establish a legislative task force with an
22 advisory committee of experts to review, update and codify
23 Pennsylvania's public health law; and be it further

24 RESOLVED, That a legislative task force be created consisting
25 of two members appointed by the President pro tempore of the
26 Senate and two members appointed by the Minority Leader of the
27 Senate; and be it further

28 RESOLVED, That the task force create an advisory committee
29 composed of experts on public health law; and be it further

30 RESOLVED, That the task force and advisory committee report

1 to the Senate with recommended legislation.