

No. 2019-4

AN ACT

HB 264

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

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

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

§ 5612. Money of authority.

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

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(a.2) Fiscal procedures.—

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

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

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

(b) Report.—

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

Department of Community and Economic Development. The reports shall also be provided, and may be provided electronically, to any other municipality that has residents served by the authority.

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

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

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

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Section 2. This act shall take effect as follows:

(1) The amendment of 53 Pa.C.S. § 5612(b)(1) shall take effect in 180 days.

(2) The remainder of this act shall take effect in 90 days.

APPROVED—The 1st day of May, A.D. 2019

TOM WOLF