

LEG REG REVIEW

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LEG REG REVIEW is a periodic newsletter produced by Vince Phillips who retired from active lobbying after 31 years of advocacy in Harrisburg. It contains news on the legislative and regulatory scene in Pennsylvania that may be of interest to the Insurance and Business Communities. Annual subscriptions are \$100 and information may be obtained by contacting PHILLIPS ASSOCIATES at 717/728-1217 or e-mail to xenobun@aol.com.

GENERAL LEGISLATIVE UPDATE

The PA Senate returned to Harrisburg September 16. The House of Representatives will resume legislative work on September 23. Following are remaining session days for the 2023-24 General Assembly.

Chamber	September	October	November
Senate	30	1, 2, 7, 8, 9, 21, 22, 23	13, 14
House	23, 24, 25, 30	same	12, 13

NOTE: In the House, September 23, 24, and 25 are non-voting session days.

SENATE BANKING & INSURANCE COMMITTEE MEETS

On September 17, the Senate Banking & Insurance Committee reported out two bills. **Senate Bill 1320** (DiSanto-R-Dauphin) adds to **Act 41 of 2024** which established a legal framework for handling virtual currency. Specifically, SB 1320 amends the Money Transmitter Act and states that virtual currency transmission will be treated and regulated the same as other money transmissions. The sponsorship memo states that if SB 1320 were enacted, PA would be the 27th state to have this type of legislation. It is supported by the PA Department of Banking & Securities. The committee vote was 14-0.

The second bill is **Senate Bill 967** (Aument-R-Lancaster). It says that independent contractor app-based rideshare and delivery workers are entitled to a “portable benefits framework...established to enable provisions of income replacement, health and wellness benefits...” It was reported out by a vote of 8-6 with Democratic members voting no. **NOTE:** Specific health and wellness benefits are not spelled out in the legislative language. Eligible workers are enrolled in a plan unless they opt out. SB 967 does not establish IRAs but rather “portable benefit accounts.” Funds in these accounts could be used in case of illness or accident, birth or adoption, a declared state of emergency preventing a network (delivery) driver to work, loss of earnings, individual health insurance premiums, or transferring money to an IRA. If you decide to explore this legislation, make sure that you are looking at Printer’s Number 1890 which reflects the amendment made in committee:

<https://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?year=2023&sInd=0&body=S&type=B&bn=967>.

HOUSE INSURANCE COMMITTEE TO CONSIDER ACA PROTECTION & PRODUCER LICENSING BILLS

On September 30, the House Insurance Committee will meet to consider bills designed to protect insurance components of the Affordable Care Act in case Congress repeals or the courts strike down provisions of the Federal law. These are:

- **House Bill 2562** (Frankel-D-Allegheny) prohibiting health insurers from setting annual or lifetime coverage limits.
- **House Bill 2563** (Pashinski-D-Luzerne) keeping dependent coverage to age 26.
- **House Bill 2564** (Haddock-D-Luzerne/Lackawanna) prohibiting health insurers from denying or excluding health care coverage for pre-existing conditions like high blood pressure, asthma, cancer, etc.

That meeting also includes consideration of **Senate Bill 1241** (Gebhard-R-Lebanon). This would amend Act 147 to eliminate the current 24-hour pre-licensing education program requirement. Given that the Senate voted 50-0 to pass SB 1716, assuming no House amendments, it is very likely that it will be enacted by the end of this legislative session.

LEGISLATIVE ACTION

The PA Senate voted on nine bills this week. They were not specific to the Insurance Industry. Link to the bills and votes for September 16, 17, and 18 follows:

https://www.legis.state.pa.us/cfdocs/legis/RC/Public/rc_view_date.cfm?rc_body=S&SPick=20230&theDate=09/16/2024.

HOUSE COMMITTEE WORK

On September 12, the House Agriculture & Rural Affairs Committee convened a hearing in Erie on the Fireworks Law. Since enactment, the law has drawn fire (no pun intended) from veterans suffering from flashbacks and animal care advocates. Liability and the threat of fire are also concerns. Link to the video:

<https://www.legis.state.pa.us/cfdocs/legis/CMS/ArchiveDetails.cfm?SessYear=2023&MeetingId=4039&Code=2&Chamber=H>.

On September 17, the House Consumer Protection, Technology & Utilities Committee convened a hearing on **House Bill 2189** (Matzie-D-Beaver), legislation that would reauthorize PA's One Call safe digging law ('Call 811 before you dig!') for seven more years. Otherwise, the program would expire on December 31, 2024. As of 9/18/24, the hearing video was not available.

ELECTIONS/POLITICS

- On September 17, special elections were held in two Philadelphia Democratic House districts to replace Democratic Representatives Donna Bullock and Stephen Kinsey who resigned over the summer. The two vacancies were filled by Democrats Keith Harris (district 195) and Andre Carroll (district 201) given overwhelming Democratic registrations and no Republican candidates. Harris and Carroll will serve out the remainder of the vacant terms until November 30. They would need to be re-elected in November's General Election for the full two-year term. Control of the House will remain with Democrats since the special elections are being held before the House reconvenes. Harris is currently a Democratic Ward Leader. Carroll has served in Philadelphia government and at the state level for Senator Vincent Hughes (D-Phila.) When sworn in, the two Representatives-elect will allow Democrats to retain their one-vote majority in the House.
- The last unfinished business of the 2024 Primary election was settled by the PA Supreme Court which upheld a Commonwealth Court ruling designating Jamie Walsh to be the Republican nominee, besting incumbent Rep. Mike Cabell by four votes (4,735 – 4,731). Walsh owns a gutter installation company and should win the Luzerne County seat in November since, as of 9/17, there was no Democratic candidate for that seat.
- The national Democratic Legislative Campaign Committee identified nineteen PA legislative contests that it says will decide who controls the General Assembly. That includes 15 House races centered in Allegheny, Beaver, Bucks, Centre, Chester, Cumberland, Delaware, Lackawanna, and Luzerne Counties. The four Senate contests are based in Allegheny, Dauphin, and Erie Counties. Following is a list of the races as reported by the September 16 Politics PA: <https://www.politicspa.com/dlcc-identifies-19-pa-races-to-watch-with-50-days-remaining/139252/>.
- An interesting statistic from the PA Department of State lists the new voters by party. Although PA has a Democratic plurality, new voter registration from September 19, 2023 to the present show more Republicans registering than Democrats. This news should be tempered by the fact that more new voter registrations considered themselves 'Other' than Republicans or Democrats. Here is a comparison within the last year and two years ago.

	<u>2023-24</u>	<u>2022-23</u>
New Registrations	151,333	95,749
Republican	51,472 (34.0%)	28,632 (29.9%)
Democrat	46,561 (30.8%)	34,424 (36.0%)
Other	53,300 (35.2%)	32,693 (34.1%)

Source: <https://www.pavoterservices.pa.gov/AVR-Party-Breakdown.pdf>