

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 891 Session of 2023

INTRODUCED BY MASTRIANO, STEFANO, PHILLIPS-HILL, REGAN AND DUSH,  
AUGUST 16, 2023

REFERRED TO STATE GOVERNMENT, AUGUST 16, 2023

AN ACT

1 Amending the act of September 30, 1983 (P.L.160, No.39),  
2 entitled "An act establishing salaries and compensation of  
3 certain public officials including justices and judges of  
4 Statewide courts, judges of courts of common pleas, judges of  
5 the Philadelphia Municipal Court, judges of the Philadelphia  
6 Traffic Court, district justices and the Governor, the  
7 Lieutenant Governor, the State Treasurer, the Auditor  
8 General, the Attorney General and certain other State  
9 officers and the salary and certain expenses of the members  
10 of the General Assembly; and repealing certain inconsistent  
11 acts," further providing for judicial salaries, for executive  
12 salaries and for legislative salaries; and making a repeal.

13 The General Assembly of the Commonwealth of Pennsylvania  
14 hereby enacts as follows:

15 Section 1. Sections 2.1(i), 3(e) and 4(d) and (d.1) of the  
16 act of September 30, 1983 (P.L.160, No.39), known as the Public  
17 Official Compensation Law, are amended to read:

18 Section 2.1. Judicial salaries.

19 \* \* \*

20 (i) Annual cost-of-living adjustment.--

21 [(1) Except as provided under paragraph (2), beginning]

22 Beginning January 1, 1997, and each January 1 thereafter, the

23 annual salaries under subsections (a) through (h) shall be

1 increased by the percentage change in the Consumer Price  
2 Index for All Urban Consumers (CPI-U) for the Pennsylvania,  
3 New Jersey, Delaware and Maryland area for the most recent  
4 12-month period for which figures have been officially  
5 reported by the United States Department of Labor, Bureau of  
6 Labor Statistics immediately prior to the date the adjustment  
7 is due to take effect. The percentage increase shall be  
8 capped at 3% annually, regardless of the percentage change in  
9 the annual Consumer Price Index for All Urban Consumers (CPI-  
10 U) for the Pennsylvania, New Jersey, Delaware and Maryland  
11 area for the most recent 12-month period for which figures  
12 have been officially reported by the United States Department  
13 of Labor, Bureau of Labor Statistics immediately prior to the  
14 date the adjustment is due to take effect. The percentage  
15 increase and salary amounts shall be determined prior to the  
16 annual effective date of the adjustment by the Supreme Court  
17 and shall be published in the Pennsylvania Bulletin by the  
18 Court Administrator of Pennsylvania within 20 days of the  
19 date the determination is made.

20 [(2) The annual salaries under this section may not be  
21 increased by an annual cost-of-living adjustment under  
22 paragraph (1) for the annual period beginning January 1,  
23 2021, and ending December 31, 2021. Notice of the provisions  
24 of this subsection shall be transmitted to the Legislative  
25 Reference Bureau for publication in the Pennsylvania Bulletin  
26 prior to December 1, 2020.

27 (3) The annual salaries for individuals subject to 42  
28 Pa.C.S. § 1741(a)(1) or (2) (relating to compensation of  
29 judges) may not be increased by a cost-of-living adjustment  
30 under 42 Pa.C.S. § 1741(b) for the annual period beginning

1 January 1, 2021, and ending December 31, 2021. Notice of the  
2 provisions of this subsection shall be transmitted to the  
3 Legislative Reference Bureau for publication in the  
4 Pennsylvania Bulletin prior to December 1, 2020.]

5 Section 3. Compensation of Governor and Lieutenant Governor;  
6 State Treasurer; Auditor General; Attorney General;  
7 Commissioners of the Pennsylvania Public Utility  
8 Commission; and heads of departments.

9 \* \* \*

10 (e) Annual cost-of-living adjustment.--

11 [(1) Except as provided under paragraph (2), beginning]  
12 Beginning January 1, 1997, and each January 1 thereafter, the  
13 stated annual salaries of the Governor and Lieutenant  
14 Governor, the State Treasurer, the Auditor General, the  
15 Attorney General and the heads of the departments and members  
16 of boards and commissions denoted herein shall be increased  
17 by an annual cost-of-living increase calculated by applying  
18 the percentage change in the Consumer Price Index for All  
19 Urban Consumers (CPI-U) for the Pennsylvania, New Jersey,  
20 Delaware and Maryland area, for the most recent 12-month  
21 period for which figures have been officially reported by the  
22 United States Department of Labor, Bureau of Labor Statistics  
23 immediately prior to the date the adjustment is due to take  
24 effect, to the then current salary amounts authorized. The  
25 percentage increase shall be capped at 3% annually,  
26 regardless of the percentage change in the annual Consumer  
27 Price Index for All Urban Consumers (CPI-U) for the  
28 Pennsylvania, New Jersey, Delaware and Maryland area for the  
29 most recent 12-month period for which figures have been  
30 officially reported by the United States Department of Labor,

1 Bureau of Labor Statistics immediately prior to the date the  
2 adjustment is due to take effect. The percentage increase and  
3 the salary amounts shall be determined by the Governor prior  
4 to the annual effective date of the adjustment and shall be  
5 published by the Secretary of the Budget in the Pennsylvania  
6 Bulletin within ten days of the date the determination is  
7 made.

