
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2408 Session of
2015

INTRODUCED BY PHILLIPS-HILL, GROVE, BLOOM, J. HARRIS, PICKETT,
WARD AND MILLARD, OCTOBER 18, 2016

REFERRED TO COMMITTEE ON STATE GOVERNMENT, OCTOBER 18, 2016

AN ACT

1 Establishing the Independent Office of the Repealer and
2 providing for its power and duties.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Independent
7 Office of the Repealer Act.

8 Section 2. Definitions.

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

12 "Committee." The Selection and Organization Committee in the
13 office.

14 "Director." The director of the office.

15 "Office." The Independent Office of the Repealer.

16 Section 3. Establishment.

17 There is established a nonpartisan Independent Office of the
18 Repealer. The office shall be an independent agency.

1 Section 4. Powers and duties of office.

2 The office shall have the following powers and duty to:

3 (1) Adopt logical, quantitative and qualitative rules to
4 determine whether an existing statute or regulation of the
5 Commonwealth is:

6 (i) Unreasonable, unduly burdensome, detrimental to
7 economic well-being, duplicative, onerous, defective or
8 in conflict with another statute or regulation.

9 (ii) Defying a common sense approach to government.

10 (2) Perform a systemic review of existing statutes and
11 regulations of this Commonwealth in accordance with the rules
12 adopted for review under this act.

13 (3) Identify existing statutes and regulations which may
14 be appropriate for legislative and executive agency
15 modification, revision or repeal.

16 (4) Establish as soon as practical, a system with a
17 publicly accessible Internet website that allows the office
18 to:

19 (i) Receive suggestions and comments, along with
20 supporting documentation, for modification, revision or
21 repeal from citizens, businesses, government agencies or
22 others.

23 (ii) Receive reports on allegations of wasteful
24 governmental practices.

25 (5) Determine and implement internal policies, standards
26 and procedures as may be necessary for the orderly and
27 efficient execution of the mission of the office.

28 (6) Implement a tracking system to follow all
29 submissions and actions taken on a recommendation made by the
30 director which includes progress of modification, revision or

1 repeal.

2 (7) By June 30 of each year, report to the General
3 Assembly and the Governor on:

4 (i) Recommended changes to statutes and regulations.

5 (ii) Recommended changes to increase efficiency and
6 eliminate wasteful practices.

7 (iii) Progress of the revision, repeal or abrogation
8 of statutes and regulations.

9 Section 5. Membership and appointments.

10 (a) Committee.--The committee established in the office
11 shall:

12 (1) Consist of the following members:

13 (i) One member appointed by the Governor.

14 (ii) One member appointed by the President pro
15 tempore of the Senate in consultation with the Majority
16 Leader and the Minority Leader of the Senate.

17 (iii) One member appointed by the Speaker of the
18 House of Representatives in consultation with the
19 Majority Leader and the Minority Leader of the House of
20 Representatives.

21 (2) Select the director of the office in accordance with
22 the following:

23 (i) The committee shall publish qualifications of
24 the director in the Pennsylvania Code and Bulletin within
25 90 days of the first meeting of the committee.

26 (ii) The appointment may not be made on the basis of
27 political affiliation.

28 (iii) The appointment shall be made on the basis of
29 the fitness to perform the duties of the office based on
30 the published qualifications.

1 (b) Director.--The director shall serve in accordance with
2 the following:

3 (1) The selection of the director shall occur no later
4 than July 1, 2017.

5 (2) The director shall serve for a term of six years.

6 (3) An individual appointed as director to fill a
7 vacancy prior to the expiration of a term shall only serve
8 for the unexpired portion of the term.

9 (c) Deputy director.--The director shall appoint a deputy
10 director who shall have the following duties:

11 (1) Perform assigned duties from the director.

12 (2) Assume the role of the director:

13 (i) during an absence or incapacity of the director;
14 or

15 (ii) if a vacancy occurs in the position of director
16 until a successor director is appointed.

17 (d) Removal.--The director may be removed by a concurrent
18 resolution passed by the Senate and the House of
19 Representatives.

20 Section 6. Director.

21 The director shall have the following powers and duties:

22 (1) The authority to:

23 (i) Determine and implement internal policies,
24 standards and protocols to orderly and efficiently carry
25 out the mission of the office under this act.

26 (ii) Procure the temporary or intermittent service
27 of attorneys, experts, consultants or organizations by
28 contract.

29 (2) Hire and fix compensation in accordance with the
30 following:

1 (i) The hiring and appointments shall be made on the
2 basis of the duties of the office and the performance of
3 the functions of the office.

4 (ii) All personnel shall be hired or appointed
5 without regard to political affiliation.

6 (iii) Hiring and appointments shall be based on
7 fitness to perform the necessary duties.

8 Section 7. Notice.

9 (a) Transmittal of notice.--When the office determines that
10 a statute or regulation meets the standards set under this act
11 and as set by the director for modification, revision or repeal,
12 the director shall recommend the action to:

13 (1) The General Assembly if a statute needs to be
14 modified, revised or repealed.

15 (2) The State department or agency which created the
16 regulation that needs to be modified, revised or repealed.

17 (b) Details.--A recommendation from the office shall provide
18 specific details why the office is recommending that the statute
19 or regulation needs to be modified, revised or repealed.

20 Section 8. Records.

21 The office shall be a legislative agency for the purposes of
22 the act of February 14, 2008 (P.L.6, No.3), known as the Right-
23 to-Know Law.

24 Section 9. Sunset.

25 This act shall expire June 30, 2023.

26 Section 10. Effective date.

27 This act shall take effect immediately.