

HB 613 -- Redline

Printer's No. PN2430 to Printer's No. PN3479 -- An Act providing for funding for certain State-aided universities for the fiscal year beginning July 1, 2024, and ending June 30, 2025, and for a certain State-aided university for the fiscal year beginning July 1, 2023, and ending June 30, 2024, for costs basis, for frequency of payments and for recordkeeping requirements; imposing a duty on the Auditor General; providing for financial statements, for the Agricultural College Land Scrip Fund and for restrictions; and making appropriations.

Deletions ~~struck~~ · Insertions underlined

~~2430~~3479 PRIOR PRINTER'S ~~NO-~~NOS.

~~1122~~1122, ~~2430~~ THE GENERAL ASSEMBLY OF PENNSYLVANIA HOUSE BILL Session of No.

613 2023 INTRODUCED BY ~~HARRIS, HARRIS AND SANCHEZ,~~ MAY 2, 2023 SENATOR ~~MARTIN, PITTMAN,~~ APPROPRIATIONS, RULES AND EXECUTIVE NOMINATIONS, IN SENATE, ~~RE-REPORTED~~RE- REPORTED AS AMENDED, ~~DECEMBER~~JULY 12, 2, 2023~~2024~~ AN ACT Making appropriations to the Trustees of the University of ~~<--~~ Pennsylvania.

PROVIDING FOR FUNDING FOR CERTAIN STATE-AIDED UNIVERSITIES FOR <-- THE FISCAL YEAR BEGINNING JULY 1, 2024, AND ENDING JUNE 30, 2025, AND FOR A CERTAIN STATE-AIDED UNIVERSITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023, AND ENDING JUNE 30, 2024, FOR COSTS BASIS, FOR FREQUENCY OF PAYMENTS AND FOR RECORDKEEPING REQUIREMENTS;

IMPOSING A DUTY ON THE AUDITOR GENERAL;

PROVIDING FOR FINANCIAL STATEMENTS, FOR THE AGRICULTURAL COLLEGE LAND SCRIP FUND AND FOR RESTRICTIONS; AND MAKING APPROPRIATIONS.

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

(c) The University of Pennsylvania shall report its revenues and expenditures and present its financial statements in accordance with generally accepted accounting principles and procedures for educational institutions as stated in the "Higher Education Finance Manual (1975)" and the "Commonwealth of Pennsylvania Budget Instructions for the State System of Higher Education, State-Related Universities and Non-State-Related Colleges and Universities." (d) The Trustees of the University of Pennsylvania shall report on forms provided by the Department of Agriculture to both the chairman and minority chairman of the Appropriations 20230HB0613PN3479 - 2 - Committee of the Senate and the chairman and minority chairman of the Appropriations Committee of the House of Representatives by September 30, 2024, on how State-appropriated funds were expended for fiscal year 2023-2024 to reduce the costs to Pennsylvania resident students or to provide services to ~~20230HB0613PN2430 -- 2 --~~ Pennsylvania residents.

~~20230HB0613PN2430~~ SECTION -1. -3-

SHORT TITLE.

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

SECTION 2.

DEFINITIONS.

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

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

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

"DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE COMMONWEALTH.

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

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

"STATE-AIDED UNIVERSITY." THE TERM INCLUDES:

(1) THE PENNSYLVANIA STATE UNIVERSITY.

(2) THE UNIVERSITY OF PITTSBURGH.

(3) TEMPLE UNIVERSITY.

(4) LINCOLN UNIVERSITY.

(5) THE UNIVERSITY OF PENNSYLVANIA.

SECTION 3.

COST BASIS DURING CURRENT FISCAL YEAR.

20230HB0613PN3479 - 3 - PAYMENTS MADE TO A STATE-AIDED UNIVERSITY ON ACCOUNT OF AN APPROPRIATION UNDER THIS ACT SHALL BE MADE ON THE BASIS OF COSTS DURING THE CURRENT FISCAL YEAR.

