

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 264 Session of 2019

INTRODUCED BY MAKO, DUNBAR, BERNSTINE, MACKENZIE, JAMES, RYAN, MURT, NEILSON, MILLARD, KEEFER, GROVE, SIMMONS AND SAYLOR, JANUARY 29, 2019

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, FEBRUARY 5, 2019

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, in municipal authorities, further
3 providing for money of authority.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 5612(a) and (b) of Title 53 of the
7 Pennsylvania Consolidated Statutes are amended and the section
8 is amended by adding a subsection to read:

9 § 5612. Money of authority.

10 (a) Treasurer.--[All money of any authority from whatever
11 source derived shall be paid to the] The treasurer of [the] an
12 authority[.], or other designated recipient, shall receive the
13 money due the authority and deposit the money in an account with
14 a designated depository. The money shall be remitted in the name
15 of the authority or designated recipient and may not include the
16 name of an individual.

17 * * *

1 (a.2) Fiscal procedures.--

2 (1) An authority shall establish, according to generally
3 accepted accounting principles, procedures to bill customers,
4 collect payments, issue receipts, handle funds received and
5 deposit money in an account or accounts managed by a
6 designated depository. All bill payments shall be made in the
7 name of the authority or designated public or contracted
8 entity collecting revenue and shall not include the name of
9 an individual.

10 (2) The required annual audit and financial report of
11 the authority shall be presented at a meeting of the
12 authority board, discussed publicly and require an official
13 vote of acceptance.

14 (3) Nothing in this subsection shall be construed to
15 preclude an authority from adopting rules and regulations
16 regarding fiscal controls that are more stringent than
17 required by this section.

18 (b) Report.--

19 (1) Every authority [whose fiscal year ends December 31
20 shall file on or before July 1 an annual report of its fiscal
21 affairs covering the preceding calendar year with the
22 Department of Community and Economic Development and with the
23 municipality creating the authority on forms prepared and
24 distributed by the Department of Community and Economic
25 Development. Authorities whose fiscal year does not end on
26 December 31 shall file the report within 90 days after the
27 end of their fiscal year.] shall file, on or before 180 days
28 following the end of its fiscal year, an annual report of its
29 fiscal affairs covering the preceding fiscal year with the
30 Department of Community and Economic Development and with the

1 municipality or municipalities creating the authority on
2 forms prepared and distributed by the Department of Community
3 and Economic Development. The reports shall also be provided,
4 and may be provided electronically, to any other municipality
5 that has residents served by the authority.

6 (2) Every authority shall have its books, accounts and
7 records audited annually by a certified public accountant,
8 and a copy of his audit report shall be filed in the same
9 manner and within the same time period as the annual report.

10 (3) A concise financial statement shall be published
11 annually at least once in a newspaper of general circulation
12 in the municipality where the principal office of the
13 authority is located. If the publication is not made by the
14 authority, the municipality shall publish such statement at
15 the expense of the authority.

16 (4) If the authority fails to make such an audit, then
17 the controller, auditor or accountant designated by the
18 municipality is hereby authorized and empowered from time to
19 time to examine at the expense of the authority the accounts
20 and books of it, including its receipts, disbursements,
21 contracts, leases, sinking funds, investments and any other
22 matters relating to its finances, operation and affairs.

23 * * *

24 Section 2. This act shall take effect ~~in 90 days~~. AS

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25 FOLLOWS:

26 (1) THE AMENDMENT OF 53 PA.C.S. § 5612(B)(1) SHALL TAKE
27 EFFECT IN 180 DAYS.

28 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN 90
29 DAYS.