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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 940 Session of  
2021

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INTRODUCED BY ARGALL, J. WARD, MARTIN, BARTOLOTTA, MASTRIANO AND  
SCAVELLO, NOVEMBER 9, 2021

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REFERRED TO STATE GOVERNMENT, NOVEMBER 9, 2021

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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] Legislative Reference Bureau or  
17 a successor legislative agency prescribed by the General  
18 Assembly shall cause the same to be published three months

1 before the next general election, in at least two newspapers in  
2 every county in which such newspapers shall be published[; and  
3 if]. Such publication shall include only the language of the  
4 amendment along with, as prepared by the Legislative Reference  
5 Bureau or a successor legislative agency prescribed by the  
6 General Assembly, both the question to be used on the ballot and  
7 an accurate and factual summary of the amendment. If, in the  
8 General Assembly next afterwards chosen, such proposed amendment  
9 or amendments shall be agreed to by a majority of the members  
10 elected to each House, the [Secretary of the Commonwealth]  
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] Legislative Reference Bureau or a successor  
3 legislative agency prescribed by the General Assembly shall  
4 promptly publish such proposed amendment in at least two  
5 newspapers in every county in which such newspapers are  
6 published. Such publication shall include only the language of  
7 the amendment along with, as prepared by the Legislative  
8 Reference Bureau or a successor legislative agency prescribed by  
9 the General Assembly, both the question to be used on the ballot  
10 and an accurate and factual summary of the amendment. Such  
11 amendment shall then be submitted to the qualified electors of  
12 the Commonwealth in such manner, and at such time, at least one  
13 month after being agreed to by both Houses as the General  
14 Assembly prescribes.

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

19 Section 2. (a) Upon the first passage by the General  
20 Assembly of this proposed constitutional amendment, the  
21 Secretary of the Commonwealth shall proceed immediately to  
22 comply with the advertising requirements of section 1 of Article  
23 XI of the Constitution of Pennsylvania and shall transmit the  
24 required advertisements to two newspapers in every county in  
25 which such newspapers are published in sufficient time after  
26 passage of this proposed constitutional amendment. The Secretary  
27 of the Commonwealth shall issue a report on the publication  
28 required under this subsection to the Secretary of the Senate  
29 and the Chief Clerk of the House of Representatives four months  
30 prior to the next general election.

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