

AMERICANS FOR PROSPERITY - PENNSYLVANIA

2023-24 STATE POLICY PRIORITIES

Vision: A Pennsylvania with robust free markets, where a bias against erecting barriers to opportunity exists, and thriving communities where people succeed by helping one another are the norm rather than the exception.

ECONOMIC OPPORTUNITY

Vision: Empower people to earn success, contribute to their communities, and live meaningful lives.

Regulation

- **Comprehensive Regulatory Reform (SB32 of 2021-22) Sen. Phillips-Hill:** Comprehensive regulatory reform legislation that would include the creation of an independent Office of the Repealer within the Independent Regulatory Review Commission (IRRC), implement a one-in, two-out requirement for new regulations, require the General Assembly to approve “economically significant” regulations (those with an annual impact of \$1 million or more), allow the General Assembly to initiate the removal of any existing state regulation, and also incorporate the key provisions of Permit Transparency (SB28 of 2021-22) and Regulatory Compliance Advisor (SB29 of 2021-22).
- **REINS Act (SB 188) Sen. DiSanto:** Gen. Assembly required to vote on any economically significant regulation, defined as having an effect on state, municipality, or business community of \$1 million or more annually. *Reported from Intergovernmental Ops 3/8/23, 7-4.*
- **REINS Act (HB 487) Rep. Keefer:** Gen. Assembly required to vote on any economically significant regulation, defined as having an effect on state, municipality, or business community of \$1 million or more annually. *Referred to Environmental Resources & Energy, Rep. Vitali, 3/16/23.*
- **Automatic Three-Year Review of Economically Significant Regulations (SB 190) Sen. Brooks:** Requires an automatic review of economically significant regulations three years after taking effect to measure their cost and effectiveness. *Reported from Intergovernmental Ops 3/8/23, 7-4.*
- **Permit Transparency (SB350) Sen. Phillips-Hill:** Would require state agencies to review their permit decisions and permit decision delays during the immediately preceding calendar year and submit a report of findings to the General Assembly, and to establish, maintain and make available a secure tracking system for applicants to track the status of applications on the state agency’s website. *Referred to Intergovernmental Ops, Sen. Coleman, 2/02/23.*
- **Regulatory Compliance Advisor (SB29 and HB288 of 2021-22) Sen. Phillips-Hill and Rep. O’Neal:** Each state agency required to designate an employee to serve regulated community re: advisory opinions and assistance in noncompliance scenarios prior to the levying of a penalty.
- **Independent Office of the Repealer (SB 428) Sen. Phillips Hill:** Establishes the Independent Office of the Repealer within the Independent Regulatory Review Commission. *Referred to Intergovernmental Ops, Sen. Coleman, 3/14/23.*
- **Strengthening the Regulatory Review Act (HB950 and SB809 of 2021-22) Rep. Metcalfe and Sen. Dush:** Gives the General Assembly the authority to initiate the repeal of any regulation currently in effect by concurrent resolution. Both the House and the Senate would need to approve the resolution, as well as the Governor.
- **Legislative Review of Regulations (SB106 of 2021-22) Sen. Argall:** Would prevent the governor from vetoing legislative resolutions to overturn regulations that had been put in place by the Governor’s office, restoring power to the legislature and Pennsylvanians.
- **Fighting Chance Act (SB 259) Sen. Mastriano:** Creates a pilot program for red tape reduction, aiming to reduce regulations in the BPP and BPOA by 25%. Would allow every state agency to count and catalog all regulations and requirements under its authority. *Referred to Intergovernmental Ops, Sen. Coleman, 1/31/23.*

Fiscal Policy

- **Taxpayer Protection Act (HB71 of 2021-22) Rep. Warner:** Resolution providing for amendment to constitution providing for state General Fund

spending limit based on inflation plus population growth.

- **Taxpayer Protection Act (SB 201) Sen. Bartolotta:** Resolution providing for amendment to constitution providing for Commonwealth spending limit based on the lower of: 1) the combined rates of inflation plus population growth or 2) state personal income growth and allowing for certain exceptions. *Referred to State Government, Sen. Dush, 1/31/23.*
- **Prohibiting Company-Specific Corporate Giveaways (HB873 of 2021-22) Rep. Rabb:** Authorizes Pennsylvania to join the Phase Out Corporate Giveaways Interstate Compact.
- **Structural Balance, Rep. Rowe:** Structural balance rules produce a single top-line cap on a year's spending to start the budget cycle. The cap will be less than revenue during booms and higher during recessions. This smooths out economic volatility while holding spending and revenue together over the business cycle.
- **Acceleration of the Corporate Net Income Tax Reduction (SB 345) Sens. Rothman and Aument:** If enacted, this proposal would drop the corporate net income tax to 7.99% and decrease the CNIT rate each January 1st until a rate of 4.99% is achieved (5 years sooner than projected rates in Act 53). *Referred to Finance, Sen. Hutchinson, 3/14/23.*

HEALTH CARE

Vision: Everyone is empowered with better access to continually improving and more affordable health care and resources that help them live healthier, more meaningful lives. Free of government barriers, individuals are able to make decisions about their own health and innovators can deliver localized and personalized solutions.

