



SENATE OF PENNSYLVANIA BILL SUMMARY

Senate Bill 774 Printer's No. 972

Prime Sponsor: Senator Alloway
Committee: State Government

SYNOPSIS:

Revises provisions on practices & procedure for Commonwealth agencies; establishes the Office of Administrative Hearings; revises provisions on judicial review of Commonwealth agency action.

SUMMARY:

Amends Title 2 (Administrative Law and Procedure) and replaces the Administrative Agency Law with the Administrative Procedure Act (Act).

The Act:

- Adds a Chapter 6 which establishes a new independent office in the Executive Department called the Office of Administrative Hearings (Office). The Office:
 - Administers all administrative proceedings unless an agency head hears the matter;
 - Operates under a Chief Administrative Law Judge who shall appoint administrative law judges;
 - Discharges its duties with cooperation between Commonwealth agencies and the chief administrative law judge, as required by the Act.
 - Creates an index of adjudications, and makes the index available to the public.
- Also makes extensive revisions to existing Subchapter A of Chapter 5 (relating to practice and procedure of Commonwealth agencies); as well as existing Subchapter A of Chapter 7 (relating to judicial review of Commonwealth agency action).

In addition to the powers, duties and qualifications for the Chief Administrative Law Judge as contained in the Act, the bill also includes provisions relating to the responsibilities of the Chief Administrative Law Judge relating to reorganization for agencies subject to the new Chapter 6. The bill also allows for an appropriation for the Office to carry out the provisions of the Act.

Effective Date: Sections 8 (relating to reorganization issues for agencies subject to 2 Pa.C.S. Chapter 6) and 10 (relating to an appropriation for the Office) would take effect immediately; the remainder would take effect on January 1, 2019.

BILL HISTORY:

Referred to State Government, June 16, 2017

Similar version of the bill (SB413) was unanimously reported from State Government in the 2015-2016 legislative session. State Government also had a public hearing on SB413 in the 2015-2016 legislative session.

Prepared by: Totino 6/16/2017