
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 457 Session of
2021

INTRODUCED BY BAKER, YAW, MARTIN, GORDNER, VOGEL, MASTRIANO,
PITTMAN AND YUDICHAK, MARCH 19, 2021

REFERRED TO JUDICIARY, MARCH 19, 2021

A JOINT RESOLUTION

1 Proposing integrated amendments to the Constitution of the
2 Commonwealth of Pennsylvania, further providing for
3 qualifications of Governor, Lieutenant Governor and Attorney
4 General and for disqualification for offices of Governor,
5 Lieutenant Governor and Attorney General.

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

8 Section 1. The following amendments to the Constitution of
9 Pennsylvania are proposed in accordance with Article XI:

10 (1) That section 5 of Article IV be amended to read:

11 § 5. Qualifications of Governor, Lieutenant Governor and
12 Attorney General.

13 No person shall be eligible to the office of Governor,
14 Lieutenant Governor or Attorney General except a citizen of the
15 United States, who shall have attained the age of 30 years, and
16 have been seven years next preceding his election an inhabitant
17 of this Commonwealth, unless he shall have been absent on the
18 public business of the United States or of this Commonwealth. No
19 person shall be eligible to the office of Attorney General

1 except [a] an active member of the bar of the Supreme Court of
2 Pennsylvania.

3 (2) That section 6 of Article IV be amended to read:

4 § 6. Disqualification for offices of Governor, Lieutenant
5 Governor and Attorney General.

6 (a) No member of Congress or person holding any office
7 (except of attorney-at-law or in the National Guard or in a
8 reserve component of the armed forces of the United States)
9 under the United States or this Commonwealth shall exercise the
10 office of Governor, Lieutenant Governor or Attorney General.

11 (b) If the Attorney General is disbarred from the practice
12 of law in this Commonwealth, effective immediately upon the
13 disbarment, the Office of Attorney General shall be deemed
14 vacant.

15 (c) If the Attorney General is suspended from the practice
16 of law in this Commonwealth, effective immediately upon the
17 suspension, the Attorney General shall be suspended from the
18 Office of Attorney General and the First Deputy Attorney
19 General, if willing, qualified and able to hold the office,
20 shall serve as the acting Attorney General until the law license
21 of the Attorney General is reinstated or the expiration of the
22 term of the Attorney General, whichever is sooner. If the First
23 Deputy Attorney General is not willing, qualified or able to
24 fill the vacancy under this subsection, the Executive Deputy
25 Attorney General of the Criminal Law Division, if willing,
26 qualified and able, shall fill the vacancy as described under
27 this subsection.

28 Section 2. (a) Upon the first passage by the General
29 Assembly of these proposed constitutional amendments, the
30 Secretary of the Commonwealth shall proceed immediately to

1 comply with the advertising requirements of section 1 of Article
2 XI of the Constitution of Pennsylvania and shall transmit the
3 required advertisements to two newspapers in every county in
4 which such newspapers are published in sufficient time after
5 passage of these proposed constitutional amendments.

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