

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 1461 Session of  
2019

INTRODUCED BY FEE, GREINER, MILLARD, RYAN, HICKERNELL,  
B. MILLER, SNYDER, JOZWIAK, KLUNK, PYLE, OBERLANDER, MENTZER,  
ZIMMERMAN, SOLOMON, MOUL, GROVE AND GILLEN, MAY 14, 2019

SENATOR BROWNE, APPROPRIATIONS, IN SENATE, RE-REPORTED AS  
AMENDED, JUNE 26, 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 Office of State Inspector General, further~~  
22 ~~providing for criminal charges. AMENDING THE ACT OF APRIL 9,~~ <--  
23 ~~1929 (P.L.177, NO.175), ENTITLED "AN ACT PROVIDING FOR AND~~  
24 ~~REORGANIZING THE CONDUCT OF THE EXECUTIVE AND ADMINISTRATIVE~~  
25 ~~WORK OF THE COMMONWEALTH BY THE EXECUTIVE DEPARTMENT THEREOF~~  
26 ~~AND THE ADMINISTRATIVE DEPARTMENTS, BOARDS, COMMISSIONS, AND~~  
27 ~~OFFICERS THEREOF, INCLUDING THE BOARDS OF TRUSTEES OF STATE~~

1 NORMAL SCHOOLS, OR TEACHERS COLLEGES; ABOLISHING, CREATING,  
2 REORGANIZING OR AUTHORIZING THE REORGANIZATION OF CERTAIN  
3 ADMINISTRATIVE DEPARTMENTS, BOARDS, AND COMMISSIONS; DEFINING  
4 THE POWERS AND DUTIES OF THE GOVERNOR AND OTHER EXECUTIVE AND  
5 ADMINISTRATIVE OFFICERS, AND OF THE SEVERAL ADMINISTRATIVE  
6 DEPARTMENTS, BOARDS, COMMISSIONS, AND OFFICERS; FIXING THE  
7 SALARIES OF THE GOVERNOR, LIEUTENANT GOVERNOR, AND CERTAIN  
8 OTHER EXECUTIVE AND ADMINISTRATIVE OFFICERS; PROVIDING FOR  
9 THE APPOINTMENT OF CERTAIN ADMINISTRATIVE OFFICERS, AND OF  
10 ALL DEPUTIES AND OTHER ASSISTANTS AND EMPLOYES IN CERTAIN  
11 DEPARTMENTS, BOARDS, AND COMMISSIONS; PROVIDING FOR JUDICIAL  
12 ADMINISTRATION; AND PRESCRIBING THE MANNER IN WHICH THE  
13 NUMBER AND COMPENSATION OF THE DEPUTIES AND ALL OTHER  
14 ASSISTANTS AND EMPLOYES OF CERTAIN DEPARTMENTS, BOARDS AND  
15 COMMISSIONS SHALL BE DETERMINED,"

16 IN ADMINISTRATIVE ORGANIZATION,  
17 REPEALING PROVISIONS RELATING TO EMPLOYEES WITH  
18 ACCESS TO FEDERAL TAX INFORMATION AND PROVIDING FOR  
19 CRIMINAL HISTORY BACKGROUND CHECKS OF EMPLOYEES AND  
20 CONTRACTORS WITH ACCESS TO FEDERAL TAX INFORMATION;  
21 IN ORGANIZATION OF INDEPENDENT ADMINISTRATIVE BOARDS AND  
22 COMMISSIONS,  
23 PROVIDING FOR CENTER FOR RURAL PENNSYLVANIA;  
24 IN OFFICE OF STATE INSPECTOR GENERAL,  
25 FURTHER PROVIDING FOR POWERS, PURPOSE AND DUTIES AND  
26 FOR CRIMINAL CHARGES;  
27 IN COMMONWEALTH BUDGET PROCEDURES,  
28 FURTHER PROVIDING FOR SUBMISSION OF BUDGET TO GENERAL  
29 ASSEMBLY;  
30 IN COMMONWEALTH AGENCY FEES,  
31 FURTHER PROVIDING FOR DEPARTMENT OF STATE;  
32 IN INDEPENDENT FISCAL OFFICE,  
33 FURTHER PROVIDING FOR REVENUE ESTIMATES;  
34 PROVIDING FOR JOINT UNDERWRITING ASSOCIATION  
35 ACCOUNTABILITY;  
36 IN POWERS AND DUTIES OF THE DEPARTMENT OF LABOR AND  
37 INDUSTRY, ITS DEPARTMENTAL ADMINISTRATIVE AND ADVISORY BOARDS  
38 AND DEPARTMENTAL ADMINISTRATIVE OFFICERS,  
39 PROVIDING FOR BUREAU OF OCCUPATIONAL AND INDUSTRIAL  
40 SAFETY;  
41 PROVIDING FOR LEGISLATIVE AGENCIES AND THE CONTINUATION  
42 OF PENNSYLVANIA COMMISSION ON SENTENCING; AND  
43 MAKING EDITORIAL CHANGES AND RELATED REPEALS.

44 The General Assembly of the Commonwealth of Pennsylvania  
45 hereby enacts as follows:

46 ~~Section 1. Section 506 A of the act of April 9, 1929~~ <--  
47 ~~(P.L.177, No.175), known as The Administrative Code of 1929, is~~

1 amended to read:

2 ~~Section 506 A. Criminal charges.~~

3 ~~Notwithstanding any other provision of law, the State~~  
4 ~~Inspector General shall have the power to investigate and may~~  
5 ~~file criminal charges for a violation of any of the following:~~

6 ~~(1) Section 481 of the act of June 13, 1967 (P.L.31,~~  
7 ~~No.21), known as the Human Services Code.~~

8 ~~(2) Section 1408 of the Human Services Code.~~

9 ~~[(3) 18 Pa.C.S. § 7313 (relating to buying or exchanging~~  
10 ~~Federal food order coupons, stamps, authorization cards or~~  
11 ~~access devices).~~

12 ~~(4) 18 Pa.C.S. § 7314 (relating to fraudulent traffic in~~  
13 ~~food orders).]~~

14 ~~(3) The following provisions of 18 Pa.C.S. (relating to~~  
15 ~~crimes and offenses) which are substantially related to the~~  
16 ~~administration of benefits by the Department of Human~~  
17 ~~Services:~~

18 ~~(i) Section 3921 (relating to theft by unlawful~~  
19 ~~taking or disposition).~~

20 ~~(ii) Section 3922 (relating to theft by deception).~~

21 ~~(iii) Section 4101 (relating to forgery).~~

22 ~~(iv) Section 4104 (relating to tampering with~~  
23 ~~records or identification).~~

24 ~~(v) Section 4106 (relating to access device fraud).~~

25 ~~(vi) Section 4107 (relating to deceptive or~~  
26 ~~fraudulent business practices).~~

27 ~~(vii) Section 4120 (relating to identity theft).~~

28 ~~(viii) Section 4914 (relating to false~~  
29 ~~identification to law enforcement authorities).~~

30 ~~(ix) Section 7313 (relating to buying or exchanging~~

~~Federal Supplemental Nutrition Assistance Program (SNAP) benefit coupons, stamps, authorization cards or access devices.)~~

~~(x) Section 7314 (relating to fraudulent traffic in Supplemental Nutrition Assistance Program (SNAP) benefits).~~

~~Section 2. This act shall take effect in 60 days.~~

SECTION 1. THE GENERAL ASSEMBLY FINDS AND DECLARES AS <--  
FOLLOWS:

(1) THE INTENT OF THIS ACT IS TO PROVIDE FOR THE ADMINISTRATION OF THE 2019-2020 COMMONWEALTH BUDGET.

(2) THE CONSTITUTION OF PENNSYLVANIA CONFERS NUMEROUS EXPRESS DUTIES UPON THE GENERAL ASSEMBLY, INCLUDING THE PASSAGE OF A BALANCED BUDGET FOR THE COMMONWEALTH.

(3) SECTION 24 OF ARTICLE III OF THE CONSTITUTION OF PENNSYLVANIA REQUIRES THE GENERAL ASSEMBLY TO ADOPT ALL APPROPRIATIONS FOR THE OPERATION OF GOVERNMENT IN THE COMMONWEALTH, REGARDLESS OF THEIR SOURCE. THE SUPREME COURT HAS REPEATEDLY AFFIRMED THAT, "IT IS FUNDAMENTAL WITHIN PENNSYLVANIA'S TRIPARTITE SYSTEM THAT THE GENERAL ASSEMBLY ENACTS THE LEGISLATION ESTABLISHING THOSE PROGRAMS WHICH THE STATE PROVIDES FOR ITS CITIZENS AND APPROPRIATES THE FUNDS NECESSARY FOR THEIR OPERATION."

