

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2229 Session of 2010

INTRODUCED BY FREEMAN, MURPHY, BEAR, BOYD, BRENNAN, CARROLL, CUTLER, EVERETT, GEORGE, HICKERNELL, HORNAMAN, HUTCHINSON, JOSEPHS, LEVDANSKY, MAHONEY, McILVAINE SMITH, MURT, MUSTIO, PETRARCA, REED, REICHLEY, ROAE, ROCK, SAMUELSON, K. SMITH, M. SMITH, SWANGER, TRUE AND VULAKOVICH, JANUARY 27, 2010

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 27, 2010

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," providing for audits of affairs of the General  
 31 Assembly and legislative agencies; and making a related

1       repeal.

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

4       Section 1. The act of April 9, 1929 (P.L.343, No.176), known  
5 as The Fiscal Code, is amended by adding a section to read:

6       Section 402.1. Audits of Affairs of the General Assembly and  
7 Legislative Agencies.--It shall be the duty of the Department of  
8 the Auditor General to audit the financial affairs of the  
9 General Assembly and its legislative service agencies. At least  
10 one audit shall be made each year. Special audits may be made  
11 whenever they may, in the judgment of the Auditor General,  
12 appear necessary. Copies of all audits made by the Department of  
13 the Auditor General shall be promptly submitted to the President  
14 pro tempore of the Senate, the Minority Leader of the Senate,  
15 the Speaker of the House of Representatives and the Minority  
16 Leader of the House of Representatives.

17       Section 2. Repeals are as follows:

18           (1) The General Assembly declares that the repeal under  
19 paragraph (2) is necessary to effectuate the addition of  
20 section 402.1 of the act.

21           (2) Section 1 of the act of June 30, 1970 (P.L.442,  
22 No.151), entitled "An act implementing the provisions of  
23 Article VIII, section 10 of the Constitution of Pennsylvania,  
24 by designating the Commonwealth officers who shall be charged  
25 with the function of auditing the financial transactions  
26 after the occurrence thereof of the Legislative and Judicial  
27 branches of the government of the Commonwealth, establishing  
28 a Legislative Audit Advisory Commission, and imposing certain  
29 powers and duties on such commission," is repealed.

30       Section 3. This act shall take effect in 60 days.