

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 803 Session of 2021

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

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, MARCH 23, 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 ACCOUNT and further providing for report and for <--
6 audit 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.~~" "ACCOUNT." The Keystone State Challenge Academy Fund <--
16 ACCOUNT established under section 9807 (relating to Keystone <--
17 State Challenge Academy Fund ACCOUNT). <--

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 ACCOUNT within 60 days of the effective date of this subsection. <--
12 The 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 ACCOUNT. <--

22 (a) Establishment.--The Keystone State Challenge Academy
23 Fund ACCOUNT is established as a special fund in the State <--
24 Treasury NONLAPSING RESTRICTED RECEIPTS ACCOUNT IN THE GENERAL <--
25 FUND.

26 (b) Appropriation.--All money deposited into the fund <--
27 ACCOUNT and the interest the fund ACCOUNT accrues are <--
28 appropriated to the department on a continuing basis to be used
29 for the purposes provided under this chapter. MONEY IN THE <--
30 ACCOUNT SHALL NOT LAPSE.

1 (c) Use of fund ACCOUNT.--The fund ACCOUNT may only be used <--
2 for the purposes provided for under this chapter and no money in
3 the fund ACCOUNT may be transferred or diverted to any other <--
4 purpose by administrative action.

5 (d) Sources of money.--Money available to the fund ACCOUNT <--
6 shall include appropriations and transfers from the General
7 Fund, special funds, Federal funds and other sources of revenue
8 made available to the fund ACCOUNT. <--

9 (e) Allocation.--Money from the fund ACCOUNT shall be <--
10 allocated for the purposes provided for under this chapter no
11 later than October 31, 2021, and each October 31 thereafter.

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

20 § 9810. Report.

21 [The department shall submit annually to] By September 30,
22 2021, and each September 30 thereafter, the department shall
23 submit to the chairperson and minority chairperson of the
24 Appropriations Committee of the Senate, the chairperson and
25 minority chairperson of the Education Committee of the Senate,
26 the chairperson and minority chairperson of the Veterans Affairs
27 and Emergency Preparedness Committee of the Senate, the
28 chairperson and minority chairperson of the Appropriations
29 Committee of the House of Representatives, the chairperson and
30 minority chairperson of the Education Committee of the House of

1 Representatives and the chairperson and minority chairperson of
2 the Veterans Affairs and Emergency Preparedness Committee of the
3 House of Representatives a written report concerning the
4 program. The report shall include, but not be limited to, all of
5 the following:

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

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

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

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

13 (ii) Enrolled in a course of study at an institution
14 of higher education.

15 (iii) Accepted a position of full-time, paid
16 employment.

17 (iv) Accepted a position of part-time, paid
18 employment.

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

21 (4) The demographic makeup of the applicants to, and
22 participants in, the program, including, but not limited to,
23 the following:

24 (i) Race.

25 (ii) Age.

26 (iii) Gender.

27 (4.1) Details on the revenues and expenditures of the
28 fund ACCOUNT in the prior fiscal year and the identification <--
29 and description of activities, programs and projects which
30 received money from the fund ACCOUNT. <--

1 (5) Any information the department provides to the
2 Secretary of Defense under 32 U.S.C. § 509(k) (relating to
3 National Guard Youth Challenge Program of opportunities for
4 civilian youth).

5 § 9811. Audit required.

6 The department shall undergo an annual audit of the program.
7 The audit shall be conducted as part of the Commonwealth's
8 Single Audit by a qualified [independent] certified public
9 accountant under generally accepted audit standards of the
10 Governmental Accounting Standards Board. The audit shall be
11 submitted to the following:

12 (1) The chairperson and minority chairperson of the
13 [Education] Appropriations Committee of the Senate.

14 (1.1) The chairperson and minority chairperson of the
15 Education Committee of the Senate.

16 (2) The chairperson and minority chairperson of the
17 Veterans Affairs and Emergency Preparedness Committee of the
18 Senate.

19 (2.1) The chairperson and minority chairperson of the
20 Appropriations Committee of the House of Representatives.

21 (3) The chairperson and minority chairperson of the
22 Education Committee of the House of Representatives.

23 (4) The chairperson and minority chairperson of the
24 Veterans Affairs and Emergency Preparedness Committee of the
25 House of Representatives.

26 Section 3. This act shall take effect immediately.