(4) PURSUANT TO SECTION 13 OF ARTICLE VIII OF THE CONSTITUTION OF PENNSYLVANIA, THE GENERAL ASSEMBLY IS EXPLICITLY REQUIRED TO ADOPT A BALANCED COMMONWEALTH BUDGET. GIVEN THE UNPREDICTABILITY AND POTENTIAL INSUFFICIENCY OF REVENUE COLLECTIONS, VARIOUS CHANGES IN STATE LAW RELATING TO THE 2019-2020 BUDGET IMPLEMENTATION AND THE ADMINISTRATION OF STATE GOVERNMENT WHICH IMPACT REVENUE MAY BE REQUIRED TO

1 DISCHARGE THIS CONSTITUTIONAL OBLIGATION.

2 (5) SECTION 11 OF ARTICLE III OF THE CONSTITUTION OF  
3 PENNSYLVANIA REQUIRES THE ADOPTION OF A GENERAL APPROPRIATION  
4 ACT THAT EMBRACES "NOTHING BUT APPROPRIATIONS." WHILE ACTUAL  
5 ITEMS OF APPROPRIATION CAN BE CONTAINED IN A GENERAL  
6 APPROPRIATIONS ACT, THE ACHIEVEMENT AND IMPLEMENTATION OF A  
7 COMPREHENSIVE BUDGET INVOLVES ADMINISTRATIVE ACTION RELATED  
8 TO APPROPRIATIONS. ULTIMATELY, THE BUDGET HAS TO BE BALANCED  
9 UNDER SECTION 13 OF ARTICLE VIII OF THE CONSTITUTION OF  
10 PENNSYLVANIA. THIS MAY NECESSITATE ADMINISTRATIVE CHANGES AND  
11 THE ENACTMENT OF STATUTES TO ACHIEVE FULL COMPLIANCE WITH  
12 THESE CONSTITUTIONAL PROVISIONS.

13 (6) AMONG THE MANY ADMINISTRATIVE CHALLENGES FACED BY  
14 THE COMMONWEALTH IS USE OF FINANCIAL RESOURCES IN A FISCALLY  
15 RESPONSIBLE MANNER, THE TIMELY SUBMISSION OF FINANCIAL DATA  
16 RELATED TO THE ANNUAL BUDGET PROCESS BY THE INDEPENDENT  
17 FISCAL OFFICE, THE EXTENSION OF AUDIT AUTHORITY TO ENSURE  
18 THAT PUBLIC FUNDS ARE USED FOR THEIR INTENDED PURPOSES AND  
19 OTHER RELATED CHANGES NECESSARY TO ACCOMPLISH THE GOAL SET  
20 FORTH IN PARAGRAPH (7).

21 (7) FOR THE REASONS SET FORTH IN PARAGRAPHS (1) THROUGH  
22 (6), IT IS THE INTENT OF THE GENERAL ASSEMBLY THROUGH THIS  
23 ACT TO PROVIDE FOR THE ADMINISTRATIVE IMPLEMENTATION OF THE  
24 2019-2020 COMMONWEALTH BUDGET.

25 (8) EVERY PROVISION OF THIS ACT RELATES TO THE  
26 ADMINISTRATIVE IMPLEMENTATION OF THE OPERATING BUDGET OF THE  
27 COMMONWEALTH FOR THIS FISCAL YEAR, ADDRESSING IN VARIOUS WAYS  
28 THE ADMINISTRATIVE OPERATIONS AND POTENTIAL LIABILITIES OF  
29 THE COMMONWEALTH. TO THAT END, THIS ACT IS INTENDED TO  
30 IMPLEMENT THE 2019-2020 COMMONWEALTH BUDGET WITHOUT

1 SPECIFICALLY APPROPRIATING PUBLIC MONEY FROM THE GENERAL  
2 FUND. THIS ACT PROVIDES ADMINISTRATIVE ACCOUNTABILITY FOR  
3 SPENDING AND MAKES OTHER CHANGES NECESSARY TO IMPACT THE  
4 AVAILABILITY OF REVENUE IN ORDER TO MEET THE REQUIREMENTS OF  
5 SECTION 13 OF ARTICLE VIII OF THE CONSTITUTION OF  
6 PENNSYLVANIA AND TO IMPLEMENT THE ACT OF JUNE , 2019 (P.L. ,  
7 NO.1A), KNOWN AS THE GENERAL APPROPRIATION ACT OF 2019.

8 SECTION 2. SECTION 225 OF THE ACT OF APRIL 9, 1929 (P.L.177,  
9 NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929, IS REPEALED:

10 [SECTION 225. EMPLOYEES WITH ACCESS TO FEDERAL TAX  
11 INFORMATION.--(A) AS REQUIRED UNDER ANY FEDERAL LAW, REGULATION  
12 OR PUBLISHED GUIDANCE FROM THE INTERNAL REVENUE SERVICE, AN  
13 EMPLOYEE OR PROSPECTIVE EMPLOYEE WHOSE DUTIES AND RESPONSIBILITIES  
14 REQUIRE OR WILL REQUIRE ACCESS TO FEDERAL TAX INFORMATION SHALL  
15 SUBMIT ALL OF THE FOLLOWING TO THE EMPLOYEE'S OR PROSPECTIVE  
16 EMPLOYEE'S EMPLOYER:

17 (1) A REPORT OF FEDERAL CRIMINAL HISTORY RECORD INFORMATION.

18 (2) A REPORT OF CRIMINAL HISTORY RECORD INFORMATION FROM THE  
19 PENNSYLVANIA STATE POLICE AS PROVIDED UNDER 18 PA.C.S. CH. 91  
20 (RELATING TO CRIMINAL HISTORY RECORD INFORMATION) OR A STATEMENT  
21 FROM THE PENNSYLVANIA STATE POLICE THAT THE PENNSYLVANIA STATE  
22 POLICE CENTRAL REPOSITORY CONTAINS NO INFORMATION RELATING TO  
23 THE INDIVIDUAL. THE CRIMINAL HISTORY RECORD INFORMATION SHALL BE  
24 LIMITED TO THAT WHICH IS DISSEMINATED UNDER 18 PA.C.S. § 9121(B)

25 (2) (RELATING TO GENERAL REGULATIONS).

26 (3) VALIDATION OF THE EMPLOYEE'S OR PROSPECTIVE EMPLOYEE'S  
27 ELIGIBILITY TO LEGALLY WORK IN THE UNITED STATES.

28 (B) FOR THE PURPOSE OF COMPLYING WITH SUBSECTION (A) (1), AN  
29 EMPLOYEE OR PROSPECTIVE EMPLOYEE SHALL PROVIDE FINGERPRINTS TO THE  
30 PENNSYLVANIA STATE POLICE, ITS AGENT OR AN AGENT APPROVED FOR

1 FINGERPRINTING BY THE FEDERAL GOVERNMENT. THE FINGERPRINTS MAY  
2 BE USED BY THE PENNSYLVANIA STATE POLICE TO CONDUCT A CRIMINAL  
3 BACKGROUND CHECK AND SHALL BE FORWARDED TO THE FEDERAL BUREAU OF  
4 INVESTIGATION FOR A NATIONAL CRIMINAL BACKGROUND CHECK.

5 (C) (1) EXCEPT AS PROVIDED UNDER PARAGRAPH (2), INFORMATION  
6 RELATING TO AN EMPLOYE OR PROSPECTIVE EMPLOYE SUBMITTED TO OR  
7 OBTAINED BY AN EMPLOYER OR PROSPECTIVE EMPLOYER UNDER THIS  
8 SECTION SHALL BE INTERPRETED AND USED ONLY TO DETERMINE THE  
9 EMPLOYE'S OR PROSPECTIVE EMPLOYE'S CHARACTER, FITNESS AND  
10 SUITABILITY TO ACCESS FEDERAL TAX INFORMATION.

11 (2) AN EMPLOYER MAY UTILIZE INFORMATION OBTAINED UNDER THIS  
12 SECTION FOR EMPLOYMENT DECISIONS, INCLUDING HIRING OF AN  
13 APPLICANT, PROMOTION OF A CURRENT EMPLOYE OR DISCIPLINARY ACTION  
14 AGAINST AN EMPLOYE REGARDING A POSITION THAT REQUIRES ACCESS TO  
15 FEDERAL TAX INFORMATION.

16 (3) AN EMPLOYER MAY RECEIVE AND RETAIN INFORMATION  
17 CONSISTENT WITH THIS SECTION THAT IS OTHERWISE PROTECTED UNDER  
18 18 PA.C.S. CH. 91, SUBJECT TO ANY REQUIREMENTS RELATED TO  
19 REDACTION AS SPECIFIED IN 18 PA.C.S. § 9121(B)(2).

20 (D) AN INDIVIDUAL WHO HAS BEEN CLEARED TO ACCESS FEDERAL TAX  
21 INFORMATION UNDER THIS SECTION SHALL REAPPLY FOR CLEARANCE UNDER  
22 SUBSECTIONS (A) AND (B) WITHIN TEN YEARS OF THE ISSUANCE OF THE  
23 PRIOR CLEARANCE UNLESS THE EMPLOYER PARTICIPATES IN A PROGRAM  
24 EXEMPTING EMPLOYEES FROM CLEARANCE.

25 (E) A COMMONWEALTH AGENCY RECEIVING FEDERAL TAX INFORMATION  
26 THAT TRANSFERS THE FEDERAL TAX INFORMATION TO ANY OTHER ENTITY  
27 EXCEPT AS IT INVOLVES A FEDERAL OR STATE COURT OR THE BOARD OF  
28 FINANCE AND REVENUE AS PART OF A LEGAL PROCEEDING BEFORE THE  
29 SAME MAY AUDIT THAT ENTITY TO DETERMINE COMPLIANCE WITH THIS  
30 SECTION.

1 (F) THE DEPARTMENT OF REVENUE SHALL PUBLISH GUIDELINES TO  
2 IMPLEMENT THIS SECTION.

