

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 764 Session of 2021

INTRODUCED BY ARGALL, BARTOLOTTA, YUDICHAK, VOGEL, STEFANO, PITTMAN, J. WARD, AUMENT AND BROOKS, JUNE 14, 2021

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 15, 2022

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employes in certain departments, boards,
17 and commissions; providing for judicial administration; and
18 prescribing the manner in which the number and compensation
19 of the deputies and all other assistants and employes of
20 certain departments, boards and commissions shall be
21 determined," in powers and duties of the Department of State
22 and its departmental administrative board, providing for <--
23 legislative process training; and imposing duties on the <--
24 Legislative Reference Bureau. FURTHER PROVIDING FOR POWERS <--
25 AND DUTIES IN GENERAL.

26 The General Assembly of the Commonwealth of Pennsylvania
27 hereby enacts as follows:

28 Section 1. The act of April 9, 1929 (P.L.177, No.175), known <--

1 ~~as The Administrative Code of 1929, is amended by adding a~~  
2 ~~section to read:~~

3 ~~Section 816. Legislative Process Training. (a) The~~  
4 ~~Legislative Reference Bureau shall develop legislative process~~  
5 ~~training for the Department of State which includes the~~  
6 ~~following:~~

7 ~~(1) The legislative process in this Commonwealth.~~

8 ~~(2) Legislation introduced by the General Assembly,~~  
9 ~~including bills, resolutions, concurrent resolutions and joint~~  
10 ~~resolutions.~~

11 ~~(3) The Department of State's responsibilities relating to~~  
12 ~~legislation as provided by law.~~

13 ~~(b) Within sixty days of the effective date of this section~~  
14 ~~and annually thereafter:~~

15 ~~(1) The legislative process training under subsection (a)~~  
16 ~~shall be provided in person by the Legislative Reference Bureau~~  
17 ~~to the individuals, offices and bureaus under subsection (d).~~

18 ~~(2) The Department of State shall provide training on the~~  
19 ~~systems and procedures the department has in place to handle the~~  
20 ~~department's legislative responsibilities and the roles that~~  
21 ~~each individual and entity within the department play in the~~  
22 ~~process to the individuals, offices and bureaus under subsection~~  
23 ~~(d).~~

24 ~~(c) The Legislative Reference Bureau shall produce a video~~  
25 ~~of the legislative process training under subsection (a) and all~~  
26 ~~new employees and current employees who assume a position or~~  
27 ~~move to an office or bureau under subsection (d) shall watch the~~  
28 ~~training video before starting in the position.~~

29 ~~(d) The following shall receive the training under~~  
30 ~~subsection (a):~~

~~(1) The Secretary of the Commonwealth.~~

~~(2) The Executive Deputy Secretary of the Commonwealth.~~

~~(3) Employees in the Office of Policy.~~

~~(4) Employees in the Bureau of Elections and Notaries.~~

~~(5) Employees in the Office of Chief Counsel.~~

~~(6) Employees in the Bureau of Finance and Operations.~~

~~(7) Employees in the Office of Legislative Affairs.~~

SECTION 1. SECTION 801 OF THE ACT OF APRIL 9, 1929 (P.L.177, <--  
NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929, AMENDED JULY  
9, 2021 (P.L.377, NO.70), IS AMENDED TO READ:

SECTION 801. POWERS AND DUTIES IN GENERAL.--(A) THE  
DEPARTMENT OF STATE SHALL, SUBJECT TO ANY INCONSISTENT  
PROVISIONS IN THIS ACT CONTAINED, CONTINUE TO EXERCISE THE  
POWERS AND PERFORM THE DUTIES HERETOFORE BY LAW VESTED IN AND  
IMPOSED UPON THE DEPARTMENT OF THE SECRETARY OF THE  
COMMONWEALTH, AND THE SEVERAL BUREAUS THEREOF, THE DEPARTMENT OF  
STATE AND FINANCE, THE DEPARTMENT OF STATE, AND THE SECRETARY OF  
THE COMMONWEALTH.

