

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1245 Session of 2020

INTRODUCED BY ARNOLD, BROWNE, CORMAN, SCARNATI, ARGALL, REGAN,  
 J. WARD, GORDNER, LANGERHOLC, YAW, HUTCHINSON, TOMLINSON,  
 DISANTO, MENSCH, PHILLIPS-HILL, BROOKS, STEFANO, VOGEL,  
 MARTIN, AUMENT, YUDICHAK, SCAVELLO, BAROLOTTA, LAUGHLIN,  
 K. WARD, KILLION, MASTRIANO, BAKER AND PITTMAN, JULY 27, 2020

REFERRED TO APPROPRIATIONS, JULY 27, 2020

AN ACT

1 Amending the act of April 9, 1929 (P.L.343, No.176), entitled  
 2 "An act relating to the finances of the State government;  
 3 providing for cancer control, prevention and research, for  
 4 ambulatory surgical center data collection, for the Joint  
 5 Underwriting Association, for entertainment business  
 6 financial management firms, for private dam financial  
 7 assurance and for reinstatement of item vetoes; providing for  
 8 the settlement, assessment, collection, and lien of taxes,  
 9 bonus, and all other accounts due the Commonwealth, the  
 10 collection and recovery of fees and other money or property  
 11 due or belonging to the Commonwealth, or any agency thereof,  
 12 including escheated property and the proceeds of its sale,  
 13 the custody and disbursement or other disposition of funds  
 14 and securities belonging to or in the possession of the  
 15 Commonwealth, and the settlement of claims against the  
 16 Commonwealth, the resettlement of accounts and appeals to the  
 17 courts, refunds of moneys erroneously paid to the  
 18 Commonwealth, auditing the accounts of the Commonwealth and  
 19 all agencies thereof, of all public officers collecting  
 20 moneys payable to the Commonwealth, or any agency thereof,  
 21 and all receipts of appropriations from the Commonwealth,  
 22 authorizing the Commonwealth to issue tax anticipation notes  
 23 to defray current expenses, implementing the provisions of  
 24 section 7(a) of Article VIII of the Constitution of  
 25 Pennsylvania authorizing and restricting the incurring of  
 26 certain debt and imposing penalties; affecting every  
 27 department, board, commission, and officer of the State  
 28 government, every political subdivision of the State, and  
 29 certain officers of such subdivisions, every person,  
 30 association, and corporation required to pay, assess, or  
 31 collect taxes, or to make returns or reports under the laws

1 imposing taxes for State purposes, or to pay license fees or  
2 other moneys to the Commonwealth, or any agency thereof,  
3 every State depository and every debtor or creditor of the  
4 Commonwealth," in emergency COVID-19 response, providing for  
5 undistributed appropriations.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. The act of April 9, 1929 (P.L.343, No.176), known  
9 as The Fiscal Code, is amended by adding a section to read:

10 Section 112-C. Undistributed appropriations.

11 (a) Expedited distribution.--Notwithstanding any law, if, on  
12 the effective date of this section, money appropriated from the  
13 account has not been distributed, allocated, allotted or paid in  
14 conformance with section 130-C, the Department of Community and  
15 Economic Development shall, within 10 days of the effective date  
16 of this section, send notice to the State Treasury to distribute  
17 the money to each county that has not received the distribution  
18 provided under section 130-C.

19 (b) Offset.--If funds appropriated by the General Assembly  
20 for purposes under this article are not distributed as provided  
21 under subsection (a), the county from which funds are withheld  
22 may offset the amount of realty transfer tax under Article XI-C  
23 of the act of March 4, 1971 (P.L.6, No.2), known as the Tax  
24 Reform Code of 1971, and inheritance tax under Article XXI of  
25 the Tax Reform Code of 1971 owed to the Commonwealth by the  
26 amount of funds withheld.

27 Section 2. This act shall take effect immediately.