

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 436 Session of 2023

INTRODUCED BY HUGHES, HAYWOOD, SCHWANK, COLLETT, FONTANA,
SANTARSIERO, KANE, KEARNEY, DILLON, TARTAGLIONE, COSTA, MUTH
AND STREET, MARCH 14, 2023

REFERRED TO APPROPRIATIONS, MARCH 14, 2023

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employes in certain departments, boards,
17 and commissions; providing for judicial administration; and
18 prescribing the manner in which the number and compensation
19 of the deputies and all other assistants and employes of
20 certain departments, boards and commissions shall be
21 determined," in Independent Fiscal Office, further providing
22 for definitions and for duties of office and providing for
23 poverty impact analysis.

24 The General Assembly of the Commonwealth of Pennsylvania
25 hereby enacts as follows:

26 Section 1. Section 602-B of the act of April 9, 1929
27 (P.L.177, No.175), known as The Administrative Code of 1929, is
28 amended by adding definitions to read:

1 Section 602-B. Definitions.

2 The following words and phrases when used in this article
3 shall have the meanings given to them in this section unless the
4 context clearly indicates otherwise:

5 * * *

6 "Poverty impact analysis." An analysis of:

7 (1) A proposed budget that includes:

8 (i) A projected ratio equal to the amount of
9 appropriations in the proposed budget that will benefit
10 individuals and families below the poverty threshold over
11 the total amount of appropriations in the proposed
12 budget.

13 (ii) A projection of the number of individual and
14 family incomes that may:

15 (A) decrease below the poverty threshold if the
16 proposed budget is enacted; or

17 (B) increase above the poverty threshold if the
18 proposed budget is enacted.

19 (iii) A projection as to how the proposed budget
20 improves or reduces access to basic human services,
21 including health care, housing and education.

22 (2) An enacted budget that includes:

23 (i) A projected ratio equal to the amount of
24 appropriations in the proposed budget that will benefit
25 individuals and families below the poverty threshold over
26 the total amount of appropriations in the proposed
27 budget.

28 (ii) A projection of the number of individual and
29 family incomes that may:

30 (A) decrease below the poverty threshold if the

1 proposed budget is enacted; or

2 (B) increase above the poverty threshold if the
3 proposed budget is enacted.

4 (iii) A projection as to how the proposed budget
5 improves or reduces access to basic human services,
6 including health care, housing and education.

7 (3) Any bill, amendment or joint resolution to determine
8 the impact, if any, the proposed bill, amendment or joint
9 resolution may have on the poverty and deep poverty rate of
10 this Commonwealth. The poverty impact statement shall be
11 impartial, simple and understandable.

12 "Poverty threshold." Household income level below 200% of
13 the Federal poverty level.

14 * * *

15 Section 2. Section 604-B(a) of the act is amended by adding
16 a paragraph to read:

17 Section 604-B. Duties of office.

18 (a) Mandatory.--The office shall:

19 * * *

20 (4.1) Conduct a poverty impact analysis authorized under
21 section 616-B.

22 * * *

23 Section 3. The act is amended by adding a section to read:
24 Section 616-B. Poverty impact analysis.

25 (a) Analysis required.--The office shall conduct a poverty
26 impact analysis of the following:

27 (1) The Governor's proposed General Fund budget, which
28 shall be completed by May 1 of each year.

29 (2) The enacted General Fund budget of the fiscal year,
30 which shall be completed within 90 days after the enactment

1 of the General Fund budget.

2 (3) Any bill, amendment or joint resolution on written
3 request of a requesting officer.

4 (b) Second consideration prohibited.--Except as otherwise
5 provided in subsection (d)(1), a bill for which a poverty impact
6 analysis has been requested under subsection (a)(3) may not be
7 given second consideration by the chamber of the General
8 Assembly whose member made the request until the office has
9 attached the poverty impact analysis.

10 (c) Amendment.--Except as otherwise provided in subsection
11 (d)(2), an amendment for which a poverty impact analysis has
12 been requested under subsection (a)(3) or the bill to which the
13 amendment is offered may not be considered by the chamber of the
14 General Assembly whose member made the request until the office
15 has attached a poverty impact analysis.

16 (d) Failure to attach.--The following shall apply:

17 (1) If the office fails to attach a poverty impact
18 analysis to a bill within 10 legislative days after a request
19 for a statement has been submitted to the office, the bill
20 may be further considered in the same manner as if the
21 analysis were attached to the bill.

22 (2) If the office fails to attach a poverty impact
23 analysis to an amendment within 10 legislative days after a
24 request for a statement has been submitted to the office, the
25 bill and the amendment may be considered in the same manner
26 as if the analysis were attached to the amendment.

27 Section 4. This act shall take effect in 60 days.