8 [(2) The stated annual salaries of the Governor and  
9 Lieutenant Governor, the State Treasurer, the Auditor  
10 General, the Attorney General and the heads of the  
11 departments and members of boards and commissions may not be  
12 increased by an annual cost-of-living adjustment under  
13 paragraph (1) for the annual period beginning January 1,  
14 2021, and ending December 31, 2021. Notice of the provisions  
15 of this subsection shall be transmitted to the Legislative  
16 Reference Bureau for publication in the Pennsylvania Bulletin  
17 prior to December 1, 2020.]

18 Section 4. Members of the General Assembly.

19 \* \* \*

20 (d) Subsequent annual cost-of-living adjustment for  
21 members.--

22 [(1) Except as provided under paragraph (2), for] For  
23 the 12-month period beginning December 1, 1997, through  
24 November 30, 1998, and for each like 12-month period  
25 thereafter, the salary of the members of the General Assembly  
26 shall be increased by an annual cost-of-living adjustment  
27 calculated by applying the percentage change in the Consumer  
28 Price Index for All Urban Consumers (CPI-U) for the  
29 Pennsylvania, New Jersey, Delaware and Maryland area, for the  
30 most recent 12-month period for which figures have been

1 officially reported by the United States Department of Labor,  
2 Bureau of Labor Statistics immediately prior to the date the  
3 adjustment is due to take effect, to the then current salary  
4 amounts. The percentage increase shall be capped at 3%  
5 annually, regardless of the percentage change in the annual  
6 Consumer Price Index for All Urban Consumers (CPI-U) for the  
7 Pennsylvania, New Jersey, Delaware and Maryland area for the  
8 most recent 12-month period for which figures have been  
9 officially reported by the United States Department of Labor,  
10 Bureau of Labor Statistics immediately prior to the date the  
11 adjustment is due to take effect. The percentage increase and  
12 the new salary amounts shall be determined jointly by the  
13 Chief Clerk of the Senate and the Chief Clerk of the House of  
14 Representatives prior to the annual effective date of the  
15 adjustment and shall be published by them in the Pennsylvania  
16 Bulletin within ten days of the date such determination is  
17 made.

18 [(2) The salary of the members of the General Assembly  
19 may not be increased by an annual cost-of-living adjustment  
20 under paragraph (1) for the period beginning December 1,  
21 2020, through November 30, 2021. Notice of the provisions of  
22 this subsection shall be transmitted to the Legislative  
23 Reference Bureau for publication in the Pennsylvania Bulletin  
24 prior to December 1, 2020.]

25 (d.1) Subsequent annual cost-of-living adjustment for  
26 officers and leaders.--

27 [(1) Except as provided under paragraph (2), for] For  
28 the 12-month period beginning December 1, 1997, through  
29 November 30, 1998, and for each like 12-month period  
30 thereafter, the additional compensation of the officers and

1 leaders of the General Assembly shall be increased by an  
2 annual cost-of-living adjustment calculated by applying the  
3 percentage change in the Consumer Price Index for All Urban  
4 Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware  
5 and Maryland area, for the most recent 12-month period for  
6 which figures have been officially reported by the United  
7 States Department of Labor, Bureau of Labor Statistics  
8 immediately prior to the date the adjustment is due to take  
9 effect, to the then current compensation. The percentage  
10 increase shall be capped at 3% annually, regardless of the  
11 percentage change in the annual Consumer Price Index for All  
12 Urban Consumers (CPI-U) for the Pennsylvania, New Jersey,  
13 Delaware and Maryland area for the most recent 12-month  
14 period for which figures have been officially reported by the  
15 United States Department of Labor, Bureau of Labor Statistics  
16 immediately prior to the date the adjustment is due to take  
17 effect. The percentage increase and the new compensation  
18 amounts shall be determined jointly by the Chief Clerk of the  
19 Senate and the Chief Clerk of the House of Representatives  
20 prior to the annual effective date of the adjustment and  
21 shall be published in the Pennsylvania Bulletin within 20  
22 days immediately prior to each cost-of-living increase taking  
23 effect.

24 [(2) The additional compensation of the officers and  
25 leaders of the General Assembly may not be increased by an  
26 annual cost-of-living adjustment under paragraph (1) for the  
27 period beginning December 1, 2020, through November 30, 2021.  
28 Notice of the provisions of this subsection shall be  
29 transmitted to the Legislative Reference Bureau for  
30 publication in the Pennsylvania Bulletin prior to December 1,

1 2020.]

2 Section 2. The following shall apply:

3 (1) The amendment of section 2.1(i) of the act shall  
4 apply to an individual who is, after the effective date of  
5 this section, elected or appointed to a term as a justice of  
6 the Supreme Court, judge of the Superior Court, judge of the  
7 Commonwealth Court, judge of a court of common pleas, judge  
8 of the Philadelphia Municipal Court, judge of the  
9 Philadelphia Traffic Court or magisterial district judge.

10 (2) The amendment of section 3(e) of the act shall apply  
11 to an individual who is, after the effective date of this  
12 section, elected or appointed to a term as Governor,  
13 Lieutenant Governor, State Treasurer, Auditor General,  
14 Attorney General or the head of a department or member of a  
15 board or commission denoted in the act.

16 (3) The amendment of section 4(d) and (d.1) of the act  
17 shall apply to an individual who is, after the effective date  
18 of this section, elected to a term as a member of the General  
19 Assembly.

20 Section 3. Repeals are as follows:

21 (1) The General Assembly declares that the repeal under  
22 paragraph (2) is necessary to effectuate the amendment of  
23 section 2.1(i) of the act.

24 (2) 42 Pa.C.S. § 1741(b) is repealed insofar as it is  
25 inconsistent with the amendment of section 2.1(i) of the act.

26 Section 4. This act shall take effect in 60 days.