

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 613 Session of 2023

INTRODUCED BY HARRIS AND SANCHEZ, MAY 2, 2023

SENATOR PITTMAN, RULES AND EXECUTIVE NOMINATIONS, IN SENATE, RE-REPORTED AS AMENDED, JULY 2, 2024

AN ACT

1 ~~Making appropriations to the Trustees of the University of~~ <--
2 ~~Pennsylvania.~~

3 PROVIDING FOR FUNDING FOR CERTAIN STATE-AIDED UNIVERSITIES FOR <--
4 THE FISCAL YEAR BEGINNING JULY 1, 2024, AND ENDING JUNE 30,
5 2025, AND FOR A CERTAIN STATE-AIDED UNIVERSITY FOR THE FISCAL
6 YEAR BEGINNING JULY 1, 2023, AND ENDING JUNE 30, 2024, FOR
7 COSTS BASIS, FOR FREQUENCY OF PAYMENTS AND FOR RECORDKEEPING
8 REQUIREMENTS; IMPOSING A DUTY ON THE AUDITOR GENERAL;
9 PROVIDING FOR FINANCIAL STATEMENTS, FOR THE AGRICULTURAL
10 COLLEGE LAND SCRIP FUND AND FOR RESTRICTIONS; AND MAKING
11 APPROPRIATIONS.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 ~~Section 1. (a) The sum of \$32,293,000 \$31,660,000, or as~~ <--
15 ~~much thereof as may be necessary, is hereby appropriated to the~~
16 ~~Trustees of the University of Pennsylvania for the fiscal year~~
17 ~~July 1, 2023, to June 30, 2024, for veterinary activities.~~

18 ~~(b) The sum of \$1,931,000 \$1,893,000, or as much thereof as~~
19 ~~may be necessary, is hereby appropriated to the Trustees of the~~
20 ~~University of Pennsylvania for the fiscal year July 1, 2023, to~~
21 ~~June 30, 2024, for the Center for Infectious Diseases.~~

1 ~~Section 2. (a) Payments to the University of Pennsylvania~~
2 ~~on account of the appropriations provided in section 1 shall be~~
3 ~~made quarterly by the Secretary of Agriculture on the basis of~~
4 ~~costs during the fiscal year and shall be conditioned on~~
5 ~~continuing authority for inclusion on the Board of Trustees of~~
6 ~~the University of Pennsylvania of a minimum of four persons who~~
7 ~~are not elected officials and who are appointed by the President~~
8 ~~pro tempore of the Senate, the Minority Leader of the Senate,~~
9 ~~the Speaker of the House of Representatives and the Minority~~
10 ~~Leader of the House of Representatives for terms of office~~
11 ~~coterminous with that of the respective appointing authority;~~
12 ~~and shall be further conditioned on these appointees receiving~~
13 ~~full voting rights as members of the board of trustees.~~

14 ~~(b) The University of Pennsylvania shall provide full,~~
15 ~~complete and accurate information as may be required by the~~
16 ~~Department of Agriculture or the chairman or the minority~~
17 ~~chairman of the Appropriations Committee of the Senate or the~~
18 ~~chairman or the minority chairman of the Appropriations~~
19 ~~Committee of the House of Representatives.~~

20 ~~(c) The University of Pennsylvania shall report its revenues~~
21 ~~and expenditures and present its financial statements in~~
22 ~~accordance with generally accepted accounting principles and~~
23 ~~procedures for educational institutions as stated in the "Higher~~
24 ~~Education Finance Manual (1975)" and the "Commonwealth of~~
25 ~~Pennsylvania Budget Instructions for the State System of Higher~~
26 ~~Education, State Related Universities and Non State Related~~
27 ~~Colleges and Universities."~~

28 ~~(d) The Trustees of the University of Pennsylvania shall~~
29 ~~report on forms provided by the Department of Agriculture to~~
30 ~~both the chairman and minority chairman of the Appropriations~~

