

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2525 Session of 2018

INTRODUCED BY F. KELLER, MILLARD, WARD, MCGINNIS, RYAN,
KAUFFMAN, DIAMOND, TALLMAN, BERNSTINE, B. MILLER, KEEFER,
GROVE, COX, MOUL AND ZIMMERMAN, JULY 3, 2018

REFERRED TO COMMITTEE ON APPROPRIATIONS, JULY 3, 2018

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 cancer control, prevention and
4 research, for ambulatory surgical center data collection and
5 for the Joint Underwriting Association, providing for the
6 settlement, assessment, collection, and lien of taxes, bonus,
7 and all other accounts due the Commonwealth, the collection
8 and recovery of fees and other money or property due or
9 belonging to the Commonwealth, or any agency thereof,
10 including escheated property and the proceeds of its sale,
11 the custody and disbursement or other disposition of funds
12 and securities belonging to or in the possession of the
13 Commonwealth, and the settlement of claims against the
14 Commonwealth, the resettlement of accounts and appeals to the
15 courts, refunds of moneys erroneously paid to the
16 Commonwealth, auditing the accounts of the Commonwealth and
17 all agencies thereof, of all public officers collecting
18 moneys payable to the Commonwealth, or any agency thereof,
19 and all receipts of appropriations from the Commonwealth,
20 authorizing the Commonwealth to issue tax anticipation notes
21 to defray current expenses, implementing the provisions of
22 section 7(a) of Article VIII of the Constitution of
23 Pennsylvania authorizing and restricting the incurring of
24 certain debt and imposing penalties; affecting every
25 department, board, commission, and officer of the State
26 government, every political subdivision of the State, and
27 certain officers of such subdivisions, every person,
28 association, and corporation required to pay, assess, or
29 collect taxes, or to make returns or reports under the laws
30 imposing taxes for State purposes, or to pay license fees or
31 other moneys to the Commonwealth, or any agency thereof,
32 every State depository and every debtor or creditor of the
33 Commonwealth," in 2017-2018 restrictions on appropriations

1 for funds and accounts, further providing for fund transfers.
2 The General Assembly of the Commonwealth of Pennsylvania
3 hereby enacts as follows:

4 Section 1. Section 1726-G of the act of April 9, 1929
5 (P.L.343, No.176), known as The Fiscal Code, added October 30,
6 2017 (P.L.725, No.44), is amended to read:

7 Section 1726-G. Fund transfers.

8 (a) Transfers.--During the 2017-2018 fiscal year,
9 \$300,000,000 shall be transferred from amounts available in
10 special funds and restricted accounts to the General Fund. The
11 transfers under this section shall be in accordance with the
12 following:

13 (1) The Secretary of the Budget may transfer amounts
14 authorized under subsection (a) from the following special
15 funds and restricted accounts:

16 (i) Agricultural Conservation Easement Purchase
17 Fund.

18 (ii) Ben Franklin Technology Development Authority
19 Fund.

20 (iii) Coal Lands Improvement Fund.

21 (iv) Emergency Medical Services Operating Fund.

22 (v) Employment Fund for the Blind.

23 (vi) Energy Development Fund.

24 (vii) Environmental Education Fund.

25 (ix) Environmental Stewardship Fund.

26 (x) Historical Preservation Fund.

27 (xi) Housing Affordability and Rehabilitation
28 Enhancement Fund.

29 (xii) Industrial Development Fund.

30 (xiii) Industrial Sites Cleanup Fund.

- 1 (xiv) Industrial Sites Environmental Assessment
2 Fund.
- 3 (xv) Insurance Regulation and Oversight Fund.
- 4 (xvi) Keystone Recreation, Park and Conservation
5 Fund.
- 6 (xvii) Local Government Capital Project Loan Fund.
- 7 (xviii) Machinery and Equipment Loan Fund.
- 8 (xix) Manufacturing Fund.
- 9 (xx) Minority Business Development Fund.
- 10 (xxi) Multimodal Transportation Fund.
- 11 (xxii) New PA Venture Capital.
- 12 (xxiii) PA Economic Recovery Fund.
- 13 (xxiv) Property Tax Relief Fund.
- 14 (xxv) Public Transportation Trust Fund.
- 15 (xxvi) Pennsylvania Race Horse Development Trust
16 Fund.
- 17 (xxvii) Recycling Fund.
- 18 (xxviii) Small Business First Fund.
- 19 (xxix) Solid Waste - Resource Recovery Development
20 Fund.
- 21 (xxx) State College Experimental Farm Fund.
- 22 (xxxi) State Gaming Fund - Volunteer Fire Grants.
- 23 (xxxii) State School Fund.
- 24 (xxxiii) State Treasury Armory Fund.
- 25 (xxxiv) Substance Abuse Education and Demand
26 Reduction Fund.
- 27 (xxxv) Unconventional Gas Well Fund.
- 28 (xxxvi) Volunteer Companies Loan Fund.
- 29 (xxxvii) 911 Fund.
- 30 (2) The Secretary of the Budget shall transmit to the

1 State Treasurer a list of amounts to be transferred from
2 special funds and restricted accounts to the General Fund no
3 later than June 30, 2018.

4 [(2) Upon receipt of the list under paragraph (1)] (3)
5 No later than July 31, 2018, the State Treasurer shall cause
6 the transfers under paragraph [(1)] (2) to occur.

7 (4) The amount transferred from each fund listed under
8 paragraph (1) shall be determined by the Governor, except
9 that no more than 25% of the total amount transferred under
10 this section may be transferred from a single special fund or
11 account listed under paragraph (1).

12 (b) Lease or lease-back agreement involving Pennsylvania
13 Farm Show Complex.--A debt instrument which purports to be a
14 lease or lease-back agreement entered into on or after September
15 1, 2017, and involving the Pennsylvania Farm Show Complex, is
16 declared a violation of section 7 of Article VIII of the
17 Constitution of Pennsylvania and shall be voided, as the
18 agreement is against the public policy of this Commonwealth. The
19 following shall apply:

20 (1) Money received in consideration for a purported
21 lease or lease-back agreement under this subsection shall be
22 immediately returned to the party that entered into the
23 agreement with the Commonwealth.

24 (2) To the extent that damages are ordered as a result
25 of a claim brought against the Commonwealth under a purported
26 lease or lease-back agreement under subsection (b), the
27 damages shall be paid out of money appropriated for the
28 general government operations for the Office of Governor, the
29 Office of Administration and the Department of General
30 Services for fiscal year 2017-2018.

1 Section 2. This act shall take effect immediately.