

AMENDMENTS TO HOUSE BILL NO. 1421

Sponsor: REPRESENTATIVE BENNINGHOFF

Printer's No. 3271

1 Amend Bill, page 1, lines 1 through 3, by striking out all of
2 said lines and inserting

3 Amending the act of April 9, 1929 (P.L.343, No.176), entitled
4 "An act relating to the finances of the State government;
5 providing for cancer control, prevention and research, for
6 ambulatory surgical center data collection, for the Joint
7 Underwriting Association, for entertainment business
8 financial management firms, for private dam financial
9 assurance and for reinstatement of item vetoes; providing for
10 the settlement, assessment, collection, and lien of taxes,
11 bonus, and all other accounts due the Commonwealth, the
12 collection and recovery of fees and other money or property
13 due or belonging to the Commonwealth, or any agency thereof,
14 including escheated property and the proceeds of its sale,
15 the custody and disbursement or other disposition of funds
16 and securities belonging to or in the possession of the
17 Commonwealth, and the settlement of claims against the
18 Commonwealth, the resettlement of accounts and appeals to the
19 courts, refunds of moneys erroneously paid to the
20 Commonwealth, auditing the accounts of the Commonwealth and
21 all agencies thereof, of all public officers collecting
22 moneys payable to the Commonwealth, or any agency thereof,
23 and all receipts of appropriations from the Commonwealth,
24 authorizing the Commonwealth to issue tax anticipation notes
25 to defray current expenses, implementing the provisions of
26 section 7(a) of Article VIII of the Constitution of
27 Pennsylvania authorizing and restricting the incurring of
28 certain debt and imposing penalties; affecting every
29 department, board, commission, and officer of the State
30 government, every political subdivision of the State, and
31 certain officers of such subdivisions, every person,
32 association, and corporation required to pay, assess, or
33 collect taxes, or to make returns or reports under the laws
34 imposing taxes for State purposes, or to pay license fees or
35 other moneys to the Commonwealth, or any agency thereof,
36 every State depository and every debtor or creditor of the
37 Commonwealth," in emergency COVID-19 response, further
38 providing for definitions, repealing provisions relating to

1 money in account, providing for Executive Offices, for Whole-
2 Home Repairs Program and for arts and culture recovery
3 grants, further providing for emergency education relief to
4 nonpublic schools and for funding for library services and
5 providing for biotechnology research, for use of money, for
6 Child Care Stabilization Program, for Behavioral Health
7 Commission or Adult Mental Health, for Department of Revenue,
8 for State university assistance for fiscal year 2022-2023,
9 for Development Cost Relief Program, for Housing Options
10 Grant Program and for Department of Conservation and Natural
11 Resources; in Rental and Utility Assistance Grant Program,
12 further providing for reallocation of grants; in American
13 Rescue Plan Rental and Utility Assistance Grant Program,
14 further providing for department; in Treasury Department,
15 providing for Commonwealth payment security; in oil and gas
16 wells, further providing for Oil and Gas Lease Fund; in
17 transportation network companies, motor carrier companies and
18 parking authority of a city of the first class, further
19 providing for transportation network company extension;
20 providing for Agriculture Conservation Assistance Program and
21 for Clean Water Procurement Program; in special funds,
22 further providing for funding, for transfer, for H2O PA
23 Account and for other grants; in additional special funds and
24 restricted accounts, further providing for establishment of
25 special fund and account, for use of fund, for distributions
26 from Pennsylvania Race Horse Development Fund, for Workers'
27 Compensation Security Fund transfer to COVID-19 Response
28 Restricted Account and for Opioid Settlement Restricted
29 Account; providing for additional special funds and
30 restricted accounts; in 2021-2022 budget implementation,
31 further providing for executive offices and for Department of
32 Human Services; in general budget implementation, further
33 providing for Executive Offices, for Department of
34 Corrections, for Department of Education, for Department of
35 Health, for Department of Labor and Industry, for Department
36 of Military and Veterans Affairs, for Department of Human
37 Services, for Department of Revenue, for Pennsylvania
38 Infrastructure Investment Authority, for Pennsylvania Board
39 of Probation and Parole, for Pennsylvania Public Television
40 Network Commission, for Pennsylvania Securities Commission
41 and for State Tax Equalization Board, providing for State-
42 related universities and further providing for surcharges and
43 for Multimodal Transportation Fund; providing for 2022-2023
44 budget implementation and for 2022-2023 restrictions on
45 appropriations for funds and accounts; and making related
46 repeals.

47 The General Assembly finds and declares as follows:

48 (1) The intent of this act is to provide for the
49 implementation of the 2022-2023 Commonwealth budget.

50 (2) The Constitution of Pennsylvania confers numerous
51 express duties upon the General Assembly, including the

1 passage of a balanced budget for the Commonwealth.

2 (3) Section 24 of Article III of the Constitution of
3 Pennsylvania requires the General Assembly to adopt all
4 appropriations for the operation of government in this
5 Commonwealth, regardless of their source. The Supreme Court
6 has repeatedly affirmed that "It is fundamental within
7 Pennsylvania's tripartite system that the General Assembly
8 enacts the legislation establishing those programs which the
9 State provides for its citizens and appropriates the funds
10 necessary for their operation."