~~1 Committee of the Senate and the chairman and minority chairman
2 of the Appropriations Committee of the House of Representatives
3 by September 30, 2024, on how State appropriated funds were
4 expended for fiscal year 2023-2024 to reduce the costs to
5 Pennsylvania resident students or to provide services to
6 Pennsylvania residents.~~

~~7 Section 3. This act shall take effect July 1, 2023, or
8 immediately, whichever is later.~~

9 SECTION 1. SHORT TITLE.

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10 THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE STATE-AIDED
11 UNIVERSITY NONPREFERRED APPROPRIATION ACT OF 2024.

12 SECTION 2. DEFINITIONS.

13 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL
14 HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
15 CONTEXT CLEARLY INDICATES OTHERWISE:

16 "AUDITOR GENERAL." THE AUDITOR GENERAL OF THE COMMONWEALTH.

17 "CURRENT FISCAL YEAR." THE FISCAL YEAR BEGINNING JULY 1,
18 2024, AND ENDING JUNE 30, 2025.

19 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE
20 COMMONWEALTH.

21 "PRIOR FISCAL YEAR." THE FISCAL YEAR BEGINNING JULY 1, 2023,
22 AND ENDING JUNE 30, 2024.

23 "SECRETARY." THE SECRETARY OF EDUCATION OF THE COMMONWEALTH.

24 "STATE-AIDED UNIVERSITY." THE TERM INCLUDES:

25 (1) THE PENNSYLVANIA STATE UNIVERSITY.

26 (2) THE UNIVERSITY OF PITTSBURGH.

27 (3) TEMPLE UNIVERSITY.

28 (4) LINCOLN UNIVERSITY.

29 (5) THE UNIVERSITY OF PENNSYLVANIA.

30 SECTION 3. COST BASIS DURING CURRENT FISCAL YEAR.

1 PAYMENTS MADE TO A STATE-AIDED UNIVERSITY ON ACCOUNT OF AN
2 APPROPRIATION UNDER THIS ACT SHALL BE MADE ON THE BASIS OF COSTS
3 DURING THE CURRENT FISCAL YEAR.

4 SECTION 4. FREQUENCY AND BASIS OF PAYMENTS.

5 (A) MONTHLY PAYMENTS.--

6 (1) PAYMENTS MADE UNDER SECTION 10(A) TO A STATE-AIDED
7 UNIVERSITY FROM AN APPROPRIATION PROVIDED IN THIS ACT SHALL
8 BE MADE MONTHLY DURING THE CURRENT FISCAL YEAR.

9 (2) PAYMENT MADE TO A STATE-AIDED UNIVERSITY UNDER
10 SECTION 10(B) SHALL BE MADE WITHIN 10 DAYS OF THE EFFECTIVE
11 DATE OF THIS SECTION.

12 (B) ESTIMATED COSTS.--

13 (1) THE MONTHLY PAYMENTS SHALL BE MADE TO A STATE-AIDED
14 UNIVERSITY UNDER SECTION 3 ON THE BASIS OF ESTIMATED COSTS.
15 THE ESTIMATE OF COSTS SHALL BE SUBMITTED BY THE STATE-AIDED
16 UNIVERSITY TO THE SECRETARY, THE GENERAL ASSEMBLY AND THE
17 STATE TREASURER NOT LATER THAN 30 DAYS PRIOR TO THE DATE ON
18 WHICH THE PAYMENT IS TO BE MADE.

19 (2) PARAGRAPH (1) DOES NOT APPLY TO APPROPRIATIONS UNDER
20 SECTION 10(B).

21 SECTION 5. PURPOSES OF EXPENDITURES AND STATEMENT OF
22 EXPENDITURES AND COSTS.

23 (A) DUTIES OF STATE-AIDED UNIVERSITIES.--

24 (1) A STATE-AIDED UNIVERSITY SHALL APPLY THE MONEY
25 APPROPRIATED BY THIS ACT ONLY FOR SUCH PURPOSES AS ARE
26 PERMITTED IN THIS ACT AND SHALL AT ALL TIMES MAINTAIN PROPER
27 RECORDS SHOWING THE APPLICATION OF THE MONEY.

