

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 533 Session of 2021

INTRODUCED BY YAW, LANGERHOLC, PHILLIPS-HILL, PITTMAN, MARTIN, STEFANO AND DUSH, APRIL 8, 2021

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, SEPTEMBER 27, 2021

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, in Commonwealth services, prohibiting
3 certain regulatory action during disaster emergencies.

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. Regulatory action during disaster emergencies
9 prohibited.

10 (a) Applicability.--This section shall apply during the
11 period of a declaration by the Governor of a disaster emergency
12 under section 7301(c) (relating to general authority of
13 Governor) SECTION 20(A) OF ARTICLE IV OF THE CONSTITUTION OF
14 PENNSYLVANIA that involves the Statewide closure of any
15 government offices or businesses for a period of more than five
16 days and notwithstanding any other provision of law.

17 (b) Regulations.--The following are prohibited, unless the

1 action is directly related to responding to the disaster
2 emergency or adhering to a Federal or State statutory timeline
3 or court order:

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

9 (2) Conducting a department or agency advisory committee
10 meeting.

11 (c) Waiver.--

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

17 (i) Be in writing.

18 (ii) Be signed by the head of the Commonwealth
19 agency or its governing body.

20 (iii) State the compelling reason why a waiver
21 should be granted.

22 (iv) Be submitted to the chair of each standing
23 committee for distribution to the respective members of
24 the committee.

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

27 Section 2. This act shall take effect immediately.