

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 110 Session of 2019

INTRODUCED BY RYAN, DUSH, HERSHEY, IRVIN, JAMES, KAUFFMAN, KEEFER, B. MILLER, SIMMONS, STAATS, ZIMMERMAN AND GABLER, JANUARY 28, 2019

AS REPORTED FROM COMMITTEE ON FINANCE, HOUSE OF REPRESENTATIVES, AS AMENDED, MAY 19, 2020

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 judicial
18 administration; and prescribing the manner in which the
19 number and compensation of the deputies and all other
20 assistants and employes of certain departments, boards and
21 commissions shall be determined," in Independent Fiscal
22 Office, further providing for revenue estimates.

23 The General Assembly of the Commonwealth of Pennsylvania
24 hereby enacts as follows:

25 Section 1. Section 605-B(e) of the act of April 9, 1929
26 (P.L.177, No.175), known as The Administrative Code of 1929,
27 AMENDED JUNE 28, 2019 (P.L.101, NO.15), is amended to read: <--

1 Section 605-B. Revenue estimates.

2 * * *

3 ~~(e) Proposed change in law.~~ <--

4 ~~(1) The office shall prepare a revenue estimate of any~~
5 ~~change in law affecting revenues and receipts, including~~
6 ~~increases in regulatory fees, proposed or considered as part~~
7 ~~of the annual State budget. If the proposed change in law~~
8 ~~will have a fiscal impact in excess of \$10,000,000 in any~~
9 ~~fiscal year, the estimate shall be prepared on the basis of~~
10 ~~assumptions that estimate the probable behavioral responses~~
11 ~~of taxpayers, businesses and other persons to the proposed~~
12 ~~changes and shall include a statement identifying those~~
13 ~~assumptions. The information may be used to revise the~~
14 ~~revenue estimate under [subsection (a)] section 1704 E(a) of~~
15 ~~the act of April 9, 1929 (P.L.343, No.176), known as The~~
16 ~~Fiscal Code.~~

17 (E) PROPOSED CHANGE IN LAW.-- <--

18 (1) THE OFFICE SHALL PREPARE A REVENUE ESTIMATE OF ANY
19 CHANGE IN LAW AFFECTING REVENUES AND RECEIPTS, INCLUDING
20 INCREASES IN REGULATORY FEES, PROPOSED OR CONSIDERED AS PART
21 OF THE ANNUAL STATE BUDGET. IF THE PROPOSED CHANGE IN LAW
22 WILL HAVE A FISCAL IMPACT IN EXCESS OF \$10,000,000 IN ANY
23 FISCAL YEAR, THE ESTIMATE SHALL BE PREPARED ON THE BASIS OF
24 ASSUMPTIONS THAT ESTIMATE THE PROBABLE BEHAVIORAL RESPONSES
25 OF TAXPAYERS, BUSINESSES AND OTHER PERSONS TO THE PROPOSED
26 CHANGES AND SHALL INCLUDE A STATEMENT IDENTIFYING THOSE
27 ASSUMPTIONS. THE INFORMATION MAY BE USED TO REVISE THE
28 REVENUE ESTIMATE UNDER SUBSECTION (A.1).

29 (2) The office shall prepare, if requested by an officer
30 listed in section 615-B(a), a revenue estimate of any change

1 in law affecting revenues and receipts, including increases
2 in regulatory fees, that may be expected to carry a fiscal
3 impact in excess of \$10,000,000 in any fiscal year, proposed
4 or considered as part of a bill or amendment in either House
5 of the General Assembly. If the proposed change in law will
6 have a fiscal impact in excess of \$10,000,000 in any fiscal
7 year, the estimate shall be prepared on the basis of
8 assumptions that estimate the probable behavioral responses
9 of taxpayers, businesses and other persons to the proposed
10 changes and shall include a statement identifying those
11 assumptions. The information may be used to revise the
12 revenue estimate under ~~section 1704 E(a) of the act of April~~ <--
13 ~~9, 1929 (P.L.343, No.176), known as The Fiscal Code~~
14 SUBSECTION (A.1). <--

15 (3) Except as otherwise provided in paragraph (4), no
16 bill or amendment to which paragraph (2) applies may be given
17 second consideration in either House of the General Assembly
18 until the office has attached a revenue estimate in
19 compliance with paragraph (2).

20 (4) If the office fails to attach a revenue estimate
21 within 20 legislative days after a bill or amendment to which
22 paragraph (2) applies, the bill may be further considered in
23 the same manner as if the revenue estimate had been attached
24 to the bill or amendment.

25 * * *

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