SECTION 4.

FREQUENCY AND BASIS OF PAYMENTS.

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

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

(B) ESTIMATED COSTS.-- (1) THE MONTHLY PAYMENTS SHALL BE MADE TO A STATE-AIDED UNIVERSITY UNDER SECTION 3 ON THE BASIS OF ESTIMATED COSTS.

THE ESTIMATE OF COSTS SHALL BE SUBMITTED BY THE STATE-AIDED UNIVERSITY TO THE SECRETARY, THE GENERAL ASSEMBLY AND THE STATE TREASURER NOT LATER THAN 30 DAYS PRIOR TO THE DATE ON WHICH THE PAYMENT IS TO BE MADE.

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

SECTION 5.

PURPOSES OF EXPENDITURES AND STATEMENT OF EXPENDITURES AND COSTS.

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

(2) NOT LATER THAN 120 DAYS AFTER THE CLOSE OF THE CURRENT FISCAL YEAR, THE STATE-AIDED UNIVERSITY SHALL FILE, WITH THE SECRETARY, THE GENERAL ASSEMBLY AND THE AUDITOR 20230HB0613PN3479 - 4 - GENERAL, A STATEMENT THAT SPECIFIES THE AMOUNTS AND PURPOSES OF ALL EXPENDITURES MADE FROM MONEY APPROPRIATED BY THIS ACT AND OTHER UNIVERSITY ACCOUNTS DURING THE CURRENT FISCAL YEAR, AS PROVIDED IN SECTION 3, USED AS A BASIS FOR RECEIPT OF AN APPROPRIATION DURING THE CURRENT FISCAL YEAR AND FOR APPROPRIATION UNDER SECTION 10(B), THE PRIOR FISCAL YEAR.

(B) DUTIES OF AUDITOR GENERAL.--THE STATEMENT OF EXPENDITURES AND COSTS SHALL BE REVIEWED BY THE AUDITOR GENERAL.

THE AUDITOR GENERAL MAY, WITH RESPECT TO THE MONEY APPROPRIATED BY THIS ACT, AUDIT AND DISALLOW EXPENDITURES MADE FOR PURPOSES NOT PERMITTED BY THIS ACT, RECOVER THE SUMS FROM THE STATE-AIDED UNIVERSITY AND TRANSMIT THE RECOVERED SUMS TO THE STATE TREASURER.

IN RESPECT TO EXPENDITURES MADE BY THE STATE-AIDED UNIVERSITY FROM MONEY OTHER THAN THAT APPROPRIATED BY THIS ACT, THE AUDITOR GENERAL MAY REVIEW ONLY, AND SHALL FILE ANNUALLY WITH THE GENERAL ASSEMBLY, INFORMATION CONCERNING THOSE EXPENDITURES AS THE GENERAL ASSEMBLY OR ANY OF ITS COMMITTEES MAY REQUIRE.

SECTION 6.

DUTY TO PROVIDE INFORMATION.

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

(B) COST REDUCTION REPORTING.--THE BOARD OF TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA SHALL REPORT, ON FORMS PROVIDED BY THE DEPARTMENT OF AGRICULTURE, TO BOTH THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE 20230HB0613PN3479 - 5 - SENATE AND THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES BY SEPTEMBER 30, 2024, HOW STATE APPROPRIATED FUNDS WERE EXPENDED FOR FISCAL YEAR 2023-2024 TO REDUCE THE COSTS TO PENNSYLVANIA RESIDENT STUDENTS OR TO PROVIDE SERVICES TO PENNSYLVANIA RESIDENTS.

THE BOARD OF TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA SHALL FILE A SIMILAR REPORT BY SEPTEMBER 30, 2025, RELATING TO FISCAL YEAR 2024-2025.

SECTION 7.

FINANCIAL STATEMENTS.