11 (4) Pursuant to section 13 of Article VIII of the
12 Constitution of Pennsylvania, the General Assembly is
13 explicitly required to adopt a balanced Commonwealth budget.
14 Given the unpredictability and potential insufficiency of
15 revenue collections, various changes in State law relating to
16 sources of revenue, the collection of revenue and the
17 implementation of statutes which impact revenue may be
18 required to discharge this constitutional obligation.

19 (5) Section 11 of Article III of the Constitution of
20 Pennsylvania requires the adoption of a general appropriation
21 act that embraces "nothing but appropriations." While actual
22 items of appropriation can be contained in a General
23 Appropriation Act, the achievement and implementation of a
24 comprehensive budget involves more than subjects of
25 appropriations and dollar amounts. Ultimately, the budget has
26 to be balanced under section 13 of Article VIII of the
27 Constitution of Pennsylvania. This may necessitate changes to
28 sources of funding and enactment of statutes to achieve full
29 compliance with these constitutional provisions.

30 (6) For the reasons set forth in paragraphs (1), (2),
31 (3), (4) and (5), it is the intent of the General Assembly
32 through this act to provide for the implementation of the
33 2022-2023 Commonwealth budget.

34 (7) Every provision of this act relates to the
35 implementation of the operating budget of the Commonwealth
36 for this fiscal year, addressing in various ways the fiscal
37 operations, revenues and potential liabilities of the
38 Commonwealth. To that end, this act is intended to implement
39 the 2022-2023 Commonwealth budget without specifically
40 appropriating public money from the General Fund. This act
41 provides accountability for spending and makes transfers or
42 other changes necessary to impact the availability of revenue
43 in order to meet the requirements of section 13 of Article
44 VIII of the Constitution of Pennsylvania and to implement the
45 act of (P.L. , No.), known as the General
46 Appropriation Act of 2022.

47 Amend Bill, page 1, lines 6 through 16; page 2, lines 1
48 through 4; by striking out all of said lines on said pages and
49 inserting

Section 1. Section 101-C of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, is amended by adding a definition to read:

Section 101-C. Definitions.

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

* * *

"American Rescue Plan Act of 2021" or "ARPA." The American Rescue Plan Act of 2021 (Public Law 117-2, 135 Stat. 4).

* * *

Section 2. Section 111-C(g) of the act is repealed:
Section 111-C. Money in account.

* * *

[(g) Transfer.--

(1) Federal money from the Coronavirus State Fiscal Recovery Fund in the account other than amounts appropriated under Part XXX of the act of June 30, 2021 (P.L.1325, and Article I-J, shall be transferred to the General Fund for use under section 602(c)(1) of the Social Security Act (49 Stat. 620, 42 U.S.C. § 802(c)(1)) for fiscal years beginning after June 30, 2022.

(2) A transfer under paragraph (1) shall be made by the State Treasurer on the following schedule:

(i) For the 2022-2023 fiscal year, the transfer shall be made no earlier than July 31, 2022.

(ii) For the 2023-2024 fiscal year, the transfer shall be made no earlier than July 31, 2023.

(3) The amount of the transfer under paragraph (1) made for a fiscal year may not be higher than the amount which may be used for the fiscal year under 42 U.S.C. § 802(c)(1).

(4) Any money which remains in the account after a transfer under paragraph (1) shall be transferred under paragraph (2) in the following fiscal year.]

Section 3. Article I-C of the act is amended by adding a subarticle to read:

SUBARTICLE B.1

EXECUTIVE OFFICES

Section 115-C. Transfer to the Unemployment Compensation Trust Fund.

(a) Certification of information.--No later than September 1, 2022, November 1, 2022, December 15 2022 and February 1, 2023, the Secretary of Labor and Industry shall certify to the Secretary of the Budget, the chairperson and minority chairperson of the Appropriations Committee of the Senate and the chairperson and minority chairperson of the Appropriations Committee of the House of Representatives all of the following:

(1) The balance of the Unemployment Compensation Trust Fund as of the date of the certification.

(2) The estimated revenues to be deposited into the Unemployment Compensation Trust Fund for the remainder of the

1 fiscal year.

2 (3) The estimated expenditures from the Unemployment
3 Compensation Trust Fund for the remainder of the fiscal year.

4 (4) The balance of the loans from the Federal Government
5 as of the date of the certification.

6 (5) Whether the balance of the loans under paragraph (4)
7 will subject the Commonwealth to a FUTA credit reduction if
8 the loans are not repaid by January 1, 2023.

9 (b) Transfer.--Upon receipt of a certification under
10 subsection (a), the Secretary of the Budget shall transfer
11 amounts from the appropriation for COVID Relief - ARPA -
12 Transfer to the Unemployment Compensation Trust Fund to the
13 Unemployment Compensation Trust Fund. Amounts transferred to the
14 Unemployment Compensation Trust Fund under this subsection shall
15 be used as follows:

16 (1) To repay advances prior to November 10, 2022, to
17 avoid a reduction in the tax credit available to employers
18 under 26 U.S.C. § 3302 (relating to credits against tax).

