
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 327 Session of
2019

INTRODUCED BY ARGALL, SCAVELLO, FOLMER, MARTIN, VOGEL, J. WARD,
REGAN, STEFANO AND BROWNE, FEBRUARY 26, 2019

AMENDMENTS TO SENATE AMENDMENTS, HOUSE OF REPRESENTATIVES,
APRIL 20, 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; and prescribing the manner in which the
18 number and compensation of the deputies and all other
19 assistants and employes of certain departments, boards and
20 commissions shall be determined," providing for COVID-19
21 emergency statutory and regulatory suspensions and waivers
22 reporting requirements, for COVID-19 debt cost reduction
23 review and for COVID-19 Cost and Recovery Task Force; in
24 powers and duties of the Department of General Services and
25 its departmental administrative and advisory boards and
26 commissions, providing for report of State facilities owned
27 or leased; providing for ~~COVID-19 county emergency mitigation~~ <--
28 ~~plan for businesses~~ EMERGENCY REGULATORY TOLLING; and making <--
29 an appropriation.

30 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 Section 1. The act of April 9, 1929 (P.L.177, No.175), known
3 as The Administrative Code of 1929, is amended by adding
4 articles to read:

5 ARTICLE XXI-C

6 COVID-19 EMERGENCY STATUTORY AND
7 REGULATORY SUSPENSIONS AND WAIVERS
8 REPORTING REQUIREMENTS

9 Section 2101-C. Definitions.

10 The following words and phrases when used in this article
11 shall have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Order." Any of the following:

14 (1) the declaration of disaster emergency issued by the
15 Governor on March 6, 2020, published in 50 Pa.B. 1644 (March
16 21, 2020); or

17 (2) a declaration of disaster emergency relating to the
18 novel coronavirus known as "COVID-19" which is issued after
19 March 6, 2020.

20 Section 2102-C. Notification required.

21 (a) Suspensions, modifications and waivers requiring
22 modification.--The Office of the Governor shall notify the
23 individuals under subsection (c) no later than provided under
24 subsection (b) when a specific statute or regulation is
25 suspended, modified or waived under the authority of the order
26 or when a specific statute or regulation is first treated as
27 being suspended, modified or waived under a blanket suspension,
28 modification or waiver under the order. A notification under
29 this paragraph shall, at minimum, notify the individuals of the
30 following:

1 The Treasury Department, in conjunction with the Secretary of
2 the Budget, the Auditor General and any chairperson of an
3 authority, commission, agency, board or other State-authorized
4 entity that has the power to issue debt, shall identify and
5 review all outstanding debt obligations of the Commonwealth and
6 its authorities, commissions, agencies, boards or other State-
7 authorized entities and submit a report of the findings to the
8 General Assembly no later than June 30, 2020. In addition to the
9 identification and review of all outstanding debt obligations,
10 the report shall identify options for the refinancing of the
11 outstanding debt obligations to reduce the costs to the
12 Commonwealth and its authorities.

13 ARTICLE XXI-E

14 COVID-19 COST AND RECOVERY TASK FORCE

15 Section 2101-E. Legislative findings.

16 The General Assembly finds and declares as follows:

17 (1) A novel coronavirus, known as COVID-19, entered the
18 United States in late January 2020 and has spread throughout
19 the states, including this Commonwealth.

20 (2) On March 6, 2020, the Governor declared a disaster
21 emergency, citing a threat of imminent disaster that is of
22 such a magnitude and severity as to necessitate extraordinary
23 measures to protect the health, safety and life of this
24 Commonwealth's citizens.

25 (3) The impact of COVID-19, including all the necessary
26 measures taken to mitigate the spread of the disease, has
27 severely disrupted the Commonwealth and its subdivisions and
28 is producing short-term and long-term negative economic
29 consequences.

30 (4) In order to effectively manage the current disaster,

1 all branches of the Commonwealth's government must work
2 cooperatively to identify immediate and urgent issues,
3 provide a structure to catalog the Commonwealth's response to
4 the disaster emergency and create a forum to receive
5 testimony, information and recommendations from individuals,
6 business and industry.

