

WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – MARIO M. SCAVELLO, CHAIRMAN

Monday, April 19, 2021

[Senate Bill 247](#) (Phillips-Hill) would amend the Public School Code of 1949 to repeal Section 1112 which prohibits the wearing of religious garb or emblems by public school teachers in the performance of their duties. [Passed: 48-0.](#)

[Senate Bill 420](#) (Yaw) would amend the County Code to require a district attorney to continuously hold an active law license while in office. If a district attorney is disbarred, the office of district attorney would become vacant, and the vacancy would be filled as otherwise provided by law. If a district attorney's law license is suspended, the district attorney would be suspended from the office until the license is reinstated or until the expiration of the term of the district attorney. Upon suspension of the district attorney, the first assistant district attorney, if willing, qualified and able, would act as the district attorney. If the first assistant district attorney is unwilling, unqualified or unable to serve, the judges of the court of common pleas would appoint a competent person to serve as district attorney. [Passed: 48-0.](#)

[Senate Resolution 90](#) (K. Ward) amends Rule 38 (Temporary Emergency Rules of the Senate) to extend the temporary rules adopted to maintain the continuity of operations of the Senate during the COVID-19 disaster emergency until May 31, 2021, or 10 days following the expiration of the emergency declaration, whichever is earlier. An additional change would provide that, under the temporary rules, regulations may be deposited with the Legislative Reference Bureau.

[Adopted: 47-1.](#)

Tuesday, April 20, 2021

[Senate Bill 248](#) (Phillips-Hill) would amend Title 38 (Holidays and Observances) of the Pennsylvania Consolidated Statutes to recognize the contributions of veterans of the United States Armed Forces from Pennsylvania in major conflicts since the Vietnam War. The measure would designate:

- March 6 as Persian Gulf War Veterans Day; and
- October 7 as Global War on Terrorism Veterans Day.

The Governor would be required to issue a proclamation annually encouraging all public schools and educational institutions to observe these special days by conducting exercises recognizing the contributions and sacrifices made by these veterans. [Passed: 47-0.](#)

[Senate Bill 317](#) (Browne) would create the Expedited Partner Therapy Act to allow a health care practitioner to issue a prescription for or personally furnish antibiotics to treat sexually transmitted infections, without having examined the individual for whom the drug is intended, in

accordance with the Expedited Partner Therapy in Management of Sexually Transmitted Disease guidance issued by the U.S. Centers for Disease Control and Prevention, if:

- The individual is a sexual partner of the health care practitioner's patient.
- The patient has been diagnosed with a sexually transmitted infection.
- The patient reports to the health care practitioner that the individual is unable or unlikely to be evaluated or treated by a health professional.

If the health care practitioner is unable to obtain the individual's name, the prescription would have to include the words "expedited partner therapy" or the letters "EPT." For each drug prescribed, the health care practitioner would have to recommend to the patient that the individual seek treatment from a health professional and document the name of the drug prescribed, the dosage, directions for its use, and any adverse reactions or known contraindications. The health care practitioner who prescribes or furnishes a drug would be permitted to contact the individual for whom the drug is intended. A practitioner prescribing or furnishing a drug in good faith would not be liable for or subject to damages in any civil action, prosecution in any criminal proceeding, or professional disciplinary action. Similarly, a healthcare practitioner would not be subject to liability for choosing not to provide expedited partner therapy.

The bill would authorize a pharmacist to dispense a drug pursuant to a prescription issued under the act. The pharmacist would have to provide directions for the drug's use and any adverse reactions or known contraindications. A pharmacist or pharmacy dispensing a drug in good faith would not be liable for or subject to damages in any civil action, prosecution in any criminal proceeding, or professional disciplinary action. **Passed: 47-0.**

Senate Bill 381 (Martin) would amend the Public School Code of 1949 to eliminate the June 30, 2021 sunset date for the Substitute Teaching Permit for Prospective Educators Program to allow the program to continue indefinitely. **Passed: 41-6.**

House Bill 203 (Toohil) would create the Living Donor Protection Act to require the Department of Health to develop informational materials relating to living donors and the live donation of organs and tissue. The materials would have to include, but not be limited to, the information delineated in the legislation. The informational materials would have to be distributed in printed form, upon request, and posted on the Department of Health's website. The Department of Health would be required to update the materials periodically. The measure would also prohibit an insurer from engaging in certain actions against an individual based solely on the person's status as a living donor without additional risk based on sound actuarial principles reasonably related to actual or anticipated loss experience. The protections could not be construed to require an insurance policy form to include coverage of organ donation. A violation of these provisions would be considered an unfair or deceptive act or practice under the Unfair Insurance Practices Act.