19 (2) To repay the entire outstanding advances prior to
20 January 1, 2023, to avoid a reduction in the tax credit
21 available to employers under 26 U.S.C. § 3302.

22 (3) Excess money remaining after advances are paid in
23 accordance with paragraphs (1) and (2) shall be used to repay
24 outstanding advances prior to April 30, 2023.

25 (4) After April 30, 2023, any remaining money shall be
26 used in the following order of priority:

27 (i) The repayment of outstanding advances.

28 (ii) The payment of benefits under the act of
29 December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1),
30 known as the Unemployment Compensation Law, if the
31 department determines that additional advances will not
32 be necessary for at least one year.

33 Section 116-C. Local Law Enforcement Support Grant Program.

34 (a) Establishment.--The commission shall establish the Local
35 Law Enforcement Support Grant Program for law enforcement
36 agencies.

37 (b) Administration.--The program shall provide a law
38 enforcement agency with the necessary resources to allow the law
39 enforcement agency to implement information technology
40 improvements, purchase or upgrade equipment, cover
41 nontraditional law enforcement personnel costs, support
42 retention and recruitment efforts and provide necessary training
43 and cover related expenses.

44 (c) Applications.--The commission shall prescribe the form
45 and manner in which an application may be submitted to receive a
46 grant award under the program. The commission shall accept
47 applications on an annual basis.

48 (d) Use of grants.--From money appropriated for COVID Relief
49 - ARPA - Local Law Enforcement Support, a law enforcement agency
50 may use a grant award under the program for any of the
51 following:

1 (1) Technology and information technology improvements,
2 including, but not limited to, record management systems,
3 report management systems and national incident-based
4 reporting system updates.

5 (2) Hardware and software equipment, including, but not
6 limited to, body-worn cameras, vehicle cameras and mobile
7 information technology equipment.

8 (3) Nonsworn personnel costs, including, but not limited
9 to, civilian personnel, co-responder models, crisis
10 intervention specialists or civilian community relations
11 specialists.

12 (4) Nonreoccurring personnel costs for sworn officers,
13 including, but not limited to, officer wellness programs,
14 programs that support increased diversity and retention and
15 recruitment programs.

16 (5) Policy development, evidence-based practices and
17 training, including, but not limited to, crisis intervention
18 training, use of force training, implicit bias training,
19 deescalation training and associated costs related to
20 training.

21 (e) Prioritization.--The commission shall prioritize issuing
22 grants under the program for areas of this Commonwealth with
23 high rates of violence or to law enforcement agencies with low
24 clearance rates.

25 (f) Limitations.--The following shall apply to grants issued
26 by the commission under the program:

27 (1) A grant award to a city of the first class shall not
28 exceed \$25,000,000.

29 (2) A grant award to a city of the second class shall
30 not exceed \$20,000,000.

31 (3) A grant award to a municipality with a population of
32 55,000 or greater based on the most recent Federal decennial
33 census, not including a city of the first class or a city of
34 the second class, shall not exceed \$10,000,000.

35 (4) A grant award to a municipality with a population
36 between 18,000 and 55,000 based on the most recent Federal
37 decennial census, not including a city of the first class or
38 a city of the second class, shall not exceed \$5,000,000.

39 (5) A grant award to a municipality with a population
40 less than 18,000 based on the most recent Federal decennial
41 census, not including a city of the first class or a city of
42 the second class, shall not exceed \$1,000,000.

43 (6) A grant award to a transit agency or campus police
44 or university police department shall not exceed \$5,000,000.

45 (7) A grant award to an airport authority police
46 department or a county park police force shall not exceed
47 \$500,000.

48 (g) Supplement not supplant.--Grant money allocated through
49 the program shall be used to supplement and not supplant
50 existing funding. Nothing in this section shall be construed to
51 prohibit a law enforcement agency from making an application to

1 receive a grant award under the program in a subsequent year for
2 the same purpose and amount in the prior year.

3 (h) Diversity.--The commission shall ensure that grant
4 awards made under the program are geographically dispersed
5 throughout this Commonwealth.

6 (i) Performance metrics.--The commission shall include
7 performance metrics to measure the progress of grants awarded
8 under the program.

9 (j) Definitions.--As used in this section, the following
10 words and phrases shall have the meanings given to them in this
11 subsection unless the context clearly indicates otherwise:

12 "Commission." The Pennsylvania Commission on Crime and
13 Delinquency.

14 "Law enforcement agency." Any of the following:

15 (1) A public agency of a political subdivision having
16 general police powers and charged with making arrests in
17 connection with the enforcement of the criminal or traffic
18 laws.

19 (2) A campus police or university police department, as
20 used in section 2416 of the act of April 9, 1929 (P.L.177,
21 No.175), known as The Administrative Code of 1929, certified
22 by the Office of Attorney General as a criminal justice
23 agency under the definition of "criminal justice agency" in
24 18 Pa.C.S. § 9102 (relating to definitions).

