

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2373 Session of 2015

INTRODUCED BY PHILLIPS-HILL, BLOOM, DAVIS, DUSH, GROVE, HELM, KAUFFMAN, MAHONEY, MILLARD, MOUL, MUSTIO, SACCONI, TALLMAN AND ZIMMERMAN, SEPTEMBER 26, 2016

REFERRED TO COMMITTEE ON STATE GOVERNMENT, SEPTEMBER 26, 2016

AN ACT

1 Amending the act of June 25, 1982 (P.L.633, No.181), entitled,  
 2 as reenacted, "An act providing for independent oversight and  
 3 review of regulations, creating an Independent Regulatory  
 4 Review Commission, providing for its powers and duties and  
 5 making repeals," establishing the Office of the Repealer  
 6 within the Independent Regulatory Review Commission and  
 7 providing for its powers and duties; and imposing duties upon  
 8 the Independent Regulatory Review Commission.

9 The General Assembly of the Commonwealth of Pennsylvania

10 hereby enacts as follows:

11 Section 1. The act of June 25, 1982 (P.L.633, No.181), known  
 12 as the Regulatory Review Act, reenacted and amended June 30,  
 13 1989 (P.L.73, No.19), is amended by adding a section to read:

14 Section 9.1. Office of the Repealer.

15 (a) Establishment.--The Office of the Repealer is  
 16 established within the commission.

17 (b) Powers and duties.--The Office of the Repealer shall  
 18 have the power and its duty shall be to:

19 (1) Adopt logical, quantitative and qualitative rules to  
 20 determine whether any of the existing statutes and

1 regulations of this Commonwealth:

2 (i) are unreasonable, unduly burdensome, detrimental  
3 to economic well-being, duplicative, onerous, defective  
4 or in conflict with other statutes or regulations;

5 (ii) defy a common sense approach to government; or

6 (iii) hinder the growth of liberty.

7 (2) Perform a systematic review of existing statutes and  
8 regulations of this Commonwealth in accordance with the rules  
9 adopted for review under this section.

10 (3) Identify existing statutes and regulations of this  
11 Commonwealth that may be appropriate for legislative  
12 consideration of repeal, modification or revision.

13 (4) In consultation with the executive director of the  
14 commission, cause to be created as soon as practicable a  
15 system, including an online portal, to:

16 (i) Receive suggestions and comments, along with  
17 supporting documentation, from citizens, educators,  
18 businesses, governmental agencies and others for repeal,  
19 modification or revision of statutes and regulations.

20 (ii) Report allegations of wasteful governmental  
21 practices.

22 (5) Determine and implement internal policies, standards  
23 and procedures as may be necessary for the orderly and  
24 efficient execution of the mission of the Office of the  
25 Repealer.

26 (6) Implement a tracking system to follow the action  
27 taken or progress made by an originating body or entity on  
28 any recommendation made regarding repeal, modification or  
29 revision of a statute or regulation.

30 (7) Report annually to the General Assembly on

1 recommended changes, including action taken or progress made  
2 to repeal, modify or revise statutes and regulations to  
3 increase efficiency and eliminate wasteful practices.

4 (c) State Repealer.--The executive director of the  
5 commission shall appoint and fix the compensation of a full-time  
6 director of the Office of the Repealer, who shall be designated  
7 as the State Repealer.

8 (d) Resources and personnel.--The following shall apply:

9 (1) The commission shall commit and make available to  
10 the Office of the Repealer the resources and personnel as may  
11 be required by the State Repealer to carry out the powers and  
12 duties of the office.

13 (2) The research analysts of the Senate and the House of  
14 Representatives shall assist the State Repealer in performing  
15 the functions of the Office of the Repealer.

16 (e) Notice.--When the Office of the Repealer determines that  
17 any statute or regulation meets the standard under this section  
18 for repeal, modification or revision, the State Repealer shall  
19 cause the recommendation for repeal, modification or revision to  
20 be delivered to:

21 (1) The General Assembly, in the case of a statute.

22 (2) The State department or agency that promulgated the  
23 regulation.

24 (f) Specificity.--A recommendation by the Office of the  
25 Repealer regarding the repeal, modification or revision of a  
26 statute or regulation shall set forth with specificity the  
27 justification for the requested repeal, modification or  
28 revision.

29 (g) Sunset provision.--This section shall expire five years  
30 from the effective date of this section, unless otherwise

1 extended by an act of the General Assembly.

2 Section 2. This act shall take effect in 60 days.