7 (5) In addition to managing the existing public health
8 challenges of COVID-19, the Commonwealth will need a recovery
9 plan once the emergency subsides to address the innumerable
10 issues resulting from the disaster emergency, including the
11 impact to the economy.

12 (6) The most effective manner to achieve these critical
13 needs is to form an interbranch task force.

14 Section 2102-E. Definitions.

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

18 "Order." As follows:

19 (1) The declaration of disaster emergency issued by the
20 Governor on March 6, 2020, published at 50 Pa.B. 1644 (March
21 21, 2020).

22 (2) A declaration of disaster emergency relating to the
23 novel coronavirus, known as COVID-19, issued after March 6,
24 2020.

25 "Task force." The COVID-19 Cost and Recovery Task Force
26 established under section 2103-E(a).

27 Section 2103-E. Task force.

28 (a) Establishment.--The COVID-19 Cost and Recovery Task
29 Force is established.

30 (b) Membership.--The task force shall consist of the

1 following members, appointed within five days of the effective
2 date of this section:

3 (1) The Governor or a designee.

4 (2) Two members of the Senate appointed by the THE <--
5 President pro tempore of the Senate OR A DESIGNEE. <--

6 (3) Three members of the Senate appointed by the THE <--
7 Majority Leader of the Senate OR A DESIGNEE. <--

8 (4) Three members of the Senate appointed by the THE <--
9 Minority Leader of the Senate OR A DESIGNEE. <--

10 (5) Two members of the House of Representatives <--
11 appointed by the THE Speaker of the House of Representatives <--
12 OR A DESIGNEE. <--

13 (6) Three members of the House of Representatives <--
14 appointed by the THE Majority Leader of the House of <--
15 Representatives OR A DESIGNEE. <--

16 (7) Three members of the House of Representatives <--
17 appointed by the THE Minority Leader of the House of <--
18 Representatives OR A DESIGNEE. <--

19 (8) The following individuals appointed by the Governor: <--

20 (i) An officer or employee of the Department of
21 Health to represent the Secretary of Health.

22 (ii) An officer or employee of the Pennsylvania
23 Emergency Management Agency to represent the Director of
24 the Pennsylvania Emergency Management Agency.

25 (iii) An officer or employee of the Department of
26 Community and Economic Development to represent the
27 Secretary of Community and Economic Development.

28 (9) The following individuals appointed by the Chief
29 Justice of the Supreme Court:

30 (i) The Court Administrator of Pennsylvania of the

1 Administrative Office of Pennsylvania Courts.

2 (ii) A judge of the Superior or Commonwealth Courts
3 or a justice of the Supreme Court.

4 (iii) A judge of a court of common pleas or a member
5 of the minor judiciary.

6 (8) THE CHIEF JUSTICE OF THE SUPREME COURT OR A <--
7 DESIGNEE.

8 (9) A JUDGE OF THE SUPERIOR COURT OR COMMONWEALTH COURT
9 OR A JUDGE OF THE COURT OF COMMON PLEAS APPOINTED BY THE
10 CHIEF JUSTICE OF THE SUPREME COURT.

11 (c) Method of appointment.--An appointing authority under
12 subsection (b) shall make appointment or replacement appointment
13 by the transmission of a letter to the Governor, all ex officio
14 members and all appointing authorities under subsection (b).

15 (C.1) EXECUTIVE ADVISORS.--THE FOLLOWING SHALL SERVE AS <--
16 ADVISORS TO THE TASK FORCE:

17 (1) AN OFFICER OR EMPLOYEE OF THE DEPARTMENT OF
18 AGRICULTURE TO REPRESENT THE SECRETARY OF AGRICULTURE.

19 (2) AN OFFICER OR EMPLOYEE OF THE DEPARTMENT OF BANKING
20 AND SECURITIES TO REPRESENT THE SECRETARY OF BANKING AND
21 SECURITIES.