25 (3) A railroad or street railway police department
26 formed with officers commissioned under 22 Pa.C.S. Ch. 33
27 (relating to railroad and street railway police) or any prior
28 statute providing for the commissioning.

29 (4) An airport authority police department, including
30 the Harrisburg International Airport Police.

31 (5) A county park police force under section 2511(b) of
32 the act of August 9, 1955 (P.L.323, No.130), known as The
33 County Code.

34 "Most recent Federal decennial census." The population
35 figures for the most recent Federal decennial census as
36 published by the Department of General Services in the most
37 recent Pennsylvania Manual as of the effective date of this
38 section.

39 "Program." The Local Law Enforcement Support Grant Program
40 established under subsection (a).

41 Section 117-C. Gun Violence Investigation and Prosecution Grant
42 Program.

43 (a) Establishment.--The commission shall establish the Gun
44 Violence Investigation and Prosecution Grant Program.

45 (b) Administration.--The program shall make grants to county
46 district attorneys' offices and local law enforcement agencies
47 to investigate and prosecute the following:

48 (1) A violation of 18 Pa.C.S. Ch. 61 (relating to
49 firearms and other dangerous articles).

50 (2) A crime of violence as defined in 42 Pa.C.S. §
51 9714(g) (relating to sentences for second and subsequent

1 offenses) where a firearm or a replica of a firearm, as
2 defined in 42 Pa.C.S. § 9712(e) (relating to sentences for
3 offenses committed with firearms), is used in the commission
4 of the crime.

5 (c) Applications.--The commission shall prescribe the form
6 and manner in which an application may be submitted to receive a
7 grant award under the program. The commission shall accept
8 applications on an annual basis.

9 (d) Use of grant funds.--From money appropriated for COVID
10 Relief - ARPA - Gun Violence Investigation and Prosecution,
11 grant funds may be used for any of the following purposes:

12 (1) To improve and enhance coordination of Federal,
13 State and local law enforcement investigations and
14 prosecutions of violations of 18 Pa.C.S. Ch. 61 and crimes of
15 violence involving firearms.

16 (2) To support personnel costs, including salaries and
17 overtime, relating to investigations and prosecutions of
18 violations of 18 Pa.C.S. Ch. 61 and crimes of violence
19 involving firearms, with priority given to applications
20 focusing on straw purchasers and firearms trafficking.

21 (3) To purchase technology systems, including related
22 hardware and software, to improve investigations and
23 prosecutions or increase clearance rates, including the
24 purchase of gunshot detection technology and other
25 technologies that support firearm violence reduction
26 initiatives.

27 (4) Initiatives that support the tracing of firearms
28 used to commit crimes or delinquent acts and the
29 identification of illegal firearms traffickers.

30 (5) Any other efforts that aid in the investigation,
31 arrest and prosecution of a crime involving firearms.

32 (e) Limitations.--The limitations under section 116-C(f) for
33 the law enforcement grant program shall apply to a grant awarded
34 under this section.

35 (f) Priority in awards.--In awarding grants under this
36 program, the commission shall prioritize applications for areas
37 of this Commonwealth experiencing high rates of gun violence.
38 The commission shall reserve no less than 10% of available grant
39 funds for county district attorneys' offices and law enforcement
40 agencies serving rural communities.

41 (g) Information collection.--To assist the commission in
42 determining the effectiveness of grant outcomes under the
43 program, the Administrative Office of Pennsylvania Courts shall
44 provide the commission with real-time data information on all
45 individuals charged with firearm offenses and their disposition
46 outcomes. The commission shall use the data received under this
47 subsection to provide a real-time analysis on grant recipient
48 outcomes on the commission's publicly accessible Internet
49 website.

50 (h) Definitions.--As used in this section, the following
51 words and phrases shall have the meanings given to them in this

1 subsection unless the context clearly indicates otherwise:

2 "Law enforcement agency." Shall have the same meaning as
3 provided under section 116-C(j).

4 "Program." The Gun Violence Investigation and Prosecution
5 Grant Program established under subsection (a).

6 Section 118-C. Violence Intervention and Prevention.

7 (a) Use of funds.--Money appropriated for COVID Relief -
8 ARPA - Violence Intervention and Prevention shall be used solely
9 to provide grants and technical assistance to community-based
10 organizations, institutions of higher education, municipalities,
11 district attorneys and other entities in accordance with section
12 1306-B(b) of the act of March 10, 1949 (P.L.30, No.14), known as
13 the Public School Code of 1949, and notwithstanding section
14 1306-B(h) (7) of the Public School Code of 1949 for programs
15 eligible under section 1306-B(j)(22) of the Public School Code
16 of 1949.

17 (b) (Reserved).

