AN ACT

Amending the act of April 9, 1929 (P.L.177, No.175), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; providing for the regulation of pari-mutuel thoroughbred horse racing and harness horse racing activities, imposing certain taxes and providing for the disposition of funds from pari-mutuel tickets; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," in Commonwealth budget procedures, providing for essential service payments during budget impasse.

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

Section 1. The act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, is amended by adding a
Section 626. Essential Service Payments During Budget Impasse.--(a) If the General Appropriation Act is not enacted by July 1 of any fiscal year:

(1) The Secretary of the Budget shall, in consultation with the Secretary of Human Services, the Secretary of Drug and Alcohol Programs, the Secretary of Aging and the secretary of a department that provides other essential services, certify to the State Treasurer the line items and amounts paid for essential services and other essential services from each of their departments during the prior fiscal year and the amounts so certified are hereby appropriated from the General Fund to the respective departments for those purposes.

(2) The Department of Human Services, the Department of Drug and Alcohol Programs, the Department of Aging and any department that provides other essential services may submit requisitions to the State Treasurer for the payment of the essential services and other essential services to a human services organization, county or other intermediary organization from the appropriations made under paragraph (1), provided that the amount paid does not exceed the amount paid during the prior fiscal year.

(b) The payments authorized under subsection (a) to a human service organization, county or other intermediary organization shall include reimbursement of interest incurred by the human service organization, county or other intermediary organization for providing essential services in this Commonwealth, if the interest was incurred on a loan issued by a financial institution to the human service organization, county or other intermediary organization and the organization demonstrates in...
writing to the satisfaction of the Secretary of the Budget that
the loan was necessary to support the operations of the
organization as a direct result of not receiving timely payment
from the Commonwealth after July 1 of the fiscal year.

(c) The amount paid from the General Fund under subsection
(a) between July 1 and the date of enactment of the General
Appropriation Act for that fiscal year shall be credited against
the corresponding appropriation in the General Appropriation Act
for that fiscal year.

(d) An appropriation made under subsection (a) in any fiscal
year shall immediately lapse when the General Appropriation Act
for that fiscal year is enacted.

(e) The Secretary of the Budget and the State Treasurer
shall expedite payments under this section consistent with their
powers and duties in the act of April 9, 1929 (P.L.343, No.176),
known as "The Fiscal Code."

(f) The Secretary of the Budget shall submit a report to the
Appropriations Committee of the Senate and the Appropriations
Committee of the House of Representatives by June 15 of each
year indicating any services that will be deemed essential by
the Governor to protect public health and safety during a
potential budget impasse.

(g) As used in this section, the term "essential service"
means any service for which payment was made during the previous
fiscal year from Federal and State appropriations to the
Department of Human Services, the Department of Drug and Alcohol
Programs and the Department of Aging for the following:

(1) Domestic violence.

(2) Mental health services, including grants to counties or
other county-based human services included under the Human
Services Block Grant, exclusive of capital improvements.

(3) Behavioral health services or other county-based human
services included under the Human Services Block Grant.

(4) Intellectual Disabilities – Community Base Program,
including grants to counties for noninstitutional programs or
other county-based human services included under the Human
Services Block Grant, exclusive of capital improvements.

(5) Payments and services to counties for children and youth
programs and for the care of delinquent and dependent children
under section 704.1 of the act of June 13, 1967 (P.L.31, No.21),
known as the "Human Services Code." The payments and services
shall include an aggregate child welfare needs-based budget
allocation that the Department of Human Services may use to fund
contracts for adoption services and to pay for assistance to
counties in meeting Federal reimbursement documentation
requirements.

(6) The Human Services Development Fund.

(7) Medical assistance payments for outpatient services,
exclusive of outpatient services provided through capitation
plans.

(8) Payments to counties for drug and alcohol addiction
treatment services under section 2334.

(9) Any other funds for which the county provides services
on behalf of the Commonwealth.

(h) As used in this section, "other essential services"
means services for which payment was made during the previous
fiscal year from Federal and State appropriations that the
Governor deems essential during a budget impasse for public
health and safety. The term does not include an essential
service.
Section 2. This act shall take effect in 60 days.