
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 41 Session of
2021

INTRODUCED BY PHILLIPS-HILL, ARNOLD AND MARTIN, JANUARY 20, 2021

REFERRED TO EDUCATION, JANUARY 20, 2021

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, in procedure relating to legislation,
3 prohibiting the passage of unfunded directives from the
4 General Assembly concerning education passed through
5 legislation.

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 That Article III be amended by adding a section to read:

11 § 10.1. Unfunded education mandates.

12 (a) To provide an efficient system of education, any mandate
13 enacted by statute, regulation or executive order establishing a
14 new education program shall provide the necessary funding for
15 the implementation of the program.

16 (b) Any statute, regulation or executive order establishing
17 a new education program or reauthorizing an existing education
18 program which is not wholly funded by the Commonwealth shall not
19 be implemented until the funds necessary for full implementation

1 have been appropriated.

2 Section 2. (a) Upon the first passage by the General
3 Assembly of this proposed constitutional amendment, the
4 Secretary of the Commonwealth shall proceed immediately to
5 comply with the advertising requirements of section 1 of Article
6 XI of the Constitution of Pennsylvania and shall transmit the
7 required advertisements to two newspapers in every county in
8 which such newspapers are published in sufficient time after
9 passage of this proposed constitutional amendment.

10 (b) Upon the second passage by the General Assembly of this
11 proposed constitutional amendment, the Secretary of the
12 Commonwealth shall proceed immediately to comply with the
13 advertising requirements of section 1 of Article XI of the
14 Constitution of Pennsylvania and shall transmit the required
15 advertisements to two newspapers in every county in which such
16 newspapers are published in sufficient time after passage of
17 this proposed constitutional amendment. The Secretary of the
18 Commonwealth shall submit this proposed constitutional amendment
19 to the qualified electors of this Commonwealth at the first
20 primary, general or municipal election which meets the
21 requirements of and is in conformance with section 1 of Article
22 XI of the Constitution of Pennsylvania and which occurs at least
23 three months after the proposed constitutional amendment is
24 passed by the General Assembly.