(B) ADDITIONAL POWERS AND DUTIES SHALL BE AS FOLLOWS:

(1) (I) NO LATER THAN 14 DAYS PRIOR TO THE PUBLICATION OF A  
PROPOSED CONSTITUTIONAL AMENDMENT BY THE SECRETARY OF THE  
COMMONWEALTH UNDER SECTION 1 OF ARTICLE XI OF THE CONSTITUTION  
OF PENNSYLVANIA OR AS SOON AS PRACTICAL PRIOR TO PUBLICATION OF  
[AN] A PROPOSED EMERGENCY CONSTITUTIONAL AMENDMENT UNDER SECTION  
1 OF ARTICLE XI OF THE CONSTITUTION OF PENNSYLVANIA, THE  
SECRETARY OF THE COMMONWEALTH SHALL NOTIFY THE FOLLOWING OF THE  
DATE ON WHICH PUBLICATION UNDER ARTICLE XI OF THE CONSTITUTION  
OF PENNSYLVANIA WILL BE COMPLETED:

(A) EACH MEMBER OF THE GENERAL ASSEMBLY.

(B) THE SECRETARY OF THE SENATE, WHO SHALL HAVE THE NOTICE

1 READ INTO THE JOURNAL OF THE SENATE.

2 (C) THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES, WHO  
3 SHALL READ THE NOTICE INTO THE JOURNAL OF THE HOUSE OF  
4 REPRESENTATIVES.

5 (D) THE PARLIAMENTARIAN OF THE HOUSE OF REPRESENTATIVES.

6 (E) THE LEGISLATIVE REFERENCE BUREAU, WHICH SHALL PUBLISH  
7 THE NOTICE IN THE PENNSYLVANIA BULLETIN.

8 (II) FAILURE OF THE SECRETARY OF THE COMMONWEALTH TO COMPLY  
9 WITH CLAUSE (I) SHALL NOT IMPACT THE EFFECTIVENESS OF THE  
10 PROPOSED CONSTITUTIONAL AMENDMENT.

11 (2) [(RESERVED).] (I) NO LATER THAN 14 DAYS AFTER THE  
12 PUBLICATION OF A PROPOSED CONSTITUTIONAL AMENDMENT BY THE  
13 SECRETARY OF THE COMMONWEALTH UNDER SECTION 1 OF ARTICLE XI OF  
14 THE CONSTITUTION OF PENNSYLVANIA, THE SECRETARY OF THE  
15 COMMONWEALTH SHALL CERTIFY TO THE FOLLOWING THAT THE PUBLICATION  
16 HAS BEEN COMPLETED IN COMPLIANCE WITH THE REQUIREMENTS OF  
17 SECTION 1 OF ARTICLE XI OF THE CONSTITUTION OF PENNSYLVANIA:

18 (A) EACH MEMBER OF THE GENERAL ASSEMBLY.

19 (B) THE SECRETARY OF THE SENATE, WHO SHALL HAVE THE  
20 CERTIFICATION READ INTO THE JOURNAL OF THE SENATE.

21 (C) THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES, WHO  
22 SHALL READ THE CERTIFICATION READ INTO THE JOURNAL OF THE HOUSE  
23 OF REPRESENTATIVES.

24 (D) THE PARLIAMENTARIAN OF THE HOUSE OF REPRESENTATIVES.

25 (E) THE LEGISLATIVE REFERENCE BUREAU, WHICH SHALL PUBLISH  
26 NOTICE OF THE CERTIFICATION IN THE PENNSYLVANIA BULLETIN.

27 (II) FAILURE OF THE SECRETARY OF THE COMMONWEALTH TO COMPLY  
28 WITH CLAUSE (I) SHALL NOT IMPACT THE EFFECTIVENESS OF THE  
29 PROPOSED CONSTITUTIONAL AMENDMENT.