18 Section 4. The act is amended by adding sections to read:

19 Section 135-C. Whole-Home Repairs Program.

20 (a) Program established.--The department shall establish the
21 Whole-Home Repairs Program. In administering the Whole-Home
22 Repairs Program, the department shall coordinate with existing
23 Federal and State resources relating to home repairs. From money
24 appropriated for COVID Relief - ARPA - Whole Home Repairs
25 Program, the department shall award funds to no more than one
26 applicant per county. The department may develop and publish
27 guidelines to implement the Whole-Home Repairs Program. The
28 department and grantees may receive up to 4% each for
29 administrative costs to implement this subsection from money
30 appropriated for the Whole-Home Repairs Program. Nothing in this
31 subsection shall be construed to prohibit an applicant which
32 receives funds from the program under this section from
33 subgranting the funds to another entity approved by the
34 department to perform any of the purposes specified in
35 subsection (b), (c) or (d). An applicant which subgrants the
36 funds to another entity shall notify the department and the
37 department shall maintain a list of the applicants and
38 subgrantees contact information on its publicly accessible
39 Internet website.

40 (b) Grants.--An applicant who receives funds from the Whole-
41 Home Repairs Program shall make grants available to homeowners
42 whose household income does not exceed 80% of the area median
43 income and shall make loans available to small landlords renting
44 affordable units and recorded against a residential property in
45 a mortgage security. A single grant to a homeowner or a single
46 loan to a small landlord may not exceed \$50,000 per owner-
47 occupied or rental unit and may be used to address habitability
48 concerns, improve energy or water efficiency or to make units
49 accessible for individuals with disabilities.

50 (c) Loan forgiveness.--The following shall apply:

51 (1) A loan to a small landlord under paragraph (2) may

1 be forgiven if all of the following apply:

2 (i) The small landlord offered a three-year
3 extension of the lease to a tenant occupying a unit when
4 the funds were accepted by the small landlord.

5 (ii) Annual increases in monthly rent have not
6 exceeded 3% of the base rent or the unit has been
7 occupied by a tenant participating in the Housing Choice
8 Voucher Program for a period of no less than 15 years.

9 (iii) In the prior 15 years, the small landlord has
10 not committed a serious violation with regard to the
11 small landlord's rental property for which the small
12 landlord has taken no substantial steps to correct the
13 violation.

14 (iv) The small landlord has maintained ownership of
15 the unit for a period of no less than 15 years.

16 (2) The applicant shall recapture a loan not forgiven
17 under this paragraph.

18 (d) Use of funds.--An applicant who receives funds from the
19 Whole-Home Repairs Program shall also use the funds to do all of
20 the following:

21 (1) Administer the program under this section, including
22 staff, implementing systems and data management tools
23 designed to maximize enrollment in all existing home repair
24 programs administered by nonprofit organizations,
25 governmental entities and public utilities.

26 (2) Invest in workforce development programs that will
27 connect trainees to jobs through committed employer
28 partnerships related to improving the habitability and
29 performance of homes, including cash stipends for trainees
30 and costs related to the design and implementation of pre-
31 apprenticeship, apprenticeship and publicly funded on-the-job
32 training programs.

33 (e) Definitions.--As used in this section, the following
34 words and phrases shall have the meanings given to them in this
35 subsection unless the context clearly indicates otherwise:

36 "Affordable unit." A unit where the rent is affordable to a
37 tenant at or below 60% of the area median income adjusted for
38 household size, as defined annually by the Pennsylvania Housing
39 Finance Agency's PennHOMES Program countywide limits.

40 "Applicant." A nonprofit or governmental entity that serves
41 one or more county.

42 "Department." The Department of Community and Economic
43 Development.

44 "Habitability concern." Home repairs that are required to
45 ensure that residential units are:

46 (1) fit for human habitation;

47 (2) free from defective conditions of health and safety
48 hazards, including asbestos, mold, pests and lead; or

49 (3) free of conditions preventing the installation of
50 measures to improve energy or water efficiency and lower
51 utility costs.

1 "Small landlord." A person who meets all of the following
2 criteria:

3 (1) The person is a landlord.

4 (2) The person has an ownership stake in no more than
5 five properties and no more than 15 rental units.

6 (3) The person rents the properties or units under
7 paragraph (2) for use as a primary residence for a fee,
8 regardless of the length or form of lease.

9 Section 136-C. Arts and culture recovery grants.

10 (a) Use of funds.--From money appropriated for COVID Relief
11 - ARPA - Cultural and Museum Preservation Grant Program, the sum
12 of \$15,000,000 shall be transferred to the Commonwealth
13 Financing Authority for the purpose of awarding grants to
14 nonprofit arts and culture organizations, local arts and culture
15 districts and arts and culture professionals located in this
16 Commonwealth to ensure the stability and recovery of the
17 Commonwealth's arts and culture sector from the COVID-19
18 pandemic. The authority shall issue guidelines to implement this
19 section, which, at a minimum, shall include the following:

20 (1) Eligibility requirements for grant awards to
21 nonprofit arts and culture organizations, local arts and
22 culture districts, professional artists and other individuals
23 or nonprofit entities which the authority determines meets
24 the intent of this program.

25 (2) Allowable use of grant funds, which shall include
26 reimbursement of revenue lost due to the COVID-19 pandemic,
27 funding for operating costs to maintain essential functions
28 and recruit and retain core staff, costs related to
29 establishing new programs or marketing and any other use
30 which the authority determines meets the intent of this
31 program.

