

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1166 Session of 2020

INTRODUCED BY K. WARD, DiSANTO, KILLION, MARTIN, ARNOLD, BARTOLOTTA, ARGALL, MENSCH, STEFANO, PITTMAN, AUMENT, SCARNATI, CORMAN, BROOKS AND PHILLIPS-HILL, JUNE 5, 2020

AS AMENDED ON THIRD CONSIDERATION, JUNE 10, 2020

A JOINT RESOLUTION

1 Proposing ~~an amendment~~ SEPARATE AND DISTINCT AMENDMENTS to the <--
2 Constitution of Pennsylvania, IN DECLARATION OF RIGHTS, <--
3 PROVIDING FOR PROHIBITION AGAINST DENIAL OR ABRIDGMENT OF
4 EQUALITY OF RIGHTS BECAUSE OF RACE AND ETHNICITY; AND, in the
5 executive, providing for disaster emergency duration.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby resolves as follows:

8 ~~Section 1. The following amendment to the Constitution of~~ <--
9 ~~Pennsylvania is proposed in accordance with Article XI:~~

10 SECTION 1. THE FOLLOWING SEPARATE AND DISTINCT AMENDMENTS TO <--
11 THE CONSTITUTION OF PENNSYLVANIA ARE PROPOSED IN ACCORDANCE WITH
12 ARTICLE XI:

13 (1) THAT ARTICLE I OF THE CONSTITUTION OF PENNSYLVANIA BE
14 AMENDED BY ADDING A SECTION TO READ:

15 § 29. PROHIBITION AGAINST DENIAL OR ABRIDGMENT OF EQUALITY OF
16 RIGHTS BECAUSE OF RACE AND ETHNICITY.

17 EQUALITY OF RIGHTS UNDER THE LAW SHALL NOT BE DENIED OR

18 ABRIDGED IN THE COMMONWEALTH OF PENNSYLVANIA BECAUSE OF THE RACE

1 OR ETHNICITY OF THE INDIVIDUAL.

2 (2) That Article IV be amended by adding a section to read:
3 § 20. Disaster emergency duration.

4 The Governor may issue emergency declarations under
5 circumstances provided for by law for that purpose. The General
6 Assembly may by law grant the Governor certain enumerated powers
7 to address and abate the declared emergency. A declaration by
8 the Governor of an emergency shall not last longer than 30 days
9 unless extended by a concurrent resolution of the General
10 Assembly approving the continuation of the declaration. Upon the
11 expiration of the Governor's emergency declaration, the Governor
12 may not declare a new state of emergency based upon the same or
13 substantially similar facts and circumstances without the
14 passage of a concurrent resolution of the General Assembly
15 expressly approving the new emergency declaration.

16 ~~Section 2. (a) Upon the first passage by the General~~ <--
17 ~~Assembly of this proposed constitutional amendment, the~~
18 ~~Secretary of the Commonwealth shall proceed immediately to~~
19 ~~comply with the advertising requirements of section 1 of Article~~
20 ~~XI of the Constitution of Pennsylvania and shall transmit the~~
21 ~~required advertisements to two newspapers in every county in~~
22 ~~which such newspapers are published in sufficient time after~~
23 ~~passage of this proposed constitutional amendment.~~

24 ~~(b) Upon the second passage by the General Assembly of this~~
25 ~~proposed constitutional amendment, the Secretary of the~~
26 ~~Commonwealth shall proceed immediately to comply with the~~
27 ~~advertising requirements of section 1 of Article XI of the~~
28 ~~Constitution of Pennsylvania and shall transmit the required~~
29 ~~advertisements to two newspapers in every county in which such~~
30 ~~newspapers are published in sufficient time after passage of~~

~~1 this proposed constitutional amendment. The Secretary of the
2 Commonwealth shall submit this proposed constitutional amendment
3 to the qualified electors of this Commonwealth at the first
4 primary, general or municipal election which meets the
5 requirements of and is in conformance with section 1 of Article
6 XI of the Constitution of Pennsylvania and which occurs at least
7 three months after the proposed constitutional amendment is
8 passed by the General Assembly.~~

9 SECTION 2. (A) UPON THE FIRST PASSAGE BY THE GENERAL <--
10 ASSEMBLY OF THESE PROPOSED CONSTITUTIONAL AMENDMENTS, THE
11 SECRETARY OF THE COMMONWEALTH SHALL PROCEED IMMEDIATELY TO
12 COMPLY WITH THE ADVERTISING REQUIREMENTS OF SECTION 1 OF ARTICLE
13 XI OF THE CONSTITUTION OF PENNSYLVANIA AND SHALL TRANSMIT THE
14 REQUIRED ADVERTISEMENTS TO TWO NEWSPAPERS IN EVERY COUNTY IN
15 WHICH SUCH NEWSPAPERS ARE PUBLISHED IN SUFFICIENT TIME AFTER
16 PASSAGE OF THESE PROPOSED CONSTITUTIONAL AMENDMENTS.

17 (B) UPON THE SECOND PASSAGE BY THE GENERAL ASSEMBLY OF THESE
18 PROPOSED CONSTITUTIONAL AMENDMENTS, THE SECRETARY OF THE
19 COMMONWEALTH SHALL PROCEED IMMEDIATELY TO COMPLY WITH THE
20 ADVERTISING REQUIREMENTS OF SECTION 1 OF ARTICLE XI OF THE
21 CONSTITUTION OF PENNSYLVANIA AND SHALL TRANSMIT THE REQUIRED
22 ADVERTISEMENTS TO TWO NEWSPAPERS IN EVERY COUNTY IN WHICH SUCH
23 NEWSPAPERS ARE PUBLISHED IN SUFFICIENT TIME AFTER PASSAGE OF
24 THESE PROPOSED CONSTITUTIONAL AMENDMENTS. THE SECRETARY OF THE
25 COMMONWEALTH SHALL:

26 (1) SUBMIT THE PROPOSED CONSTITUTIONAL AMENDMENT UNDER
27 SECTION 1(1) OF THIS RESOLUTION TO THE QUALIFIED ELECTORS OF
28 THIS COMMONWEALTH AS A SEPARATE BALLOT QUESTION AT THE FIRST
29 PRIMARY, GENERAL OR MUNICIPAL ELECTION WHICH MEETS THE
30 REQUIREMENTS OF AND IS IN CONFORMANCE WITH SECTION 1 OF

1 ARTICLE XI OF THE CONSTITUTION OF PENNSYLVANIA AND WHICH
2 OCCURS AT LEAST THREE MONTHS AFTER THE PROPOSED
3 CONSTITUTIONAL AMENDMENT IS PASSED BY THE GENERAL ASSEMBLY.

4 (2) SUBMIT THE PROPOSED CONSTITUTIONAL AMENDMENT UNDER
5 SECTION 1(2) OF THIS RESOLUTION TO THE QUALIFIED ELECTORS OF
6 THIS COMMONWEALTH AS A SEPARATE BALLOT QUESTION AT THE FIRST
7 PRIMARY, GENERAL OR MUNICIPAL ELECTION WHICH MEETS THE
8 REQUIREMENTS OF AND IS IN CONFORMANCE WITH SECTION 1 OF
9 ARTICLE XI OF THE CONSTITUTION OF PENNSYLVANIA AND WHICH
10 OCCURS AT LEAST THREE MONTHS AFTER THE PROPOSED
11 CONSTITUTIONAL AMENDMENT IS PASSED BY THE GENERAL ASSEMBLY.