
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, BOBACK, T. DAVIS AND
MERCURI, MARCH 8, 2021

SENATOR STEFANO, VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, IN
SENATE, AS AMENDED, JUNE 14, 2022

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

18 * * *

1 Section 2. Sections 9806, 9807, 9810 and 9811 of Title 51
2 are amended to read:

3 § 9806. Administration.

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

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

21 (C) RULES AND REGULATIONS.--THE DEPARTMENT MAY ADOPT AND
22 PROMULGATE RULES AND REGULATIONS NECESSARY TO IMPLEMENT THE
23 PROVISIONS OF THIS CHAPTER.

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24 § 9807. [**Funding.**] Keystone State Challenge Academy Account.

25 (a) Establishment.--The Keystone State Challenge Academy
26 Account is established as a nonlapsing restricted receipts
27 account in the General Fund.

28 (b) Appropriation.--All money deposited into the account and
29 the interest the account accrues are appropriated to the
30 department on a continuing basis to be used for the purposes

1 provided under this chapter. Money in the account shall not
2 lapse.

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

7 (d) Sources of money.--Money available to the account shall
8 include appropriations and transfers from the General Fund,
9 special funds, Federal funds and other sources of revenue made
10 available to the account.

11 (e) Allocation.--Money from the account shall be allocated
12 for the purposes provided for under this chapter no later than
13 October 31, 2021, and each October 31 thereafter.

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

22 § 9810. Report.

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

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

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

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

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

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

15 (ii) Enrolled in a course of study at an institution
16 of higher education.

17 (iii) Accepted a position of full-time, paid
18 employment.

19 (iv) Accepted a position of part-time, paid
20 employment.

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

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

26 (i) Race.

27 (ii) Age.

28 (iii) Gender.

29 (4.1) Details on the revenues and expenditures of the
30 account in the prior fiscal year and the identification and

1 description of activities, programs and projects which
2 received money from the account.

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

7 § 9811. Audit required.

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

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

16 (1.1) The chairperson and minority chairperson of the
17 Education Committee of the Senate.

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

21 (2.1) The chairperson and minority chairperson of the
22 Appropriations Committee of the House of Representatives.

23 (3) The chairperson and minority chairperson of the
24 Education Committee of the House of Representatives.

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

28 Section 3. This act shall take effect immediately.