32 (3) Minimum and maximum grant amounts; provided that the
33 maximum grant award shall be \$500,000 per applicant.

34 (b) (Reserved).

35 Section 5. Section 141-C of the act is amended by adding a
36 subsection to read:

37 Section 141-C. Emergency education relief to nonpublic schools.

38 * * *

39 (a.1) Reallocation.--From money appropriated for Emergency
40 Education Relief to Nonpublic Schools in 2020-2021, \$1,400,000
41 shall be reallocated to the amount appropriated for COVID Relief
42 GEER during the 2020-2021 fiscal year. The funding shall only be
43 used in accordance with Federal regulations and this section to
44 support nonpublic schools.

45 * * *

46 Section 6. Section 145-C(a) of the act is amended by adding
47 paragraphs to read:

48 Section 145-C. Emergency education relief to nonpublic schools.

49 (a) Application and reporting.--From money appropriated for
50 COVID Relief - ARPA - Emergency Assistance to Non-Public
51 Schools, the following shall apply:

1 * * *

2 (6) Nonpublic schools that qualify for a grant under
3 paragraph (1) may choose any educational service provider
4 provided through an intermediate unit that is administering
5 the program under this section, in accordance with Federal
6 law and guidance.

7 (7) No later than February 14, 2023, each intermediate
8 unit that is administering the program under this section
9 shall report to each nonpublic school for which it
10 administers a grant award of the amount of money that remains
11 unexpended and shall make a report to the Department of
12 Education of the total amount of money that remains
13 unexpended for all nonpublic schools for which it administers
14 grants.

15 * * *

16 Section 7. Section 146-C of the act, amended or added June
17 30, 2021 (P.L.62, No.24), is amended to read:

18 Section 146-C. Funding for library services.

19 (a) General rule.--From money appropriated for COVID Relief
20 - ARPA - IMLS, the following shall apply:

21 (1) Each library receiving an allocation in fiscal year
22 2020-2021 under section 2324 of the act of March 10, 1949
23 (P.L.30, No.14), known as the Public School Code of 1949,
24 shall receive an equal share of \$890,000.

25 (2) The amount of \$3,810,000 shall be distributed to
26 libraries as follows:

27 (i) Multiply the amount received by the library in
28 fiscal year 2020-2021 under section 2324 of the Public
29 School Code of 1949 by \$3,810,000.

30 (ii) Divide the product from subparagraph (i) by the
31 sum of the amounts received by libraries under section
32 2324 of the Public School Code of 1949.

33 (3) The amount of \$86,000 shall be allocated to the
34 State Library for administration.

35 (4) Any money to be distributed under this section which
36 remains unexpended, uncommitted or unencumbered as of the
37 effective date of this paragraph, may be distributed at the
38 discretion of the State Librarian.

39 (b) (Reserved).

40 Section 8. The act is amended by adding sections to read:
41 Section 151-C. Biotechnology research.

42 (a) Use of funds.--From funds appropriated for COVID Relief
43 - ARPA - Biotechnology Research, the Department of Health shall
44 award grants to support any of the following Statewide
45 priorities:

46 (1) Attract, grow and expand biotechnology,
47 pharmaceutical, life science or health research and
48 development capacity located in this Commonwealth, including
49 partnerships between industry and institutions of higher
50 education.

51 (2) Increase biotechnology, pharmaceutical, life science

1 or health manufacturing capacity located in this
2 Commonwealth.

3 (3) Promote the growth or development of new and
4 innovative technologies from biotechnology, life science,
5 pharmaceutical and health fields.

6 (4) Support the commercialization of research in
7 biotechnology, pharmaceutical, life science or health fields,
8 including research developed or conducted in this
9 Commonwealth.

10 (b) Guidelines.--The Department of Health shall issue
11 guidelines to implement this section.

12 Section 161-C. Use of money.

13 (a) Uses.--The following shall apply:

14 (1) Subject to paragraph (2), from money appropriated
15 for COVID Relief - ARPA - Long-Term Living Programs,
16 \$250,000,000 shall be used for the following purposes:

17 (i) The sum of \$131,157,000 for the purpose of
18 making payments to nonpublic and county nursing
19 facilities, which shall be allocated as follows:

20 (A) Of the amount under this subparagraph,
21 \$104,926,000 shall be distributed as a one-time
22 payment to each nonpublic and county nursing
23 facility, which shall be determined as follows:

24 (I) Divide:

25 (a) the facility's number of medical
26 assistance days for the third quarter of
27 calendar year 2021 as reported under Article
28 VIII-A of the act of June 13, 1967 (P.L.31,
29 No.21), known as the Human Services Code; by

30 (b) the total number of medical
31 assistance days for all facilities for the
32 third quarter of calendar year 2021 as
33 reported under Article VIII-A of the Human
34 Services Code.

35 (II) Multiply:

36 (a) the quotient under subclause (I); by

37 (b) \$104,926,000.

38 (B) Of the amount under this subparagraph,
39 \$26,231,000 shall be distributed as a one-time
40 payment to each nonpublic and county nursing
41 facility, which shall be determined as follows:

42 (I) Divide:

43 (a) the number of the facility's
44 licensed beds as of July 1, 2022; by

45 (b) the total licensed beds of all
46 nonpublic and county nursing facilities as of
47 July 1, 2022.

