

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1089 Session of 2019

INTRODUCED BY ORTITAY, APRIL 8, 2019

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 8, 2019

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled  
 2 "An act providing for and reorganizing the conduct of the  
 3 executive and administrative work of the Commonwealth by the  
 4 Executive Department thereof and the administrative  
 5 departments, boards, commissions, and officers thereof,  
 6 including the boards of trustees of State Normal Schools, or  
 7 Teachers Colleges; abolishing, creating, reorganizing or  
 8 authorizing the reorganization of certain administrative  
 9 departments, boards, and commissions; defining the powers and  
 10 duties of the Governor and other executive and administrative  
 11 officers, and of the several administrative departments,  
 12 boards, commissions, and officers; fixing the salaries of the  
 13 Governor, Lieutenant Governor, and certain other executive  
 14 and administrative officers; providing for the appointment of  
 15 certain administrative officers, and of all deputies and  
 16 other assistants and employes in certain departments, boards,  
 17 and commissions; providing for judicial administration; and  
 18 prescribing the manner in which the number and compensation  
 19 of the deputies and all other assistants and employes of  
 20 certain departments, boards and commissions shall be  
 21 determined," in Commonwealth budget procedures, further  
 22 providing for fiscal notes, providing for adoption of  
 23 expenditure limitations and for form of appropriation acts  
 24 and further providing for revenue estimates.

25 The General Assembly of the Commonwealth of Pennsylvania  
 26 hereby enacts as follows:

27 Section 1. Section 612(7) of the act of April 9, 1929  
 28 (P.L.177, No.175), known as The Administrative Code of 1929, is  
 29 amended to read:

1 Section 612. Fiscal Notes.--The Office of the Budget shall  
2 prepare a fiscal note for regulatory actions and administrative  
3 procedures of the administrative departments, boards,  
4 commissions, or authorities, receiving money from the State  
5 Treasury. The fiscal note shall state whether the proposed  
6 action or procedure causes a loss of revenue or an increase in  
7 the cost of programs to the Commonwealth or its political  
8 subdivisions. Any such regulatory action or administrative  
9 procedure which requires a fiscal note shall be published in the  
10 Pennsylvania Bulletin. The fiscal note shall be published in the  
11 Pennsylvania Bulletin at the same time the proposed change is  
12 advertised. The fiscal note shall provide the following  
13 information:

14 \* \* \*

15 (7) The line item, if any, of [the General Appropriation Act  
16 or other] an appropriation act out of which expenditures or  
17 losses of Commonwealth funds shall occur as a result of the  
18 action or procedures.

19 \* \* \*

20 Section 2. The act is amended by adding sections to read:

21 Section 613.1. Adoption of Expenditure Limitations.--(a) No  
22 later than June 1 of each year, the General Assembly shall adopt  
23 expenditure limitations for the ensuing fiscal year by  
24 concurrent resolution.

25 (b) The expenditure limitations shall contain the following:

26 (1) The total amount of State revenues which will be  
27 available for each appropriation for the ensuing fiscal year.

28 (2) A description of measures which may be necessary to  
29 generate State revenue for the ensuing fiscal year and the  
30 estimated amount of State revenue which will be generated by

1 each measure.

2 (3) The available Federal funds for the ensuing fiscal year.

3 (4) The available funds from other sources for the ensuing  
4 fiscal year.

5 (5) The amount of State revenues, Federal funds and funds  
6 from other sources which are available to be appropriated for  
7 each agency or department for the ensuing fiscal year.

8 (c) The General Assembly may not enact an appropriations act  
9 in a fiscal year if the General Assembly fails to adopt  
10 expenditure limitations as specified under this section.

11 Section 613.2. Form of Appropriations Acts.--(a) An  
12 appropriations act may not appropriate funds for more than one  
13 agency or department.

14 (b) An appropriations act may not appropriate funds for an  
15 agency or department which exceed the amount specified for the  
16 agency or department in the expenditure limitations under  
17 section 613.1.

18 Section 3. Section 618(a) and (b) of the act are amended to  
19 read:

20 Section 618. Revenue Estimates.--(a) [The Department of  
21 Revenue in conjunction with the Secretary of the Budget shall  
22 make revenue estimates for the use of the Governor in preparing  
23 the budget with periodic revisions until the final estimate is  
24 signed by the Governor not later than the time he signs the  
25 general appropriation bill. The revenue estimates used to sign  
26 any appropriation bill shall show separately State revenues,  
27 Federal funds, and, if specifically appropriated, funds from  
28 other sources.] Prior to signing an appropriations bill, the  
29 Governor shall sign the concurrent resolution adopting  
30 expenditure limitations under section 613.1. The Governor shall

1 item veto any part of any appropriation bill that causes total  
2 appropriations to exceed the [official estimate plus any  
3 unappropriated surplus. No changes in the revenue estimates  
4 shall be made thereafter unless changes in statutes affecting  
5 revenues and receipts are enacted.

6 (b) The revenue estimates shall be prepared in a way that  
7 they are subject to complete and thorough oversight by the  
8 Appropriations Committees of the Senate and the House of  
9 Representatives with full knowledge of all data, assumptions,  
10 and econometric models which were used to develop the  
11 projections and any subsequent revisions of these projections.]  
12 expenditure limitations under section 613.1. No changes in the  
13 expenditure limitations under section 613.1 shall be made  
14 thereafter unless changes in statutes affecting revenues and  
15 receipts are enacted and a revision of the expenditure  
16 limitations under section 613.1 is adopted.

17 \* \* \*

18 Section 4. This act shall take effect in 60 days.