

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 398 Session of  
2023

---

INTRODUCED BY KAUFFMAN, HAMM, ECKER, STAMBAUGH, R. MACKENZIE,  
GROVE, IRVIN, MENTZER, JAMES, MOUL AND GILLEN, MARCH 14, 2023

---

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 14, 2023

---

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth  
2 of Pennsylvania, further providing for judicial  
3 administration.

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 10(c) of Article V be amended to read:

9 § 10. Judicial administration.

10 \* \* \*

11 (c) The Supreme Court shall have the power to prescribe  
12 general rules governing practice, procedure and the conduct of  
13 all courts, justices of the peace and all officers serving  
14 process or enforcing orders, judgments or decrees of any court  
15 or justice of the peace, including the power to provide for  
16 assignment and reassignment of classes of actions or classes of  
17 appeals among the several courts as the needs of justice shall  
18 require, and for admission to the bar and to practice law, and

1 the administration of all courts and supervision of all officers  
2 of the Judicial Branch, if such rules are consistent with this  
3 Constitution and neither abridge, enlarge nor modify the  
4 substantive rights of any litigant, nor affect the right of the  
5 General Assembly to determine the jurisdiction of any court or  
6 justice of the peace, nor suspend nor alter any statute of  
7 limitation or repose. All laws shall be suspended to the extent  
8 that they are inconsistent with rules prescribed under these  
9 provisions. Notwithstanding the provisions of this section, the  
10 General Assembly may by statute provide for the manner of  
11 testimony of child victims or child material witnesses in  
12 criminal proceedings, including the use of videotaped  
13 depositions or testimony by closed-circuit television.  
14 Notwithstanding the provisions of this section, the General  
15 Assembly may, by statute, establish venue in civil cases in the  
16 Commonwealth of Pennsylvania.

17 \* \* \*

18 Section 2. The following procedure applies to the proposed  
19 constitutional amendment in this joint resolution:

20 (1) Upon the first passage by the General Assembly of  
21 the amendment, the Secretary of the Commonwealth shall  
22 proceed immediately to comply with the advertising  
23 requirements of section 1 of Article XI of the Constitution  
24 of Pennsylvania.

25 (2) Upon the second passage by the General Assembly of  
26 the amendment, the Secretary of the Commonwealth shall  
27 proceed immediately to comply with the advertising  
28 requirements of section 1 of Article XI of the Constitution  
29 of Pennsylvania. The Secretary of the Commonwealth shall  
30 submit the amendment to the qualified electors of this

1 Commonwealth at the first primary, general or municipal  
2 election which meets the requirements of section 1 of Article  
3 XI of the Constitution of Pennsylvania.