

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 759 Session of 2017

INTRODUCED BY ARGALL, VULAKOVICH, WHITE, HUTCHINSON, BARTOLOTTA, STEFANO AND BREWSTER, JUNE 14, 2017

REFERRED TO STATE GOVERNMENT, JUNE 14, 2017

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled,
 2 as amended, "An act providing for and reorganizing the
 3 conduct of the executive and administrative work of the
 4 Commonwealth by the Executive Department thereof and the
 5 administrative departments, boards, commissions, and officers
 6 thereof, including the boards of trustees of State Normal
 7 Schools, or Teachers Colleges; abolishing, creating,
 8 reorganizing or authorizing the reorganization of certain
 9 administrative departments, boards, and commissions; defining
 10 the powers and duties of the Governor and other executive and
 11 administrative officers, and of the several administrative
 12 departments, boards, commissions, and officers; fixing the
 13 salaries of the Governor, Lieutenant Governor, and certain
 14 other executive and administrative officers; providing for
 15 the appointment of certain administrative officers, and of
 16 all deputies and other assistants and employes in certain
 17 departments, boards, and commissions; providing for the
 18 regulation of pari-mutuel thoroughbred horse racing and
 19 harness horse racing activities, imposing certain taxes and
 20 providing for the disposition of funds from pari-mutuel
 21 tickets; and prescribing the manner in which the number and
 22 compensation of the deputies and all other assistants and
 23 employes of certain departments, boards and commissions shall
 24 be determined," in powers and duties of the Department of
 25 General Services and its departmental administrative and
 26 advisory boards and commissions, further providing for
 27 grounds, buildings and monuments in general.

28 The General Assembly of the Commonwealth of Pennsylvania
 29 hereby enacts as follows:

30 Section 1. Section 2402(d) of the act of April 9, 1929

1 (P.L.177, No.175), known as The Administrative Code of 1929, is
2 amended and the section is amended by adding a subsection to
3 read:

4 Section 2402. Grounds, Buildings and Monuments in General.--
5 The Department of General Services shall have the power, and its
6 duty shall be:

7 * * *

8 (d) To contract in writing for and rent proper and adequate
9 offices, rooms, or other accommodations, outside of the Capitol
10 buildings, for any department, board, or commission, which
11 cannot be properly and adequately accommodated with offices,
12 rooms, and accommodations in the Capitol buildings; and, in all
13 cases in which the head of a department, for such department or
14 for a departmental administrative board or commission within
15 such department, or an independent administrative board or
16 commission, with the approval of the Executive Board, has
17 established or is about to establish a branch office in any city
18 or place outside of the capital city, with the approval of the
19 Board of Commissioners of Public Grounds and Buildings, to
20 contract in writing for and rent such offices, rooms, and other
21 accommodations, as shall be proper and adequate for such
22 department, board, or commission. The department shall rent such
23 garages or contract for such garage space as may be necessary
24 for the accommodation of State-owned automobiles, either in or
25 outside of the capital city, at such rentals or rates as it
26 shall deem reasonable. The department may also, if the General
27 Assembly shall have appropriated funds therefor, lease any lands
28 which may be necessary for use by any department, board, or
29 commission in the exercise of its powers or the performance of
30 its duties. It shall be unlawful for any other department,

1 board, commission, or agency of the State Government to enter
2 into any leases, but the Department of General Services shall
3 act only as agent in executing leases for departments, boards,
4 and commissions, the expenses of which are paid wholly or mainly
5 out of special funds, and, in such cases, the rentals shall be
6 paid out of such special funds. Any nonprofit corporation which
7 leases lands, offices or accommodations to the Commonwealth for
8 any department, board, commission or agency with a rental amount
9 in excess of one million five hundred thousand dollars
10 (\$1,500,000) per year shall be deemed an agency as defined by
11 [the act of July 3, 1986 (P.L.388, No.84), known as the
12 "Sunshine Act,"] 65 Pa.C.S. Ch. 7 (relating to open meetings)
13 and the act of [June 21, 1957 (P.L.390, No.212), referred to]
14 February 14, 2008 (P.L.6, No.3), known as the Right-To-Know Law,
15 and any such nonprofit corporation shall be subject to and
16 governed by the provisions of [the "Sunshine Act" and the Right-
17 To-Know Law] those laws.

18 * * *

19 (p) To sell through a competitive procedure authorized under
20 62 Pa.C.S. Pt. I (relating to Commonwealth Procurement Code),
21 the naming rights of State-owned buildings and facilities. The
22 proceeds of such sale shall be deposited into a restricted
23 account within the General Fund, the purpose of which shall be
24 to rehabilitate State-owned buildings and facilities. The
25 Department of General Services shall prepare and submit an
26 annual report to the chairpersons of the State Government
27 Committee of the Senate and the State Government Committee of
28 the House of Representatives. The report shall include detailed
29 information relating to the proceeds deposited into and payments
30 made from the restricted account during the previous year. The

1 sale of naming rights under this subsection does not apply to
2 the State Capitol Building and the public grounds and buildings
3 connected with the State Capitol, the Executive Mansion, the
4 Mansion of the Lieutenant Governor and the State System of
5 Higher Education.

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