3 (G) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES  
4 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS  
5 THE CONTEXT CLEARLY INDICATES OTHERWISE:

6 "EMPLOYER." ANY COMMONWEALTH AGENCY, OFFICE, DEPARTMENT,  
7 AUTHORITY, BOARD, MULTISTATE AGENCY OR COMMISSION OF THE  
8 EXECUTIVE BRANCH, AN INDEPENDENT AGENCY OR STATE-AFFILIATED  
9 ENTITY, POLITICAL SUBDIVISION OR A CONTRACTOR THEREOF, RECEIVING  
10 FEDERAL TAX INFORMATION, EVEN THOUGH THE FEDERAL TAX INFORMATION  
11 MAY BE FORWARDED TO ANOTHER COMMONWEALTH AGENCY, POLITICAL  
12 SUBDIVISION OR CONTRACTOR, FROM ANY OF THE FOLLOWING:

13 (1) THE INTERNAL REVENUE SERVICE.

14 (2) THE SOCIAL SECURITY ADMINISTRATION.

15 (3) UNDER SECTION 6103 OF THE INTERNAL REVENUE CODE OF 1986  
16 (PUBLIC LAW 99-514, 26 U.S.C. § 6103).

17 (4) BY EXCHANGE AGREEMENT APPROVED BY THE INTERNAL REVENUE  
18 SERVICE.

19 (5) ANY OTHER SECONDARY SOURCE.

20 "FEDERAL TAX INFORMATION." INCLUDES ANY "RETURN" OR "RETURN  
21 INFORMATION" AS DEFINED IN SECTION 6103 OF THE INTERNAL REVENUE  
22 CODE OF 1986.]

23 SECTION 3. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:

24 SECTION 226. CRIMINAL HISTORY BACKGROUND CHECKS OF EMPLOYES  
25 AND CONTRACTORS WITH ACCESS TO FEDERAL TAX INFORMATION.--(A) AN  
26 AGENCY SHALL REQUIRE ANY CURRENT OR PROSPECTIVE EMPLOYE OR  
27 CONTRACTOR WHOSE DUTIES AND RESPONSIBILITIES REQUIRE, OR WILL  
28 REQUIRE, ACCESS TO FEDERAL TAX INFORMATION TO SUBMIT TO A  
29 CRIMINAL HISTORY BACKGROUND CHECK TO BE CONDUCTED BY THE  
30 PENNSYLVANIA STATE POLICE. A CURRENT OR PROSPECTIVE EMPLOYE OR



1 CONTRACTOR SHALL SUBMIT FINGERPRINTS AND OTHER IDENTIFYING  
2 INFORMATION TO THE PENNSYLVANIA STATE POLICE. AN INDIVIDUAL WHO  
3 REFUSES TO COMPLY WITH THIS SUBSECTION WILL NOT BE CONSIDERED  
4 SUITABLE TO ACCESS FEDERAL TAX INFORMATION FOR PURPOSES OF  
5 SUBSECTION (C).

6 (B) WHEN A CRIMINAL HISTORY BACKGROUND CHECK IS REQUESTED  
7 UNDER SUBSECTION (A), THE PENNSYLVANIA STATE POLICE, OR ITS  
8 DESIGNEE, SHALL DO ALL OF THE FOLLOWING:

9 (1) PROVIDE THE AGENCY WITH A REPORT OF THE INDIVIDUAL'S  
10 CRIMINAL HISTORY RECORD INFORMATION AS DEFINED BY 18 PA.C.S. §  
11 9102 (RELATING TO DEFINITIONS) OR A STATEMENT THAT THE  
12 PENNSYLVANIA STATE POLICE CENTRAL REPOSITORY CONTAINS NO  
13 INFORMATION RELATING TO THE INDIVIDUAL. THE CRIMINAL HISTORY  
14 RECORD INFORMATION SHALL BE LIMITED TO THAT WHICH IS  
15 DISSEMINATED UNDER 18 PA.C.S. § 9121(B)(2) (RELATING TO GENERAL  
16 REGULATIONS).

17 (2) SUBMIT THE INDIVIDUAL'S FINGERPRINTS TO THE FEDERAL  
18 BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS  
19 CHECK.

20 (3) PROVIDE THE AGENCY WITH THE NATIONAL CRIMINAL HISTORY  
21 RECORD INFORMATION OF THE INDIVIDUAL. THE INFORMATION PROVIDED  
22 UNDER THIS SUBSECTION MAY NOT BE LIMITED BY 18 PA.C.S. § 9121(B)  
23 (2).

24 (C) INFORMATION RELATING TO A CURRENT OR PROSPECTIVE EMPLOYEE  
25 OR CONTRACTOR SUBMITTED TO OR OBTAINED BY AN AGENCY UNDER THIS  
26 SECTION SHALL BE INTERPRETED AND USED ONLY TO DETERMINE THE  
27 INDIVIDUAL'S CHARACTER, FITNESS AND SUITABILITY TO ACCESS  
28 FEDERAL TAX INFORMATION. IF AN AGENCY DETERMINES AN INDIVIDUAL  
29 IS NOT SUITABLE TO ACCESS FEDERAL TAX INFORMATION, THE AGENCY  
30 SHALL TAKE APPROPRIATE ACTION, INCLUDING:

1       (1) DECLINING TO HIRE OR UTILIZE THE SERVICES OF THE  
2 INDIVIDUAL;

3       (2) TRANSFERRING THE INDIVIDUAL TO A POSITION THAT DOES NOT  
4 REQUIRE ACCESS TO FEDERAL TAX INFORMATION; OR

5       (3) TERMINATING THE INDIVIDUAL'S EMPLOYMENT.

6       (D) AN AGENCY MAY RECEIVE AND RETAIN INFORMATION CONSISTENT  
7 WITH THIS SECTION THAT IS OTHERWISE PROTECTED UNDER 18 PA.C.S.  
8 CH. 91 (RELATING TO CRIMINAL HISTORY RECORD INFORMATION),  
9 SUBJECT TO ANY REQUIREMENTS RELATED TO REDACTION AS SPECIFIED IN  
10 18 PA.C.S. § 9121(B)(2) WITH RESPECT TO INFORMATION DESCRIBED IN  
11 SUBSECTION (B)(1). ALL INFORMATION RECEIVED AND RETAINED BY AN  
12 AGENCY IN ACCORDANCE WITH THIS SECTION SHALL BE MARKED AS  
13 CONFIDENTIAL AND SHALL BE EXCLUDED FROM ANY REQUIREMENT OF  
14 PUBLIC DISCLOSURE AS A PUBLIC RECORD.

15       (E) AN INDIVIDUAL WHO HAS BEEN DETERMINED SUITABLE TO ACCESS  
16 FEDERAL TAX INFORMATION UNDER THIS SECTION SHALL RESUBMIT TO A  
17 CRIMINAL HISTORY BACKGROUND CHECK UNDER SUBSECTIONS (A) AND (B)  
18 WITHIN TEN YEARS OF THE INDIVIDUAL'S LAST CHECK UNDER THIS  
19 SECTION, UNLESS THE AGENCY PARTICIPATES IN A PROGRAM EXEMPTING  
20 EMPLOYEES FROM CLEARANCE.

21       (F) AN AGENCY RECEIVING FEDERAL TAX INFORMATION THAT  
22 TRANSFERS THE FEDERAL TAX INFORMATION TO ANY OTHER ENTITY EXCEPT  
23 AS IT INVOLVES A FEDERAL OR STATE COURT OR THE BOARD OF FINANCE  
24 AND REVENUE AS PART OF A LEGAL PROCEEDING BEFORE THE SAME MAY  
25 AUDIT THAT ENTITY TO DETERMINE COMPLIANCE WITH THIS SECTION.

26       (G) THE DEPARTMENT OF REVENUE MAY PUBLISH GUIDELINES TO  
27 IMPLEMENT THIS SECTION.

28       (H) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES  
29 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS  
30 THE CONTEXT CLEARLY INDICATES OTHERWISE:

1 "AGENCY." A COMMONWEALTH AGENCY, OFFICE, DEPARTMENT,  
2 AUTHORITY, BOARD OR COMMISSION OF THE EXECUTIVE BRANCH OR A  
3 POLITICAL SUBDIVISION RECEIVING FEDERAL TAX INFORMATION, EVEN  
4 THOUGH THE FEDERAL TAX INFORMATION MAY BE FORWARDED TO THE  
5 AGENCY FROM OR THROUGH ANY OF THE FOLLOWING:

6 (1) THE INTERNAL REVENUE SERVICE.

7 (2) THE SOCIAL SECURITY ADMINISTRATION.

8 (3) A PERMITTED DISCLOSURE UNDER SECTION 6103 OF THE  
9 INTERNAL REVENUE CODE OF 1986 (PUBLIC LAW 99-514, 26 U.S.C. §  
10 6103).

11 (4) BY EXCHANGE AGREEMENT APPROVED BY THE INTERNAL REVENUE  
12 SERVICE.

13 (5) ANY OTHER SECONDARY SOURCE.

14 "CONTRACTOR." AN INDIVIDUAL WHO IS NOT AN EMPLOYEE OF AN  
15 AGENCY AND PERFORMS WORK FUNCTIONS FOR AN AGENCY UNDER THE TERMS  
16 OF A WRITTEN AGREEMENT, REGARDLESS OF WHETHER THE WRITTEN  
17 AGREEMENT IS DIRECTLY WITH THE AGENCY OR A THIRD PARTY.

18 "FEDERAL TAX INFORMATION." INCLUDES ANY "RETURN" OR "RETURN  
19 INFORMATION" AS DEFINED IN SECTION 6103 OF THE INTERNAL REVENUE  
20 CODE OF 1986.

