

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 173 Session of
2017

INTRODUCED BY BARTOLOTTA, BROOKS, FOLMER, WARD, STEFANO, WAGNER,
MENSCH, GORDNER, MCGARRIGLE, HUTCHINSON, LANGERHOLC,
VULAKOVICH, DISANTO, RAFFERTY, VOGEL, WHITE, SCARNATI,
AUMENT, MARTIN, REGAN AND RESCHENTHALER, JANUARY 25, 2017

REFERRED TO FINANCE, JANUARY 25, 2017

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, in taxation and finance, providing for
3 spending limitations.

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

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

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

9 § 18. Spending limitations.

10 (a) Except as provided in subsection (c), total spending by
11 the Commonwealth in a fiscal year shall not exceed the spending
12 appropriation limit as provided in this section.

13 (b) The spending appropriation limit for any fiscal year
14 shall be equal to total appropriations made during the
15 immediately prior fiscal year, adjusted by the lesser of:

16 (1) the average percentage change in personal income in this
17 Commonwealth for the three preceding calendar years as reported

1 by the Federal Government or as determined pursuant to an act of
2 the General Assembly; or

3 (2) the average percentage change in inflation for the three
4 preceding calendar years plus the average percentage change in
5 the State population for the three preceding years as reported
6 by the annual Federal decennial census estimates and adjusted
7 every decade to match the official Federal decennial census.

8 (c) The spending appropriation limit may be exceeded in any
9 fiscal year:

10 (1) to respond to a declared emergency, if the General
11 Assembly approves by the affirmative vote of two-thirds of the
12 members elected to each House of the General Assembly; or

13 (2) in other situations if the Governor requests at least 30
14 days prior to the beginning of the fiscal year and the General
15 Assembly approves by the affirmative vote of two-thirds of the
16 members elected to each House of the General Assembly.

17 (d) For purposes of this section:

18 (1) "Inflation" shall mean the percentage change in the
19 United States Department of Labor, Bureau of Labor Statistics,
20 Consumer Price Index for All Urban Consumers, not seasonally
21 adjusted; all items index, or its successor index.

22 (2) "Total spending by the Commonwealth" shall mean the
23 total of the amounts approved as executive authorizations by the
24 Governor plus the total amounts of appropriations made by the
25 General Assembly, excluding appropriations made with money
26 received from the Federal Government.

27 Section 2. (a) Upon the first passage by the General
28 Assembly of this proposed constitutional amendment, the
29 Secretary of the Commonwealth shall proceed immediately to
30 comply with the advertising requirements of section 1 of Article

1 XI of the Constitution of Pennsylvania and shall transmit the
2 required advertisements to two newspapers in every county in
3 which such newspapers are published in sufficient time after
4 passage of this proposed constitutional amendment.

5 (b) Upon the second passage by the General Assembly of this
6 proposed constitutional amendment, the Secretary of the
7 Commonwealth shall proceed immediately to comply with the
8 advertising requirements of section 1 of Article XI of the
9 Constitution of Pennsylvania and shall transmit the required
10 advertisements to two newspapers in every county in which such
11 newspapers are published in sufficient time after passage of
12 this proposed constitutional amendment. The Secretary of the
13 Commonwealth shall submit this proposed constitutional amendment
14 as a single ballot question to the qualified electors of this
15 Commonwealth at the first primary, general or municipal election
16 which meets the requirements of and is in conformance with
17 section 1 of Article XI of the Constitution of Pennsylvania and
18 which occurs at least three months after the proposed
19 constitutional amendment is passed by the General Assembly.