

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1137 Session of 2023

INTRODUCED BY CIRESI, SANCHEZ, FREEMAN, MADDEN, DELLOSO, BURGOS,
D. WILLIAMS, CERRATO AND MALAGARI, MAY 10, 2023

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MAY 10, 2023

AN ACT

1 Amending the act of April 9, 1929 (P.L.343, No.176), entitled
 2 "An act relating to the finances of the State government;
 3 providing for cancer control, prevention and research, for
 4 ambulatory surgical center data collection, for the Joint
 5 Underwriting Association, for entertainment business
 6 financial management firms, for private dam financial
 7 assurance and for reinstatement of item vetoes; providing for
 8 the settlement, assessment, collection, and lien of taxes,
 9 bonus, and all other accounts due the Commonwealth, the
 10 collection and recovery of fees and other money or property
 11 due or belonging to the Commonwealth, or any agency thereof,
 12 including escheated property and the proceeds of its sale,
 13 the custody and disbursement or other disposition of funds
 14 and securities belonging to or in the possession of the
 15 Commonwealth, and the settlement of claims against the
 16 Commonwealth, the resettlement of accounts and appeals to the
 17 courts, refunds of moneys erroneously paid to the
 18 Commonwealth, auditing the accounts of the Commonwealth and
 19 all agencies thereof, of all public officers collecting
 20 moneys payable to the Commonwealth, or any agency thereof,
 21 and all receipts of appropriations from the Commonwealth,
 22 authorizing the Commonwealth to issue tax anticipation notes
 23 to defray current expenses, implementing the provisions of
 24 section 7(a) of Article VIII of the Constitution of
 25 Pennsylvania authorizing and restricting the incurring of
 26 certain debt and imposing penalties; affecting every
 27 department, board, commission, and officer of the State
 28 government, every political subdivision of the State, and
 29 certain officers of such subdivisions, every person,
 30 association, and corporation required to pay, assess, or
 31 collect taxes, or to make returns or reports under the laws
 32 imposing taxes for State purposes, or to pay license fees or
 33 other moneys to the Commonwealth, or any agency thereof,
 34 every State depository and every debtor or creditor of the

1 Commonwealth," in special funds, further providing for
2 disposition of Budget Stabilization Reserve Fund; and making
3 interfund transfers.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 1703-A of the act of April 9, 1929
7 (P.L.343, No.176), known as The Fiscal Code, is amended to read:
8 Section 1703-A. Disposition of Budget Stabilization Reserve
9 Fund.

10 (a) Purpose.--[It] Except as otherwise provided in this
11 section, it is the intent of the General Assembly that:

12 (1) Money from the Budget Stabilization Reserve Fund be
13 appropriated only when emergencies involving the health,
14 safety or welfare of the residents of this Commonwealth or
15 downturns in the economy resulting in significant
16 unanticipated revenue shortfalls cannot be dealt with through
17 the normal budget process.

18 (2) Money in the Budget Stabilization Reserve Fund shall
19 not be used to begin new programs but to provide for the
20 continuation of vital public programs in danger of being
21 eliminated or severely reduced due to financial problems
22 resulting from the economy.

23 (b) Appropriation.--Except as provided under subsection (c)
24 or (d), whenever the Governor determines that an appropriation
25 from the Budget Stabilization Reserve Fund is necessary to meet
26 emergencies involving the health, safety or welfare of the
27 residents of this Commonwealth or to counterbalance downturns of
28 the economy which result in significant unanticipated revenue
29 shortfalls, the Governor shall present a request for an
30 appropriation which may include the specifics of the proposal
31 and suggested ancillary and substantive legislation as may be

1 necessary to the chairman of Appropriations Committee of the
2 Senate and the chairman of the Appropriations Committee of the
3 House of Representatives. The General Assembly may then through
4 approval of a separate appropriation bill by a vote of two-
5 thirds of the members elected to the Senate and the House of
6 Representatives appropriate money from the Budget Stabilization
7 Reserve Fund to meet the needs identified in the Governor's
8 proposal. Any money appropriated according to this section which
9 has then lapsed shall be returned to the Budget Stabilization
10 Reserve Fund.

11 (c) Transfer.--No later than November 30, 2020, \$100,000,000
12 shall be transferred from the Budget Stabilization Reserve Fund
13 to the General Fund and shall be available for appropriation by
14 the General Assembly.

15 (d) Transfer for pension liabilities.--No later than January
16 1, 2024:

17 (1) \$670,000,000 shall be transferred from the Budget
18 Stabilization Reserve Fund to the Public School Employees'
19 Retirement Fund as a one-time supplemental transfer for the
20 purpose of reducing the unfunded actuarial accrued liability
21 of the Public School Employees' Retirement System.

22 (2) \$330,000,000 shall be transferred from the Budget
23 Stabilization Reserve Fund to the State Employees' Retirement
24 Fund as a one-time supplemental transfer for the purpose of
25 reducing the unfunded actuarial accrued liability of the
26 State Employees' Retirement System.

27 Section 2. This act shall take effect immediately.