
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 911 Session of
2017

INTRODUCED BY ROTHMAN, PHILLIPS-HILL, GROVE, PICKETT, BAKER,
MACKENZIE, WARD, BLOOM, KAUFFMAN, TALLMAN, IRVIN, A. HARRIS,
GABLER, SAYLOR, SIMMONS, DUSH, ZIMMERMAN AND JAMES,
MARCH 21, 2017

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 21, 2017

AN ACT

1 Amending the act of June 25, 1982 (P.L.633, No.181), entitled,
2 as reenacted, "An act providing for independent oversight and
3 review of regulations, creating an Independent Regulatory
4 Review Commission, providing for its powers and duties and
5 making repeals," further providing for definitions; and
6 providing for economically significant regulations and for
7 abrogation of regulations.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 3 of the act of June 25, 1982 (P.L.633,
11 No.181), known as the Regulatory Review Act, is amended by
12 adding a definition to read:

13 Section 3. Definitions.

14 The following words and phrases when used in this act shall
15 have, unless the context clearly indicates otherwise, the
16 meanings given to them in this section:

17 * * *

18 "Economically significant regulation." A regulation with an
19 aggregate direct cost or aggregate indirect cost that exceeds

1 \$1,000,000.

2 * * *

3 Section 2. The act is amended by adding sections to read:

4 Section 5.3. Economically significant regulations.

5 (a) Each regulation submitted by an agency under section 5.1
6 shall include a fiscal note prepared by the Office of the Budget
7 under section 612 of the act of April 9, 1929 (P.L.177, No.175),
8 known as The Administrative Code of 1929. The following shall
9 apply:

10 (1) The fiscal note must contain an examination of the
11 aggregate direct cost and aggregate indirect cost associated
12 with the regulation for the first five years following
13 implementation of the regulation.

14 (2) The Office of the Budget shall notify each
15 committee if the regulation is an economically significant
16 regulation.

17 (3) Within five days of completion of a fiscal note for
18 the regulation, the Office of the Budget shall notify the
19 President pro tempore of the Senate and the Speaker of the
20 House of Representatives of the regulation and provide a copy
21 of the fiscal note to each member of the General Assembly.

22 (b) After receiving notice under subsection (a) (3), the
23 Senate and the House of Representatives shall review the final-
24 form regulation at an informational hearing and provide the
25 agency that submitted the regulation with an opportunity to
26 provide testimony on the necessity for regulation to fulfill the
27 intent of the authorizing statute in accordance with the
28 following:

29 (1) The President pro tempore of the Senate shall direct
30 a committee with oversight jurisdiction of the agency to hold

1 an informational hearing.

2 (2) The Speaker of the House of Representatives shall
3 direct a committee with oversight jurisdiction of the agency
4 to hold an informational hearing.

5 (c) If, within 15 legislative days or 90 calendar days,
6 whichever is later, after the committees with oversight
7 jurisdiction have been directed to hold an informational hearing
8 under subsection (b), the final-form regulation is not approved
9 by a majority vote of the Senate and the House of
10 Representatives, the regulation shall be deemed rejected and the
11 agency shall be barred from promulgating the regulation.

12 Section 8.2. Abrogation of regulations.

13 The General Assembly may adopt a concurrent resolution
14 abrogating a regulation.

15 Section 3. This act shall apply to any regulation prepared
16 in final form on or after the effective date of section 5.3 of
17 this act.

18 Section 4. This act shall take effect in 60 days.