

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 533 Session of 2021

INTRODUCED BY YAW, LANGERHOLC, PHILLIPS-HILL, PITTMAN, MARTIN, STEFANO AND DUSH, APRIL 8, 2021

AS AMENDED ON THIRD CONSIDERATION, JUNE 14, 2021

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, in Commonwealth services, prohibiting
3 certain regulatory action during disaster emergencies.

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

6 Section 1. Title 35 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 7309. Regulatory action during disaster emergencies
9 prohibited.

10 (a) Applicability.--This section shall apply during the
11 period of a declaration by the Governor of a disaster emergency
12 under section 7301(c) (relating to general authority of
13 Governor) THAT INVOLVES THE STATEWIDE CLOSURE OF ANY GOVERNMENT <--
14 OFFICES OR BUSINESSES FOR A PERIOD OF MORE THAN FIVE DAYS and
15 notwithstanding any other provision of law.

16 (b) Regulations.--The following are prohibited, unless the
17 action is directly related to responding to the disaster
18 emergency or adhering to a Federal or State statutory timeline

1 or court order:

2 (1) Consideration, adoption or publication within the
3 Pennsylvania Bulletin of a proposed regulation, a final-form
4 regulation or a final-omitted regulation subject to the act
5 of June 25, 1982 (P.L.633, No.181), known as the Regulatory
6 Review Act.

7 (2) Conducting a department or agency advisory committee
8 meeting.

9 (c) Waiver.--

10 (1) A Commonwealth agency may petition to the
11 appropriate standing committees of the Senate and House of
12 Representatives under section 7(d) of the Regulatory Review
13 Act for a waiver of the prohibition under subsection (b). The
14 petition must:

15 (i) Be in writing.

16 (ii) Be signed by the head of the Commonwealth
17 agency or its governing body.

18 (iii) State the compelling reason why a waiver
19 should be granted.

20 (iv) Be submitted to the chair of each standing
21 committee for distribution to the respective members of
22 the committee.

23 (2) A waiver under paragraph (1) shall be granted upon a
24 majority vote of each standing committee.

25 Section 2. This act shall take effect immediately.