

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2801 Session of 2020

INTRODUCED BY RYAN, DIAMOND, HELM, SANKEY, B. MILLER, SCHMITT, RAPP, GROVE, JONES, KNOWLES, GLEIM, ROTHMAN, DOWLING, METCALFE, KLUNK, ROWE, ROAE, BERNSTINE, SCHEMEL, M. K. KELLER, CAUSER, STAATS, FEE, KAUFFMAN, SAYLOR, DUNBAR, COX, MACKENZIE, PYLE, HICKERNELL, NELSON, RIGBY, MIZGORSKI, MILLARD, MOUL, ECKER, OWLETT, LAWRENCE, WENTLING, IRVIN, RADER, GREGORY, JAMES, BROOKS, TOMLINSON, COOK, EMRICK, TOPPER, BARRAR, GABLER, LEWIS, WHEELAND, EVERETT, STEPHENS, HERSHEY, MUSTELLO, O'NEAL, MALONEY, STRUZZI, GAYDOS, POLINCHOCK, GREINER, ORTITAY, THOMAS, MENTZER, MIHALEK, PICKETT, DAVANZO, MARSHALL, SIMMONS, SONNEY, BONNER, KAUFER, FRITZ, TOBASH, DUSH, SCHLEGEL CULVER, BENNINGHOFF, CUTLER, KEEFER, WARNER, HENNESSEY, JOZWIAK AND ZIMMERMAN, AUGUST 18, 2020

REFERRED TO COMMITTEE ON APPROPRIATIONS, AUGUST 18, 2020

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

1 to defray current expenses, implementing the provisions of
2 section 7(a) of Article VIII of the Constitution of
3 Pennsylvania authorizing and restricting the incurring of
4 certain debt and imposing penalties; affecting every
5 department, board, commission, and officer of the State
6 government, every political subdivision of the State, and
7 certain officers of such subdivisions, every person,
8 association, and corporation required to pay, assess, or
9 collect taxes, or to make returns or reports under the laws
10 imposing taxes for State purposes, or to pay license fees or
11 other moneys to the Commonwealth, or any agency thereof,
12 every State depository and every debtor or creditor of the
13 Commonwealth," in emergency COVID-19 response, providing for
14 undistributed appropriations.

15 The General Assembly of the Commonwealth of Pennsylvania
16 hereby enacts as follows:

17 Section 1. The act of April 9, 1929 (P.L.343, No.176), known
18 as The Fiscal Code, is amended by adding a section to read:

19 Section 112-C. Undistributed appropriations.

20 (a) Expedited distribution.--Notwithstanding any law, if, on
21 the effective date of this section, money appropriated from the
22 account has not been distributed, allocated, allotted or paid in
23 conformance with section 130-C, the Department of Community and
24 Economic Development shall, within 10 days of the effective date
25 of this section, send notice to the State Treasury to distribute
26 the money to each county that has not received the distribution
27 provided under section 130-C.

28 (b) Offset.--If funds appropriated by the General Assembly
29 for purposes under this article are not distributed as provided
30 under subsection (a), the county from which funds are withheld
31 may offset the amount of realty transfer tax under Article XI-C
32 of the act of March 4, 1971 (P.L.6, No.2), known as the Tax
33 Reform Code of 1971, and inheritance tax under Article XXI of
34 the Tax Reform Code of 1971 owed to the Commonwealth by the
35 amount of funds withheld.

36 Section 2. This act shall take effect immediately.