

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILLNo. **703** Session of
2019

INTRODUCED BY SCARNATI, MAY 31, 2019

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, APRIL 6, 2020

AN ACT

1 Amending Title 45 (Legal Notices) of the Pennsylvania
2 Consolidated Statutes, in publication and effectiveness of
3 Commonwealth documents, further providing for Joint Committee
4 on Documents.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 502(c) and (d) of Title 45 of the
8 Pennsylvania Consolidated Statutes are amended to read:

9 § 502. Joint Committee on Documents.

10 * * *

11 (c) Quorum and organization.--[**Four**] A majority of the
12 members of the joint committee shall constitute a quorum, and
13 the committee shall select from among its members a chairman and
14 a vice-chairman, and shall elect a secretary who need not be a
15 member of the committee.

16 (d) Powers and duties.--

17 (1) The joint committee shall exercise the powers and
18 perform the duties vested in and imposed upon it by this part

1 and any other powers and duties vested in and imposed upon
2 the joint committee by law.

3 (2) In discharging its function under section 7.1 of the
4 act of June 25, 1982 (P.L.633, No.181), known as the
5 Regulatory Review Act, if the joint committee determines that
6 a document should be promulgated as a regulation and orders
7 the agency EITHER to promulgate the document as a regulation <--
8 by the statutory deadline, the following apply: <--

9 (i) Subject to subparagraph (ii), the joint
10 committee may extend the promulgation deadline for up to
11 180 days if it determines that the agency is making a
12 good faith effort to promulgate the regulation in
13 accordance with:

14 (A) section 612 of the act of April 9, 1929
15 (P.L.177, No.175), known as The Administrative Code
16 of 1929;

17 (B) Article II of the act of July 31, 1968
18 (P.L.769, No.240), referred to as the Commonwealth
19 Documents Law;

20 (C) sections 204(b) and 301(10) of the act of
21 October 15, 1980 (P.L.950, No.164), known as the
22 Commonwealth Attorneys Act; and

23 (D) sections 5, 5.1, 5.2, 6, 7 and 8 of the
24 Regulatory Review Act.

25 (ii) No more than two extensions may be made.
26 Regardless of extensions, the promulgation deadline may
27 not extend beyond 18 months of the date of the original
28 order. OR TO DESIST FROM USE OF THE DOCUMENT IN THE <--
29 BUSINESS OF THE AGENCY AND IF THE AGENCY CHOOSES TO
30 PROMULGATE THE DOCUMENT AS A REGULATION, THE JOINT

1 COMMITTEE IS AUTHORIZED TO EXTEND THE STATUTORY PERIOD IN
2 ITS INITIAL ORDER UNDER SECTION 7.1 AS FOLLOWS:

3 (I) SUBJECT TO SUBPARAGRAPH (II), THE JOINT
4 COMMITTEE MAY EXTEND THE INITIAL PROMULGATION DEADLINE
5 FOR UP TO AN ADDITIONAL 180 DAYS IF THE JOINT COMMITTEE
6 DETERMINES THAT THE AGENCY IS MAKING A GOOD FAITH EFFORT
7 TO PROMULGATE THE REGULATION IN ACCORDANCE WITH LAW.

8 (II) NO MORE THAN TWO EXTENSIONS MAY BE GRANTED. IF
9 THE AGENCY HAS NOT PROMULGATED THE DOCUMENT AS A
10 REGULATION WITHIN 18 MONTHS OF THE DATE OF THE JOINT
11 COMMITTEE'S INITIAL ORDER, THE AGENCY SHALL DESIST FROM
12 THE USE OF THE DOCUMENT IN THE BUSINESS OF THE AGENCY.

13 Section 2. This act shall take effect in 30 days.