

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2772 Session of 2020

INTRODUCED BY OTTEN, A. DAVIS, McNEILL, YOUNGBLOOD, ROZZI, SIMS,  
HILL-EVANS AND CIRESI, AUGUST 13, 2020

REFERRED TO COMMITTEE ON JUDICIARY, AUGUST 13, 2020

A SUPPLEMENT

1 Amending the act of October 15, 1980 (P.L.950, No.164), entitled  
2 "A supplement to the act of April 9, 1929 (P.L.177, No.175),  
3 entitled "An act providing for and reorganizing the conduct  
4 of the executive and administrative work of the Commonwealth  
5 by the Executive Department thereof and the administrative  
6 departments, boards, commissions, and officers thereof,  
7 including the boards of trustees of State Normal Schools, or  
8 Teachers Colleges; abolishing, creating, reorganizing or  
9 authorizing the reorganization of certain administrative  
10 departments, boards, and commissions; defining the powers and  
11 duties of the Governor and other executive and administrative  
12 officers, and of the several administrative departments,  
13 boards, commissions, and officers; fixing the salaries of the  
14 Governor, Lieutenant Governor, and certain other executive  
15 and administrative officers; providing for the appointment of  
16 certain administrative officers, and of all deputies and  
17 other assistants and employes in certain departments, boards,  
18 and commissions; and prescribing the manner in which the  
19 number and compensation of the deputies and all other  
20 assistants and employes of certain departments, boards and  
21 commissions shall be determined," implementing the addition  
22 of section 4.1 to Article IV of the Constitution of  
23 Pennsylvania; establishing the Office of Attorney General  
24 elected by the citizens and setting forth powers and duties  
25 of the Attorney General; creating an Office of General  
26 Counsel and providing for legal services for Commonwealth  
27 agencies; transferring, reorganizing or reconstituting  
28 certain boards, commissions and agencies; placing certain  
29 duties upon the courts and district attorneys; repealing  
30 certain acts and parts of acts and making appropriations," in  
31 Office of Attorney General, further providing for criminal  
32 prosecutions.

33 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 Section 1. Section 205(a) of the act of October 15, 1980  
3 (P.L.950, No.164), known as the Commonwealth Attorneys Act, is  
4 amended by adding a paragraph and subsection (b) is amended to  
5 read:

6 Section 205. Criminal prosecutions.

7 (a) Prosecutions.--The Attorney General shall have the power  
8 to prosecute in any county criminal court the following cases:

9 \* \* \*

10 (6.1) Criminal charges, regardless of whether  
11 investigated and referred to him by a Commonwealth agency,  
12 arising out of enforcement provisions of an environmental law  
13 or regulation.

14 \* \* \*

15 (b) Concurrent jurisdiction to prosecute.--The Attorney  
16 General shall have the concurrent prosecutorial jurisdiction  
17 with the district attorney for cases arising under subsection  
18 (a)(1), (2), [and] (6) and (6.1) and may refer to the district  
19 attorney with his consent any violation or alleged violation of  
20 the criminal laws of the Commonwealth which may come to his  
21 notice.

22 \* \* \*

23 Section 2. This act shall take effect in 60 days.