21 SECTION 311. CENTER FOR RURAL PENNSYLVANIA.--THE BOARD OF  
22 DIRECTORS UNDER SECTION 302(A) OF THE ACT OF JUNE 30, 1987  
23 (P.L.163, NO.16), KNOWN AS THE "RURAL PENNSYLVANIA  
24 REVITALIZATION ACT," SHALL INCLUDE TWO ADDITIONAL MEMBERS, ONE  
25 OF WHOM SHALL BE A REPRESENTATIVE FROM THE NORTHERN PENNSYLVANIA  
26 REGIONAL COLLEGE AND ONE OF WHOM SHALL BE A REPRESENTATIVE FROM  
27 THE PENNSYLVANIA COLLEGE OF TECHNOLOGY.

28 SECTION 4. SECTIONS 503-A(C) (1), 506-A AND 613 OF THE ACT  
29 ARE AMENDED TO READ:

30 SECTION 503-A. POWERS, PURPOSE AND DUTIES.

1 \* \* \*

2 (C) DUTIES.--THE STATE INSPECTOR GENERAL SHALL:

3 (1) INSPECT, EVALUATE, INVESTIGATE AND REVIEW THE  
4 ACTIVITIES, RECORDS AND INDIVIDUALS WITH CONTRACTS,  
5 PROCUREMENTS, GRANTS, AGREEMENTS AND OTHER FINANCIAL  
6 ARRANGEMENTS UNDERTAKEN BY AN EXECUTIVE AGENCY FOR THE  
7 PURPOSES OF IDENTIFYING FRAUD, WASTE, MISCONDUCT OR ABUSE.  
8 THIS PARAGRAPH SHALL INCLUDE ALL CONTRACTS ENTERED INTO BY  
9 THE PENNSYLVANIA STATEWIDE RADIO NETWORK AFTER JUNE 30, 1996.

10 \* \* \*

11 SECTION 506-A. CRIMINAL CHARGES.

12 NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE STATE  
13 INSPECTOR GENERAL SHALL HAVE THE POWER TO INVESTIGATE AND MAY  
14 FILE CRIMINAL CHARGES FOR A VIOLATION OF ANY OF THE FOLLOWING:

15 (1) SECTION 481 OF THE ACT OF JUNE 13, 1967 (P.L.31,  
16 NO.21), KNOWN AS THE HUMAN SERVICES CODE.

17 (2) SECTION 1408 OF THE HUMAN SERVICES CODE.

18 [(3) 18 PA.C.S. § 7313 (RELATING TO BUYING OR EXCHANGING  
19 FEDERAL FOOD ORDER COUPONS, STAMPS, AUTHORIZATION CARDS OR  
20 ACCESS DEVICES) .

21 (4) 18 PA.C.S. § 7314 (RELATING TO FRAUDULENT TRAFFIC IN  
22 FOOD ORDERS) .]

23 (3) THE FOLLOWING PROVISIONS OF 18 PA.C.S. (RELATING TO  
24 CRIMES AND OFFENSES) WHICH ARE SUBSTANTIALLY RELATED TO THE  
25 ADMINISTRATION OF BENEFITS BY THE DEPARTMENT OF HUMAN  
26 SERVICES:

27 (I) SECTION 3921 (RELATING TO THEFT BY UNLAWFUL  
28 TAKING OR DISPOSITION) .

29 (II) SECTION 3922 (RELATING TO THEFT BY DECEPTION) .

30 (III) SECTION 4101 (RELATING TO FORGERY) .

1           (IV) SECTION 4104 (RELATING TO TAMPERING WITH  
2 RECORDS OR IDENTIFICATION).

3           (V) SECTION 4106 (RELATING TO ACCESS DEVICE FRAUD).

4           (VI) SECTION 4107 (RELATING TO DECEPTIVE OR  
5 FRAUDULENT BUSINESS PRACTICES).

6           (VII) SECTION 4120 (RELATING TO IDENTITY THEFT).

7           (VIII) SECTION 4914 (RELATING TO FALSE  
8 IDENTIFICATION TO LAW ENFORCEMENT AUTHORITIES).

9           (IX) SECTION 7313 (RELATING TO BUYING OR EXCHANGING  
10 FEDERAL SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)  
11 BENEFIT COUPONS, STAMPS, AUTHORIZATION CARDS OR ACCESS  
12 DEVICES.)

13           (X) SECTION 7314 (RELATING TO FRAUDULENT TRAFFIC IN  
14 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)  
15 BENEFITS).

16       SECTION 613. SUBMISSION OF BUDGET TO GENERAL ASSEMBLY.--(A)  
17 AS SOON AS POSSIBLE AFTER THE ORGANIZATION OF THE GENERAL  
18 ASSEMBLY, BUT NOT LATER THAN THE FIRST FULL WEEK IN FEBRUARY OF  
19 EACH YEAR, EXCEPT IN THE CASE WHERE A GOVERNOR HAS BEEN ELECTED  
20 FOR HIS FIRST TERM OF OFFICE AND THEN NO LATER THAN THE FIRST  
21 FULL WEEK IN MARCH, THE GOVERNOR SHALL SUBMIT TO THE GENERAL  
22 ASSEMBLY COPIES OF ORIGINAL AGENCY BUDGET REQUESTS AND ALL  
23 SUBSEQUENT REVISED AGENCY BUDGET REQUESTS AND A STATE BUDGET AND  
24 PROGRAM AND FINANCIAL PLAN EMBRACING:

25       (1) A BALANCED OPERATING BUDGET FOR THE ENSUING FISCAL YEAR  
26 SETTING FORTH IN DETAIL:

27       (I) THE AMOUNTS RECOMMENDED BY HIM TO BE APPROPRIATED TO THE  
28 GENERAL ASSEMBLY, THE JUDICIAL DEPARTMENT, THE GOVERNOR, AND THE  
29 SEVERAL ADMINISTRATIVE DEPARTMENTS, BOARDS, AND COMMISSIONS OF  
30 THE STATE GOVERNMENT, AND TO INSTITUTIONS WITHIN THE STATE, AND

1 FOR ALL PUBLIC PURPOSES, CLASSIFIED BY DEPARTMENT OR AGENCY AND  
2 BY PROGRAM.

3 (II) THE ESTIMATED REVENUES OR RECEIPTS FROM ANY AND ALL  
4 SOURCES, AND AN ESTIMATED AMOUNT TO BE RAISED BY TAXATION OR  
5 OTHERWISE, INCLUDING PROPOSALS FOR NEW REVENUES AND RECEIPTS.

6 (2) A CAPITAL BUDGET FOR THE ENSUING FISCAL YEAR SETTING  
7 FORTH CAPITAL PROJECTS TO BE FINANCED FROM THE PROCEEDS OF  
8 OBLIGATIONS OF THE COMMONWEALTH OR OF ITS AGENCIES OR  
9 AUTHORITIES OR FROM OPERATING FUNDS.

10 (3) A PROGRAM AND FINANCIAL PLAN FOR NOT LESS THAN THE PRIOR  
11 FISCAL YEAR, THE CURRENT FISCAL YEAR, THIS BUDGET YEAR AND THE  
12 FOUR SUCCEEDING FISCAL YEARS, WHICH PLAN SHALL INCLUDE FOR EACH  
13 SUCH FISCAL YEAR:

14 (I) ACTUAL OR ESTIMATED OPERATING EXPENDITURES CLASSIFIED BY  
15 DEPARTMENT OR AGENCY AND BY PROGRAM, IN REASONABLE DETAIL, AND  
16 ACTUAL OR ESTIMATED REVENUE BY MAJOR CATEGORIES FROM EXISTING  
17 AND ADDITIONAL SOURCES.

18 (II) CLEARLY STATED PURPOSES OF EACH PROGRAM IN TERMS OF  
19 DESIRED ACCOMPLISHMENTS.

20 (III) MEASURES USED TO DETERMINE TO WHAT EXTENT SUCH PROGRAM  
21 HAS ACHIEVED ITS STATED PURPOSES.

22 (IV) ACTUAL OR ESTIMATED LEVELS OF ACCOMPLISHMENT FOR EACH  
23 PROGRAM AND ACTUAL OR ESTIMATED LEVELS OF PROGRAM ACTIVITIES AND  
24 THEIR ASSOCIATED COSTS.

25 (V) CLEARLY STATED PURPOSES FOR EACH RECOMMENDED NEW OR  
26 REVISED PROGRAM, MEASURES TO BE USED TO DETERMINE WHETHER EACH  
27 NEW OR REVISED PROGRAM HAS ACHIEVED ITS PURPOSE, ESTIMATED  
28 LEVELS OF ADDITIONAL OR NEW ACCOMPLISHMENT OF EACH NEW OR  
29 REVISED PROGRAM, ESTIMATED LEVELS OF ADDITIONAL ACTIVITIES FOR  
30 EACH SUCH PROGRAM, AND THEIR ASSOCIATED COSTS.

1 (VI) WHEN THE SECRETARY OF THE BUDGET IDENTIFIES A NEW OR  
2 EXPANDED PROGRAM BY CRITERIA USED IN THE BUDGET INSTRUCTIONS,  
3 THE NEW OR EXPANDED PROGRAM SHALL BE DISPLAYED AND JUSTIFIED AS  
4 A SEPARATE ITEM IN THE GOVERNOR'S BUDGET REQUEST. A NEW PROGRAM  
5 SHALL NOT BE CONSIDERED TO BE ENACTED BY THE GENERAL ASSEMBLY IN  
6 ITS FIRST YEAR UNLESS IT IS SPECIFICALLY REFERRED TO OR  
7 DISPLAYED AS A LINE ITEM IN AN APPROPRIATION BILL.

