

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1010 Session of 2021

INTRODUCED BY ORTITAY, ROTHMAN, BERNSTINE, ROWE, JAMES, RYAN, CAUSER, GREGORY, R. BROWN, SAYLOR, KAUFFMAN, STAATS, LAWRENCE, GROVE, MOUL, COX, B. MILLER, STEPHENS, HICKERNELL, ZIMMERMAN, JOZWIAK, MIHALEK AND METCALFE, APRIL 27, 2021

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, MAY 5, 2021

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, further providing for proposal of amendments
3 by the General Assembly and their adoption.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby resolves as follows:

6 Section 1. The following amendment to the Constitution of
7 Pennsylvania is proposed in accordance with Article XI:

8 That section 1 of Article XI be amended to read:

9 § 1. Proposal of amendments by the General Assembly and their
10 adoption.

11 Amendments to this Constitution may be proposed in the Senate
12 or House of Representatives; and if the same shall be agreed to
13 by a majority of the members elected to each House, such
14 proposed amendment or amendments shall be entered on their
15 journals with the yeas and nays taken thereon, and the

16 [Secretary of the Commonwealth] ~~Secretary of the Senate or the~~ <--

1 ~~Chief Clerk of the House of Representatives, as appropriate,~~ <--
2 LEGISLATIVE REFERENCE BUREAU OR A SUCCESSOR LEGISLATIVE AGENCY
3 PRESCRIBED BY THE GENERAL ASSEMBLY shall cause the same to be
4 published three months before the next general election, in at
5 least two newspapers in every county in which such newspapers
6 shall be published; and if, in the General Assembly next
7 afterwards chosen, such proposed amendment or amendments shall
8 be agreed to by a majority of the members elected to each House,
9 the [Secretary of the Commonwealth] ~~Secretary of the Senate or~~ <--
10 ~~the Chief Clerk of the House of Representatives, as appropriate,~~ <--
11 LEGISLATIVE REFERENCE BUREAU OR A SUCCESSOR LEGISLATIVE AGENCY
12 PRESCRIBED BY THE GENERAL ASSEMBLY shall cause the same again to
13 be published in the manner aforesaid; and such proposed
14 amendment or amendments shall be submitted to the qualified
15 electors of the State in such manner, and at such time at least
16 three months after being so agreed to by the two Houses, as the
17 General Assembly shall prescribe; and, if such amendment or
18 amendments shall be approved by a majority of those voting
19 thereon, such amendment or amendments shall become a part of the
20 Constitution; but no amendment or amendments shall be submitted
21 oftener than once in five years. When two or more amendments
22 shall be submitted they shall be voted upon separately.

23 (a) In the event a major emergency threatens or is about to
24 threaten the Commonwealth and if the safety or welfare of the
25 Commonwealth requires prompt amendment of this Constitution,
26 such amendments to this Constitution may be proposed in the
27 Senate or House of Representatives at any regular or special
28 session of the General Assembly, and if agreed to by at least
29 two-thirds of the members elected to each House, a proposed
30 amendment shall be entered on the journal of each House with the

1 yeas and nays taken thereon and the [official in charge of
2 statewide elections] ~~Secretary of the Senate or the Chief Clerk~~ <--
3 ~~of the House of Representatives, as appropriate,~~ LEGISLATIVE <--
4 REFERENCE BUREAU OR A SUCCESSOR LEGISLATIVE AGENCY PRESCRIBED BY
5 THE GENERAL ASSEMBLY shall promptly publish such proposed
6 amendment in at least two newspapers in every county in which
7 such newspapers are published. Such amendment shall then be
8 submitted to the qualified electors of the Commonwealth in such
9 manner, and at such time, at least one month after being agreed
10 to by both Houses as the General Assembly prescribes.

11 (b) If an emergency amendment is approved by a majority of
12 the qualified electors voting thereon, it shall become part of
13 this Constitution. When two or more emergency amendments are
14 submitted they shall be voted on separately.

15 (c) Second publication of a proposed amendment, or
16 publication of a proposed emergency amendment, shall include
17 only the language of the amendment along with, as prepared by
18 the Secretary of the Senate or the Chief Clerk of the House as <--
19 appropriate LEGISLATIVE REFERENCE BUREAU OR A SUCCESSOR <--
20 LEGISLATIVE AGENCY PRESCRIBED BY THE GENERAL ASSEMBLY, both the
21 question to be used on the ballot and a summary of the
22 amendment.

23 Section 2. (a) Upon the first passage by the General
24 Assembly of this proposed constitutional amendment, the
25 Secretary of the Commonwealth shall proceed immediately to
26 comply with the advertising requirements of section 1 of Article
27 XI of the Constitution of Pennsylvania and shall transmit the
28 required advertisements to two newspapers in every county in
29 which such newspapers are published in sufficient time after
30 passage of this proposed constitutional amendment. The Secretary

1 of the Commonwealth shall issue a report on the publication
2 required under this subsection to the Secretary of the Senate
3 and the Chief Clerk of the House of Representatives four months
4 prior to the next general election.

5 (b) Upon the second passage by the General Assembly of this
6 proposed constitutional amendment, the Secretary of the
7 Commonwealth shall proceed immediately to comply with the
8 advertising requirements of section 1 of Article XI of the
9 Constitution of Pennsylvania and shall transmit the required
10 advertisements to two newspapers in every county in which such
11 newspapers are published in sufficient time after passage of
12 this proposed constitutional amendment. The Secretary of the
13 Commonwealth shall submit this proposed constitutional amendment
14 as a single ballot question to the qualified electors of this
15 Commonwealth at the first primary, general or municipal election
16 which meets the requirements of and is in conformance with
17 section 1 of Article XI of the Constitution of Pennsylvania and
18 which occurs at least three months after the proposed
19 constitutional amendment is passed by the General Assembly. The
20 Secretary of the Commonwealth shall issue a report on the
21 publication required under this subsection to the Secretary of
22 the Senate and the Chief Clerk of the House of Representatives
23 four months prior to the first primary, general or municipal
24 election which meets the requirements of and is in conformance
25 with section 1 of Article XI of the Constitution of Pennsylvania
26 and which occurs at least three months after the proposed
27 constitutional amendment is passed by the General Assembly.