
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1539 Session of
2005

INTRODUCED BY NICKOL, CALTAGIRONE, CREIGHTON, DENLINGER, GEIST,
GILLESPIE, HARRIS, JAMES, STERN, E. Z. TAYLOR, THOMAS,
McILHATTAN AND DALLY, MAY 9, 2005

AS AMENDED, NOVEMBER 22, 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 reports to the Secretary
31 of Revenue; and establishing and providing for appropriation

1 to the Emergency Energy Assistance Fund.

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

4 Section 1. Section 901 of the act of April 9, 1929 (P.L.343,
5 No.176), known as The Fiscal Code, amended December 2, 1976
6 (P.L.1274, No.283) and repealed in part April 28, 1978 (P.L.202,
7 No.53), is amended to read:

8 Section 901. Reports to the Secretary of Revenue.--On the
9 fifth day of each month, [and] or at such times and with such
10 frequency as may be prescribed by the Secretary of Revenue, it
11 shall be the duty of each judicial officer of a court not of
12 record, city officer and county officer to render to the
13 Department of Revenue, under oath or affirmation, returns of all
14 moneys or as much as may be prescribed by the Secretary of
15 Revenue, received during the applicable period for the use of
16 the Commonwealth, designating, under proper headings, the source
17 from which such moneys were received, and to pay the same into
18 the State Treasury, through the Department of Revenue, less any
19 compensation and reimbursement for expenses allowable by law for
20 having made the collections.

21 Section 2. Article XVII-A of the act is amended by adding a
22 subarticle to read:

23 SUBARTICLE D F <—

24 EMERGENCY ENERGY ASSISTANCE FUND

25 Section 1731-A 1751-A. Establishment of Emergency Energy <—
26 Assistance Fund

27 There is established a special fund to be known as the
28 Emergency Energy Assistance Fund.

29 Section 1732-A 1752-A. Appropriation to Emergency Energy <—
30 Assistance Fund.

1 ~~An amount equal to 1.0 mills of the utilities'~~ NOT MORE THAN <—
2 1.0 MILL OF THE gross receipts tax collected during each fiscal
3 year under Article XI of the act of March 4, 1971 (P.L.6, No.2),
4 known as the Tax Reform Code of 1971, shall be appropriated
5 ~~annually~~ FOR THE FISCAL YEAR JULY 1, 2005, TO JUNE 30, 2006, <—
6 from the General Fund to the Emergency Energy Assistance Fund,
7 to be administered by the Department of Public Welfare for
8 State-funded emergency energy assistance if the Governor
9 ~~declares~~ ISSUES A DECLARATION that either weather conditions, <—
10 natural or man-made disasters, or high energy prices or a
11 combination thereof are a threat to public health within this
12 Commonwealth and available Federal home energy assistance funds
13 are not sufficient to meet this need. The Governor shall publish
14 this emergency declaration in the Pennsylvania Bulletin along
15 with the criteria and emergency regulations for this program AND <—
16 SHALL TRANSMIT COPIES OF THE DECLARATION TO THE CHAIRMAN AND
17 MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE OF THE SENATE
18 AND THE CHAIRMAN AND MINORITY CHAIRMAN OF THE APPROPRIATIONS
19 COMMITTEE OF THE HOUSE OF REPRESENTATIVES.
20 Section 3. This act shall take effect immediately.