8 (4) THE BUDGET SHALL LIST AS A SINGLE, SEPARATE LINE ITEM  
9 FOR EACH ADMINISTRATIVE DEPARTMENT, BOARD, AND COMMISSION THE  
10 AMOUNT WHICH THE GOVERNOR RECOMMENDS TO BE APPROPRIATED FOR THE  
11 ENSUING FISCAL YEAR FOR PUBLIC RELATIONS. FOR THE PURPOSES OF  
12 THIS CLAUSE, "PUBLIC RELATIONS" SHALL INCLUDE THE PREPARATION,  
13 PRESENTATION AND DISTRIBUTION OF ADVERTISING, PUBLICATIONS,  
14 RADIO TAPES, TELEVISION FILMS AND TAPES, AND MEDIA RELEASES. THE  
15 SEPARATE LINE ITEM SHALL INCLUDE ALL COMPENSATION, INCLUDING  
16 FRINGE BENEFITS; ALL TRAVEL, MEAL, LODGING, AND SIMILAR  
17 EXPENSES; THE COST OF PURCHASING NEW EQUIPMENT AND SUPPLIES; THE  
18 COST OF LEASING OFFICES AND EQUIPMENT; THE COST OF PURCHASING  
19 MATERIAL, INCLUDING NEWSPAPERS, MAGAZINES, MOVIES, FILMS AND  
20 TAPES; THE COST OF USING WIRE SERVICE EQUIPMENT; AND ALL OTHER  
21 SIMILAR PUBLIC RELATIONS EXPENDITURES.

22 (5) FOR A REQUEST FOR AN ADDITIONAL APPROPRIATION FROM STATE  
23 FUNDS FOR A FISCAL YEAR PRIOR TO THE FISCAL YEAR WHICH IS THE  
24 SUBJECT OF THE SUBMISSION UNDER THIS SUBSECTION, A WRITTEN  
25 STATEMENT DETAILING THE AMOUNTS REQUESTED AND THE NEED FOR THE  
26 ADDITIONAL APPROPRIATION.

27 (B) FOR A REQUEST FOR AN ADDITIONAL APPROPRIATION FROM STATE  
28 FUNDS MADE AFTER THE SUBMISSIONS UNDER SUBSECTION (A) BY THE  
29 GOVERNOR TO THE GENERAL ASSEMBLY FOR A FISCAL YEAR PRIOR TO THE  
30 NEXT SUCCEEDING FISCAL YEAR, THE REQUEST SHALL INCLUDE A WRITTEN

1 STATEMENT DETAILING THE AMOUNTS REQUESTED AND THE NEED FOR THE  
2 ADDITIONAL APPROPRIATION.

3 (C) WRITTEN STATEMENTS UNDER SUBSECTIONS (A) (5) AND (B)  
4 SHALL BE SUBMITTED TO THE CHAIRMAN AND MINORITY CHAIRMAN OF THE  
5 APPROPRIATIONS COMMITTEE OF THE SENATE AND THE CHAIRMAN AND  
6 MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE  
7 OF REPRESENTATIVES NO LATER THAN OCTOBER 31 AND MAY 31 OF EACH  
8 YEAR.

9 SECTION 5. SECTION 618-A OF THE ACT IS AMENDED BY ADDING A  
10 PARAGRAPH TO READ:

11 SECTION 618-A. DEPARTMENT OF STATE.--THE DEPARTMENT OF STATE  
12 IS AUTHORIZED TO CHARGE FEES FOR THE FOLLOWING PURPOSES AND IN  
13 THE FOLLOWING AMOUNTS:

14 \* \* \*

15 (3) STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND  
16 SALESPERSONS.--IN ADDITION TO THE LIMITATIONS UNDER SECTION  
17 327(C) OF THE ACT OF DECEMBER 22, 1983 (P.L.306, NO.84), KNOWN  
18 AS THE "BOARD OF VEHICLES ACT," THE MAXIMUM DOCUMENTARY FEE  
19 LIMITATION IMPOSED UNDER SECTION 327(C) AS ADJUSTED UNDER  
20 SECTION 327(D) SHALL INCLUDE AN ADDITIONAL AMOUNT EQUAL TO THE  
21 PRODUCT OF SECTION 327(C) (1) OR SECTION 327(C) (2) MULTIPLIED BY  
22 A FACTOR OF 1.7 TO ESTABLISH A MAXIMUM DOCUMENTARY FEE THAT  
23 EQUALS ALL COSTS ASSOCIATED WITH THE REQUIREMENTS UNDER SECTION  
24 327.

25 SECTION 6. SECTION 605-B(E) OF THE ACT IS AMENDED AND THE  
26 SECTION IS AMENDED BY ADDING SUBSECTIONS TO READ:

27 SECTION 605-B. REVENUE ESTIMATES.

28 (A.1) INITIAL REVENUE ESTIMATE.--BY MAY 20 OF EACH YEAR, THE  
29 OFFICE SHALL SUBMIT TO THE GENERAL ASSEMBLY AN INITIAL REVENUE  
30 ESTIMATE FOR THE NEXT FISCAL YEAR.



1 (B.1) OFFICIAL REVENUE ESTIMATE.--THE FOLLOWING APPLY:

2 (1) BY JUNE 20 OF EACH YEAR, THE OFFICE SHALL SUBMIT AN  
3 OFFICIAL REVENUE ESTIMATE FOR THE NEXT FISCAL YEAR.

4 (2) A REVENUE ESTIMATE SUBMITTED UNDER THIS SECTION  
5 SHALL BE CONSIDERED BY THE GOVERNOR AND THE GENERAL ASSEMBLY  
6 AS THE AMOUNT OF REVENUE WHICH MAY BE CONSIDERED FOR THE  
7 GENERAL APPROPRIATION ACT FOR THE ENSUING FISCAL YEAR UNLESS  
8 THE GOVERNOR OR THE GENERAL ASSEMBLY DETERMINES THAT REVENUES  
9 ARE GREATER THAN OR LESS THAN THE ESTIMATE PROVIDED UNDER  
10 THIS SECTION. THE OFFICE MAY AMEND THE REVENUE ESTIMATE UNDER  
11 THIS SECTION IF CHANGES IN LAW AFFECTING REVENUES AND  
12 RECEIPTS ARE ENACTED OR PROPOSED TO BE ENACTED WITH THE  
13 ANNUAL STATE BUDGET OR UNLESS SIGNIFICANT CHANGES IN ECONOMIC  
14 ASSUMPTIONS OCCUR PRIOR TO JUNE 30. THE OFFICE SHALL SUBMIT  
15 THE AMENDED REVENUE ESTIMATE TO THE GENERAL ASSEMBLY WITHIN  
16 10 DAYS OF THE CHANGE.

17 (3) THE OFFICE SHALL PUBLISH THE METHODOLOGY USED TO  
18 DEVELOP REVENUE ESTIMATES.

19 \* \* \*

20 (D.1) REQUIRED INFORMATION.--

21 (1) A REVENUE ESTIMATE SUBMITTED BY THE OFFICE UNDER  
22 SUBSECTION (B) SHALL INCLUDE:

23 (I) PROJECTED REVENUE COLLECTIONS BY SPECIFIC TAX OR  
24 REVENUE SOURCE, INCLUDING FEDERAL FUNDS, THE GENERAL  
25 FUND, THE STATE LOTTERY FUND AND THE MOTOR LICENSE FUND.

26 (II) ALL DATA, ASSUMPTIONS AND ECONOMETRIC MODELS  
27 USED TO DEVELOP A REVENUE ESTIMATE.

28 (III) ANY PROJECTED REVENUE SURPLUS OR DEFICIT FOR  
29 THE CURRENT FISCAL YEAR.

30 (2) A REVENUE ESTIMATE SHALL BE BASED ON EXISTING LAW

1 AND TAX POLICY AND EXISTING OR EMERGING STATE OR NATIONAL  
2 ECONOMIC TRENDS.

3 (E) PROPOSED CHANGE IN LAW.--THE OFFICE SHALL PREPARE A  
4 REVENUE ESTIMATE OF ANY CHANGE IN LAW AFFECTING REVENUES AND  
5 RECEIPTS, INCLUDING INCREASES IN REGULATORY FEES, PROPOSED OR  
6 CONSIDERED AS PART OF THE ANNUAL STATE BUDGET. IF THE PROPOSED  
7 CHANGE IN LAW WILL HAVE A FISCAL IMPACT IN EXCESS OF \$10,000,000  
8 IN ANY FISCAL YEAR, THE ESTIMATE SHALL BE PREPARED ON THE BASIS  
9 OF ASSUMPTIONS THAT ESTIMATE THE PROBABLE BEHAVIORAL RESPONSES  
10 OF TAXPAYERS, BUSINESSES AND OTHER PERSONS TO THE PROPOSED  
11 CHANGES AND SHALL INCLUDE A STATEMENT IDENTIFYING THOSE  
12 ASSUMPTIONS. THE INFORMATION MAY BE USED TO REVISE THE REVENUE  
13 ESTIMATE UNDER SUBSECTION [(A)] (A.1).

14 \* \* \*

15 SECTION 7. THE ACT IS AMENDED BY ADDING AN ARTICLE TO READ:

16 ARTICLE XV-B

17 JOINT UNDERWRITING ASSOCIATION ACCOUNTABILITY

18 SECTION 1501-B. DEFINITIONS.

19 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE  
20 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
21 CONTEXT CLEARLY INDICATES OTHERWISE:

22 "JOINT UNDERWRITING ASSOCIATION." THE PENNSYLVANIA  
23 PROFESSIONAL LIABILITY JOINT UNDERWRITING ASSOCIATION  
24 ESTABLISHED UNDER SECTION 731 OF THE ACT OF MARCH 20, 2002  
25 (P.L.154, NO.13), KNOWN AS THE MEDICAL CARE AVAILABILITY AND  
26 REDUCTION OF ERROR (MCARE) ACT.

