
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 51 Session of
2021

INTRODUCED BY O'NEAL, GROVE, KEEFER, LEWIS, STAATS, GREINER,
KAUFFMAN, RYAN, HAMM, ROTHMAN, JOZWIAK, OWLETT, WARNER, MOUL,
SANKEY AND GREGORY, JANUARY 11, 2021

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 11, 2021

A JOINT RESOLUTION

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

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 section 14 of Article VIII be amended to read:

9 § 14. [Surplus] Budgetary reserves and surplus funds.

10 [All surplus of operating funds at the end of the fiscal year
11 shall be appropriated during the ensuing fiscal year by the
12 General Assembly.]

13 (a) At the end of each fiscal year, the State Treasurer
14 shall transfer the surplus of all operating funds into the
15 Budget Stabilization Reserve Fund until the amount in the Budget
16 Stabilization Reserve Fund is equal to or exceeds 20% of the
17 Commonwealth's total revenue collection.

1 (b) Surplus operating funds at the end of a fiscal year in
2 which the Budget Stabilization Reserve Fund balance exceeds 20%
3 of the Commonwealth's total revenue collection shall be
4 appropriated during the ensuing fiscal year by the General
5 Assembly.

6 (c) Money transferred into the Budget Stabilization Reserve
7 Fund under subsection (a) shall be subject to the following
8 restrictions:

9 (1) The State Treasurer may loan up to 20% of the balance in
10 the Budget Stabilization Reserve Fund to pay obligations of the
11 General Fund if the money in the General Fund is insufficient to
12 pay the obligations of the General Fund. The money shall be
13 repaid within the fiscal year in which it is loaned.

14 (2) The General Assembly shall not appropriate money in the
15 Budget Stabilization Reserve Fund unless approved by two-thirds
16 of the members in the Senate and the House of Representatives.

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

25 (b) Upon the second passage by the General Assembly of this
26 proposed constitutional amendment, the Secretary of the
27 Commonwealth shall proceed immediately to comply with the
28 advertising requirements of section 1 of Article XI of the
29 Constitution of Pennsylvania and shall transmit the required
30 advertisements to two newspapers in every county in which such

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