
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1824 Session of
2017

INTRODUCED BY MASSER, O'NEILL, MILLARD, WHEELAND AND HEFFLEY,
SEPTEMBER 26, 2017

REFERRED TO COMMITTEE ON STATE GOVERNMENT, SEPTEMBER 26, 2017

AN ACT

1 Amending Title 71 (State Government) of the Pennsylvania
2 Consolidated Statutes, establishing a plain writing
3 requirement for executive agencies.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 71 of the Pennsylvania Consolidated
7 Statutes is amended by adding a part to read:

8 PART II

9 EXECUTIVE BRANCH

10 Chapter

11 11. Preliminary Provisions (Reserved)

12 13. Plain Writing

13 CHAPTER 11

14 PRELIMINARY PROVISIONS

15 (RESERVED)

16 CHAPTER 13

17 PLAIN WRITING

18 Sec.

1 1301. Definitions.

2 1302. Duties.

3 1303. Reports.

4 1304. Enforceability.

5 1305. Budgetary effects.

6 § 1301. Definitions.

7 The following words and phrases when used in this chapter
8 shall have the meanings given to them in this section unless the
9 context clearly indicates otherwise:

10 "Agency." The Governor and a department, board, commission,
11 authority and other officer and agency of the Commonwealth. The
12 term does not include a court or other officer or agency of the
13 unified judicial system, the General Assembly and its officers
14 and agencies or an independent agency or State-affiliated
15 entity.

16 "Covered document." As follows:

17 (1) A document that:

18 (i) is necessary for obtaining a State government
19 benefit or service or for filing taxes;

20 (ii) provides information about a State government
21 benefit or service; or

22 (iii) explains to the public how to comply with a
23 requirement the State government administers or enforces.

24 (2) The term includes, in paper or electronic form, a
25 letter, publication, form, notice or instruction.

26 (3) The term does not include a regulation.

27 "Plain writing." Writing that is clear, concise, well-
28 organized and follows other best practices appropriate to the
29 subject or field and intended audience.

30 § 1302. Duties.

1 (a) Preparation.--

2 (1) No later than nine months after the effective date
3 of this section, the head of each agency shall do the
4 following:

5 (i) Designate at least one senior official within
6 the agency to oversee the agency implementation of this
7 chapter.

8 (ii) Communicate the requirements of this chapter to
9 the employees of the agency.

10 (iii) Train the employees of the agency in plain
11 writing.

12 (iv) Establish a process for overseeing the ongoing
13 compliance of the agency with the requirements of this
14 chapter.

15 (v) Create and maintain a plain writing section of
16 the agency's website as required under paragraph (2) that
17 is accessible from the homepage of the agency's website.

18 (vi) Designate at least one agency point-of-contact
19 to receive and respond to public input on the following:

20 (A) Agency implementation of this chapter.

21 (B) The agency reports required under section
22 1303 (relating to reports).

23 (2) The plain writing section of the agency's website
24 described under paragraph (1)(v) shall do the following:

25 (i) Inform the public of agency compliance with the
26 requirements of this chapter.

27 (ii) Provide a mechanism for the agency to receive
28 and respond to public input on the following:

29 (A) Agency implementation of this chapter.

30 (B) The agency reports required under section

1 1303.

2 (b) Plain writing in new documents.--No later than one year
3 after the effective date of this section, each agency shall use
4 plain writing in each covered document of the agency that the
5 agency issues or substantially revises.

6 (c) Guidance.--

7 (1) No later than six months after the effective date of
8 this section, the Office of Administration shall develop and
9 issue guidance on implementing the requirements of this
10 section. The Office of Administration may designate a lead
11 agency and may use interagency working groups to assist in
12 developing and issuing the guidance.

13 (2) Before the issuance of guidance under paragraph (1),
14 an agency may follow the guidance of one of the following:

15 (i) The writing guidelines developed by the Plain
16 Language Action and Information Network.

17 (ii) Guidance provided by the head of the agency
18 that is consistent with the guidelines referred to under
19 subparagraph (i).

20 § 1303. Reports.

21 (a) Initial report.--No later than nine months after the
22 effective date of this section, the head of each agency shall
23 publish on the plain writing section of the agency's website a
24 report that describes the agency plan for compliance with the
25 requirements of this chapter.

26 (b) Annual compliance report.--No later than 18 months after
27 the effective date of this section, and annually thereafter, the
28 head of each agency shall publish on the plain writing section
29 of the agency's website a report on agency compliance with the
30 requirements of this chapter.

1 § 1304. Enforceability.

2 A provision of this chapter may not be construed to create a
3 substantive or procedural right or benefit enforceable by an
4 administrative or judicial action.

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