48 (II) Multiply:

49 (a) the quotient under subclause (I); by

50 (b) \$26,231,000.

51 (ii) The sum of \$74,946,000 for the purpose of

1 making payments for personal assistance services provided
2 by home health care agencies, home care agencies and
3 direct care workers employed through the participant-
4 directed employer model. Each home health care provider,
5 home care provider or direct care worker employed through
6 the participant-directed employer model shall receive a
7 one-time payment, which shall be determined as follows:

8 (A) Of the amount under this subparagraph,
9 \$59,957,000 shall be distributed as a one-time
10 payment to a home health care provider or home care
11 provider, which shall be determined as follows:

12 (I) Divide:

13 (a) the provider's number of medical
14 assistance 15-minute units, excluding
15 overtime, invoiced in the third quarter of
16 calendar year 2021; by

17 (b) the total medical assistance 15-
18 minute units for all home health care
19 providers and home care providers, excluding
20 overtime, invoiced in the third quarter of
21 calendar year 2021.

22 (II) Multiply:

23 (a) the quotient under subclause (I); by

24 (b) \$59,957,000.

25 (B) Of the amount under this subparagraph,
26 \$14,989,000 shall be distributed as a one-time
27 payment to each direct care worker employed through
28 the participant-directed employer model who provides
29 personal assistance services, which shall be
30 determined as follows:

31 (I) Divide:

32 (a) the number of personal assistance
33 15-minute units provided by a direct care
34 worker employed through the participant-
35 directed employer model, excluding overtime,
36 invoiced in the third quarter of calendar
37 year 2021; by

38 (b) all personal assistance 15-minute
39 units provided by all direct care workers
40 employed through the participant-directed
41 employer model, excluding overtime, invoiced
42 in the third quarter of calendar year 2021.

43 (II) Multiply:

44 (a) the quotient under subclause (I); by

45 (b) \$14,989,000.

46 (iii) The sum of \$26,767,000 for the purpose of
47 making payments to assisted living residences and
48 personal care homes, which shall be allocated as follows:

49 (A) Of the amount under this subparagraph,

50 \$24,090,000 shall be distributed as a one-time
51 payment to each assisted living residence and

1 personal care home, which shall be determined as
2 follows:

3 (I) Divide:

4 (a) the occupancy of the assisted living
5 residence or personal care home, as
6 determined by the Department of Human
7 Services' most recent inspection on or before
8 July 1, 2022; by

9 (b) the total occupancy of all assisted
10 living residences, including those with a
11 special care designation, and personal care
12 homes, as determined by the Department of
13 Human Services' most recent inspections on or
14 before July 1, 2022.

15 (II) Multiply:

16 (a) the quotient under subclause (I); by

17 \$24,090,000.

18 (B) Of the amount under this subparagraph,
19 \$2,677,000 shall be distributed as a one-time payment
20 to each personal care home, which shall be determined
21 as follows:

22 (I) Divide:

23 (a) the personal care facility's number
24 of individuals for whom the facility received
25 a payment from the Department of Human
26 Services for Supplemental Security Income in
27 March 2022; by

28 (b) the total of all personal care
29 facilities' individuals for whom payments for
30 Supplemental Security Income were made by the
31 Department of Human Services in March 2022.

32 (II) Multiply:

33 (a) the quotient under subclause (I); by

34 \$2,677,000.

35 (iv) The sum of \$6,959,000 for the purpose of making
36 payments for adult day care services as a one-time
37 payment to each adult day care services provider, which
38 shall be determined as follows:

39 (A) Divide:

40 (I) the adult day care services provider's
41 total medical assistance fee-for-service and
42 Community HealthChoices payments for the third
43 quarter of calendar year 2021; by

44 (II) the sum of all adult day care services
45 providers' medical assistance fee-for-service and
46 Community HealthChoices payments for the third
47 quarter of calendar year 2021.

48 (B) Multiply:

49 (I) the quotient under clause (A); by

50 (II) \$6,959,000.

51 (v) The sum of \$535,000 for the purpose of making

1 payments for residential habilitation services as a one-
2 time payment to each provider, which shall be determined
3 as follows:

4 (A) Divide:

5 (I) the residential habilitation services
6 provider's total medical assistance fee-for-
7 service and Community HealthChoices payments for
8 the third quarter of calendar year 2021; by

9 (II) the total sum of all residential
10 habilitation medical assistance fee-for-service
11 and Community HealthChoices payments for the
12 third quarter of calendar year 2021.

13 (B) Multiply:

14 (I) the quotient under clause (A); by

15 (II) \$535,000.

16 (vi) The following shall apply:

17 (A) The sum of \$4,283,000 for the purpose of
18 making payments for eligible Medicaid ventilator or
19 tracheostomy qualified medical assistance nonpublic
20 and county nursing facilities. A nonpublic or county
21 nursing facility shall qualify for payment if a
22 payment under section 443.1(7)(vii) of the Human
23 Services Code was made for the quarter ending March
24 31, 2022.