27 SECTION 1502-B. APPROPRIATIONS.

28 NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, THE  
29 OPERATIONS OF THE JOINT UNDERWRITING ASSOCIATION SHALL BE FUNDED  
30 THROUGH APPROPRIATIONS DETERMINED BY THE GENERAL ASSEMBLY.

1 SECTION 1503-B. REPORTS AND HEARINGS.

2 (A) BUDGET ESTIMATES.--THE JOINT UNDERWRITING ASSOCIATION  
3 SHALL SUBMIT WRITTEN ESTIMATES TO THE SECRETARY OF THE BUDGET AS  
4 REQUIRED OF ADMINISTRATIVE DEPARTMENTS, BOARDS AND COMMISSIONS  
5 UNDER SECTION 615. ESTIMATES SHALL BE SUBMITTED FROM TIME TO  
6 TIME AS REQUESTED BY THE GOVERNOR, BUT IN NO EVENT LESS THAN  
7 ONCE EVERY FISCAL YEAR.

8 (B) TESTIMONY.--THE FOLLOWING SHALL APPLY:

9 (1) WITHIN 30 DAYS AFTER THE SUBMISSION OF AN ESTIMATE  
10 UNDER SUBSECTION (A), AN AGENT OF THE JOINT UNDERWRITING  
11 ASSOCIATION SHALL APPEAR AT A PUBLIC HEARING OF THE BANKING  
12 AND INSURANCE COMMITTEE OF THE SENATE AND THE INSURANCE  
13 COMMITTEE OF THE HOUSE OF REPRESENTATIVES TO TESTIFY ABOUT  
14 THE ESTIMATE.

15 (2) THE JOINT UNDERWRITING ASSOCIATION SHALL ANNUALLY  
16 APPEAR BEFORE THE APPROPRIATIONS COMMITTEE OF THE SENATE AND  
17 THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES  
18 TO TESTIFY AS TO THE FISCAL STATUS OF THE JOINT UNDERWRITING  
19 ASSOCIATION AND TO MAKE REQUESTS FOR APPROPRIATIONS.

20 SECTION 1504-B. BOARD MEETINGS.

21 THE BOARD OF DIRECTORS OF THE JOINT UNDERWRITING ASSOCIATION  
22 SHALL HOLD QUARTERLY PUBLIC MEETINGS, SUBJECT TO THE  
23 REQUIREMENTS OF 65 PA.C.S. CH. 7 (RELATING TO OPEN MEETINGS), TO  
24 DISCUSS THE ACTUARIAL AND FISCAL STATUS OF THE JOINT  
25 UNDERWRITING ASSOCIATION.

26 SECTION 1505-B. CONSTRUCTION.

27 THE JOINT UNDERWRITING ASSOCIATION SHALL BE CONSIDERED A  
28 COMMONWEALTH AGENCY FOR PURPOSES OF:

29 (1) THE ACT OF OCTOBER 15, 1980 (P.L.950, NO.164), KNOWN  
30 AS THE COMMONWEALTH ATTORNEYS ACT;

1           (2) THE ACT OF FEBRUARY 14, 2008 (P.L.6, NO.3), KNOWN AS  
2           THE RIGHT-TO-KNOW LAW;

3           (3) THE ACT OF JUNE 30, 2011 (P.L.81, NO.18), KNOWN AS  
4           THE PENNSYLVANIA WEB ACCOUNTABILITY AND TRANSPARENCY  
5           (PENNWATCH) ACT; AND

6           (4) 62 PA.C.S. PT. I (RELATING TO COMMONWEALTH  
7           PROCUREMENT CODE).

8 SECTION 1506-B. REQUIREMENTS.

9           THE JOINT UNDERWRITING ASSOCIATION SHALL:

10           (1) TRANSMIT TO THE AUDITOR GENERAL, THE STATE  
11           TREASURER, THE SECRETARY OF THE BUDGET AND THE LEGISLATIVE  
12           DATA PROCESSING CENTER A LIST OF ALL EMPLOYEES OF THE JOINT  
13           UNDERWRITING ASSOCIATION REQUIRED UNDER SECTION 614;

14           (2) CONDUCT THE ASSOCIATION'S OPERATIONS IN FACILITIES  
15           OWNED BY THE COMMONWEALTH; AND

16           (3) COORDINATE WITH THE DEPARTMENT OF REVENUE TO ENSURE  
17           THAT ANY EMPLOYEE OF THE JOINT UNDERWRITING ASSOCIATION WITH  
18           ACCESS TO FEDERAL TAX INFORMATION HAS MET ALL OF THE  
19           REQUIREMENTS OF THE DEPARTMENT OF REVENUE TO GAIN ACCESS TO  
20           THAT INFORMATION.

21           SECTION 8. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

22           SECTION 2219. BUREAU OF OCCUPATIONAL AND INDUSTRIAL  
23           SAFETY.--(A) MONEY COLLECTED BY THE DEPARTMENT OF LABOR AND  
24           INDUSTRY UNDER SECTION 613-A(A) FOR THE 2019-2020 FISCAL YEAR  
25           AND EACH FISCAL YEAR THEREAFTER SHALL BE DISTRIBUTED AS FOLLOWS:

26           (1) THE AMOUNT OF \$10,000,000 SHALL AUGMENT AN APPROPRIATION  
27           MADE TO THE BUREAU OF OCCUPATIONAL AND INDUSTRIAL SAFETY IN A  
28           GENERAL APPROPRIATIONS ACT; AND

29           (2) ANY AMOUNT IN EXCESS OF THE AMOUNT UNDER PARAGRAPH (1)  
30           SHALL BE DEPOSITED IN THE GENERAL FUND.

1 SECTION 9. THE ACT IS AMENDED BY ADDING AN ARTICLE TO READ:

2 ARTICLE XXVIII-F

3 LEGISLATIVE AGENCIES

4 (A) PENNSYLVANIA COMMISSION ON SENTENCING

5 SECTION 2801-F. DEFINITIONS.

6 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE  
7 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
8 CONTEXT CLEARLY INDICATES OTHERWISE:

9 "BOARD." THE PENNSYLVANIA BOARD OF PROBATION AND PAROLE.

10 "COMMISSION." THE PENNSYLVANIA COMMISSION ON SENTENCING  
11 CONTINUED IN SECTION 2802-F.

12 "DEPARTMENT." THE DEPARTMENT OF CORRECTIONS OF THE  
13 COMMONWEALTH.

14 SECTION 2802-F. COMMISSION.

15 (A) CONTINUATION.--THE COMMISSION IS CONTINUED AS AN AGENCY  
16 OF THE GENERAL ASSEMBLY AND SHALL CONSIST OF 11 INDIVIDUALS  
17 SELECTED AS PROVIDED UNDER THIS SUBARTICLE.

18 (B) SEAL.--THE COMMISSION SHALL HAVE A SEAL ENGRAVED WITH  
19 THE COMMISSION'S NAME AND SUCH OTHER INSCRIPTION AS MAY BE  
20 SPECIFIED BY REGULATION OF THE COMMISSION.

21 SECTION 2803-F. COMPOSITION OF COMMISSION.

22 (A) MEMBERS.--THE PENNSYLVANIA COMMISSION ON SENTENCING  
23 SHALL CONSIST OF THE FOLLOWING:

24 (1) ONE INDIVIDUAL SELECTED BY THE SPEAKER OF THE HOUSE  
25 OF REPRESENTATIVES, WHO SHALL BE A DISTRICT ATTORNEY.

26 (2) ONE INDIVIDUAL SELECTED BY THE PRESIDENT PRO TEMPORE  
27 OF THE SENATE, WHO SHALL BE A DEFENSE ATTORNEY.

28 (3) TWO JUDGES OF COURTS OF RECORD SELECTED BY THE CHIEF  
29 JUSTICE OF PENNSYLVANIA.

30 (3.1) TWO JUDGES OF COURTS OF RECORD, ONE OF WHOM SHALL

1 BE SELECTED BY THE PRESIDENT JUDGE OF THE COMMONWEALTH COURT  
2 AND ONE OF WHOM SHALL BE SELECTED BY THE PRESIDENT JUDGE OF  
3 THE SUPERIOR COURT.

4 (4) ONE INDIVIDUAL SELECTED BY THE CHIEF JUSTICE OF  
5 PENNSYLVANIA, WHO SHALL BE A PROFESSOR OF LAW KNOWLEDGEABLE  
6 IN CRIMINAL SENTENCING.

7 (5) ONE INDIVIDUAL, WHO MAY BE A MEMBER OF THE HOUSE OF  
8 REPRESENTATIVES, SELECTED BY THE MAJORITY LEADER OF THE HOUSE  
9 OF REPRESENTATIVES.

10 (6) ONE INDIVIDUAL, WHO MAY BE A MEMBER OF THE HOUSE OF  
11 REPRESENTATIVES, SELECTED BY THE MINORITY LEADER OF THE HOUSE  
12 OF REPRESENTATIVES.

13 (7) ONE MEMBER OF THE SENATE SELECTED BY THE PRESIDENT  
14 PRO TEMPORE OF THE SENATE.

15 (8) ONE MEMBER OF THE SENATE SELECTED BY THE MINORITY  
16 LEADER OF THE SENATE.

