

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1643 Session of 2015

INTRODUCED BY EMRICK, MACKENZIE, MALONEY, STAATS, MILLARD,  
DUNBAR, SAYLOR, JOZWIAK, ZIMMERMAN, GROVE, MURT AND COHEN,  
OCTOBER 19, 2015

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, OCTOBER 19, 2015

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania  
2 Consolidated Statutes, in municipal authorities, further  
3 providing for money of authority.

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

6 Section 1. Section 5612(a) and (b) of Title 53 of the  
7 Pennsylvania Consolidated Statutes are amended and the section  
8 is amended by adding a subsection to read:

9 § 5612. Money of authority.

10 (a) Treasurer.--[All money of any authority from whatever  
11 source derived shall be paid to the] The treasurer of [the] an  
12 authority[.], or other designated recipient, shall receive the  
13 money due the authority and deposit the money in an account with  
14 a designated depository. The money shall be remitted in the name  
15 of the authority or designated recipient and shall not include  
16 the name of an individual.

17 \* \* \*

18 (a.2) Fiscal procedures.--

1           (1) An authority shall establish, according to generally  
2 accepted accounting principles, procedures to bill customers,  
3 collect payments, issue receipts, handle funds received and  
4 deposit money in an account or accounts managed by a  
5 designated depository. All bill payments shall be made in the  
6 name of the authority or designated public or contracted  
7 entity collecting revenue and shall not include the name of  
8 an individual.

9           (2) The required annual audit and financial report of  
10 the authority shall be presented at a meeting of the  
11 authority board, discussed publicly and require an official  
12 vote of acceptance.

13           (3) Nothing in this subsection shall be construed to  
14 preclude an authority from adopting rules and regulations  
15 regarding fiscal controls that are more stringent than  
16 required by this section.

17       (b) Report.--

18           (1) Every authority [whose fiscal year ends December 31  
19 shall file on or before July 1 an annual report of its fiscal  
20 affairs covering the preceding calendar year with the  
21 Department of Community and Economic Development and with the  
22 municipality creating the authority on forms prepared and  
23 distributed by the Department of Community and Economic  
24 Development. Authorities whose fiscal year does not end on  
25 December 31 shall file the report within 90 days after the  
26 end of their fiscal year.] shall file, on or before 180 days  
27 following the end of its fiscal year, an annual report of its  
28 fiscal affairs covering the preceding fiscal year with the  
29 Department of Community and Economic Development and with the  
30 municipality or municipalities creating the authority on

1 forms prepared and distributed by the Department of Community  
2 and Economic Development. The reports shall also be provided,  
3 and may be provided electronically, to any other municipality  
4 that has residents served by the authority.

5 (2) Every authority shall have its books, accounts and  
6 records audited annually by a certified public accountant,  
7 and a copy of his audit report shall be filed in the same  
8 manner and within the same time period as the annual report.

9 (3) A concise financial statement shall be published  
10 annually at least once in a newspaper of general circulation  
11 in the municipality where the principal office of the  
12 authority is located. If the publication is not made by the  
13 authority, the municipality shall publish such statement at  
14 the expense of the authority.

15 (4) If the authority fails to make such an audit, then  
16 the controller, auditor or accountant designated by the  
17 municipality is hereby authorized and empowered from time to  
18 time to examine at the expense of the authority the accounts  
19 and books of it, including its receipts, disbursements,  
20 contracts, leases, sinking funds, investments and any other  
21 matters relating to its finances, operation and affairs.

22 \* \* \*

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