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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 361 Session of  
2019

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INTRODUCED BY HUGHES, HAYWOOD, FARNESE, MUTH, SCHWANK, COSTA,  
BREWSTER, TARTAGLIONE, KEARNEY, KILLION AND BROWNE,  
MAY 31, 2019

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REFERRED TO APPROPRIATIONS, MAY 31, 2019

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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 Independent Fiscal Office, further providing  
22 for definitions and for duties of office and providing for  
23 poverty impact analysis.

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

26 Section 1. Section 602-B of the act of April 9, 1929  
27 (P.L.177, No.175), known as The Administrative Code of 1929, is  
28 amended by adding definitions to read:

1 Section 602-B. Definitions.

2 The following words and phrases when used in this article  
3 shall have the meanings given to them in this section unless the  
4 context clearly indicates otherwise:

5 \* \* \*

6 "Poverty impact analysis." An analysis of:

7 (1) A proposed budget that includes:

8 (i) A projected ratio equal to the amount of  
9 appropriations in the proposed budget that will benefit  
10 individuals and families below the poverty threshold over  
11 the total amount of appropriations in the proposed  
12 budget.

13 (ii) A projection of the number of individual and  
14 family incomes that may:

15 (A) decrease below the poverty threshold if the  
16 proposed budget is enacted; or

17 (B) increase above the poverty threshold if the  
18 proposed budget is enacted.

19 (iii) A projection as to how the proposed budget  
20 improves or reduces access to basic human services,  
21 including health care, housing and education.

22 (2) An enacted budget that includes:

23 (i) A projected ratio equal to the amount of  
24 appropriations in the proposed budget that will benefit  
25 individuals and families below the poverty threshold over  
26 the total amount of appropriations in the proposed  
27 budget.

28 (ii) A projection of the number of individual and  
29 family incomes that may:

30 (A) decrease below the poverty threshold if the

1 proposed budget is enacted; or

2 (B) increase above the poverty threshold if the  
3 proposed budget is enacted.

4 (iii) A projection as to how the proposed budget  
5 improves or reduces access to basic human services,  
6 including health care, housing and education.

7 (3) Any bill, amendment or joint resolution to determine  
8 the impact, if any, the proposed bill, amendment or joint  
9 resolution may have on the poverty and deep poverty rate of  
10 the Commonwealth. The poverty impact statement shall be  
11 impartial, simple and understandable.

12 "Poverty threshold." Household income level below 200% of  
13 the Federal poverty level.

14 \* \* \*

15 Section 2. Section 604-B(a) of the act is amended by adding  
16 a paragraph to read:

17 Section 604-B. Duties of office.

18 (a) Mandatory.--The office shall:

19 \* \* \*

20 (4.1) Conduct a poverty impact analysis authorized under  
21 section 616-B.

22 \* \* \*

23 Section 3. The act is amended by adding a section to read:  
24 Section 616-B. Poverty impact analysis.

25 (a) Analysis required.--The office shall conduct a poverty  
26 impact analysis of the following:

27 (1) The Governor's proposed General Fund budget, which  
28 shall be completed by May 1 of each year.

29 (2) The enacted General Fund budget of the fiscal year,  
30 which shall be completed within 90 days after the enactment

1 of the General Fund budget.

2 (3) Any bill, amendment or joint resolution on written  
3 request of a member of either chamber of the General  
4 Assembly.

5 (b) Second consideration prohibited.--Except as otherwise  
6 provided in subsection (d)(1), no bill for which a poverty  
7 impact analysis has been requested under subsection (a)(3) may  
8 be given second consideration by the chamber of the General  
9 Assembly whose member made the request until the office has  
10 attached the poverty impact analysis.

11 (c) Amendment.--Except as otherwise provided in subsection  
12 (d)(2), neither an amendment for which a poverty impact analysis  
13 has been requested under subsection (a)(3) nor the bill to which  
14 the amendment is offered shall be considered by the chamber of  
15 the General Assembly whose member made the request until the  
16 office has attached a poverty impact analysis.

17 (d) Failure to attach.--The following shall apply:

18 (1) If the office fails to attach a poverty impact  
19 analysis to a bill within 10 legislative days after a request  
20 for a statement has been submitted to the office, the bill  
21 may be further considered in the same manner as if the  
22 analysis were attached to the bill.

23 (2) If the office fails to attach a poverty impact  
24 analysis to an amendment within 10 legislative days after a  
25 request for a statement has been submitted to the office, the  
26 bill and the amendment may be considered in the same manner  
27 as if the analysis were attached to the amendment.

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