In addition, the bill would extend coverage under the Family Medical Leave Act (FMLA) to the preparation and recovery necessary for surgery related to organ or tissue donation by or for the eligible employee or his or her spouse, child, or parent. An employer could require an

eligible employee to submit written documentation regarding preparation and recovery necessary for surgery. The Department of Health and the Insurance Department could each promulgate rules or regulations as necessary to carry out the provisions of the act. Unless specifically provided otherwise, nothing in the act could be construed to interfere with other state law regarding organ or tissue donation. [Passed: 47-0.](#)

Executive Session

Nominations to Various Boards and Commissions. [Confirmed: 47-0.](#)

Wednesday, April 21, 2021

[Senate Bill 114](#) (Boscola) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to require a driver of a motor vehicle or motor carrier vehicle being operated on a highway of the Commonwealth to make reasonable efforts to remove accumulated ice or snow from the vehicle within 24 hours after the cessation of the falling snow or ice. A driver who violates the subsection could be stopped on a highway by a police officer if the officer believes the accumulated ice or snow could pose a threat to persons or property. A driver who violates the provisions would be subject to a fine of \$50 for each offense regardless of whether any snow or ice is dislodged from the vehicle. The requirement would not apply if the driver of the motor carrier vehicle, mass transit vehicle, bus or school bus is en route to a facility to remove accumulated ice or snow at the time of the stop, or compliance would violate any other law or regulation regarding workplace safety or would be a threat to the health and safety of the driver. The legislation would also increase the existing fine for an incident that results in snow or ice falling from a moving vehicle or motor carrier vehicle and striking another vehicle or pedestrian causing death or serious bodily injury from no more than \$1,000 to no more than \$1,500 for each offense. [Passed: 47-0.](#)

[Senate Bill 282](#) (Langerholc) would designate the bridge, identified as Bridge Key 8661, carrying State Route 3039 over Hinckston Run in Jackson Township, Cambria County, as the Sgt. Harry Lewis Amigh Memorial Bridge. [Passed: 47-0.](#)

[Senate Resolution 29](#) (Browne) adopts a temporary rule of the Senate relating to amendments to any Supplement to the 2020-2021 Budget and the General Appropriation Bill or other General Fund or special fund appropriations bills for the fiscal year commencing July 1, 2021. The temporary rule requires any amendment offered on the floor of the Senate, to any Supplement to the 2020-2021 Budget or the 2021-2022 Budget, that proposes spending at a level different from the amount contained in the 2020-21 Budget or the 2021-2022 Budget, as reported from the Appropriations Committee, to contain sufficient revisions or reductions so that the amendment does not result in a net increase in total spending and yields a balanced budget based on current and projected revenues. The rule could be temporarily suspended only by a vote of the majority of the members elected to the Senate. The rule expires upon enactment of a General Appropriation Act for the fiscal year beginning July 1, 2021. [Adopted: 47-0.](#)

[House Bill 766](#) (Greiner) would amend the Tax Reform Code of 1971 to provide temporary authority to the Department of Revenue to deal with state taxation during the COVID

emergency. The Department would be required to disregard the period after April 14, 2021 and before May 17, 2021, in the calculation of interest, a penalty or addition to tax for failure to meet an extended deadline under Section 330 (Returns and Liability) for the personal income tax. This provision would expire on May 31, 2021. The measure would also provide temporary authority to the Department of Community and Economic Development (DCED) to deal with local taxation during the COVID emergency which would also expire on May 31, 2021. The Department would be required to coordinate with the governing bodies and local agencies of political subdivisions to:

- Extend filing and payment deadlines for local taxes under Chapter 5 of the Local Tax Enabling Act, and related statutory provisions, ordinances, and resolutions so that the deadlines coincide with the filing deadline for a tax return and payment under Section 330; and
- Disregard the period after April 14, 2021, and before May 17, 2021, in the calculation of interest, a penalty or an addition to tax for failure to meet an extended deadline under Chapter 5 of the Local Tax Enabling Act, and related statutory provisions, ordinances, and resolutions.

For taxable years beginning after the effective date of the section, DCED would be granted permanent authority to adjust the filing deadline of a final return under Chapter 5 of the Local Tax Enabling Act and related statutory provisions, ordinances, and resolutions to coincide with the filing deadline for a tax return under Section 330. This provision would not expire.

The bill would also add a provision to Section 403 (Reports and Payment of Tax) that applies to taxable years beginning after December 31, 2020 for the corporate net income tax. Taxpayers subject to the tax could submit an annual report and make payment of taxes due on or before the fifteenth day of the month following the due date of a return to the federal government. If the federal government grants an extension of time for the filing of reports, the Department of Revenue would have to grant an extension to the fifteenth day of the month following the termination of the federal extension. **Passed: 47-0.**

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