22 (3) AN OFFICER OR EMPLOYEE OF THE DEPARTMENT OF
23 COMMUNITY AND ECONOMIC DEVELOPMENT TO REPRESENT THE SECRETARY
24 OF COMMUNITY AND ECONOMIC DEVELOPMENT.

25 (4) AN OFFICER OR EMPLOYEE OF THE DEPARTMENT OF
26 EDUCATION TO REPRESENT THE SECRETARY OF EDUCATION.

27 (5) AN OFFICER OR EMPLOYEE OF THE DEPARTMENT OF HUMAN
28 SERVICES TO REPRESENT THE SECRETARY OF HUMAN SERVICES.

29 (6) AN OFFICER OR EMPLOYEE OF THE INSURANCE DEPARTMENT
30 TO REPRESENT THE INSURANCE COMMISSIONER.

1 (7) AN OFFICER OR EMPLOYEE OF THE DEPARTMENT OF LABOR
2 AND INDUSTRY TO REPRESENT THE SECRETARY OF LABOR AND
3 INDUSTRY.

4 (8) AN OFFICER OR EMPLOYEE OF THE DEPARTMENT OF
5 TRANSPORTATION TO REPRESENT THE SECRETARY OF TRANSPORTATION.

6 (d) Advisory committees.--The following shall apply:

7 (1) The task force may establish advisory committees to
8 review issues relating to the COVID-19 public health
9 emergency that require executive, legislative or judicial
10 action and to report related information to the task force.

11 (2) Members of an advisory committee shall be
12 individuals appointed by the task force who have experience
13 in the issue being reviewed. Members of the task force and
14 individuals who are not members of the task force may be
15 appointed to an advisory committee.

16 (3) INDIVIDUALS APPOINTED TO AN ADVISORY COMMITTEE WHO <--
17 ARE NOT MEMBERS OF THE TASK FORCE SHALL REPRESENT THE
18 GEOGRAPHIC, RACIAL, GENDER AND SOCIOECONOMIC DIVERSITY OF
19 THIS COMMONWEALTH. INDIVIDUALS APPOINTED TO AN ADVISORY
20 COMMITTEE WHO ARE NOT MEMBERS OF THE TASK FORCE MAY NOT BE A
21 LOBBYIST AS DEFINED IN 65 PA.C.S. § 13A03 (RELATING TO
22 DEFINITIONS) OR AN OFFICER OR AN EMPLOYEE OF A POLITICAL
23 PARTY OR POLITICAL COMMITTEE AS DEFINED IN SECTION 801 OR
24 1621(H) OF THE ACT OF JUNE 3, 1937 (P.L.1333, NO.320), KNOWN
25 AS THE PENNSYLVANIA ELECTION CODE.

26 ~~(3)~~ (4) A member of the task force shall serve as the <--
27 chairperson of each advisory committee.

28 ~~(4)~~ (5) An advisory committee established under this <--
29 subsection may be directed to review issues related to issues
30 arising from the COVID-19 pandemic and the impact those

1 issues have had on the Commonwealth.

2 (e) Chairperson.--The Governor or a designee under
3 subsection (b) (1) shall serve as chairperson of the task force.

4 (f) Participation.--A member not physically present may
5 participate by teleconference or video conference.

6 (g) Quorum and voting.--The following shall apply:

7 (1) A majority of the members of the task force
8 participating in person, teleconference or video conference
9 shall constitute a quorum.

10 (2) Action of the task force must be authorized or
11 ratified by majority vote of the members of the task force.

12 (h) Meetings.--The following shall apply:

13 (1) The task force shall meet at least once a week.
14 Additional meetings may be called by the chairperson as
15 necessary. The chairperson shall schedule a meeting upon
16 written request of four members of the task force.

17 (2) The first meeting shall be convened within 10 days
18 of the effective date of this paragraph.

