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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1157 Session of  
1999

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INTRODUCED BY ROSS, BARD, COY, HERMAN AND LESCOVITZ,  
APRIL 7, 1999

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, APRIL 7, 1999

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AN ACT

1 Amending the act of May 1, 1933 (P.L.103, No.69), entitled, as  
2 reenacted and amended, "An act concerning townships of the  
3 second class; and amending, revising, consolidating and  
4 changing the law relating thereto," further regulating the  
5 annual budget and uniform report forms.

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

8 Section 1. Sections 3202 and 3203 of the act of May 1, 1933  
9 (P.L.103, No.69), known as The Second Class Township Code,  
10 reenacted and amended November 9, 1995 (P.L.350, No.60), is  
11 amended to read:

12 Section 3202. Annual Budget.--(a) The board of supervisors  
13 shall annually prepare a proposed budget for all funds for the  
14 ensuing fiscal year. The proposed budget shall reflect as nearly  
15 as possible the estimated revenues and expenses of the township  
16 for the year for which the budget is prepared. A township shall  
17 not prepare and advertise notice of a proposed budget when it is  
18 knowingly inaccurate. Upon any revision of the proposed budget,  
19 if the estimated revenues or expenses in the final budget are

1 increased more than ten percent in the aggregate or more than  
2 twenty-five percent in any major category over the proposed  
3 budget, it may not be legally adopted with those increases  
4 unless it is again advertised once, the same as the original  
5 proposed budget, and an opportunity given to taxpayers to  
6 examine the amended proposed budget. A major category is a group  
7 of related revenue or expense items, the combined total of which  
8 is listed as a line item. [on the annual budget forms furnished  
9 by the Department of Community Affairs under section 3203.] The  
10 budget shall be prepared on a uniform form prepared and  
11 furnished under section 3203. The estimates in the budget shall  
12 specify the amount of money necessary for each governmental  
13 activity of the township for which a special tax levy may or may  
14 not be authorized and the amount of money necessary for the  
15 payment of debts and other miscellaneous purposes.

16 (b) Upon the preparation of the proposed budget, the board  
17 of supervisors shall give public notice by advertisement once in  
18 one newspaper of general circulation in the township that the  
19 proposed budget is available for public inspection at a  
20 designated place in the township. After the proposed budget has  
21 been available for public inspection for twenty days, the board  
22 of supervisors shall, after making revisions as are appropriate,  
23 adopt the final budget not later than the thirty-first day of  
24 December and the necessary appropriation measures required to  
25 put it into effect.

26 (c) The total appropriation shall not exceed the revenues  
27 estimated as available for the fiscal year. [The board of  
28 supervisors shall within fifteen days after the adoption of the  
29 budget file a copy of the budget with the Department of  
30 Community Affairs.]

1 (d) During the month of January next following any municipal  
2 election, the board of supervisors may amend the budget and the  
3 levy and tax rate to conform with its amended budget. A period  
4 of ten days' public inspection at the office of the township  
5 secretary of the proposed amended budget, after notice by the  
6 township secretary to that effect is published once in a  
7 newspaper of general circulation in the township, shall  
8 intervene between the adoption of the proposed amended budget  
9 and the final adoption of the amended budget. Any amended budget  
10 must be adopted by the board of supervisors on or before the  
11 fifteenth day of February. No proposed amended budget shall  
12 before final adoption be revised upward in excess of ten percent  
13 in the aggregate or in excess of twenty-five percent of the  
14 amount of any major category in the proposed amended budget. A  
15 major category is a group of related revenue or expense items,  
16 the combined total of which is listed as a line item. [on the  
17 annual budget forms furnished by the Department of Community  
18 Affairs under section 3203. Within fifteen days after the  
19 adoption of an amended budget, the township secretary shall file  
20 a copy of it with the Department of Community Affairs.]

21 (e) The board of supervisors may by resolution make  
22 supplemental appropriations for any purpose from any funds on  
23 hand or estimated to be received within the fiscal year and not  
24 otherwise appropriated, including the proceeds of any borrowing  
25 authorized by law. Supplemental appropriations may be made  
26 whether or not an appropriation for that purpose was included in  
27 the original budget as adopted.

28 (f) The board of supervisors may by resolution transfer  
29 unencumbered moneys from one township account to another, but no  
30 moneys may be transferred from the fund allocated for the

1 payment of debts or from any fund raised by a special tax levy  
2 or assessment for a particular purpose. Transfers shall not be  
3 made during the first three months of the fiscal year. No moneys  
4 shall be paid out of the township treasury except upon  
5 appropriation made according to law.

6 Section 3203. Uniform Report Forms.--(a) The uniform forms  
7 for [the annual budget and] the annual financial [statement]  
8 report required to be made by the auditors shall be prepared by  
9 a committee consisting of four representatives of the State  
10 Association of Township Supervisors and one representative each  
11 from the Department of Transportation and the Department of  
12 Community [Affairs.] and Economic Development.

13 (b) Representatives of the State Association of Township  
14 Supervisors shall be appointed by the president of that  
15 organization. The representatives may be township supervisors,  
16 auditors or secretaries and should represent townships in the  
17 various population groups. The president of the State  
18 Association of Township Supervisors shall supply to the  
19 Department of Community [Affairs] and Economic Development the  
20 names and addresses of the representatives immediately upon  
21 their appointment.

22 (c) Representatives of the townships shall serve without  
23 compensation but shall be reimbursed by the Commonwealth for all  
24 necessary expenses incurred in attending meetings of the  
25 committee from appropriations made to the Department of  
26 Community [Affairs.] and Economic Development. The committee  
27 shall meet at the call of the Secretary of Community [Affairs]  
28 and Economic Development, or an agent of the secretary, who  
29 shall chair the committee.

30 [(d) In preparing the uniform forms, the committee shall

1 give careful consideration to the fiscal needs and procedures of  
2 townships of the various population groups, producing separate  
3 forms, if necessary, to meet the needs of townships of varying  
4 sizes. The form for annual reports shall contain the information  
5 required to be furnished under this act and any other  
6 information the committee believes proper and shall be arranged  
7 to correlate with the forms for the budget, respecting order of  
8 items and division of revenues by major classifications and  
9 disbursements by major functions. The committee shall also  
10 prescribe the form of the statement summarizing the annual  
11 report which is required to be published under this act.]

12 (e) The Department of Community [Affairs] and Economic  
13 Development shall prepare and furnish the forms required by this  
14 act in cooperation with the committee. If the committee fails to  
15 cooperate, the Department of Community [Affairs] and Economic  
16 Development shall issue the forms and distribute them annually,  
17 as needed, to the proper township officers.

18 Section 2. This act shall take effect in 60 days.