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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1316 Session of  
2019

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INTRODUCED BY WARNER, APRIL 25, 2019

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 25, 2019

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A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth  
2 of Pennsylvania, in taxation and finance, providing for  
3 spending limitations on the Commonwealth.

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

6 Section 1. The following amendment to the Constitution of  
7 Pennsylvania is proposed in accordance with Article XI:

8 That Article VIII be amended by adding a section to read:

9 § 18. Spending limitations.

10 (a) Total spending by the Commonwealth shall not exceed the  
11 spending limit in any fiscal year. The spending limit for any  
12 fiscal year shall be equal to the spending during the  
13 immediately prior fiscal year, adjusted by the sum of:

14 (i) The average of the percentage change in the annual  
15 United States Consumer Price Index for All Urban Consumers (CPI-  
16 U), as reported by the United States Department of Labor, Bureau  
17 of Labor Statistics, for each of the immediately preceding three  
18 calendar years.

1 (ii) The average of the percentage change in the resident  
2 population in this Commonwealth, as reported by the United  
3 States Census Bureau for July 1 of each year, for the  
4 immediately preceding three calendar years.

5 (b) The percentage of the rate of change calculated under  
6 subsection (a) used in any fiscal year to adjust the spending  
7 limit may be increased for that fiscal year by the affirmative  
8 vote of three-fourths of the members elected to each House of  
9 the General Assembly. The Commonwealth's spending limit  
10 calculated under subsection (a) may be changed by the procedure  
11 outlined in section 1(a) of Article XI.

12 (c) Total spending by the Commonwealth means all  
13 appropriations and authorizations from the General Fund and  
14 shall exclude refunds and the spending of Federal funds, gifts  
15 or receipts restricted by laws in effect as of January 1 of the  
16 year when this section is ratified and approved by the qualified  
17 electors of this Commonwealth. This section shall not be  
18 circumvented by transferring spending from the General Fund to  
19 special funds or restricted receipt accounts.

20 Section 2. (a) Upon the first passage by the General  
21 Assembly of this proposed constitutional amendment, the  
22 Secretary of the Commonwealth shall proceed immediately to  
23 comply with the advertising requirements of section 1 of Article  
24 XI of the Constitution of Pennsylvania and shall transmit the  
25 required advertisements to two newspapers in every county in  
26 which such newspapers are published in sufficient time after  
27 passage of this proposed constitutional amendment.

28 (b) Upon the second passage by the General Assembly of this  
29 proposed constitutional amendment, the Secretary of the  
30 Commonwealth shall proceed immediately to comply with the

1 advertising requirements of section 1 of Article XI of the  
2 Constitution of Pennsylvania and shall transmit the required  
3 advertisements to two newspapers in every county in which such  
4 newspapers are published in sufficient time after passage of  
5 this proposed constitutional amendment. The Secretary of the  
6 Commonwealth shall submit this proposed constitutional amendment  
7 to the qualified electors of this Commonwealth at the first  
8 primary, general or municipal election which meets the  
9 requirements of and is in conformance with section 1 of Article  
10 XI of the Constitution of Pennsylvania and which occurs at least  
11 three months after the proposed constitutional amendment is  
12 passed by the General Assembly.

13 Section 3. The addition of section 18(a) of Article VIII of  
14 the Constitution of Pennsylvania shall become effective  
15 beginning with the first fiscal year commencing more than six  
16 months following approval of section 18 of Article VIII by the  
17 electorate.