

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2416 Session of 2020

INTRODUCED BY EVERETT, APRIL 17, 2020

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 17, 2020

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
 2 "An act providing for and reorganizing the conduct of the
 3 executive and administrative work of the Commonwealth by the
 4 Executive Department thereof and the administrative
 5 departments, boards, commissions, and officers thereof,
 6 including the boards of trustees of State Normal Schools, or
 7 Teachers Colleges; abolishing, creating, reorganizing or
 8 authorizing the reorganization of certain administrative
 9 departments, boards, and commissions; defining the powers and
 10 duties of the Governor and other executive and administrative
 11 officers, and of the several administrative departments,
 12 boards, commissions, and officers; fixing the salaries of the
 13 Governor, Lieutenant Governor, and certain other executive
 14 and administrative officers; providing for the appointment of
 15 certain administrative officers, and of all deputies and
 16 other assistants and employes in certain departments, boards,
 17 and commissions; providing for judicial administration; and
 18 prescribing the manner in which the number and compensation
 19 of the deputies and all other assistants and employes of
 20 certain departments, boards and commissions shall be
 21 determined," providing for emergency regulatory tolling and
 22 extensions.

23 The General Assembly of the Commonwealth of Pennsylvania
 24 hereby enacts as follows:

25 Section 1. The act of April 9, 1929 (P.L.177, No.175), known
 26 as The Administrative Code of 1929, is amended by adding an
 27 article to read:

28 ARTICLE I-A

1 EMERGENCY REGULATORY TOLLING AND EXTENSIONS

2 Section 101-A. Emergency regulatory tolling.

3 (a) Tolling.--Except as set forth in subsection (c), a time
4 period applicable under the act of June 25, 1982 (P.L.633,
5 No.181), known as the Regulatory Review Act, to a proposed
6 regulation, a final-form regulation or a final-omitted
7 regulation as of the effective date of this section is tolled
8 under subsection (b). The following apply:

9 (1) A proposed regulation under this subsection may not
10 be submitted as a final-form regulation.

11 (2) A final-form regulation under this subsection may
12 not be promulgated as a regulation.

13 (3) A final-omitted regulation under this subsection may
14 not be promulgated as a regulation.

15 (b) Tolled period.--A time period under subsection (a) is
16 tolled until 90 days after the declaration is terminated by
17 executive order, proclamation or operation of law.

18 (c) Waiver.--Subsection (a) does not apply if there is a
19 waiver through the following process:

20 (1) Prior to the expiration of the tolled period tolling
21 under subsection (b), a Commonwealth agency may petition to
22 the appropriate standing committees of the Senate and House
23 of Representatives under section 7(d) of the Regulatory
24 Review Act, for a waiver of the tolling under subsection (a).
25 The petition must be:

26 (i) in writing;

27 (ii) signed by the head of the Commonwealth agency
28 or its governing body; and

29 (iii) submitted to the chair of each standing
30 committee for distribution to members.

1 (2) The waiver must be granted by a majority vote of
2 each standing committee.

3 (d) Definition.--As used in this section, the term
4 "declaration" means the declaration of disaster emergency issued
5 by the Governor on March 6, 2020, published in 50 Pa.B. 1644
6 (March 21, 2020) and any renewal of the state of disaster
7 emergency.

8 Section 2. This act shall take effect immediately.