

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2768 Session of
2008

INTRODUCED BY FREEMAN, CUTLER, MAHONEY, BOYD, BRENNAN, CARROLL,
DePASQUALE, GEORGE, GIBBONS, GINGRICH, HICKERNELL, HORNAMAN,
HUTCHINSON, KORTZ, LEVDANSKY, MANDERINO, MANN, McGEEHAN,
MENSCH, MUNDY, MURT, NICKOL, PAYTON, REED, REICHLEY, ROAE,
ROCK, RUBLEY, SHIMKUS, SIPTROTH, M. SMITH, SWANGER, TRUE,
VITALI, VULAKOVICH, WALKO, WOJNAROSKI AND YUDICHAK,
SEPTEMBER 18, 2008

REFERRED TO COMMITTEE ON FINANCE, SEPTEMBER 18, 2008

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

1 Commonwealth," providing for audits of affairs of the General
2 Assembly and legislative agencies; and making a related
3 repeal.

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

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

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

19 Section 2. Repeals are as follows:

20 (1) The General Assembly declares that the repeal under
21 paragraph (2) is necessary to effectuate the addition of section
22 402.1 of the act.

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31 such commission," is repealed.

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