

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 433 Session of 2021

INTRODUCED BY STEFANO, COLLETT, ARGALL, COSTA, FONTANA, MARTIN, MASTRIANO, MENSCH, SCHWANK AND BAKER, MARCH 16, 2021

SENATOR STEFANO, VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, AS AMENDED, 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 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 * * *

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

19 * * *

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

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

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

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

1 action.

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

6 (e) Allocation.--Money from the fund shall be allocated for
7 the purposes provided for under this chapter no later than
8 October 31, ~~2019~~ 2021, and each October 31 thereafter. <--

9 (f) Funding.--The department shall apply for funding, as
10 provided for under 32 U.S.C. § 509(d) (relating to National
11 Guard Youth Challenge Program of opportunities for civilian
12 youth). Under 32 U.S.C. § 509(j), the department may supplement
13 such funding with other resources, including gifts, made
14 available to the department and may also accept, use and dispose
15 of gifts or donations of money, other property or services for
16 the program.
17 § 9810. Report.

18 [The department shall submit annually to] By September ~~31~~ 30, <--
19 2021, and each September ~~31~~ 30 thereafter, the department shall <--
20 submit to the chairperson and minority chairperson of the
21 Appropriations Committee of the Senate, the chairperson and
22 minority chairperson of the Education Committee of the Senate,
23 the chairperson and minority chairperson of the Veterans Affairs
24 and Emergency Preparedness Committee of the Senate, the
25 chairperson and minority chairperson of the Appropriations
26 Committee of the House of Representatives, the chairperson and
27 minority chairperson of the Education Committee of the House of
28 Representatives and the chairperson and minority chairperson of
29 the Veterans Affairs and Emergency Preparedness Committee of the
30 House of Representatives a written report concerning the

1 program. The department shall post the report on the
2 department's publicly accessible Internet website. The report
3 shall include, but not be limited to, all of the following:

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

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

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

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

11 (ii) Enrolled in a course of study at an institution
12 of higher education.

13 (iii) Accepted a position of full-time, paid
14 employment.

15 (iv) Accepted a position of part-time, paid
16 employment.

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

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

22 (i) Race.

23 (ii) Age.

24 (iii) Gender.

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

29 (5) Any information the department provides to the
30 Secretary of Defense under 32 U.S.C. § 509(k) (relating to

1 National Guard Youth Challenge Program of opportunities for
2 civilian youth).

3 § 9811. Audit required.

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

5 The audit shall be conducted with the annual audit of

6 Commonwealth-managed federally funded programs in accordance

7 with the Single Audit Act of 1984 (Public Law 98-502, 31 U.S.C.

8 § 7501 et seq.) 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.