

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 453 Session of 2017

INTRODUCED BY RYAN, CUTLER, DUNBAR, DUSH, GABLER, GROVE,
 JOZWIAK, MILLARD, SAYLOR, SCHWEYER AND WARD,
 FEBRUARY 13, 2017

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 13, 2017

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
 30 Commonwealth," in department of the Auditor General, further
 31 providing for audits of agencies receiving State aid.

32 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 Section 1. Section 403 of the act of April 9, 1929 (P.L.343,
3 No.176), known as The Fiscal Code, is amended to read:

4 Section 403. Audits of Agencies Receiving State Aid.--The
5 Department of the Auditor General shall have the power, and its
6 duty shall be, to audit the accounts and records of every
7 person, association, corporation, and public agency, receiving
8 an appropriation of money, payable out of any fund in the State
9 Treasury, or entitled to receive any portion of any State tax
10 for any purpose whatsoever, as far as may be necessary to
11 satisfy the department that the money received was expended or
12 is being expended for no purpose other than that for which it
13 was paid. Copies of all such audits shall be furnished to the
14 Governor.

15 If at any time the department shall find that any money
16 received by any person, association, corporation, or public
17 agency, has been expended for any purpose other than that for
18 which it was paid, it shall forthwith notify the Governor, and
19 shall decline to approve any further requisition for the payment
20 of any appropriation, or any further portion of any State tax,
21 to such person, association, corporation or public agency, until
22 an amount equal to that improperly expended shall have been
23 expended for the purpose for which the money improperly expended
24 was received from the State Treasury.

25 Any person, association, corporation or public agency being
26 audited under this section shall respond to the audit within 120
27 days. Failure to respond to an audit within 120 days will result
28 in a suspension of any appropriation to the person, association,
29 corporation or public agency.

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