17 (B) EX OFFICIO MEMBERS.--THE SECRETARY OF CORRECTIONS AND  
18 THE CHAIRMAN OF THE BOARD, DURING THEIR TENURE IN THEIR  
19 RESPECTIVE POSITIONS, SHALL SERVE AS EX OFFICIO NONVOTING  
20 MEMBERS OF THE COMMISSION.

21 (C) TERMS OF OFFICE.--THE MEMBERS OF THE COMMISSION SHALL  
22 SERVE FOR TERMS OF TWO YEARS AND UNTIL A SUCCESSOR HAS BEEN  
23 SELECTED AND QUALIFIED. A VACANCY ON THE COMMISSION SHALL BE  
24 FILLED FOR THE BALANCE OF THE TERM.

25 (D) CHAIRMAN AND EXECUTIVE DIRECTOR.--THE COMMISSION SHALL  
26 SELECT A CHAIRMAN FROM ITS MEMBERS AND AN EXECUTIVE DIRECTOR.  
27 THE CHAIRMAN SHALL:

28 (1) PRESIDE AT MEETINGS OF THE COMMISSION.

29 (2) DIRECT THE PREPARATION OF REQUESTS FOR APPROPRIATIONS  
30 FOR THE COMMISSION AND THE USE OF FUNDS MADE AVAILABLE TO THE

1 COMMISSION.

2 (E) MEETINGS AND QUORUM.--

3 (1) THE COMMISSION SHALL MEET AT LEAST FOUR TIMES A YEAR  
4 AND NOT LESS THAN SEMIANNUALLY TO ESTABLISH THE COMMISSION'S  
5 GENERAL POLICIES AND RULES.

6 (2) THE COMMISSION SHALL BE DEEMED AN "AGENCY" WITHIN THE  
7 MEANING OF AND SHALL BE SUBJECT TO THE PROVISIONS OF 65  
8 PA.C.S. CH. 7 (RELATING TO OPEN MEETINGS).

9 (3) SEVEN COMMISSIONERS SHALL CONSTITUTE A QUORUM FOR THE  
10 PURPOSE OF ADOPTING PROPOSED INITIAL AND SUBSEQUENT  
11 GUIDELINES. A MAJORITY OF COMMISSIONERS SHALL CONSTITUTE A  
12 QUORUM FOR ALL OTHER PURPOSES.

13 (4) MINUTES OF MEETINGS SHALL BE KEPT BY THE EXECUTIVE  
14 DIRECTOR AND FILED AT THE EXECUTIVE OFFICE OF THE COMMISSION.

15 (F) RECORDS OF ACTION.--EXCEPT AS OTHERWISE PROVIDED BY LAW,  
16 THE COMMISSION SHALL MAINTAIN AND MAKE AVAILABLE FOR PUBLIC  
17 INSPECTION A RECORD OF THE FINAL VOTE OF EACH MEMBER ON ANY  
18 ACTION TAKEN BY THE COMMISSION.

19 (G) EXPENSES.--EACH COMMISSIONER SHALL BE ENTITLED TO  
20 REIMBURSEMENT FOR EACH COMMISSIONER'S ACCOUNTABLE EXPENSES  
21 INCURRED WHILE ENGAGED IN THE BUSINESS OF THE COMMISSION.

22 (H) COMPETENCY TO TESTIFY.--IN A JUDICIAL, ADMINISTRATIVE OR  
23 SIMILAR PROCEEDING, A COMMISSIONER OR COMMISSION STAFF SHALL NOT  
24 BE COMPETENT TO TESTIFY AND MAY NOT BE REQUIRED TO PRODUCE  
25 RECORDS OR OTHER DISCOVERY AS TO ANY STATEMENT, CONDUCT,  
26 DECISION OR DELIBERATION OCCURRING DURING THE COURSE OF OFFICIAL  
27 BUSINESS, TO THE SAME EXTENT AS A LEGISLATOR OR LEGISLATIVE  
28 STAFF OF THIS COMMONWEALTH ACTING IN A LEGISLATIVE CAPACITY.

29 SECTION 2804-F. POWERS AND DUTIES OF COMMISSION.

30 (A) POWERS AND DUTIES.--THE COMMISSION, IN ACCORDANCE WITH

1 THE RULES AND REGULATIONS OF THE COMMISSION, SHALL HAVE THE  
2 POWER TO:

3 (1) ESTABLISH GENERAL POLICIES AND PROMULGATE SUCH RULES  
4 AND REGULATIONS FOR THE COMMISSION AS ARE NECESSARY TO  
5 ADMINISTER THIS SUBARTICLE, 42 PA.C.S. CH. 21, SUBCH. F  
6 (RELATING TO PENNSYLVANIA COMMISSION ON SENTENCING) AND 42  
7 PA.C.S. CH. 97 (RELATING TO SENTENCING).

8 (2) UTILIZE, WITH THE COMMISSION'S CONSENT, THE SERVICES,  
9 EQUIPMENT, PERSONNEL, INFORMATION AND FACILITIES OF FEDERAL,  
10 STATE, LOCAL AND PRIVATE AGENCIES AND INSTRUMENTALITIES WITH  
11 OR WITHOUT REIMBURSEMENT.

12 (3) ENTER INTO AND PERFORM SUCH CONTRACTS, LEASES,  
13 COOPERATIVE AGREEMENTS AND OTHER TRANSACTIONS AS MAY BE  
14 NECESSARY IN THE CONDUCT OF THE FUNCTIONS OF THE COMMISSION,  
15 WITH ANY PUBLIC AGENCY OR WITH ANY PERSON, FIRM, ASSOCIATION,  
16 CORPORATION, EDUCATIONAL INSTITUTION OR NONPROFIT  
17 ORGANIZATION.

18 (4) REQUEST SUCH INFORMATION, DATA AND REPORTS FROM ANY  
19 OFFICER OR AGENCY OF THE COMMONWEALTH AS THE COMMISSION MAY  
20 FROM TIME TO TIME REQUIRE AND AS MAY BE PRODUCED CONSISTENT  
21 WITH ANY OTHER FEDERAL OR STATE LAW.

22 (5) ARRANGE WITH THE HEAD OF ANY GOVERNMENT UNIT FOR THE  
23 PERFORMANCE BY THE GOVERNMENT UNIT OF ANY FUNCTION OF THE  
24 COMMISSION, WITH OR WITHOUT REIMBURSEMENT.

25 (6) ISSUE INVITATIONS REQUESTING THE ATTENDANCE AND  
26 TESTIMONY OF WITNESSES AND THE PRODUCTION OF ANY EVIDENCE  
27 THAT RELATES DIRECTLY TO A MATTER WITH RESPECT TO WHICH THE  
28 COMMISSION OR ANY MEMBER THEREOF IS EMPOWERED TO MAKE A  
29 DETERMINATION UNDER THIS SUBCHAPTER.

30 (7) ESTABLISH A RESEARCH AND DEVELOPMENT PROGRAM WITHIN



1 THE COMMISSION FOR THE PURPOSE OF:

2 (I) SERVING AS A CLEARINGHOUSE AND INFORMATION CENTER  
3 FOR THE COLLECTION, PREPARATION AND DISSEMINATION OF  
4 INFORMATION ON COMMONWEALTH SENTENCING, RESENTENCING AND  
5 PAROLE PRACTICES.

6 (II) ASSISTING AND SERVING IN A CONSULTING CAPACITY TO  
7 THE BOARD, STATE COURTS, DEPARTMENTS AND AGENCIES IN THE  
8 DEVELOPMENT, MAINTENANCE AND COORDINATION OF SOUND  
9 SENTENCING, RESENTENCING AND PAROLE PRACTICES.

10 (8) COLLECT SYSTEMATICALLY THE DATA OBTAINED FROM  
11 STUDIES, RESEARCH AND THE EMPIRICAL EXPERIENCE OF PUBLIC AND  
12 PRIVATE AGENCIES CONCERNING THE SENTENCING PROCESSES.

13 (9) PUBLISH DATA CONCERNING THE SENTENCING AND PAROLE  
14 PROCESSES.

15 (10) COLLECT SYSTEMATICALLY AND DISSEMINATE INFORMATION  
16 CONCERNING PAROLE DISPOSITIONS AND SENTENCES ACTUALLY  
17 IMPOSED, INCLUDING INITIAL SENTENCES AND ANY SUBSEQUENT  
18 MODIFICATION OF SENTENCES OR RESENTENCES FOLLOWING REVOCATION  
19 OR REMAND, AND PAROLE AND REPAROLE DECISIONS BY THE BOARD AND  
20 ANY OTHER PAROLING AUTHORITY.

21 (11) COLLECT SYSTEMATICALLY AND DISSEMINATE INFORMATION  
22 REGARDING EFFECTIVENESS OF PAROLE DISPOSITIONS AND SENTENCES  
23 IMPOSED.

24 (12) MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY  
25 CONCERNING MODIFICATION OR ENACTMENT OF SENTENCING, PAROLE  
26 AND CORRECTIONAL STATUTES WHICH THE COMMISSION FINDS TO BE  
27 NECESSARY AND ADVISABLE TO CARRY OUT AN EFFECTIVE, HUMANE AND  
28 RATIONAL SENTENCING, RESENTENCING AND PAROLE POLICY.

