

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1 Session of 2023

INTRODUCED BY LAUGHLIN, J. WARD, K. WARD, PITTMAN, AUMENT, PHILLIPS-HILL, BARTOLOTTA, MARTIN, BAKER, ARGALL, BROOKS, BROWN, COLEMAN, DISANTO, DUSH, FARRY, GEBHARD, HUTCHINSON, LANGERHOLC, MASTRIANO, PENNYCUICK, REGAN, ROBINSON, ROTHMAN, STEFANO, VOGEL AND YAW, JANUARY 6, 2023

SENATOR PITTMAN, RULES AND EXECUTIVE NOMINATIONS, RE-REPORTED AS AMENDED, JANUARY 10, 2023

A JOINT RESOLUTION

1 Proposing separate and distinct amendments to the Constitution
2 of the Commonwealth of Pennsylvania, further providing for
3 COURTS TO BE OPEN AND SUITS AGAINST THE COMMONWEALTH, FOR <--
4 action on concurrent orders and resolutions and for
5 qualifications of electors.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby resolves as follows:

8 Section 1. The following separate and distinct amendments to
9 the Constitution of Pennsylvania are proposed in accordance with
10 Article XI:

11 (1) THAT SECTION 11 OF ARTICLE I BE AMENDED TO READ: <--

12 § 11. COURTS TO BE OPEN; SUITS AGAINST THE COMMONWEALTH.

13 (A) ALL COURTS SHALL BE OPEN; AND EVERY MAN FOR AN INJURY
14 DONE HIM IN HIS LANDS, GOODS, PERSON OR REPUTATION SHALL HAVE
15 REMEDY BY DUE COURSE OF LAW, AND RIGHT AND JUSTICE ADMINISTERED
16 WITHOUT SALE, DENIAL OR DELAY. SUITS MAY BE BROUGHT AGAINST THE
17 COMMONWEALTH IN SUCH MANNER, IN SUCH COURTS AND IN SUCH CASES AS

1 THE LEGISLATURE MAY BY LAW DIRECT.

2 (B) AN INDIVIDUAL FOR WHOM A STATUTORY LIMITATIONS PERIOD
3 HAS ALREADY EXPIRED, OR WHOSE CLAIM WOULD OTHERWISE BE BARRED OR
4 LIMITED BY A STATUTORY CAP ON DAMAGES, SOVEREIGN IMMUNITY OR BY
5 GOVERNMENTAL OR OFFICIAL IMMUNITY, SHALL HAVE A PERIOD OF TWO
6 YEARS, WITHOUT BAR OR LIMITATION BY SUCH CAPS OR IMMUNITIES,
7 FROM THE TIME THAT THIS SUBSECTION BECOMES EFFECTIVE TO COMMENCE
8 AN ACTION ARISING FROM CHILDHOOD SEXUAL ABUSE, IN SUCH CASES AS
9 PROVIDED BY LAW AT THE TIME THAT THIS SUBSECTION BECOMES
10 EFFECTIVE.

11 ~~(1)~~ (2) That section 9 of Article III be amended to read: <--

12 § 9. Action on concurrent orders and resolutions.

13 Every order, resolution or vote, to which the concurrence of
14 both Houses may be necessary, except on the questions of
15 adjournment, disapproval of a regulation or termination or
16 extension of a disaster emergency declaration as declared by an
17 executive order or proclamation, or portion of a disaster
18 emergency declaration as declared by an executive order or
19 proclamation, shall be presented to the Governor and before it
20 shall take effect be approved by him, or being disapproved,
21 shall be repassed by two-thirds of both Houses according to the
22 rules and limitations prescribed in case of a bill.

23 ~~(2)~~ (3) That section 1 of Article VII be amended to read: <--

24 § 1. Qualifications of electors.

25 (a) Every citizen 21 years of age, possessing the following
26 qualifications, shall be entitled to vote at all elections
27 subject, however, to such laws requiring and regulating the
28 registration of electors as the General Assembly may enact.

29 1. He or she shall have been a citizen of the United States
30 at least one month.

1 2. He or she shall have resided in the State 90 days
2 immediately preceding the election.

3 3. He or she shall have resided in the election district
4 where he or she shall offer to vote at least 60 days immediately
5 preceding the election, except that if qualified to vote in an
6 election district prior to removal of residence, he or she may,
7 if a resident of Pennsylvania, vote in the election district
8 from which he or she removed his or her residence within 60 days
9 preceding the election.

10 (b) In addition to the qualifications under subsection (a)
11 of this section, a qualified elector shall provide a valid
12 identification at each election in accordance with the
13 following:

14 1. When voting in person, the qualified elector shall
15 present a valid identification before receiving a ballot to vote
16 in person.

17 2. When not voting in person, the qualified elector shall
18 provide proof of a valid identification with his or her ballot.

19 (c) If a qualified elector does not possess a valid
20 identification, he or she shall, upon request and confirmation
21 of identity, be furnished with a government-issued
22 identification at no cost to the qualified elector.

23 (d) For purposes of this section, the term "valid
24 identification" means an unexpired government-issued
25 identification, unless otherwise provided for by law.

26 Section 2. The following procedure applies to the proposed
27 constitutional amendments in this joint resolution:

28 (1) Upon first passage by the General Assembly of the
29 amendments, the Secretary of the Commonwealth shall proceed
30 immediately to comply with the advertising requirements of

1 section 1 of Article XI of the Constitution of Pennsylvania.

2 (2) Upon the second passage of the amendments by the
3 General Assembly, the Secretary of the Commonwealth shall
4 proceed immediately to comply with the advertising
5 requirements of section 1 of Article XI of the Constitution
6 of Pennsylvania. The Secretary of the Commonwealth shall:

7 (i) Submit the amendment under section 1(1) of this
8 resolution to the qualified electors of this Commonwealth
9 as a separate ballot question at the first primary
10 election which meets the requirements of section 1 of
11 Article XI of the Constitution of Pennsylvania.

12 (ii) Submit the amendment under section 1(2) of this
13 resolution to the qualified electors of this Commonwealth
14 as a separate ballot question at the first primary
15 election which meets the requirements of section 1 of
16 Article XI of the Constitution of Pennsylvania.

17 (III) SUBMIT THE AMENDMENT UNDER SECTION 1(3) OF <--
18 THIS RESOLUTION TO THE QUALIFIED ELECTORS OF THIS
19 COMMONWEALTH AS A SEPARATE BALLOT QUESTION AT THE FIRST
20 PRIMARY ELECTION WHICH MEETS THE REQUIREMENTS OF SECTION
21 1 OF ARTICLE XI OF THE CONSTITUTION OF PENNSYLVANIA.