30 (3) THE SECRETARY OF THE COMMONWEALTH SHALL DESIGNATE IN

1 WRITING A DEPUTY TO OVERSEE THE ACTIVITIES UNDERTAKEN BY  
2 EMPLOYEES OF THE DEPARTMENT OF STATE TO ASSIST THE SECRETARY OF  
3 THE COMMONWEALTH IN CARRYING OUT HIS OR HER DUTIES UNDER SECTION  
4 1 OF ARTICLE XI OF THE CONSTITUTION OF PENNSYLVANIA. THE DEPUTY  
5 DESIGNATED UNDER THIS PARAGRAPH SHALL TAKE PHYSICAL CUSTODY OF  
6 EACH PROPOSED CONSTITUTIONAL AMENDMENT UPON RECEIPT BY THE  
7 DEPARTMENT OF STATE AND SHALL TRACK THE COMPLIANCE WITH THE  
8 WRITTEN POLICIES UNDER PARAGRAPH (4) (I) AND THE OVERALL PROGRESS  
9 OF THE REQUIRED PUBLICATION UNDER SECTION 1 OF ARTICLE XI OF THE  
10 CONSTITUTION OF PENNSYLVANIA.

11 (4) (I) THE SECRETARY OF THE COMMONWEALTH, IN CONSULTATION  
12 WITH THE OFFICE OF GENERAL COUNSEL, SHALL ESTABLISH A WRITTEN  
13 POLICY TO INSTRUCT EMPLOYEES OF THE DEPARTMENT OF STATE ON THE  
14 INTERNAL AND SEQUENTIAL PROCEDURES NECESSARY TO PROPERLY RECEIVE  
15 PROPOSED CONSTITUTIONAL AMENDMENTS PASSED BY THE GENERAL  
16 ASSEMBLY AND TO COMPLETE THE PUBLICATION OF A PROPOSED  
17 CONSTITUTIONAL AMENDMENT UNDER SECTION 1 OF ARTICLE XI OF THE  
18 CONSTITUTION OF PENNSYLVANIA. THE WRITTEN POLICY UNDER THIS  
19 CLAUSE SHALL DO ALL OF THE FOLLOWING:

20 (A) ASSIGN SPECIFIC DUTIES TO SPECIFIC BUREAUS AND OFFICES  
21 WITHIN THE DEPARTMENT OF STATE.

22 (B) PROVIDE FOR NECESSARY SAFEGUARDS AND REVIEWS TO ENSURE  
23 THE PROPER PUBLICATION OF ALL PROPOSED CONSTITUTIONAL AMENDMENTS  
24 AS REQUIRED UNDER SECTION 1 OF ARTICLE XI OF THE CONSTITUTION OF  
25 PENNSYLVANIA.

26 (C) PROVIDE FOR PERIODIC TRAINING OF EMPLOYEES ASSIGNED  
27 DUTIES UNDER THE WRITTEN POLICIES. THE TRAINING SHALL BE  
28 CONDUCTED BY THE DEPUTY DESIGNATED UNDER PARAGRAPH (3) AND THE  
29 OFFICE OF GENERAL COUNSEL. UPON REQUEST, THE LEGISLATIVE  
30 REFERENCE BUREAU SHALL ASSIST IN THE PREPARATION OF THE TRAINING

1 UNDER THIS CLAUSE.

2 (D) PROVIDE DIRECTION THAT AN EMPLOYEE WITH A QUESTION ABOUT  
3 THE PROCEDURES SHALL CONSULT WITH THE DEPUTY DESIGNATED UNDER  
4 PARAGRAPH (3).

5 (II) THE DEPARTMENT OF STATE SHALL SUBMIT A COPY OF THE  
6 WRITTEN POLICIES UNDER THIS CLAUSE TO THE LEGISLATIVE REFERENCE  
7 BUREAU.

8 (III) A COPY OF THE POLICY UNDER CLAUSE (I) SHALL BE GIVEN  
9 TO EACH EMPLOYEE WHO HAS DUTIES UNDER THE POLICY UPON HIRING AND  
10 NO LATER THAN FEBRUARY OF EACH ODD-NUMBERED YEAR. AN EMPLOYEE  
11 RECEIVING A COPY OF THE POLICY UNDER THIS CLAUSE SHALL EXECUTE A  
12 FORM STATING THAT HE OR SHE IS AWARE OF AND UNDERSTANDS HOW TO  
13 COMPLETE THE DUTIES UNDER THE POLICY. A COPY OF THE EXECUTED  
14 FORM SHALL BE MAINTAINED WITHIN THE EMPLOYEE'S PERSONNEL FILE IN  
15 ACCORDANCE WITH THE GENERALLY APPLICABLE DOCUMENT RETENTION  
16 POLICY.

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