

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2481 Session of 2014

INTRODUCED BY MENTZER, BENNINGHOFF, CUTLER, AUMENT, LONGIETTI, MILLARD, GREINER, FEE, HICKERNELL, TURZAI, MURT, GRELL, DENLINGER AND COHEN, SEPTEMBER 16, 2014

AS REPORTED FROM COMMITTEE ON FINANCE, HOUSE OF REPRESENTATIVES, AS AMENDED, SEPTEMBER 22, 2014

AN ACT

1 Authorizing the Treasury Department to process supplemental- <--
2 SUPPLEMENTAL Security Income state supplement payments STATE <--
3 SUPPLEMENT PAYMENTS for other states; providing for duties of
4 the Treasury Department; and establishing the State- <--
5 Supplement Payments SSP Processing Account. <--

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

8 Section 1. Short title. <--

9 This act shall be known and may be cited as the State-
10 Supplement Payments Processing Account Act.

11 Section 2. Definitions.

12 The following words and phrases when used in this act shall-
13 have the meanings given to them in this section unless the-
14 context clearly indicates otherwise:

15 "Account." The State Supplement Payments Processing Account-
16 established by this act.

17 "Department." The Treasury Department of the Commonwealth.

18 Section 3. Processing of payments.

1 ~~(a) General rule. The department may process supplemental~~
2 ~~security income state supplement payments for other states that~~
3 ~~enter into contracts, memorandums of understanding or other~~
4 ~~agreements with the department.~~

5 ~~(b) Contracts. The department may enter into contracts,~~
6 ~~memorandums of understanding or any other agreements, on a~~
7 ~~contingent fee or other basis, relating to the its authority~~
8 ~~under subsection (a).~~

9 ~~Section 4. State Supplement Payments Processing Account.~~

10 ~~(a) Establishment. There is established in the General Fund~~
11 ~~an account known as the State Supplement Payments Processing~~
12 ~~Account. The monies of the account are hereby appropriated to~~
13 ~~the department on a continuing basis as provided by this act.~~

14 ~~(b) Funding. All moneys collected or received from~~
15 ~~processing supplemental security income state supplement~~
16 ~~payments for other states shall be deposited into the account.~~

17 ~~(c) Limitation of administrative costs. Each fiscal year,~~
18 ~~no more than \$4,500,000 may be expended from the account on the~~
19 ~~administrative costs related to activities performed under this~~
20 ~~act.~~

21 ~~(d) Transfer of balance. Any moneys remaining in the~~
22 ~~account after making expenditures under subsection (c) shall be~~
23 ~~annually transferred to the General Fund.~~

24 ~~Section 5. Reporting.~~

25 ~~The department shall issue a report to the Governor, the~~
26 ~~chairman and minority chairman of the Appropriations Committee~~
27 ~~of the Senate, and the chairman and minority chairman of the~~
28 ~~Appropriations Committee of the House of Representatives, by~~
29 ~~March 31 of each year, which shall contain at least the~~
30 ~~following information:~~

1 ~~(1) A detailed breakdown of the department's~~
2 ~~administrative costs incurred for activities authorized by~~
3 ~~this act for the 12 months prior to the date of the report.~~

4 ~~(2) The total moneys deposited into the account by the~~
5 ~~department for activities authorized by this act during the~~
6 ~~period covered by the report.~~

7 ~~(3) A detailed estimate of the department's~~
8 ~~administrative costs for activities authorized by this act~~
9 ~~for the next fiscal year that commences after the date of the~~
10 ~~report, including the projected cost of any contract~~
11 ~~authorized under section 3(b).~~

12 ~~Section 6. Construction.~~

13 ~~Nothing in this act shall be construed:~~

14 ~~(1) As a waiver of sovereign immunity for the purposes~~
15 ~~of 1 Pa.C.S. § 2310 (relating to sovereign immunity~~
16 ~~reaffirmed; specific waiver).~~

17 ~~(2) As authorizing the department or the Commonwealth to~~
18 ~~indemnify any other party for any loss, damage or shortfall~~
19 ~~associated with any contract, memorandum of understanding or~~
20 ~~any other agreement to process supplemental security income~~
21 ~~state supplement payments for other states.~~

22 ~~Section 7. Effective date.~~

23 ~~This act shall take effect immediately.~~

24 SECTION 1. SHORT TITLE.

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25 THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE SUPPLEMENTAL
26 SECURITY INCOME STATE SUPPLEMENT PAYMENTS FOR OUT-OF-STATE
27 PAYORS ACT.

28 SECTION 2. DEFINITIONS.

29 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL
30 HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE

1 CONTEXT CLEARLY INDICATES OTHERWISE:

2 "ACCOUNT." THE SSP PROCESSING ACCOUNT ESTABLISHED IN SECTION
3 4.

4 "DEPARTMENT." THE TREASURY DEPARTMENT OF THE COMMONWEALTH.
5 SECTION 3. PROCESSING OF PAYMENTS.

6 (A) GENERAL RULE.--THE DEPARTMENT MAY PROCESS SUPPLEMENTAL
7 SECURITY INCOME STATE SUPPLEMENT PAYMENTS FOR OUT-OF-STATE
8 PAYORS.