19 (3) The task force may take actions necessary to conform
20 to public gathering requirements ordered or recommended by
21 the Secretary of Health or the Centers for Disease Control.

22 (4) The task force shall permit the public to view or
23 listen to a AN ADVISORY committee meeting through <--
24 contemporaneous methods and make the recordings available on
25 the Department of Community and Economic Development's
26 publicly accessible Internet website.

27 (5) The task force OR AN ADVISORY COMMITTEE may hold <--
28 public hearings if necessary.

29 (i) Expenses.--Members shall not receive compensation but
30 shall be reimbursed for actual expenses incurred in service of

1 the task force.

2 (j) Support.--The Office of the Governor, the Senate, the
3 House of Representatives and the Administrative Offices of the
4 Pennsylvania Courts shall provide administrative services to the
5 task force OR ADVISORY COMMITTEE. <--

6 (k) Applicability.--The following shall apply:

7 (1) (i) Except as provided under subparagraph (ii), the
8 act of February 14, 2008 (P.L.6, No.3), known as the
9 Right-to-Know Law, shall apply to the task force.

10 (ii) Correspondence between a person and a member of
11 the task force and records accompanying the
12 correspondence submitted under section 2104-E(a)(3) shall
13 be exempt from access by a requester under the Right-to-
14 Know Law. This subparagraph shall not apply to
15 correspondence between a member and a principal or
16 lobbyist under 65 Pa.C.S. Ch. 13A (relating to lobbying).

17 (2) Except as provided under paragraph (3), the task
18 force shall be deemed an agency for the purposes of 65
19 Pa.C.S. Ch. 7 (relating to open meetings).

20 (3) Public notice of a meeting of the task force shall
21 be made by the issuance of a press release by the chairperson
22 no less than 24 hours prior to a meeting.

23 (4) A member of the task force shall be deemed a public
24 official for the purpose of 65 Pa.C.S. Ch. 11 (relating to
25 ethics standards and financial disclosure). A statement
26 required to be filed by a member under 65 Pa.C.S. § 1104(a)
27 (relating to statement of financial interests required to be
28 filed) due to the individual's membership on the task force
29 shall be filed only with the State Ethics Commission.

30 (5) The task force shall be considered an independent

1 agency for the purposes of the act of October 15, 1980
2 (P.L.950, No.164), known as the Commonwealth Attorneys Act.

3 Section 2104-E. Functions of task force.

4 (a) Powers.--The task force shall have the following powers:

5 (1) To request periodic updates from each agency under
6 the Governor's jurisdiction, independent agencies, the
7 legislature and the unified judicial system on any actions
8 taken in response to the COVID-19 public health emergency.

9 (2) To appoint advisory committees under section 2103-
10 E(d).

11 (3) To receive communications from individuals,
12 businesses, nonprofit entities, local governments and any
13 other entity regarding issues under subsection (b)(2).

14 (b) Duties.--The task force shall have the following duties:

15 (1) To monitor and track the response by the
16 Commonwealth to the COVID-19 public health emergency during
17 the time that the order remains active, including all actions
18 taken under the authority of the order.

19 (2) To identify ~~immediate and urgent~~ issues OF IMMEDIATE <--
20 PUBLIC IMPORTANCE relating to the COVID-19 public health
21 emergency that require executive, legislative or judicial
22 action and to make recommendations to the proper ~~body~~ BRANCH <--
23 in a timely fashion.

24 (3) To develop and submit a recovery plan to the
25 Executive Branch, Legislative Branch and Judicial Branch of
26 the Commonwealth's government. A recovery plan shall include
27 a documented, structured approach that describes how the
28 Commonwealth and its POLITICAL subdivisions can expeditiously <--
29 resume mission-critical functions, including the restoration
30 of housing, transportation, education and other public

1 services and economic activity to levels equal to or better
2 than their predisaster states through a series of short-term,
3 intermediate and long-term strategies and actions. The
4 recovery plan may be based in part or in whole on the Federal
5 Emergency Management Agency's resources for recovery planning
6 and managing recovery.

