
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2196 Session of
2020

INTRODUCED BY DUSH, JAMES, ZIMMERMAN, KEEFER, MOUL AND KLUNK,
JANUARY 10, 2020

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 10, 2020

AN ACT

1 Amending Title 1 (General Provisions) of the Pennsylvania
2 Consolidated Statutes, in rules of construction, further
3 providing for legislative intent controls.

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

6 Section 1. Section 1921(c)(8) of Title 1 of the Pennsylvania
7 Consolidated Statutes is amended and the section is amended by
8 adding subsections to read:

9 § 1921. Legislative intent controls.

10 * * *

11 (c) Matters considered in ascertaining intent.--When the
12 words of a statute are not explicit, the intention of the
13 General Assembly may be ascertained by considering, among other
14 matters:

15 * * *

16 (8) Legislative [and administrative] interpretations of
17 such statute.

18 (d) Deference.--When the words of a statute are not

1 explicit, the court may not:

2 (1) interpret the ambiguity as an implicit delegation to
3 an agency of legislative rulemaking authority; and

4 (2) rely on the ambiguity as a justification for any of
5 the following:

6 (i) Interpreting the agency's authority expansively.

7 (ii) Deferring to the agency's interpretation on the
8 question of law.

9 (e) Applicability.--Notwithstanding any other provision of
10 law, this section shall apply to the judicial review of an
11 agency action authorized under any other provision of law.

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