

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 252 Session of
2005

INTRODUCED BY REICHLEY, DeWEESE, BAKER, JAMES, BALDWIN, BOYD,
CALTAGIRONE, CAPPELLI, DALLY, GOOD, GOODMAN, GRUCELA, HERMAN,
HESS, HUTCHINSON, W. KELLER, MACKERETH, MARKOSEK, McCALL,
McILHATTAN, NICKOL, PICKETT, READSHAW, RUBLEY, SHANER,
E. Z. TAYLOR, THOMAS, TIGUE, TURZAI, WATSON AND FRANKEL,
MARCH 29, 2005

REFERRED TO COMMITTEE ON FINANCE, MARCH 29, 2005

AN ACT

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

Budget Stabilization Reserve Fund.

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

Section 1. Section 1703-A of the act of April 9, 1929
(P.L.343, No.176), known as The Fiscal Code, added June 29, 2002
(P.L.614, No.91), is amended to read:

Section 1703-A. Disposition of Budget Stabilization Reserve
Fund.

(a) Purpose.--It is the intent of the General Assembly that:

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

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

(b) Appropriation.--[Whenever]

(1) Except as provided in paragraph (2), whenever the
Governor determines that an appropriation from the Budget
Stabilization Reserve Fund is necessary to meet emergencies
involving the health, safety or welfare of the residents of
this Commonwealth or to counterbalance downturns of the
economy which result in significant unanticipated revenue
shortfalls, the Governor shall present a request for an
appropriation along with the specifics of the proposal 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
3 the House of Representatives. The General Assembly may then
4 through approval of a separate appropriation bill by a vote
5 of two-thirds of the members elected to the Senate and the
6 House of Representatives appropriate money from the Budget
7 Stabilization Reserve Fund to meet the needs identified in
8 the Governor's proposal. Any money appropriated according to
9 this section which has then lapsed shall be returned to the
10 Budget Stabilization Reserve Fund.

11 (2) Within ten days of the creation of the Disease
12 Management Tax Credit Fund, the amount of \$20,000,000 shall
13 be transferred from the Budget Stabilization Reserve Fund to
14 the Disease Management Tax Credit Fund.

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