If not the PBA, then who?
By Ashley P. Murphy

This legislative session has been an odd one. In my five and a half years at the PBA, I have never seen a session like it. It started off with a bang in January 2021, and things have not slowed down since. Despite this atypical session, the budget season was pretty typical in that there were plenty of back-and-forth negotiations and the completed budget was over a week late. It ultimately included a $45.2 billion spending plan with historic investments in education and public safety, cuts in the state corporate net income tax and an investment in mental health programs, just to name a few. While it is always good to have a completed budget, we in the PBA Legislative Department like budget season for another reason — bills not related to the budget move while the legislators are in Harrisburg working on the budget. An example of one such bill is a PBA initiative, House Bill 2057, which originated in the Business Law Section. As PBA Legislative Director Fred Cabell noted in a prior column, HB 2057 would significantly modernize the Business Corporation Law, as well as amend related provisions of Title 15 of the Pennsylvania Consolidated Statutes. After receiving first consideration in the House in November 2021, the bill passed unanimously in the House in late June of this year. It has now been assigned to the Senate Finance Committee, where we hope it will see movement when the General Assembly returns in the fall.

Another PBA supported bill that saw some movement this budget season is House Bill 2525, which would amend the Criminal History Records Information Act (CHRIA) to permit parties to obtain investigative materials from law enforcement for civil litigation. After having passed the House in April, HB 2525 received first and second consideration in the Senate in June and is now assigned to the Senate Appropriations Committee.

As a final budget season update, I am happy to report that funding for the judiciary was increased — for the first time in six years! In addition, there was a reauthorization through July 31, 2023, of statutory surcharges, collectively known as Act 49, which account for 15% of the annual judicial operations budget. Lastly, there was another annual suspension of the $15 million diversion from the Judicial Computer System Fund.

Now that you are up to date on recent legislative developments, I want to take this opportunity to say thank you and leave you with some final thoughts. When you read this, I will no longer be legislative counsel/lobbyist for the PBA. I have thoroughly enjoyed my time as part of the PBA Legislative Department, especially my interactions with PBA members. I leave you with three thoughts. First, being present at the Capitol is one of the most important things the PBA Legislative Department does. If we aren’t at the Capitol, we may very well miss an opportunity to learn critical information about bills that are important to you.
never move in the other chamber. Some bills move quickly through both chambers but then are vetoed by the governor. Bottom line: There is little predictability in the legislative process! And finally, I learned that your PBA Legislative Department is at its strongest when lobbying on lawyer issues. While there are many important issues out there, the General Assembly wants to hear from the PBA on topics of which we have special knowledge or expertise as attorneys. I have found it helpful to consider: If not the PBA, then who? If we are the only likely interest group to lobby on an issue, it becomes imperative that we do so. Indeed, the PBA is often sought out by legislators and legislative staff on legal issues, which is great! We strive to maintain such relationships on the Hill.

It has been a pleasure serving the interests of the PBA through my role as legislative counsel. I plan to stay actively involved as a PBA member, so I can honestly say this is not goodbye, but rather, see you soon! 😊

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