

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2487 Session of 2020

INTRODUCED BY RYAN, STEPHENS, DIAMOND, MALONEY, LEWIS, KEEFER, ROAE, SCHLEGEL CULVER, O'NEAL, BARRAR, KAUFFMAN, JONES, MIZGORSKI, MARSHALL, GROVE, DUNBAR, BERNSTINE, MENTZER, DeLUCA, COOK, THOMAS, GLEIM, ROWE, KORTZ, HELM, OTTEN, HERSHEY, B. MILLER, BONNER, ORTITAY, MUSTELLO, MEHAFFIE, KAIL, MOUL, STAATS AND DRISCOLL, MAY 5, 2020

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, MAY 18, 2020

AN ACT

1 Amending the act of September 30, 1983 (P.L.160, No.39),
2 entitled "An act establishing salaries and compensation of
3 certain public officials including justices and judges of
4 Statewide courts, judges of courts of common pleas, judges of
5 the Philadelphia Municipal Court, judges of the Philadelphia
6 Traffic Court, district justices and the Governor, the
7 Lieutenant Governor, the State Treasurer, the Auditor
8 General, the Attorney General and certain other State
9 officers and the salary and certain expenses of the members
10 of the General Assembly; and repealing certain inconsistent
11 acts," further providing for judicial salaries, for
12 compensation of Governor and Lieutenant Governor, State
13 Treasurer, Auditor General, Attorney General, Commissioners
14 of the Pennsylvania Public Utility Commission and heads of
15 departments and for members of the General Assembly; <--
16 PROVIDING FOR COST-OF-LIVING ADJUSTMENT HIATUS; AND MAKING A
17 REPEAL.

18 The General Assembly of the Commonwealth of Pennsylvania
19 hereby enacts as follows:

20 Section 1. Sections 2.1(i), 3(e) and 4(d) and (d.1) of the
21 act of September 30, 1983 (P.L.160, No.39), known as the Public
22 Official Compensation Law, are amended to read:

23 Section 2.1. Judicial salaries.

1 * * *

2 (i) Annual cost-of-living adjustment.--[Beginning]

3 (1) Except as provided under paragraph (2), beginning
4 January 1, 1997, and each January 1 thereafter, the annual
5 salaries under subsections (a) through (h) shall be increased
6 by the percentage change in the Consumer Price Index for All
7 Urban Consumers (CPI-U) for the Pennsylvania, New Jersey,
8 Delaware and Maryland area for the most recent 12-month
9 period for which figures have been officially reported by the
10 United States Department of Labor, Bureau of Labor Statistics
11 immediately prior to the date the adjustment is due to take
12 effect. The percentage increase and salary amounts shall be
13 determined prior to the annual effective date of the
14 adjustment by the Supreme Court and shall be published in the
15 Pennsylvania Bulletin by the Court Administrator of
16 Pennsylvania within 20 days of the date the determination is
17 made.

18 (2) The annual salaries under this section may not be
19 increased by an annual cost-of-living adjustment under
20 paragraph (1) for the annual period beginning January 1,
21 2021, AND ENDING DECEMBER 31, 2021. Notice of the provisions <--
22 of this subsection shall be published in the Pennsylvania
23 Bulletin prior to December 1, 2020.

24 (3) THE ANNUAL SALARIES FOR INDIVIDUALS SUBJECT TO 42 <--
25 PA.C.S. § 1741(A) (1) OR (2) (RELATING TO COMPENSATION OF
26 JUDGES) MAY NOT BE INCREASED BY A COST-OF-LIVING ADJUSTMENT
27 UNDER 42 PA.C.S. § 1741(B) FOR THE ANNUAL PERIOD BEGINNING
28 JANUARY 1, 2021, AND ENDING DECEMBER 31, 2021. NOTICE OF THE
29 PROVISIONS OF THIS SUBSECTION SHALL BE TRANSMITTED TO THE
30 LEGISLATIVE REFERENCE BUREAU FOR PUBLICATION IN THE

2 Section 3. Compensation of Governor and Lieutenant Governor;
3 State Treasurer; Auditor General; Attorney General;
4 Commissioners of the Pennsylvania Public Utility
5 Commission; and heads of departments.

6 * * *

7 (e) Annual cost-of-living adjustment.--[Beginning]

8 (1) Except as provided under paragraph (2), beginning
9 January 1, 1997, and each January 1 thereafter, the stated
10 annual salaries of the Governor and Lieutenant Governor, the
11 State Treasurer, the Auditor General, the Attorney General
12 and the heads of the departments and members of boards and
13 commissions denoted herein shall be increased by an annual
14 cost-of-living increase calculated by applying the percentage
15 change in the Consumer Price Index for All Urban Consumers
16 (CPI-U) for the Pennsylvania, New Jersey, Delaware and
17 Maryland area, for the most recent 12-month period for which
18 figures have been officially reported by the United States
19 Department of Labor, Bureau of Labor Statistics immediately
20 prior to the date the adjustment is due to take effect, to
21 the then current salary amounts authorized. The percentage
22 increase and the salary amounts shall be determined by the
23 Governor prior to the annual effective date of the adjustment
24 and shall be published by the Secretary of the Budget in the
25 Pennsylvania Bulletin within ten days of the date the
26 determination is made.