7 (4) To make a final report no later than six months
8 after the order is terminated by executive order,
9 proclamation or operation of law documenting all of the
10 following:

11 (i) Actions taken by executive agencies under the
12 order.

13 (ii) Legislative enactments made in response to the
14 COVID-19 public health emergency.

15 (iii) Judicial orders made in response to the COVID-
16 19 public health emergency.

17 (iv) A summary of actions undertaken by local
18 governments in response to the COVID-19 public health
19 emergency.

20 (V) A DETAILED SUMMARY OF THE ACTIONS TAKEN BY THE <--
21 TASK FORCE AND EACH ADVISORY COMMITTEE ESTABLISHED UNDER
22 SECTION 2103-E(D).

23 Section 2105-E. Appropriation.

24 The amount of \$1,000 is appropriated from the General Fund to
25 the Department of Community and Economic Development for payment
26 of reasonable expenses under section 2103-E(i). The
27 appropriation under this section shall not lapse until the
28 expiration of this article under section 2106-E. Any amount of
29 the appropriation unexpended or uncommitted upon the expiration
30 under section 2106-E shall lapse.

1 Section 2106-E. Expiration.

2 This article shall expire six months after the order is
3 terminated by executive order, proclamation or operation of law.

4 Section 2. The act is amended by adding a section to read:

5 Section 2402.3. Report of State Facilities Owned or
6 Leased.--(a) The Department of General Services shall conduct
7 an annual survey of State facility usage.

8 (b) Each executive agency, independent agency and State-
9 affiliated entity shall report to the Department of General
10 Services each State facility which is under its control or which
11 it uses.

12 (c) The report under subsection (b) shall include, at a
13 minimum, the following information:

14 (1) Whether the State facility is State-owned or leased.

15 (2) Whether the State facility is occupied or vacant.

16 (3) The size of the State facility as measured in square
17 feet.

18 (4) The total expenditures for utilities per State facility
19 for the preceding twelve months.

20 (5) The amount of rent paid for the preceding twelve months
21 for any State facility that is leased.

22 (6) The purpose of the State facility.

23 (7) How to reduce costs associated with the State facility.

24 (d) Survey information under subsection (c) shall be
25 reported no later than June 30 of each year.

26 (e) On or before July 31 of each year, the Department of
27 General Services shall compile and report the survey information
28 obtained under subsection (c) to the chairperson and minority
29 chairperson of the State Government Committee of the Senate and
30 the chairperson and minority chairperson of the State Government

1 Committee of the House of Representatives.

2 (f) As used in this section, the following words and phrases
3 shall have the meanings given to them in this subsection:

4 "Executive agency" means an executive agency as defined in 62
5 Pa.C.S. § 103 (relating to definitions).

6 "Independent agency" means an independent agency as defined
7 in 62 Pa.C.S. § 103.

8 "State-affiliated entity" means a State-affiliated entity as
9 defined in 62 Pa.C.S. § 103.

10 "State facility" means a habitable structure or space under
11 the control of or used by an executive agency, independent
12 agency or State-affiliated entity.

13 Section 3. The act is amended by adding an article to read:

14 ARTICLE XXVIII G <--

15 COVID 19 COUNTY EMERGENCY MITIGATION

16 PLAN FOR BUSINESSES

17 Section 2801 G. COVID 19 County Emergency Mitigation Plan for
18 Businesses.

19 (a) Mitigation plan. Notwithstanding 35 Pa.C.S. § 7301
20 (relating to general authority of Governor), sections 2102 and
21 2106 of the act of April 9, 1929 (P.L.177, No.175), known as The
22 Administrative Code of 1929, section 8(a) of the act of April
23 27, 1905 (P.L.312, No.218), entitled "An act creating a
24 Department of Health, and defining its powers and duties," and
25 section 5 of the act of April 23, 1956 (1955 P.L.1510, No.500),
26 known as the Disease Prevention and Control Law of 1955, the
27 governing body of a county, in consultation with its county
28 emergency management agency, county health department, county
29 health officer or any other appropriate health or emergency
30 management official, may develop and implement a countywide plan