29 (13) ESTABLISH A PLAN AND TIMETABLE TO COLLECT AND  
30 DISSEMINATE INFORMATION RELATING TO INCAPACITATION,

1 RECIDIVISM, DETERRENCE AND OVERALL EFFECTIVENESS OF SENTENCES  
2 AND PAROLE DISPOSITIONS IMPOSED.

3 (14) ESTABLISH A PROGRAM TO SYSTEMATICALLY MONITOR  
4 COMPLIANCE WITH THE GUIDELINES, WITH THE RISK ASSESSMENT  
5 INSTRUMENT, WITH RECOMMITMENT RANGES AND WITH MANDATORY  
6 SENTENCING LAWS TO DOCUMENT ELIGIBILITY FOR AND RELEASES IN  
7 ACCORDANCE WITH A COUNTY REENTRY PLAN, TO DOCUMENT  
8 ELIGIBILITY FOR AND IMPOSITION OF RECIDIVISM RISK REDUCTION  
9 INCENTIVE MINIMUM SENTENCES AND TO DOCUMENT ALL PAROLE AND  
10 REPAROLE DECISIONS BY THE BOARD AND ANY OTHER PAROLING  
11 AUTHORITY BY:

12 (I) PROMULGATING FORMS WHICH DOCUMENT THE APPLICATION  
13 OF SENTENCING, RESENTENCING AND PAROLE GUIDELINES,  
14 MANDATORY SENTENCING LAWS, RISK ASSESSMENT INSTRUMENT,  
15 RELEASES IN ACCORDANCE WITH A COUNTY REENTRY PLAN,  
16 RECOMMITMENT RANGES AND RECIDIVISM RISK REDUCTION  
17 INCENTIVE MINIMUM SENTENCES AND COLLECTING INFORMATION ON  
18 ALL PAROLE AND REPAROLE DECISIONS BY THE BOARD AND ANY  
19 OTHER PAROLING AUTHORITY.

20 (II) REQUIRING THE TIMELY COMPLETION AND ELECTRONIC  
21 SUBMISSION OF SUCH FORMS TO THE COMMISSION.

22 (15) PRIOR TO ADOPTION OF CHANGES TO GUIDELINES FOR  
23 SENTENCING, RESENTENCING AND PAROLE, RISK ASSESSMENT  
24 INSTRUMENT AND RECOMMITMENT RANGES FOLLOWING REVOCATION, USE  
25 A CORRECTIONAL POPULATION SIMULATION MODEL TO DETERMINE:

26 (I) RESOURCES THAT ARE REQUIRED UNDER CURRENT  
27 GUIDELINES, RISK ASSESSMENT INSTRUMENT AND RANGES.

28 (II) RESOURCES THAT WOULD BE REQUIRED TO CARRY OUT ANY  
29 PROPOSED CHANGES TO THE GUIDELINES, RISK ASSESSMENT  
30 INSTRUMENT AND RANGES.

1 (B) ANNUAL REPORTS.--THE COMMISSION SHALL REPORT ANNUALLY TO  
2 THE GENERAL ASSEMBLY, THE ADMINISTRATIVE OFFICE OF PENNSYLVANIA  
3 COURTS AND THE GOVERNOR ON THE ACTIVITIES OF THE COMMISSION.

4 (C) ADDITIONAL POWERS AND DUTIES.--THE COMMISSION SHALL HAVE  
5 SUCH OTHER POWERS AND DUTIES AND SHALL PERFORM SUCH OTHER  
6 FUNCTIONS AS MAY BE NECESSARY TO CARRY OUT THE PURPOSES OF THIS  
7 SUBARTICLE OR AS MAY BE PROVIDED UNDER ANY OTHER PROVISION OF  
8 STATE LAW AND MAY DELEGATE TO ANY COMMISSIONER OR DESIGNATED  
9 PERSON SUCH POWERS AS MAY BE APPROPRIATE OTHER THAN THE POWER TO  
10 ESTABLISH GENERAL POLICIES, GUIDELINES, RULES AND FACTORS UNDER  
11 SUBSECTION (A) (1).

12 (B) (RESERVED)

13 SECTION 10. THE FOLLOWING APPLY:

14 (1) NOT LATER THAN ONE YEAR AFTER THE EFFECTIVE DATE OF  
15 THIS SECTION, THE STATE INSPECTOR GENERAL SHALL SUBMIT A  
16 REPORT ON THE IMPLEMENTATION OF THE AMENDMENT TO SECTION 503-  
17 A(C) (1) OF THE ACT, INCLUDING ANY FINDING RELATING TO THE  
18 PENNSYLVANIA STATEWIDE RADIO NETWORK, TO THE GENERAL  
19 ASSEMBLY.

20 (2) THE TERMS OF THE MEMBERS OF THE PENNSYLVANIA  
21 COMMISSION ON SENTENCING WHO ARE MEMBERS ON THE EFFECTIVE  
22 DATE OF THIS SECTION SHALL EXPIRE ON OCTOBER 1, 2019, OR  
23 IMMEDIATELY, WHICHEVER IS LATER.

24 SECTION 11. REPEALS ARE AS FOLLOWS:

25 (1) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER  
26 PARAGRAPH (2) IS NECESSARY TO EFFECTUATE THE AMENDMENT OR  
27 ADDITION OF SECTION 605-B(A.1), (B.1), (D.1) AND (E).

28 (2) SECTION 1704-E OF THE ACT OF APRIL 9, 1929 (P.L.343,  
29 NO.176), KNOWN AS THE FISCAL CODE, IS REPEALED.

30 (3) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER

1 PARAGRAPH (4) IS NECESSARY TO EFFECTUATE THE ADDITION OF  
2 SECTION 2219 OF THE ACT.

3 (4) SECTION 1727-E(B) OF THE ACT OF APRIL 9, 1929  
4 (P.L.343, NO.176), KNOWN AS THE FISCAL CODE, IS REPEALED.

5 (5) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER  
6 PARAGRAPH (6) IS NECESSARY TO EFFECTUATE THE ADDITION OF  
7 SECTIONS 2802-F, 2803-F AND 2804-F OF THE ACT.

8 (6) THE PROVISIONS OF 42 PA.C.S. §§ 2151.2, 2152 AND  
9 2153 ARE REPEALED.

10 SECTION 12. THE ADDITION OF SECTIONS 2802-F, 2803-F AND  
11 2804-F OF THE ACT ARE A CONTINUATION OF 42 PA.C.S. §§ 2151.2,  
12 2152 AND 2153. THE FOLLOWING APPLY:

13 (1) EXCEPT AS OTHERWISE PROVIDED IN SECTIONS 2802-F,  
14 2803-F AND 2804-F OF THE ACT, ALL ACTIVITIES INITIATED UNDER  
15 42 PA.C.S. §§ 2151.2, 2152 AND 2153 SHALL CONTINUE AND REMAIN  
16 IN FULL FORCE AND EFFECT AND MAY BE COMPLETED UNDER SECTIONS  
17 2802-F, 2803-F AND 2804-F OF THE ACT. ORDERS, REGULATIONS,  
18 RULES AND DECISIONS WHICH WERE MADE UNDER 42 PA.C.S. §§  
19 2151.2, 2152 AND 2153 AND WHICH ARE IN EFFECT ON THE  
20 EFFECTIVE DATE OF THIS ACT SHALL REMAIN IN FULL FORCE AND  
21 EFFECT UNTIL REVOKED, VACATED OR MODIFIED UNDER SECTIONS  
22 2802-F, 2803-F AND 2804-F OF THE ACT. CONTRACTS, OBLIGATIONS  
23 AND COLLECTIVE BARGAINING AGREEMENTS ENTERED INTO UNDER 42  
24 PA.C.S. §§ 2151.2, 2152 AND 2153 ARE NOT AFFECTED NOR  
25 IMPAIRED BY THE REPEAL OF 42 PA.C.S. §§ 2151.2, 2152 AND  
26 2153.

27 (2) EXCEPT AS SET FORTH IN PARAGRAPH (3), ANY DIFFERENCE  
28 IN LANGUAGE BETWEEN SECTIONS 2802-F, 2803-F AND 2804-F OF THE  
29 ACT AND 42 PA.C.S. §§ 2151.2, 2152 AND 2153 IS NOT INTENDED  
30 TO CHANGE OR AFFECT THE LEGISLATIVE INTENT, JUDICIAL

1 CONSTRUCTION OR ADMINISTRATION AND IMPLEMENTATION OF 42  
2 PA.C.S. §§ 2151.2, 2152 AND 2153.

3 (3) PARAGRAPH (2) DOES NOT APPLY TO THE ADDITION OF  
4 SECTION 2803-F(A), (B) AND (H) OF THE ACT.

5 SECTION 13. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

6 (1) THE FOLLOWING PROVISIONS OF THIS ACT SHALL TAKE  
7 EFFECT IMMEDIATELY:

8 (I) THIS SECTION.

9 (II) THE ADDITION OF SECTIONS 311 AND 605-B(A.1),  
10 (B.1), (D.1) AND (E), ARTICLE XV-B AND SECTION 2219 OF  
11 THE ACT.

12 (III) SECTION 10(2) OF THIS ACT.

13 (IV) EXCEPT AS PROVIDED IN PARAGRAPH (2)(II),  
14 SECTION 11 OF THIS ACT.

15 (2) THE FOLLOWING PROVISIONS OF THIS ACT SHALL TAKE  
16 EFFECT OCTOBER 1, 2019, OR IMMEDIATELY, WHICHEVER IS LATER:

17 (I) THE ADDITION OF ARTICLE XXVIII-F OF THE ACT.

18 (II) SECTIONS 11(5) AND (6) AND 12.

19 (3) THE ADDITION OF SECTION 618-A(3) SHALL TAKE EFFECT  
20 JANUARY 1, 2020.

21 (4) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN 60  
22 DAYS.