
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

SENATOR BAKER, JUDICIARY, AS AMENDED, MARCH 23, 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 OFFICE OF ATTORNEY GENERAL SHALL NOT BE VACANT <--
18 BUT the Attorney General shall be suspended from the Office of
19 Attorney General and the First Deputy Attorney General, if
20 willing, qualified and able to hold the office, shall serve as
21 the acting Attorney General until the law license of the
22 Attorney General is reinstated or the expiration of the term of
23 the Attorney General, whichever is sooner. If the First Deputy
24 Attorney General is not willing, qualified or able to fill the <--
25 vacancy SERVE AS THE ACTING ATTORNEY GENERAL under this <--
26 subsection, the Executive Deputy Attorney General of the
27 Criminal Law Division, if willing, qualified and able, shall
28 fill the vacancy SERVE AS THE ACTING ATTORNEY GENERAL as <--
29 described under this subsection.

30 Section 2. (a) Upon the first passage by the General

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

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