1 ~~to mitigate the spread of COVID-19 for businesses in accordance~~
2 ~~with subsection (b). The countywide mitigation plan, including~~
3 ~~any modifications to the countywide mitigation plan authorized~~
4 ~~under subsection (e), shall be published on the county's~~
5 ~~publicly accessible Internet website.~~

6 ~~(b) Development. The countywide mitigation plan shall~~
7 ~~provide as follows:~~

8 ~~(1) All businesses identified as "essential critical~~
9 ~~infrastructure" in an Advisory Memorandum on Identification~~
10 ~~of Essential Critical Infrastructure Workers During COVID-19~~
11 ~~Response, as published by the United States Cybersecurity and~~
12 ~~Infrastructure Security Agency (CISA), and which operate~~
13 ~~using recommended guidance for mitigating exposure to COVID-~~
14 ~~19 from the Centers for Disease Control and Prevention shall~~
15 ~~be permitted to operate within the county.~~

16 ~~(2) For a business not included in an Advisory~~
17 ~~Memorandum on Identification of Essential Critical~~
18 ~~Infrastructure Workers During COVID-19 Response, as published~~
19 ~~by CISA, the business shall be permitted to operate within a~~
20 ~~county if the business:~~

21 ~~(i) complies with recommended guidance for~~
22 ~~mitigating exposure to COVID-19 from the Centers for~~
23 ~~Disease Control and Prevention; and~~

24 ~~(ii) has not been designated in the countywide~~
25 ~~mitigation plan as a disallowed industry.~~

26 ~~(3) Any business authorized to operate by the Governor~~
27 ~~shall be authorized to operate under a countywide mitigation~~
28 ~~plan.~~

29 ~~(c) Compliance. Notwithstanding the orders issued by the~~
30 ~~Governor and the Secretary of Health relating to the closure of~~

~~1 non-life sustaining businesses on March 19, 2020, and the
2 Statewide stay at home order issued by the Governor and the
3 Secretary of Health on April 1, 2020, as amended, a business
4 that complies with the requirements of the county mitigation
5 plan may operate within the county and individuals may leave
6 their residences for the purpose of performing work for the
7 business or patronizing the business.~~

~~8 (d) Limitation. Nothing in this section shall be construed
9 to:~~

~~10 (1) require a county to rescind a local declaration of
11 emergency relating to COVID-19; or~~

~~12 (2) revoke, rescind or overrule the proclamation of
13 disaster emergency issued by the Governor on March 6, 2020,
14 published at 50 Pa.B. 1644 (March 21, 2020), and any renewal
15 of the state of disaster emergency.~~

~~16 (e) Modifications. At any time, the governing body of a
17 county may take an action to modify the countywide mitigation
18 plan to expand or restrict the industries authorized to operate
19 in the county or rescind the countywide mitigation plan
20 entirely. Advance notice of an action to modify or rescind a
21 countywide mitigation plan shall be published on the county's
22 publicly accessible Internet website no later than two days
23 before the implementation of the action.~~

~~24 (f) Expiration. This section shall expire on the same date
25 as the termination or expiration of the declaration of disaster
26 emergency issued by the Governor on March 6, 2020, published at
27 50 Pa.B. 1644 (March 21, 2020).~~

~~28 (g) Definitions. As used in this section, the following
29 words and phrases shall have the meanings given to them in this
30 subsection unless the context clearly indicates otherwise:~~

1 ~~"Business." Any corporation, partnership, limited liability~~
2 ~~company, limited liability partnership, business trust, sole~~
3 ~~proprietor, or any other individual or entity doing business and~~
4 ~~operating within a physical location in this Commonwealth,~~
5 ~~regardless of whether the physical location is open to the~~
6 ~~public.~~

