

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2273 Session of 2015

INTRODUCED BY SACCONI, GROVE, WARNER, KAUFFMAN, PHILLIPS-HILL AND KLUNK, JULY 28, 2016

REFERRED TO COMMITTEE ON APPROPRIATIONS, JULY 28, 2016

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled,
 2 as amended, "An act providing for and reorganizing the
 3 conduct of the executive and administrative work of the
 4 Commonwealth by the Executive Department thereof and the
 5 administrative departments, boards, commissions, and officers
 6 thereof, including the boards of trustees of State Normal
 7 Schools, or Teachers Colleges; abolishing, creating,
 8 reorganizing or authorizing the reorganization of certain
 9 administrative departments, boards, and commissions; defining
 10 the powers and duties of the Governor and other executive and
 11 administrative officers, and of the several administrative
 12 departments, boards, commissions, and officers; fixing the
 13 salaries of the Governor, Lieutenant Governor, and certain
 14 other executive and administrative officers; providing for
 15 the appointment of certain administrative officers, and of
 16 all deputies and other assistants and employes in certain
 17 departments, boards, and commissions; providing for the
 18 regulation of pari-mutuel thoroughbred horse racing and
 19 harness horse racing activities, imposing certain taxes and
 20 providing for the disposition of funds from pari-mutuel
 21 tickets; and prescribing the manner in which the number and
 22 compensation of the deputies and all other assistants and
 23 employes of certain departments, boards and commissions shall
 24 be determined," in Commonwealth budget procedures, providing
 25 for cost savings realized during fiscal year and establishing
 26 a restricted account within the General Fund for deposits of
 27 cost savings.

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

30 Section 1. The act of April 9, 1929 (P.L.177, No.175), known

1 as The Administrative Code of 1929, is amended by adding a
2 section to read:

3 Section 626. Cost Savings Realized During Fiscal Year.--(a)
4 Following the enactment of the general appropriation bill for a
5 given fiscal year and prior to the passage of the general
6 appropriation bill for the fiscal year that immediately follows,
7 an executive agency shall provide notice of any savings realized
8 from its line items within the enacted appropriation bill to the
9 Secretary of the Budget within fourteen (14) calendar days of
10 determining the existence of the savings.

11 (b) Upon receiving notice under subsection (a), the
12 Secretary of the Budget shall send written notification of the
13 savings realized to the following:

14 (1) The Treasury Department.

15 (2) The following members of the Senate:

16 (i) The President pro tempore of the Senate.

17 (ii) The Majority Leader of the Senate.

18 (iii) The Minority Leader of the Senate.

19 (iv) The majority chairman of the Appropriations Committee
20 of the Senate.

21 (v) The minority chairman of the Appropriations Committee of
22 the Senate.

23 (3) The following members of the House of Representatives:

24 (i) The Speaker of the House of Representatives.

25 (ii) The Majority Leader of the House of Representatives.

26 (iii) The Minority Leader of the House of Representatives

27 (iv) The majority chairman of the Appropriations Committee
28 of the House of Representatives.

29 (v) The minority chairman of the Appropriations Committee of
30 the House of Representatives.

1 (c) Upon receiving notice under subsection (b), the Treasury
2 Department shall transfer the reported savings realized into the
3 account established under subsection (f).

4 (d) The following shall apply regarding a waiver request
5 under this section:

6 (1) An executive agency may submit a waiver request to the
7 Secretary of the Budget to use the savings realized under
8 subsection (a).

9 (2) The Secretary of the Budget shall send a waiver request
10 to the Appropriations Committee of the Senate and the
11 Appropriations Committee of the House of Representatives for
12 consideration.

13 (3) A waiver may be approved only if the waiver:

14 (i) does not exceed twenty-five per centum (25%) of the
15 reported savings realized under subsection (a); and

16 (ii) is necessary for the executive agency to fulfill its
17 obligations under Federal or State law.

18 (4) If a requested waiver meets the requirements under
19 paragraph (3), the Secretary of the Budget shall send a written
20 explanation of the waiver request and its merits to the
21 Appropriations Committee of the Senate and the Appropriations
22 Committee of the House of Representatives for consideration.

23 (e) The following shall apply regarding the approval of a
24 waiver request under this section:

25 (1) A waiver request shall be considered approved only if it
26 is approved by a majority vote in both the Appropriations
27 Committee of the Senate and the Appropriations Committee of the
28 House of Representatives.

29 (2) If a waiver request is approved, the Treasury Department
30 shall transfer the amount of money approved under the waiver

1 from the account in which the reported savings realized had been
2 deposited to the executive agency, to be used as directed in the
3 executive agency's corresponding line item of the enacted
4 appropriations bill.

5 (f) The Taxpayers Savings Account is established as a
6 restricted account within the General Fund to which all cost
7 savings realized under subsection (a) are deposited.

8 (g) As used in this section, the following words and phrases
9 shall have the meanings given to them in this subsection unless
10 the context clearly indicates otherwise:

11 "Account." The Taxpayers Savings Account established under
12 subsection (f).

13 "Executive agency." Any of the following:

14 (1) The Office of the Governor.

15 (2) The Office of the Lieutenant Governor.

16 (3) The Department of the Auditor General.

17 (4) The Office of Attorney General.

18 (5) An agency or department of the Commonwealth within the
19 executive branch, excluding an office or department under
20 paragraph (1), (2), (3) or (4).

21 (6) An independent board or commission of the Commonwealth.

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