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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 61 Session of 2013

INTRODUCED BY BENNINGHOFF, BROOKS, GINGRICH, STEPHENS, BLOOM, PICKETT, CUTLER, KORTZ, RAPP, CONKLIN, MOUL, KAUFFMAN, KNOWLES, HICKERNELL, DAVIS, DUNBAR, C. HARRIS, FABRIZIO, AUMENT, EMRICK, GROVE, WATSON, SIMMONS, MACKENZIE, MILLARD AND THOMAS, JANUARY 14, 2013

REFERRED TO COMMITEE ON STATE GOVERNMENT, JANUARY 14, 2013

AN ACT

Amending the act of February 14, 2008 (P.L.6, No.3), entitled "An act providing for access to public information, for a designated open-records officer in each Commonwealth agency, local agency, judicial agency and legislative agency, for procedure, for appeal of agency determination, for judicial review and for the Office of Open Records; imposing penalties; providing for reporting by State-related institutions; requiring the posting of certain State contract information on the Internet; and making related repeals," in preliminary provisions, further providing for definitions; and repealing provisions relating to State-related institutions.

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

Section 1. The definition of "State-affiliated entity" in section 102 of the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, is amended to read:

Section 102. Definitions.

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

* * *

"State-affiliated entity." A Commonwealth authority or Commonwealth entity. The term includes the Pennsylvania Higher Education Assistance Agency and any entity established thereby, the Pennsylvania Gaming Control Board, the Pennsylvania Game Commission, the Pennsylvania Fish and Boat Commission, the Pennsylvania Housing Finance Agency, the Pennsylvania Municipal Retirement Board, the State System of Higher Education, a community college, the Pennsylvania Turnpike Commission, the Pennsylvania Public Utility Commission, the Pennsylvania Infrastructure Investment Authority, the State Public School Building Authority, the Pennsylvania Interscholastic Athletic Association and the Pennsylvania Higher Educational Facilities Authority. The term [does not include] <u>includes</u> a State-related institution.

* * *

Section 2. Chapter 15 of the act is repealed:

[CHAPTER 15

STATE-RELATED INSTITUTIONS

Section 1501. Definition.

As used in this chapter, "State-related institution" means any of the following:

(1) Temple University.

(2) The University of Pittsburgh.

(3) The Pennsylvania State University.

(4) Lincoln University.

Section 1502. Reporting.

No later than May 30 of each year, a State-related institution shall file with the Governor's Office, the General Assembly, the Auditor General and the State Library the

information set forth in section 1503.

Section 1503. Contents of report.

The report required under section 1502 shall include the following:

(1) Except as provided in paragraph (4), all information required by Form 990 or an equivalent form of the United States Department of the Treasury, Internal Revenue Service, entitled the Return of Organization Exempt From Income Tax, regardless of whether the State-related institution is required to file the form by the Federal Government.

(2) The salaries of all officers and directors of the State-related institution.

(3) The highest 25 salaries paid to employees of the institution that are not included under paragraph (2).

(4) The report shall not include information relating to individual donors.

Section 1504. Copies and posting.

A State-related institution shall maintain, for at least seven years, a copy of the report in the institution's library and shall provide free access to the report on the institution's Internet website.]

Section 3. This act shall take effect immediately.