9 (B) CONTRACTS.--THE DEPARTMENT MAY ENTER INTO CONTRACTS, ON
10 A CONTINGENT FEE OR OTHER BASIS, ASSOCIATED WITH OR ARISING OUT
11 OF THE ACTIVITIES OF THE DEPARTMENT UNDER SUBSECTION (A).
12 SECTION 4. ACCOUNT.

13 (A) ESTABLISHMENT.--THERE IS ESTABLISHED A RESTRICTED
14 ACCOUNT IN THE GENERAL FUND TO BE KNOWN AS THE SSP PROCESSING
15 ACCOUNT. THE DEPARTMENT SHALL CREDIT TO THE ACCOUNT ALL FUNDS
16 COLLECTED OR RECEIVED FROM PROCESSING SUPPLEMENTAL SECURITY
17 INCOME STATE SUPPLEMENT PAYMENTS FOR OUT-OF-STATE PAYORS. ON
18 JULY 31 OF EACH YEAR, ALL FUNDS IN THE ACCOUNT WHICH HAVE NOT
19 BEEN APPROPRIATED BY THE GENERAL ASSEMBLY IN ACCORDANCE WITH
20 SUBSECTION (B) SHALL BE TRANSFERRED TO THE GENERAL FUND.

21 (B) USE.--THE GENERAL ASSEMBLY SHALL APPROPRIATE FUNDS FROM
22 THE ACCOUNT TO SUPPORT THE DEPARTMENT'S ACTIVITIES UNDER THIS
23 ACT. THE DEPARTMENT SHALL SUBMIT A REQUEST FOR THE APPROPRIATION
24 OF THE FUNDS UNDER ARTICLE VI OF THE ACT OF APRIL 9, 1929
25 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929.

26 SECTION 5. REPORTING.

27 THE DEPARTMENT SHALL, BY MARCH 31 OF EACH YEAR, ISSUE A
28 REPORT TO THE GOVERNOR, THE MAJORITY CHAIR AND THE MINORITY
29 CHAIR OF THE APPROPRIATIONS COMMITTEE OF THE SENATE AND THE
30 MAJORITY CHAIR AND MINORITY CHAIR OF THE APPROPRIATIONS

1 COMMITTEE OF THE HOUSE OF REPRESENTATIVES. THE REPORT SHALL
2 CONTAIN AT LEAST THE FOLLOWING INFORMATION:

3 (1) A DETAILED BREAKDOWN OF THE DEPARTMENT'S OPERATING
4 COSTS AND OTHER COSTS INCURRED FOR ACTIVITIES AUTHORIZED
5 UNDER THIS ACT FOR THE 12 MONTHS PRIOR TO THE DATE OF THE
6 REPORT.

7 (2) THE TOTAL REVENUE COLLECTED BY THE DEPARTMENT FOR
8 ACTIVITIES AUTHORIZED UNDER THIS ACT DURING THE PERIOD
9 COVERED BY THE REPORT.

10 (3) A DETAILED ESTIMATE OF THE DEPARTMENT'S OPERATING
11 COSTS AND OTHER COSTS FOR ACTIVITIES AUTHORIZED UNDER THIS
12 ACT FOR THE NEXT FISCAL YEAR THAT COMMENCES AFTER THE DATE OF
13 THE REPORT, INCLUDING THE PROJECTED COST OF A CONTRACT
14 AUTHORIZED UNDER SECTION 3(B).

15 SECTION 6. LIMITATIONS.

16 THE FOLLOWING SHALL APPLY TO AN ACTIVITY AUTHORIZED UNDER
17 THIS ACT:

18 (1) NOTHING UNDER THIS ACT, INCLUDING, BUT NOT LIMITED
19 TO, A CONTRACT AUTHORIZED UNDER THIS ACT AND THE PROCESSING
20 OF A SUPPLEMENTAL SECURITY INCOME STATE SUPPLEMENT PAYMENT
21 FOR OUT-OF-STATE PAYORS, SHALL BE CONSTRUED TO PERMIT OR
22 AUTHORIZE THE WAIVER OF SOVEREIGN IMMUNITY FOR THE PURPOSES
23 OF 1 PA.C.S. § 2310 (RELATING TO SOVEREIGN IMMUNITY
24 REAFFIRMED; SPECIFIC WAIVER).

25 (2) NOTHING UNDER THIS ACT SHALL PERMIT THE DEPARTMENT
26 OR THE COMMONWEALTH TO INDEMNIFY ANOTHER PARTY FOR A LOSS,
27 DAMAGE OR SHORTFALL ASSOCIATED WITH A CONTRACT TO PROCESS
28 SUPPLEMENTAL SECURITY INCOME STATE SUPPLEMENT PAYMENTS FOR
29 OUT-OF-STATE PAYORS.

30 SECTION 31. APPROPRIATION.

1 FOR FISCAL YEAR 2014-2015, \$4,500,000 IS APPROPRIATED ON A
2 CONTINUING BASIS FROM THE ACCOUNT TO THE DEPARTMENT TO SUPPORT
3 THE DEPARTMENT'S ACTIVITIES UNDER THIS ACT.

4 SECTION 32. EFFECTIVE DATE.

5 THIS ACT SHALL TAKE EFFECT IMMEDIATELY.