28 (2) NOT LATER THAN 120 DAYS AFTER THE CLOSE OF THE
29 CURRENT FISCAL YEAR, THE STATE-AIDED UNIVERSITY SHALL FILE,
30 WITH THE SECRETARY, THE GENERAL ASSEMBLY AND THE AUDITOR

1 GENERAL, A STATEMENT THAT SPECIFIES THE AMOUNTS AND PURPOSES
2 OF ALL EXPENDITURES MADE FROM MONEY APPROPRIATED BY THIS ACT
3 AND OTHER UNIVERSITY ACCOUNTS DURING THE CURRENT FISCAL YEAR,
4 AS PROVIDED IN SECTION 3, USED AS A BASIS FOR RECEIPT OF AN
5 APPROPRIATION DURING THE CURRENT FISCAL YEAR AND FOR
6 APPROPRIATION UNDER SECTION 10(B), THE PRIOR FISCAL YEAR.

7 (B) DUTIES OF AUDITOR GENERAL.--THE STATEMENT OF
8 EXPENDITURES AND COSTS SHALL BE REVIEWED BY THE AUDITOR GENERAL.
9 THE AUDITOR GENERAL MAY, WITH RESPECT TO THE MONEY APPROPRIATED
10 BY THIS ACT, AUDIT AND DISALLOW EXPENDITURES MADE FOR PURPOSES
11 NOT PERMITTED BY THIS ACT, RECOVER THE SUMS FROM THE STATE-AIDED
12 UNIVERSITY AND TRANSMIT THE RECOVERED SUMS TO THE STATE
13 TREASURER. IN RESPECT TO EXPENDITURES MADE BY THE STATE-AIDED
14 UNIVERSITY FROM MONEY OTHER THAN THAT APPROPRIATED BY THIS ACT,
15 THE AUDITOR GENERAL MAY REVIEW ONLY, AND SHALL FILE ANNUALLY
16 WITH THE GENERAL ASSEMBLY, INFORMATION CONCERNING THOSE
17 EXPENDITURES AS THE GENERAL ASSEMBLY OR ANY OF ITS COMMITTEES
18 MAY REQUIRE.

19 SECTION 6. DUTY TO PROVIDE INFORMATION.

20 (A) GENERAL RULE.--A STATE-AIDED UNIVERSITY SHALL PROVIDE
21 FULL, COMPLETE AND ACCURATE INFORMATION AS MAY BE REQUIRED BY
22 THE DEPARTMENT OR, IN THE CASE OF THE UNIVERSITY OF
23 PENNSYLVANIA, THE DEPARTMENT OF AGRICULTURE, OR THE CHAIRPERSON
24 OR MINORITY CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE
25 SENATE OR THE CHAIRPERSON OR MINORITY CHAIRPERSON OF THE
26 APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

27 (B) COST REDUCTION REPORTING.--THE BOARD OF TRUSTEES OF THE
28 UNIVERSITY OF PENNSYLVANIA SHALL REPORT, ON FORMS PROVIDED BY
29 THE DEPARTMENT OF AGRICULTURE, TO BOTH THE CHAIRPERSON AND
30 MINORITY CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE

1 SENATE AND THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
2 APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES BY
3 SEPTEMBER 30, 2024, HOW STATE APPROPRIATED FUNDS WERE EXPENDED
4 FOR FISCAL YEAR 2023-2024 TO REDUCE THE COSTS TO PENNSYLVANIA
5 RESIDENT STUDENTS OR TO PROVIDE SERVICES TO PENNSYLVANIA
6 RESIDENTS. THE BOARD OF TRUSTEES OF THE UNIVERSITY OF
7 PENNSYLVANIA SHALL FILE A SIMILAR REPORT BY SEPTEMBER 30, 2025,
8 RELATING TO FISCAL YEAR 2024-2025.

