A JOINT RESOLUTION

Proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, in declaration of rights, providing for right to local self-government.

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows:

Section 1. The following amendment to the Constitution of Pennsylvania is proposed in accordance with Article XI:

That Article I be amended by adding a section to read:

§ 29. Right to local self-government.

(a) As all political power is inherent in the people and all free governments are founded on their authority and instituted for their peace, safety and happiness, the people have an inherent and inalienable right to local self-government.

(b) The right to local self-government includes, without limitation, the power to enact local laws:

(1) protecting health, safety and welfare by establishing the rights of people, their communities and nature and by securing those rights using prohibitions and
other means; and

(2) establishing, defining, altering or eliminating the rights, powers and duties of corporations and other business entities operating or seeking to operate in the community, to prevent infringement of locally enacted rights and violation of the prohibitions and other means by which those rights are secured.

(c) Local laws adopted pursuant to subsection (b) shall not be subject to preemption by international, Federal or State laws, provided that a local law does not:

(1) infringe or restrict fundamental rights of individuals, their communities or nature secured by the Constitution of the United States, the Constitution of Pennsylvania or international law; or

(2) minimize protections for health, safety and welfare provided by international, Federal and State law.

(d) All provisions of this section are self-executing and severable.

Section 2. (a) Upon the first passage by the General Assembly of this proposed constitutional amendment, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania and shall transmit the required advertisements to two newspapers in every county in which such newspapers are published in sufficient time after passage of this proposed constitutional amendment.

(b) Upon the second passage by the General Assembly of this proposed constitutional amendment, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania and shall transmit the required advertisements to two newspapers in every county in which such newspapers are published in sufficient time after passage of this proposed constitutional amendment.
Constitution of Pennsylvania and shall transmit the required
advertisements to two newspapers in every county in which such
newspapers are published in sufficient time after passage of
this proposed constitutional amendment. The Secretary of the
Commonwealth shall submit this proposed constitutional amendment
to the qualified electors of this Commonwealth at the first
primary, general or municipal election which meets the
requirements of and is in conformance with section 1 of Article
XI of the Constitution of Pennsylvania and which occurs at least
three months after the proposed constitutional amendment is
passed by the General Assembly.