



October 1, 2018

Legislative UPDATE

Pennsylvania's State System of Higher Education

Lawmakers in the House last week addressed the issues of statute of limitations reform for sexual abuse cases ([SB 261](#)) and firearms relinquishment as it relates to domestic abuse ([HB 2060](#)).

While it is anticipated the latter bill could advance to the governor by the end of the week, the Senate may take longer to determine what action, if any, it will take in response to SB 261.

On another lingering issue, [HB 153](#), reducing the size of state House of Representatives, was altered in the House Rules Committee to also reduce the size of the state Senate. Unless reversed by a two-thirds majority vote of the full House, the legislation will be different than that which was passed in 2016. The measure would therefore need to be approved once more by the Legislature before going to referendum.

This week, anti-hazing legislation ([SB 1090](#)) may move closer this week to being considered by the governor. The House is expected to take it up today on second consideration, with final passage pending possibly the week of October 9th. If passed by the House, the bill will be sent back to the Senate for it to concur in the changes incorporated into it by the House Judiciary Committee and, if applicable, and on the House floor.

Looking ahead, remaining session days are as follows:

HOUSE: Oct. 9, 10, 15, 16 and 17

SENATE: Oct. 15, 16 and 17

Senate

Session & Committee Activity

[Senate Session Days](#) | [Watch Session Live](#) | [Senate Calendars](#) | [Senate Committee Meeting Schedule](#)

The Senate convenes today at 1:00 p.m., and again on Tuesday and Wednesday.

FLOOR ACTIVITY

We are monitoring these bills of interest, which are positioned for possible third consideration and final

passage by the full chamber:

[HB 1527](#) Amends Title 23 (Domestic Relations), in child protective services, further providing for persons required to report suspected child abuse.

[SB 1073](#) Amends the Enforcement Officer Disability Benefits Law, known as the Heart & Lung Act, by extending benefits to certain law enforcement officers and investigators, including campus police officers employed by a State-owned university, State-aided university, community college or State-related college or university.

Concerning SB 1073, which extends Heart & Lung benefits to campus police, the System has suggested the legislation be amended to clarify whether all collective bargaining employees such as campus security, are included in the definition of campus police, and whether the nonrepresented managers (Police Chiefs and Assistant Police Chiefs, etc.) would be eligible for the Heart and Lung benefit. Staff was also informed that the System would incur undetermined costs for set up and ongoing claim administration/processing. If passed by the Senate, the bill will advance to the House for consideration.

The following bill awaits a concurrence vote in House amendments:

[HB 126](#) Expands the availability of EpiPens by permitting entities such as summer camps, colleges and universities, restaurants, amusement parks, sport facilities, daycares and other facilities to have non-patient specific epinephrine auto-injectors in their facilities.

Consideration of these bills is expected as soon as fiscal notes are provided by the Senate Appropriations Committee:

[HB 1386](#) Modifies the levels of special education and early childhood certificates by grade span and age.

[HB 2124](#) Requires schools of higher education communicate certain loan information to students annually.

[SB 714](#) Creates the Pennsylvania Career Readiness Council Act tasked with improving the transition from school to the workforce and addressing industry needs.

[SB 1259](#) An Act authorizing DGS & East Stroudsburg University, with approval of the Governor, to grant & convey to East Stroudsburg Borough, a certain permanent public sanitary sewer easement & public water supply easement in East Stroudsburg Borough.

[SR 292](#) A Resolution directing the JS GC to study the issue of immunization policies for students at institutions of higher ed., conduct an analysis of compliance, examine the need for updating policies & report findings & recommendations to the Senate. An amendment is anticipated.

The Office of the Chancellor has communicated to legislative staff that particular bills could impose potential administrative and fiscal impact to System universities.

HB 1386 as amended by the Senate Education Committee could require changes in curriculum and organizational structure, particularly if programs/curricula need revised to provide for grades 5 and 6. Programs now only provide for grades PreK-4. In addition to these program changes, if the requirement to have a content area tied to special education certification is removed, System universities may also need to revive their organizational structure to bring back special education departments. Doing so could cause

an unintentional proliferation of standalone special education programs.

HB 2124, providing for student debt letters, is duplicative of requirements already in place; could create confusion to students; and would put an additional strain on university resources that could otherwise be invested in teaching and learning. The State System estimates a fiscal impact of \$1.4 million (or 100,000 per university for IT support and staffing.

Upon Senate passage of HBs 1386 or 2124, these bills will be returned to the House for a concurrence vote.