9 SECTION 7. FINANCIAL STATEMENTS.

10 A STATE-AIDED UNIVERSITY SHALL PRESENT AND REPORT ITS
11 FINANCIAL STATEMENTS REQUIRED UNDER THIS ACT IN ACCORDANCE WITH:

12 (1) THE GENERALLY ACCEPTED ACCOUNTING PRINCIPLES AS
13 PRESCRIBED BY THE NATIONAL ASSOCIATION OF COLLEGE AND
14 UNIVERSITY BUSINESS OFFICERS, THE AMERICAN INSTITUTE OF
15 CERTIFIED PUBLIC ACCOUNTANTS, OR THEIR SUCCESSORS, OR BY ANY
16 OTHER RECOGNIZED AUTHORITATIVE BODY.

17 (2) THE "COMMONWEALTH OF PENNSYLVANIA BUDGET
18 INSTRUCTIONS FOR THE STATE SYSTEM OF HIGHER EDUCATION, STATE-
19 RELATED UNIVERSITIES AND NON-STATE-RELATED COLLEGES AND
20 UNIVERSITIES."

21 (3) THE FINANCIAL REPORTING POLICIES AND STANDARDS
22 PROMULGATED BY THE FEDERAL GOVERNMENT AND BY THE COMMONWEALTH
23 THAT APPLY TO THE STATE-AIDED UNIVERSITY.

24 SECTION 8. AGRICULTURAL COLLEGE LAND SCRIP FUND.

25 THE MONEY OF THE RESTRICTED ACCOUNT WITHIN THE AGRICULTURAL
26 COLLEGE LAND SCRIP FUND IS HEREBY APPROPRIATED FOR THE CURRENT
27 FISCAL YEAR, IN ACCORDANCE WITH THE ACT OF APRIL 9, 1929
28 (P.L.343, NO.176), KNOWN AS THE FISCAL CODE, ESTABLISHING THE
29 RESTRICTED ACCOUNT.

30 SECTION 9. RESTRICTIONS, LIMITATIONS AND CONDITIONS ON USE OF

1 APPROPRIATIONS.

2 THE FOLLOWING RESTRICTIONS AND LIMITATIONS APPLY:

3 (1) MONEY APPROPRIATED BY THIS ACT TO THE UNIVERSITY OF
4 PITTSBURGH MAY NOT BE USED FOR COSTS OF PERSONNEL AND
5 OPERATIONS OF AN ENVIRONMENTAL LAW CLINIC.

6 (2) MONEY APPROPRIATED BY THIS ACT TO THE UNIVERSITY OF
7 PITTSBURGH SHALL ONLY BE USED FOR COSTS DIRECTLY RELATED TO
8 THE PROVISION OF INSTRUCTION FOR GRADUATE AND UNDERGRADUATE
9 STUDENTS AND COSTS INCURRED IN PROVIDING STUDENT-RELATED
10 SERVICES AND COMMUNITY OUTREACH SERVICES CONSISTENT WITH THE
11 EXISTING LAWS OF THIS COMMONWEALTH.

12 (3) MONEY APPROPRIATED BY THIS ACT TO THE UNIVERSITY OF
13 PENNSYLVANIA SHALL BE CONDITIONED ON CONTINUING AUTHORITY FOR
14 INCLUSION ON THE BOARD OF TRUSTEES OF THE UNIVERSITY OF
15 PENNSYLVANIA OF A MINIMUM OF FOUR PERSONS WHO ARE NOT ELECTED
16 OFFICIALS AND WHO ARE APPOINTED BY THE PRESIDENT PRO TEMPORE
17 OF THE SENATE, THE MINORITY LEADER OF THE SENATE, THE SPEAKER
18 OF THE HOUSE OF REPRESENTATIVES AND THE MINORITY LEADER OF
19 THE HOUSE OF REPRESENTATIVES FOR TERMS OF OFFICE COTERMINOUS
20 WITH THAT OF THE RESPECTIVE APPOINTING AUTHORITY; AND SHALL
21 BE FURTHER CONDITIONED ON THESE APPOINTEES RECEIVING FULL
22 VOTING RIGHTS AS MEMBERS OF THE BOARD OF TRUSTEES.

