

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 803 Session of 2021

INTRODUCED BY O'NEAL, SAYLOR, HERSHEY, PICKETT, HILL-EVANS, SAINATO, WHEELAND, RYAN AND GILLEN MARCH 8, 2021

AS REPORTED FROM COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 16, 2021

AN ACT

1 Amending Title 51 (Military Affairs) of the Pennsylvania
2 Consolidated Statutes, in National Guard Youth Challenge
3 Program, further providing for definitions and for
4 administration, establishing the Keystone State Challenge
5 Academy Fund and further providing for report and for audit
6 required.

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

9 Section 1. Section 9801 of Title 51 of the Pennsylvania
10 Consolidated Statutes is amended by adding a definition to read:

11 § 9801. Definitions.

12 The following words and phrases when used in this chapter
13 shall have the meanings given to them in this section unless the
14 context clearly indicates otherwise:

15 "Fund." The Keystone State Challenge Academy Fund
16 established under section 9807 (relating to Keystone State
17 Challenge Academy Fund).

18 \* \* \*

19 Section 2. Sections 9806, 9807, 9810 and 9811 of Title 51

1 are amended to read:

2 § 9806. Administration.

3 (a) Staffing.--Subject to 32 U.S.C. § 509 (relating to  
4 National Guard Youth Challenge Program of opportunities for  
5 civilian youth) and its implementing regulations and applicable  
6 agreements, the program shall be staffed by the administrative,  
7 professional, technical and clerical employees necessary for the  
8 operation of the program.

9 (b) Statement of policy.--The department shall adopt a  
10 statement of policy for the maintenance and use of the fund  
11 within 60 days of the effective date of this subsection. The  
12 policy shall be transmitted as a notice to the Legislative  
13 Reference Bureau for publication in the Pennsylvania Bulletin  
14 but shall not be subject to review under section 205 of the act  
15 of July 31, 1968 (P.L.769, No.240), referred to as the  
16 Commonwealth Documents Law, sections 204(b) and 301(10) of the  
17 act of October 15, 1980 (P.L.950, No.164), known as the  
18 Commonwealth Attorneys Act, or the act of June 25, 1982  
19 (P.L.633, No.181), known as the Regulatory Review Act.

20 § 9807. [Funding.] Keystone State Challenge Academy Fund.

21 (a) Establishment.--The Keystone State Challenge Academy  
22 Fund is established as a special fund in the State Treasury.

23 (b) Appropriation.--All money deposited into the fund and  
24 the interest the fund accrues are appropriated to the department  
25 on a continuing basis to be used for the purposes provided under  
26 this chapter.

27 (c) Use of fund.--The fund may only be used for the purposes  
28 provided for under this chapter and no money in the fund may be  
29 transferred or diverted to any other purpose by administrative  
30 action.

1 (d) Sources of money.--Money available to the fund shall  
2 include appropriations and transfers from the General Fund,  
3 special funds, Federal funds and other sources of revenue made  
4 available to the fund.

5 (e) Allocation.--Money from the fund shall be allocated for  
6 the purposes provided for under this chapter no later than  
7 October 31, 2021, and each October 31 thereafter.

8 (f) Funding.--The department shall apply for funding, as  
9 provided for under 32 U.S.C. § 509(d) (relating to National  
10 Guard Youth Challenge Program of opportunities for civilian  
11 youth). Under 32 U.S.C. § 509(j), the department may supplement  
12 such funding with other resources, including gifts, made  
13 available to the department and may also accept, use and dispose  
14 of gifts or donations of money, other property or services for  
15 the program.

16 § 9810. Report.

17 [The department shall submit annually to] By ~~July 31,~~ <--  
18 SEPTEMBER 30, 2021, and each ~~July 31~~ SEPTEMBER 30 thereafter, <--  
19 the department shall submit to the chairperson and minority  
20 chairperson of the Appropriations Committee of the Senate, the  
21 chairperson and minority chairperson of the Education Committee  
22 of the Senate, the chairperson and minority chairperson of the  
23 Veterans Affairs and Emergency Preparedness Committee of the  
24 Senate, the chairperson and minority chairperson of the  
25 Appropriations Committee of the House of Representatives, the  
26 chairperson and minority chairperson of the Education Committee  
27 of the House of Representatives and the chairperson and minority  
28 chairperson of the Veterans Affairs and Emergency Preparedness  
29 Committee of the House of Representatives a written report  
30 concerning the program. The report shall include, but not be

1 limited to, all of the following:

2 (1) The number of individuals who applied to the program  
3 in the previous fiscal year.

4 (2) The number of individuals who participated in the  
5 program in the previous fiscal year.

6 (3) The number and percentage of program participants in  
7 the previous fiscal year who achieved each of the following:

8 (i) Earned a high school diploma or its equivalent.

9 (ii) Enrolled in a course of study at an institution  
10 of higher education.

11 (iii) Accepted a position of full-time, paid  
12 employment.

13 (iv) Accepted a position of part-time, paid  
14 employment.

15 (v) Entered the armed forces of the United States,  
16 including a reserve component or the National Guard.

17 (4) The demographic makeup of the applicants to, and  
18 participants in, the program, including, but not limited to,  
19 the following:

20 (i) Race.

21 (ii) Age.

22 (iii) Gender.

23 (4.1) Details on the revenues and expenditures of the  
24 fund in the prior fiscal year and the identification and  
25 description of activities, programs and projects which  
26 received money from the fund.

27 (5) Any information the department provides to the  
28 Secretary of Defense under 32 U.S.C. § 509(k) (relating to  
29 National Guard Youth Challenge Program of opportunities for  
30 civilian youth).

1 § 9811. Audit required.

2 The department shall undergo an annual audit of the program.

3 The audit shall be conducted AS PART OF THE COMMONWEALTH'S <--

4 SINGLE AUDIT by a qualified [independent] certified public

5 accountant under generally accepted audit standards of the

6 Governmental Accounting Standards Board. The audit shall be

7 submitted to the following:

8 (1) The chairperson and minority chairperson of the

9 [Education] Appropriations Committee of the Senate.

10 (1.1) The chairperson and minority chairperson of the

11 Education Committee of the Senate.

12 (2) The chairperson and minority chairperson of the

13 Veterans Affairs and Emergency Preparedness Committee of the

14 Senate.

15 (2.1) The chairperson and minority chairperson of the

16 Appropriations Committee of the House of Representatives.

17 (3) The chairperson and minority chairperson of the

18 Education Committee of the House of Representatives.

19 (4) The chairperson and minority chairperson of the

20 Veterans Affairs and Emergency Preparedness Committee of the

21 House of Representatives.

22 Section 3. This act shall take effect immediately.