COMMITTEE ACTIVITY

The Senate Education Committee is scheduled to meet Tuesday, at 10:30 a.m. to consider:

[HB 1745](#) An Act providing for a tuition and fee waiver program for youth who are or have been in substitute care.

[HB 2158](#) Amends the Public School Code, in preliminary provisions, providing for career information and recruitment.

[HB 2159](#) Amends Article XX-C, Transfers of Credits Between Institutions of Higher Education, to expand an online database of articulation agreements.

EXECUTIVE NOMINATIONS

Various nominees to System universities' Council of Trustees have been posted on the appointments calendar. These nominations are subject to Senate confirmation, which may happen in the remaining scheduled session days. [Continue reading >>](#)

House of Representatives

Session & Committee Activity

[House Session Days](#) | [Watch Session Live](#) | [House Calendars](#) | [House Committee Meeting Schedule](#)

The chamber convenes today at 11:00 a.m. Tuesday is currently a non-voting session day.

FLOOR ACTIVITY

Today's voting calendar indicates these bills will be considered on 2nd consideration. Third consideration and final passage is anticipated as early as the week of October 9th, unless Rules are suspended or the session calendar changes.

[HB 1822](#) Establishes a certification process and standards for those schools which elect to become a Certified Suicide Prevention Institution of Higher Education. Through the Pennsylvania Department of Education, institutions would be recognized for their commitment to providing students with information and services to meet their mental health needs and to assist in the event a student experiences a mental health crisis.

[SB 1090](#) Adds a new chapter to the Crimes Code on antihazing, defines the offense of hazing, and provides for aggravated hazing, organizational hazing, and institutional hazing. Institutions and secondary schools shall adopt policies against hazing and appropriate penalties for hazing. Also provides for purchase, consumption, possession or transportation of liquor or malt or brewed beverages and for safe harbor for violations of section 6308 (a) relating to attempts to purchase, consume, possess or knowingly and intentionally transport any liquor or malt or brewed beverages. Title 42 is amended to provide for asset forfeiture for organizational hazing.

COMMITTEE ACTIVITY

There are no meetings of interest currently scheduled.

Bill Tracking Report

The following information is updated during legislative session weeks.

In the Senate:

SB 1247

Amends the Public School Code, in State System of Higher Education, further providing for purposes and general powers and providing for certain contract provisions prohibited. *09-28-18 S Passed over in Senate Education.*

In the House:

HB 2571

Amends the Public Employe Relations Act adding language requiring a public employer to notify a nonmember in writing that there is no statutory obligation by nonmembers to make any payments to an employee organization that serves as the nonmember's exclusive representative. Provides for the content of the notification. Further provides for notification to a new public employee. Also prohibits a public employer from collecting through wage deduction any form of payment from a nonmember to an employee organization. *09-24-18 H Voted favorably from House Labor & Industry.*

HB 2593

Amends the Public Employe Relations Act adding a new section requiring a public employer to notify, in writing all public employees in a collective bargaining unit of their right to resign their membership in an employee organization during a period of 45 days prior to the expiration of their collective bargaining agreement. Also requires an employee organization representing members of a collective bargaining unit to notify, in writing, the members of their right to resign their membership from the organization within a period of ten days before the 45 day period prior to the expiration of their collective bargaining agreement. *09-24-18 H Voted favorably from House Labor & Industry.*

SR 228

A Concurrent Resolution establishing a Global Education Task Force; the chancellor of the State System or his designee would have a seat on the task force. *09-24-18 H Reported as committed from House Education; set on the House Calendar.*

HB 2641

Amends Title 23 (Domestic Relations), in child protective services, stipulating that if a person's willful failure continues while the person knows or has reasonable cause to believe the child is being subjected to child abuse or if the person knows or has reasonable cause to believe the person who committed the child abuse is likely to commit additional acts of child abuse, the person commits a felony of the third degree, except that if the child abuse constitutes a felony of the first degree or higher, the person commits a felony of the second degree. *09-26-18 H Voted favorably from House children & Youth.*

SB 1078

Amends Title 65 (Public Officers) to allow state and local agencies to discuss security measures during executive session. *09-25-18 H Reported as committed from House State Government.*

Co-sponsorship memos:

[HCO3770](#)

Extend Educational Assistance Grants to the Dependents of National Guard Members. Last Action: *09-24-18 H Filed*

This update is provided as a courtesy of the Office of the Chancellor as a preview of upcoming legislative activity and a review of action on legislative issues of interest to the State System. The Legislative UPDATE is distributed during legislative session weeks.

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