23 SECTION 10. APPROPRIATIONS.

24 (A) CURRENT FISCAL YEAR.--THE FOLLOWING SUMS, OR AS MUCH
25 THEREOF AS MAY BE NECESSARY, ARE HEREBY APPROPRIATED TO THE
26 BOARDS OF TRUSTEES OF THE RESPECTIVE STATE-AIDED UNIVERSITIES
27 FOR THE CURRENT FISCAL YEAR, FOR THE PURPOSES AND IN THE AMOUNTS
28 AS FOLLOWS:

29 (1) TO THE PENNSYLVANIA STATE UNIVERSITY, FOR GENERAL
30 SUPPORT.

1 STATE APPROPRIATION.....\$242,096,000

2 (2) TO THE PENNSYLVANIA STATE UNIVERSITY, FOR THE
3 PENNSYLVANIA COLLEGE OF TECHNOLOGY.

4 STATE APPROPRIATION.....\$33,971,000

5 (3) TO THE UNIVERSITY OF PITTSBURGH, FOR GENERAL
6 SUPPORT.

7 STATE APPROPRIATION.....\$151,507,000

8 (4) TO THE UNIVERSITY OF PITTSBURGH, FOR RURAL EDUCATION
9 OUTREACH.

10 STATE APPROPRIATION.....\$3,791,000

11 (5) TO TEMPLE UNIVERSITY, FOR GENERAL SUPPORT.

12 STATE APPROPRIATION.....\$158,206,000

13 (6) TO LINCOLN UNIVERSITY, FOR GENERAL SUPPORT.

14 STATE APPROPRIATION.....\$20,848,000

15 (7) TO THE UNIVERSITY OF PENNSYLVANIA, FOR VETERINARY
16 ACTIVITIES.

17 STATE APPROPRIATION.....\$31,560,000

18 (8) TO THE UNIVERSITY OF PENNSYLVANIA, FOR THE CENTER
19 FOR INFECTIOUS DISEASES.

20 STATE APPROPRIATION.....\$1,793,000

21 (B) PRIOR FISCAL YEAR.--THE FOLLOWING SUMS, OR AS MUCH
22 THEREOF AS MAY BE NECESSARY, ARE HEREBY APPROPRIATED TO THE
23 BOARDS OF TRUSTEES OF THE RESPECTIVE STATE-AIDED UNIVERSITIES
24 FOR THE PRIOR FISCAL YEAR, FOR THE PURPOSES AND IN THE AMOUNTS
25 AS FOLLOWS:

26 (1) TO THE UNIVERSITY OF PENNSYLVANIA, FOR VETERINARY
27 ACTIVITIES.

28 STATE APPROPRIATION.....\$100,000

29 (2) TO THE UNIVERSITY OF PENNSYLVANIA, FOR THE CENTER
30 FOR INFECTIOUS DISEASES.

1 STATE APPROPRIATION.....\$100,000

2 SECTION 11. APPLICABILITY.

3 SECTIONS 2 AND 10(B) SHALL APPLY RETROACTIVELY TO JULY 1,
4 2023.

5 SECTION 12. LAPSING.

6 THE APPROPRIATIONS UNDER SECTION 10(B) SHALL LAPSE JUNE 30,
7 2025.

8 SECTION 13. EFFECTIVE DATE.

9 THIS ACT SHALL TAKE EFFECT IMMEDIATELY.