

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL****No. 2794** Session of  
2008

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INTRODUCED BY REED, BEYER, BOYD, CALTAGIRONE, CAUSER, CLYMER, CREIGHTON, CUTLER, DALLY, DePASQUALE, EVERETT, FREEMAN, GINGRICH, GRELL, M. KELLER, KING, KORTZ, MACKERETH, MAJOR, MANN, MARSHALL, MARSICO, MELIO, MUSTIO, NAILOR, NICKOL, PETRI, PYLE, REICHLEY, ROCK, ROHRER, RUBLEY, SAYLOR, SCAVELLO, SIPTROTH, SONNEY, STERN, R. STEVENSON, SWANGER, TRUE, VULAKOVICH, WOJNAROSKI AND HICKERNELL, SEPTEMBER 29, 2008

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REFERRED TO COMMITTEE ON FINANCE, SEPTEMBER 29, 2008

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## A JOINT RESOLUTION

1 Proposing integrated amendments to the Constitution of the  
2 Commonwealth of Pennsylvania, further providing for paying  
3 out public moneys and for audits.

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

6 Section 1. The following integrated amendments to the  
7 Constitution of Pennsylvania are proposed in accordance with  
8 Article XI:

9 (1) That section 24 of Article III be amended to read:

10 § 24. Paying out public moneys; audits.

11 (a) No money shall be paid out of the treasury, except on  
12 appropriations made by law and on warrant issued by the proper  
13 officers; but cash refunds of taxes, licenses, fees and other  
14 charges paid or collected, but not legally due, may be paid, as  
15 provided by law, without appropriation from the fund into which

1 they were paid on warrant of the proper officer.

2 (b) The Auditor General may conduct audits of the financial  
3 affairs of any entity funded or financially aided by the  
4 Commonwealth, including the unified judicial system, the General  
5 Assembly and all departments, boards, commissions, agencies,  
6 instrumentalities, authorities and institutions of the  
7 Commonwealth, as prescribed by law.

8 (2) That section 10 of Article VIII be amended to read:  
9 § 10. Audit.

10 The financial affairs of any entity funded or financially  
11 aided by the Commonwealth, and all departments, boards,  
12 commissions, agencies, instrumentalities, authorities and  
13 institutions of the Commonwealth, shall be subject to audits by  
14 the Auditor General made in accordance with generally accepted  
15 auditing standards.

16 Any Commonwealth officer whose approval is necessary for any  
17 transaction relative to the financial affairs of the  
18 Commonwealth shall not be charged with the function of auditing  
19 that transaction after its occurrence.

20 Section 2. (a) Upon the first passage by the General  
21 Assembly of these proposed constitutional amendments, the  
22 Secretary of the Commonwealth shall proceed immediately to  
23 comply with the advertising requirements of section 1 of Article  
24 XI of the Constitution of Pennsylvania and shall transmit the  
25 required advertisements to two newspapers in every county in  
26 which such newspapers are published in sufficient time after  
27 passage of these proposed constitutional amendments.

28 (b) Upon the second passage by the General Assembly of these  
29 proposed constitutional amendments, the Secretary of the  
30 Commonwealth shall proceed immediately to comply with the

1 advertising requirements of section 1 of Article XI of the  
2 Constitution of Pennsylvania and shall transmit the required  
3 advertisements to two newspapers in every county in which such  
4 newspapers are published in sufficient time after passage of  
5 these proposed constitutional amendments. The Secretary of the  
6 Commonwealth shall submit the proposed constitutional amendments  
7 under section 1 to the qualified electors of this Commonwealth  
8 as a single ballot question at the first primary, general or  
9 municipal election which meets the requirements of and is in  
10 conformance with section 1 of Article XI of the Constitution of  
11 Pennsylvania and which occurs at least three months after the  
12 proposed constitutional amendments are passed by the General  
13 Assembly.