27 (2) The stated annual salaries of the Governor and
28 Lieutenant Governor, the State Treasurer, the Auditor
29 General, the Attorney General and the heads of the
30 departments and members of boards and commissions may not be

1 increased by an annual cost-of-living adjustment under
2 paragraph (1) for the annual period beginning January 1,
3 2021, AND ENDING DECEMBER 31, 2021. Notice of the provisions <--
4 of this subsection shall be published in the Pennsylvania
5 Bulletin prior to December 1, 2020.

6 Section 4. Members of the General Assembly.

7 * * *

8 (d) Subsequent annual cost-of-living adjustment for
9 members.--[For]

10 (1) Except as provided under paragraph (2), for the 12-
11 month period beginning December 1, 1997, through November 30,
12 1998, and for each like 12-month period thereafter, the
13 salary of the members of the General Assembly shall be
14 increased by an annual cost-of-living adjustment calculated
15 by applying the percentage change in the Consumer Price Index
16 for All Urban Consumers (CPI-U) for the Pennsylvania, New
17 Jersey, Delaware and Maryland area, for the most recent 12-
18 month period for which figures have been officially reported
19 by the United States Department of Labor, Bureau of Labor
20 Statistics immediately prior to the date the adjustment is
21 due to take effect, to the then current salary amounts. The
22 percentage increase and the new salary amounts shall be
23 determined jointly by the Chief Clerk of the Senate and the
24 Chief Clerk of the House of Representatives prior to the
25 annual effective date of the adjustment and shall be
26 published by them in the Pennsylvania Bulletin within ten
27 days of the date such determination is made.

28 (2) The salary of the members of the General Assembly
29 may not be increased by an annual cost-of-living adjustment
30 under paragraph (1) for the period beginning December 1,

1 2020, through November 30, 2021. Notice of the provisions of
2 this subsection shall be published in the Pennsylvania
3 Bulletin prior to December 1, 2020.

4 (d.1) Subsequent annual cost-of-living adjustment for
5 officers and leaders.--[For]

6 (1) Except as provided under paragraph (2), for the 12-
7 month period beginning December 1, 1997, through November 30,
8 1998, and for each like 12-month period thereafter, the
9 additional compensation of the officers and leaders of the
10 General Assembly shall be increased by an annual cost-of-
11 living adjustment calculated by applying the percentage
12 change in the Consumer Price Index for All Urban Consumers
13 (CPI-U) for the Pennsylvania, New Jersey, Delaware and
14 Maryland area, for the most recent 12-month period for which
15 figures have been officially reported by the United States
16 Department of Labor, Bureau of Labor Statistics immediately
17 prior to the date the adjustment is due to take effect, to
18 the then current compensation. The percentage increase and
19 the new compensation amounts shall be determined jointly by
20 the Chief Clerk of the Senate and the Chief Clerk of the
21 House of Representatives prior to the annual effective date
22 of the adjustment and shall be published in the Pennsylvania
23 Bulletin within 20 days immediately prior to each cost-of-
24 living increase taking effect.

25 (2) The additional compensation of the officers and
26 leaders of the General Assembly may not be increased by an
27 annual cost-of-living adjustment under paragraph (1) for the
28 period beginning December 1, 2020, through November 30, 2021.
29 Notice of the provisions of this subsection shall be
30 published in the Pennsylvania Bulletin prior to December 1,

1 2020.

2 SECTION 2. THE ACT IS AMENDED BY ADDING A SECTION TO READ: <--
3 SECTION 5.3. COST-OF-LIVING ADJUSTMENT HIATUS.

4 (A) GENERAL RULE.--THE SALARY OF SALARIED OFFICERS OF THE
5 COMMONWEALTH, EXCEPT FOR AN INDIVIDUAL SUBJECT TO SECTIONS
6 2.1(I) (2) AND (3), 3(E) (2), 4(D) (2) AND (D.1) (2), MAY NOT BE
7 INCREASED BY A COST-OF-LIVING ADJUSTMENT FOR THE PERIOD
8 BEGINNING JANUARY 1, 2021, AND ENDING DECEMBER 31, 2021.

9 (B) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
10 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
11 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

12 "SALARIED OFFICERS OF THE COMMONWEALTH." THE TERM SHALL HAVE
13 THE SAME MEANING AS IN SECTION 16(A) OF ARTICLE V OF THE
14 CONSTITUTION OF PENNSYLVANIA.

15 SECTION 3. THE FOLLOWING SHALL APPLY:

16 (1) EXCEPT AS PROVIDED UNDER PARAGRAPH (2), THE
17 PROVISIONS OF THIS ACT SHALL NOT BE SEVERABLE.

18 (2) THE AMENDMENT OF SECTION 2.1(I) OF THE ACT AND
19 SECTION 4 OF THIS ACT SHALL BE SEVERABLE FROM THE REMAINDER
20 OF THIS ACT.

21 SECTION 4. REPEALS ARE AS FOLLOWS:

22 (1) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER
23 PARAGRAPH (2) IS NECESSARY FOR THE AMENDMENT OF SECTION
24 2.1(I) OF THE ACT.

25 (2) 42 PA.C.S. § 1741(B) IS REPEALED INsofar AS IT IS
26 INCONSISTENT WITH THE AMENDMENT OF SECTION 2.1(I) OF THE ACT.

27 Section ~~2~~ 5. This act shall take effect immediately. <--