- **Nursing Scope of Practice (SB25) Sen. Bartolotta:** Provides full practice authority to experienced nurse practitioners will increase Pennsylvanians' access to healthcare and help relieve healthcare provider shortages in PA. Expanding nurse practitioner's ability to meet the state's primary care needs is essential to making sure all Pennsylvanians enjoy high quality, affordable and available primary care services. *Referred to Consumer Protection & Professional Licensure, Sen. Stefano, 3/3/23.*
- **Association Health Plans (HB555 and SB235 of 2021-22) Rep. Gaydos and Sen,**

Brooks: Provides a mechanism for employers to join together to offer quality health insurance as a benefit for their employees.

- **Telemedicine (SB705 of 2021-22 and HB15 of 2019-20) Sen. Vogel and Rep. Harris:** Defines telemedicine, offering guidelines outlining who can provide telemedicine services, and providing clarity around insurance company reimbursement for these services. Although the legislation requires payments for telemedicine services, those payments will be established between the provider and insurer.

CRIMINAL JUSTICE REFORM

Vision: An effective criminal justice system protects people, preserves public safety, respects human dignity, restores victims, removes barriers to opportunity for people with criminal records, and ensures equal justice under the law.

- **Parole Eligibility for Life Sentences (SB135) Sen. Street:** Creates a chance for individuals after 25 or 35 years, dependent upon their conviction, and would extend retroactively to anyone currently serving an eligible sentence. Individuals would still go before the Board of Probation and Parole and would be granted parole only if they deserve it and do not present a safety risk to the public. Creates Office of Re-Entry Programs to assist those who are released under new eligibility standards. *Referred to Judiciary, Sen. Baker, 1/31/23.*
- **"Ban the Box" (HB866 of 2021-22) Rep. Ortityay:** Prohibits any public college or university in Pennsylvania from inquiring about a student's criminal history, with the exception of certain criminal offenses, on the initial application or at any other time during the admissions process prior to the institution's decision to accept a student for admission.
- **Comprehensive Probation Reform (SB913 of 2021-22) Sens. Baker, Bartolotta and A. Williams:** Updates probation policies, minimizing punishments for technical violations, allows judges to shorten probation time for earned credits through education and good behavior.
- **Dignity for Incarcerated Women (HB1419 of 2021-22) Rep. Jones:** Memorializes best practices for the treatment of incarcerated women, accounting for the unique issues regarding their health and the health of their children.
- **Electronic Recording of Custodial Interrogations:** Creates state standard for the recording of

interrogations. (including interactions leading up to a confession) and protecting a suspect's rights during the process.

- **Clean Slate 2.0 (HB1826 of 2021-22), Rep. Delozier and Rep. Harris:** Expands automatic criminal record sealing to include more types of offenses, including some first-degree misdemeanors and low-level drug felony convictions after an individual goes 10 years without committing a crime.

FREE EXPRESSION

Vision: The ability to think, speak, and associate freely is the foundation of an open society. Removing barriers to these freedoms enable all people to participate in a public discourse.

- **Free Speech Protection Act (HB95 of 2021-22) Rep. Diamond:** Creates a process to quickly dismiss SLAPP's (Strategic Lawsuits Against Public Participation) against constitutionally protected speech through a special motion to dismiss. If successful, plaintiff may recover fees, costs and damages related to the SLAPP.
- **Donor Privacy, Sen. Gebhard:** Prevents a public agency from requiring individuals or organizations to provide personal information except as required under law. This protection extends to any entity exempt from federal income tax under Sec. 501(c) and individuals associated with those entities. Privacy is for individuals; transparency is for government.

ENERGY

Vision: Present in everything we do in our daily lives, abundant, affordable, and reliable energy is the key driver of our prosperity and security. A robust and diverse supply guided by market signals free of handouts and contradictory rules is essential for economic prosperity.

- **Legislative Authority Over Carbon Tax (HB 195) Reps. Struzzi and Kephart:** Provides process for legislative approval before a carbon tax could be imposed or before PA's entry into a binding multi-state compact with tax implications, like the Regional Greenhouse Gas Initiative (RGGI). Referred to *Environmental Resources & Energy*, Rep. Vitali, 3/8/23.