7 ~~"County." A county or home rule charter county of any~~
8 ~~classification.~~

9 ~~"COVID 19." The novel coronavirus as identified in the~~
10 ~~declaration of disaster emergency issued by the Governor on~~
11 ~~March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020).~~

12 ~~"Governing body." The board of county commissioners or the~~
13 ~~county executive or other person exercising the functions of the~~
14 ~~county executive in a county without a board of county~~
15 ~~commissioners.~~

16 ~~"Industry." A particular form or branch of economic or~~
17 ~~commercial activity.~~

18 ARTICLE XXVIII-G

<--

19 EMERGENCY REGULATORY TOLLING

20 SECTION 2801-G. EMERGENCY REGULATORY TOLLING.

21 (A) TOLLING.--EXCEPT AS SET FORTH IN SUBSECTION (C), A TIME
22 PERIOD APPLICABLE UNDER THE ACT OF JUNE 25, 1982 (P.L.633,
23 NO.181), KNOWN AS THE REGULATORY REVIEW ACT, TO A PROPOSED
24 REGULATION, A FINAL-FORM REGULATION OR A FINAL-OMITTED
25 REGULATION AS OF THE EFFECTIVE DATE OF THIS SECTION IS TOLLED
26 UNDER SUBSECTION (B). THE FOLLOWING APPLY:

27 (1) A PROPOSED REGULATION UNDER THIS SUBSECTION MAY NOT
28 BE SUBMITTED AS A FINAL-FORM REGULATION.

29 (2) A FINAL-FORM REGULATION UNDER THIS SUBSECTION MAY
30 NOT BE PROMULGATED AS A REGULATION.

1 (3) A FINAL-OMITTED REGULATION UNDER THIS SUBSECTION MAY
2 NOT BE PROMULGATED AS A REGULATION.

3 (B) TOLLED PERIOD.--A TIME PERIOD UNDER SUBSECTION (A) IS
4 TOLLED UNTIL 90 DAYS AFTER THE DECLARATION IS TERMINATED BY
5 EXECUTIVE ORDER, PROCLAMATION OR OPERATION OF LAW.

6 (C) WAIVER.--SUBSECTION (A) DOES NOT APPLY IF THERE IS A
7 WAIVER THROUGH THE FOLLOWING PROCESS:

8 (1) PRIOR TO THE EXPIRATION OF THE TOLLED PERIOD TOLLING
9 UNDER SUBSECTION (B), A COMMONWEALTH AGENCY MAY PETITION TO
10 THE APPROPRIATE STANDING COMMITTEES OF THE SENATE AND HOUSE
11 OF REPRESENTATIVES UNDER SECTION 7(D) OF THE REGULATORY
12 REVIEW ACT, FOR A WAIVER OF THE TOLLING UNDER SUBSECTION (A).

13 THE PETITION MUST BE:

14 (I) IN WRITING;

15 (II) SIGNED BY THE HEAD OF THE COMMONWEALTH AGENCY
16 OR ITS GOVERNING BODY; AND

17 (III) SUBMITTED TO THE CHAIR OF EACH STANDING
18 COMMITTEE FOR DISTRIBUTION TO MEMBERS.

19 (2) THE WAIVER MUST BE GRANTED BY A MAJORITY VOTE OF
20 EACH STANDING COMMITTEE.

21 (D) DEFINITION.--AS USED IN THIS SECTION, THE TERM
22 "DECLARATION" MEANS THE DECLARATION OF DISASTER EMERGENCY ISSUED
23 BY THE GOVERNOR ON MARCH 6, 2020, PUBLISHED IN 50 PA.B. 1644
24 (MARCH 21, 2020) AND ANY RENEWAL OF THE STATE OF DISASTER
25 EMERGENCY.

26 Section 4. This act shall take effect as follows:

27 (1) The addition of section 2402.3 of the act shall take
28 effect in 180 days.

29 (2) The remainder of this act shall take effect
30 immediately.