

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2027 Session of
2009

INTRODUCED BY BENNINGHOFF, BEAR, BOYD, COX, CUTLER, DeLUCA,
EVERETT, FAIRCHILD, GABLER, GRELL, GROVE, HENNESSEY,
HUTCHINSON, KAUFFMAN, KRIEGER, MAJOR, METCALFE, MOUL,
READSHAW, REED, REESE, STEVENSON, SWANGER, TALLMAN, TRUE AND
VULAKOVICH, OCTOBER 6, 2009

REFERRED TO COMMITTEE ON STATE GOVERNMENT, OCTOBER 6, 2009

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, providing for budget by operation of law.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby resolves as follows:

5 Section 1. The following amendment to the Constitution of
6 Pennsylvania is proposed in accordance with Article XI:

7 That Article VIII be amended by adding a section to read:

8 § 18. Budget by operation of law.

9 (a) In the event that a balanced operating budget, including
10 a general appropriation act and a general revenue act or acts,
11 has not been enacted by 12 midnight on the final day of any
12 fiscal year, the immediate past year general appropriation act
13 with each line item appropriation therein reduced by 20% shall
14 be imposed by operation of law from 12:01 a.m. on the first day
15 of the new fiscal year until such time as the new fiscal year
16 balanced operating budget, including a general appropriation act

1 and a revenue act or acts, has been passed by both Houses of the
2 General Assembly and signed by the Governor.

3 (b) A general revenue act or acts shall not be required to
4 be enacted for the fiscal year under subsection (a) if the State
5 Treasurer certifies that operating budget appropriations in the
6 general appropriation act do not exceed the actual and estimated
7 revenues and surplus available for the fiscal year.

8 Section 2. (a) Upon the first passage by the General
9 Assembly of this proposed constitutional amendment, the
10 Secretary of the Commonwealth shall proceed immediately to
11 comply with the advertising requirements of section 1 of Article
12 XI of the Constitution of Pennsylvania and shall transmit the
13 required advertisements to two newspapers in every county in
14 which such newspapers are published in sufficient time after
15 passage of this proposed constitutional amendment.

16 (b) Upon the second passage by the General Assembly of this
17 proposed constitutional amendment, the Secretary of the
18 Commonwealth shall proceed immediately to comply with the
19 advertising requirements of section 1 of Article XI of the
20 Constitution of Pennsylvania and shall transmit the required
21 advertisements to two newspapers in every county in which such
22 newspapers are published in sufficient time after passage of
23 this proposed constitutional amendment. The Secretary of the
24 Commonwealth shall submit this proposed constitutional amendment
25 to the qualified electors of this Commonwealth at the first
26 primary, general or municipal election which meets the
27 requirements of and is in conformance with section 1 of Article
28 XI of the Constitution of Pennsylvania and which occurs at least
29 three months after the proposed constitutional amendment is
30 passed by the General Assembly.