

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

SENATE BILL

No. 1147 Session of  
2020

---

INTRODUCED BY YAW, PITTMAN, MENSCH, LANGERHOLC AND STEFANO,  
JUNE 5, 2020

---

REFERRED TO INTERGOVERNMENTAL OPERATIONS, JUNE 5, 2020

---

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania  
2 Consolidated Statutes, in Commonwealth services, providing  
3 for employee classification and regulations.

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. Employee classification and regulations.

9 (a) Applicability.--This section shall apply during the  
10 period of a declaration by the Governor of a disaster emergency  
11 under section 7301(c) (relating to general authority of  
12 Governor) and notwithstanding any other provision of law.

13 (b) Employee classification.--

14 (1) The Governor shall classify which employees under  
15 the Governor's jurisdiction are engaged in life-sustaining  
16 work.

17 (2) The head of each State agency not under the  
18 Governor's direct jurisdiction shall classify which employees

1 are engaged in life-sustaining work.

2 (c) Regulations.--The following are prohibited, unless the  
3 action is directly related to responding to the disaster  
4 emergency or adhering to a Federal or State statutory timeline  
5 or court order:

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

11 (2) Conducting a department or agency advisory committee  
12 meeting.

13 (d) Waiver.--

14 (1) A Commonwealth agency may petition to the  
15 appropriate standing committees of the Senate and House of  
16 Representatives under section 7(d) of the Regulatory Review  
17 Act for a waiver of the prohibition under subsection (c). The  
18 petition must:

19 (i) be in writing;

20 (ii) be signed by the head of the Commonwealth  
21 agency or its governing body;

22 (iii) state the compelling reason why a waiver  
23 should be granted; and

24 (iv) be submitted to the chair of each standing  
25 committee for distribution to the respective members of  
26 the committee.

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

29 Section 2. This act shall take effect immediately.