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

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

(2) THE "COMMONWEALTH OF PENNSYLVANIA BUDGET INSTRUCTIONS FOR THE STATE SYSTEM OF HIGHER EDUCATION, STATE- RELATED UNIVERSITIES AND NON-STATE-RELATED COLLEGES AND UNIVERSITIES." (3) THE FINANCIAL REPORTING POLICIES AND STANDARDS PROMULGATED BY THE FEDERAL GOVERNMENT AND BY THE COMMONWEALTH THAT APPLY TO THE STATE-AIDED UNIVERSITY.

SECTION 8.

AGRICULTURAL COLLEGE LAND SCRIP FUND.

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

SECTION 9.

RESTRICTIONS, LIMITATIONS AND CONDITIONS ON USE OF 20230HB0613PN3479 - 6 - APPROPRIATIONS.

THE FOLLOWING RESTRICTIONS AND LIMITATIONS APPLY:

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

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

(3) MONEY APPROPRIATED BY THIS ACT TO THE UNIVERSITY OF PENNSYLVANIA SHALL BE CONDITIONED ON CONTINUING AUTHORITY FOR INCLUSION ON THE BOARD OF TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA OF A MINIMUM OF FOUR PERSONS WHO ARE NOT ELECTED OFFICIALS AND WHO ARE APPOINTED BY THE PRESIDENT PRO TEMPORE OF THE SENATE, THE MINORITY LEADER OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES FOR TERMS OF OFFICE COTERMINOUS WITH THAT OF THE RESPECTIVE APPOINTING AUTHORITY;

AND SHALL BE FURTHER CONDITIONED ON THESE APPOINTEES RECEIVING FULL VOTING RIGHTS AS MEMBERS OF THE BOARD OF TRUSTEES.

SECTION 10.

APPROPRIATIONS.

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

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

20230HB0613PN3479 - 7 - STATE APPROPRIATION.....\$242,096,000 (2) TO THE PENNSYLVANIA STATE UNIVERSITY, FOR THE PENNSYLVANIA COLLEGE OF TECHNOLOGY.

STATE APPROPRIATION.....\$33,971,000 (3) TO THE UNIVERSITY OF PITTSBURGH, FOR GENERAL SUPPORT.

STATE APPROPRIATION.....\$151,507,000 (4) TO THE UNIVERSITY OF PITTSBURGH, FOR RURAL EDUCATION OUTREACH.

STATE APPROPRIATION.....\$3,791,000 (5) TO TEMPLE UNIVERSITY, FOR GENERAL SUPPORT.

STATE APPROPRIATION.....\$158,206,000 (6) TO LINCOLN UNIVERSITY, FOR GENERAL SUPPORT.

STATE APPROPRIATION.....\$20,848,000 (7) TO THE UNIVERSITY OF PENNSYLVANIA, FOR VETERINARY ACTIVITIES.

STATE APPROPRIATION.....\$31,560,000 (8) TO THE UNIVERSITY OF PENNSYLVANIA, FOR THE CENTER FOR INFECTIOUS DISEASES.

STATE APPROPRIATION.....\$1,793,000 (B) PRIOR FISCAL YEAR.--THE FOLLOWING SUMS, OR AS MUCH THEREOF AS MAY BE NECESSARY, ARE HEREBY APPROPRIATED TO THE BOARDS OF TRUSTEES OF THE RESPECTIVE STATE-AIDED UNIVERSITIES FOR THE PRIOR FISCAL YEAR, FOR THE PURPOSES AND IN THE AMOUNTS AS FOLLOWS:

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

STATE APPROPRIATION.....\$100,000 (2) TO THE UNIVERSITY OF PENNSYLVANIA, FOR THE CENTER FOR INFECTIOUS DISEASES.

20230HB0613PN3479 - 8 - STATE APPROPRIATION.....\$100,000 SECTION 11.

APPLICABILITY.

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

SECTION 12.

LAPSING.

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

SECTION 13.

EFFECTIVE DATE.

THIS ACT SHALL TAKE EFFECT IMMEDIATELY.

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