
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 2 Session of
2021

INTRODUCED BY K. WARD, JANUARY 20, 2021

REFERRED TO VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS,
JANUARY 20, 2021

A JOINT RESOLUTION

1 Proposing separate and distinct amendments to the Constitution
2 of Pennsylvania, in declaration of rights, providing for
3 prohibition against denial or abridgment of equality of
4 rights because of race and ethnicity; in legislation, further
5 providing for action on concurrent orders and resolutions;
6 and, in the executive, providing for disaster emergency
7 declaration and management.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby resolves as follows:

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

13 (1) That Article I of the Constitution of Pennsylvania be
14 amended by adding a section to read:

15 § 29. Prohibition against denial or abridgment of equality of
16 rights because of race and ethnicity.

17 Equality of rights under the law shall not be denied or
18 abridged in the Commonwealth of Pennsylvania because of the race
19 or ethnicity of the individual.

20 (1.1) That section 9 of Article III be amended to read:

1 § 9. Action on concurrent orders and resolutions.

2 Every order, resolution or vote, to which the concurrence of
3 both Houses may be necessary, except on the [question of
4 adjournment] questions of adjournment or termination or
5 extension of a disaster emergency declaration as declared by an
6 executive order or proclamation, or portion of a disaster
7 emergency declaration as declared by an executive order or
8 proclamation, shall be presented to the Governor and before it
9 shall take effect be approved by him, or being disapproved,
10 shall be repassed by two-thirds of both Houses according to the
11 rules and limitations prescribed in case of a bill.

12 (2) That Article IV be amended by adding a section to read:
13 § 20. Disaster emergency declaration and management.

14 (a) A disaster emergency declaration may be declared by
15 executive order or proclamation of the Governor upon finding
16 that a disaster has occurred or that the occurrence or threat of
17 a disaster is imminent that threatens the health, safety or
18 welfare of this Commonwealth.

19 (b) Each disaster emergency declaration issued by the
20 Governor under subsection (a) shall indicate the nature, each
21 area threatened and the conditions of the disaster, including
22 whether the disaster is a natural disaster, military emergency,
23 public health emergency, technological disaster or other general
24 emergency, as defined by statute. The General Assembly shall, by
25 statute, provide for the manner in which each type of disaster
26 enumerated under this subsection shall be managed.

27 (c) A disaster emergency declaration under subsection (a)
28 shall be in effect for no more than 21 days, unless otherwise
29 extended in whole or part by concurrent resolution of the
30 General Assembly.

1 (d) Upon the expiration of a disaster emergency declaration
2 under subsection (a), the Governor may not issue a new disaster
3 emergency declaration based upon the same or substantially
4 similar facts and circumstances without the passage of a
5 concurrent resolution of the General Assembly expressly
6 approving the new disaster emergency declaration.

7 Section 2. (a) Upon the first passage by the General
8 Assembly of these proposed constitutional amendments, the
9 Secretary of the Commonwealth shall proceed immediately to
10 comply with the advertising requirements of section 1 of Article
11 XI of the Constitution of Pennsylvania and shall transmit the
12 required advertisements to two newspapers in every county in
13 which such newspapers are published in sufficient time after
14 passage of these proposed constitutional amendments.

15 (b) Upon the second passage by the General Assembly of these
16 proposed constitutional amendments, the secretary of the
17 commonwealth shall proceed immediately to comply with the
18 advertising requirements of section 1 of Article XI of the
19 Constitution of Pennsylvania and shall transmit the required
20 advertisements to two newspapers in every county in which such
21 newspapers are published in sufficient time after passage of
22 these proposed constitutional amendments. The Secretary of the
23 Commonwealth shall:

24 (1) Submit the proposed constitutional amendment under
25 section 1(1) of this resolution to the qualified electors of
26 this Commonwealth as a separate ballot question at the first
27 primary, general or municipal election which meets the
28 requirements of and is in conformance with section 1 of
29 Article XI of the Constitution of Pennsylvania and which
30 occurs at least three months after the proposed

1 constitutional amendment is passed by the General Assembly.

2 (1.1) Submit the proposed constitutional amendment under
3 section 1(1.1) of this resolution to the qualified electors
4 of this Commonwealth as a separate ballot question at the
5 first primary, general or municipal election which meets the
6 requirements of and is in conformance with section 1 of
7 Article XI of the Constitution of Pennsylvania and which
8 occurs at least three months after the proposed
9 constitutional amendment is passed by the General Assembly.

10 (2) Submit the proposed constitutional amendment under
11 section 1(2) of this resolution to the qualified electors of
12 this Commonwealth as a separate ballot question at the first
13 primary, general or municipal election which meets the
14 requirements of and is in conformance with section 1 of
15 Article XI of the Constitution of Pennsylvania and which
16 occurs at least three months after the proposed
17 constitutional amendment is passed by the General Assembly.