

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 472 Session of  
2015

INTRODUCED BY KRIEGER, KNOWLES, GABLER, BARRAR, BLOOM, LAWRENCE,  
KAUFFMAN, SACCONI, SAYLOR, DUNBAR, METZGAR, RAPP, DIAMOND,  
METCALFE, REESE, GROVE, SANKEY, CUTLER, GILLEN, SIMMONS,  
EMRICK, WARNER, ROAE, MACKENZIE, HELM, HICKERNELL, B. MILLER,  
EVERETT, QUIGLEY, MALONEY, MCGINNIS, TALLMAN, MOUL, TRUITT  
AND TOEPEL, FEBRUARY 23, 2015

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 23, 2015

## A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth  
2 of Pennsylvania, in taxation and finance, providing for  
3 spending limitations on the Commonwealth.

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

6 Section 1. The following amendment to the Constitution of  
7 Pennsylvania is proposed in accordance with Article XI:

8 That Article VIII be amended by adding a section to read:

9 § 18. Spending limitations.

10 (a) Total spending by the Commonwealth shall not exceed the  
11 spending limit in any fiscal year. The spending limit for any  
12 fiscal year shall be equal to the spending during the  
13 immediately prior fiscal year, adjusted by the sum of:

14 (i) The percentage change in the Consumer Price Index for  
15 All Urban Consumers from the immediately prior fiscal year, if  
16 expressed as a positive number; and

1 (ii) The percentage change in population in this  
2 Commonwealth during the immediately prior fiscal year, if  
3 expressed as a positive number.

4 The percentage of the rate of change used in any fiscal year to  
5 adjust the limit may be increased for that year, but not to a  
6 percentage in excess of 120% of this clause or clause (i),  
7 whichever is lower, by the affirmative vote of three-fourths of  
8 the members elected to each House of the General Assembly. The  
9 Commonwealth's spending limit as provided in this subsection may  
10 be changed by the procedure outlined in section 1(a) of Article  
11 XI.

12 (b) The spending limit may be exceeded for a declared  
13 emergency if the Governor so requests and the General Assembly  
14 approves by the affirmative vote of three-fourths of the members  
15 elected to each House of the General Assembly. The excess  
16 spending authorized by exceeding the limit in this manner shall  
17 not be included in the computation base of the spending limit  
18 for any subsequent fiscal year.

19 (c) The spending limit may be exceeded for the purpose of  
20 funding pension obligations if the Governor so requests and the  
21 General Assembly approves by the affirmative vote of three-  
22 fourths of the members elected to each House of the General  
23 Assembly. The excess spending authorized by exceeding the limit  
24 in this manner shall not be included in the computation base of  
25 the spending limit for any subsequent fiscal year.

26 (d) Total spending by the Commonwealth means all  
27 appropriations and authorizations from the General Fund, the  
28 Public Transportation Assistance Fund and the Motor License Fund  
29 and funds created after the effective date of this subsection,  
30 and shall exclude refunds and the spending of Federal funds,

1 gifts or receipts restricted by laws in effect as of January 1,  
2 2014. This section shall not be circumvented by creating  
3 additional spending programs in the General Fund or Motor  
4 License Fund or transferring spending from the General Fund or  
5 Motor License Fund to existing special funds or restricted  
6 receipt accounts.

7 Section 2. (a) Upon the first passage by the General  
8 Assembly of this proposed constitutional amendment, the  
9 Secretary of the Commonwealth shall proceed immediately to  
10 comply with the advertising requirements of section 1 of Article  
11 XI of the Constitution of Pennsylvania and shall transmit the  
12 required advertisements to two newspapers in every county in  
13 which such newspapers are published in sufficient time after  
14 passage of this proposed constitutional amendment.

15 (b) Upon the second passage by the General Assembly of this  
16 proposed constitutional amendment, the Secretary of the  
17 Commonwealth shall proceed immediately to comply with the  
18 advertising requirements of section 1 of Article XI of the  
19 Constitution of Pennsylvania and shall transmit the required  
20 advertisements to two newspapers in every county in which such  
21 newspapers are published in sufficient time after passage of  
22 this proposed constitutional amendment. The Secretary of the  
23 Commonwealth shall submit this proposed constitutional amendment  
24 to the qualified electors of this Commonwealth at the first  
25 primary, general or municipal election which meets the  
26 requirements of and is in conformance with section 1 of Article  
27 XI of the Constitution of Pennsylvania and which occurs at least  
28 three months after the proposed constitutional amendment is  
29 passed by the General Assembly.

30 Section 3. The addition of section 18(a) of Article VIII of

1 the Constitution of Pennsylvania shall become effective  
2 beginning with the first fiscal year commencing more than six  
3 months following approval of section 18 by the electorate.