25 (B) The amount appropriated under this
26 subparagraph shall be distributed as a one-time
27 payment to each qualified medical assistance
28 nonpublic and county nursing facility, determined as
29 follows:

30 (I) Divide:

31 (a) the facility's payment amount
32 received under section 443.1(7)(vii) of the
33 Human Services Code for quarter ending March
34 31, 2022; by

35 (b) the sum of all payment amounts
36 received under section 443.1(7)(vii) of the
37 Human Services Code for the quarter ending
38 March 31, 2022.

39 (II) Multiply:

40 (a) the quotient under subclause (I); by

41 (b) \$4,283,000.

42 (vii) The following shall apply:

43 (A) The sum of \$5,353,000 shall be used for
44 making payments to organizations that have entered
45 into an agreement with the Department of Human
46 Services to operate a Life Program, as defined under
47 section 602 of the Human Services Code, in a
48 specified county or set of counties, as determined by
49 the department. Each organization shall receive a
50 one-time payment, which shall be determined as
51 follows:

1 (I) Divide:
2 (a) the organization's total amount
3 reimbursed for long-term care - managed care
4 for the third quarter of calendar year 2021;
5 by
6 (b) the total amount reimbursed for
7 long-term care - managed care for the third
8 quarter of calendar year 2021.
9 (II) Multiply:
10 (a) the quotient under subclause (i); by
11 (b) \$5,353,000.
12 (B) (Reserved).
13 (2) The following shall apply to an eligible person or
14 entity receiving a payment under paragraph (1):
15 (i) An eligible person or entity receiving a payment
16 under this section must be in operation as of July 1,
17 2022.
18 (ii) A person or entity receiving a payment shall
19 provide documentation to the Department of Human
20 Services, in a format prescribed by the department, for
21 the purpose of an audit review.
22 (iii) A payment received may not otherwise be
23 reimbursed by a Federal, State or other source of
24 funding.
25 (3) From money appropriated for COVID Relief - ARPA -
26 Low-Income Home Energy Assistance Program, the entire amount
27 shall only be expended if:
28 (i) all other money received from the Federal
29 government for the LIHEAP Program, less any amounts
30 allowed to be carried over to the following fiscal year
31 under Federal law, are expended or committed; and
32 (ii) the Secretary of the Budget notifies the
33 chairperson and minority chairperson of the
34 Appropriations Committee of the Senate, the chairperson
35 and minority chairperson of the Appropriations Committee
36 of the House of Representatives and the State Treasurer
37 that all State and non-American Rescue Plan Act Federal
38 funds have been expended or committed.
39 (b) (Reserved).
40 Section 162-C. Child Care Stabilization Program.
41 (a) Child Care Stabilization Program.--The Child Care
42 Stabilization Program is established within the department for
43 the purpose of making retention and recruitment payments to
44 qualified staff in accordance with this article, which shall be
45 distributed as one-time payments to each child-care provider who
46 applies and qualifies.
47 (b) Use of money.--From money appropriated for COVID Relief
48 - ARPA - Child Care Stabilization to the department, the entire
49 amount shall be used for making payments under the program under
50 this section.
51 (c) Applications.--The department shall develop an

1 application for qualified child-care providers to apply for
2 program funding under this section. At the discretion of the
3 department, but no later than January 1, 2023, the department
4 shall begin accepting applications. The application shall be
5 made available and posted on the department's publicly
6 accessible Internet website. The department shall accept and
7 process applications on a rolling basis until either funding for
8 the program under this section has been exhausted or the Federal
9 deadline for the use of the American Rescue Plan Act of 2021,
10 whichever occurs first.

11 (d) Department decision.--The department shall approve or
12 deny an application received under subsection (c) no later than
13 30 days after receipt of the application.

14 (e) Conditions.--The following apply to payments received
15 under this section:

16 (1) Payment received from the department under this
17 section may not supplant existing staff wages and may not
18 otherwise be reimbursed by Federal or State funding.

19 (2) A qualified staff member may only receive one
20 payment for retention or recruitment under this section.

21 (3) Payment to a qualified staff member under this
22 section may not exceed \$2,500.

23 (4) A qualified child-care provider receiving a payment
24 from the department under this section must be in operation
25 as of June 30, 2022, and must maintain operations until at
26 least December 31, 2022.

27 (5) A qualified child-care provider receiving a payment
28 from the department under this section shall spend the money
29 by the following deadlines:

30 (i) Staff retention payments under this section
31 shall be made within 90 days of receipt of payment.

32 (ii) Staff recruitment payments under this section
33 shall be made within 180 days of receipt of payment.

34 (6) A qualified child-care provider receiving a payment
35 from the department under this section shall submit a report,
36 in a form and manner as prescribed by the department, as
37 follows:

38 (i) A qualified child-care provider receiving a
39 payment from the department under this section shall
40 submit a report to the department by:

41 (A) June 30, 2023, regarding staff retention
42 payments; or

43 (B) September 30, 2023, regarding staff
44 recruitment payments.

45 (ii) (Reserved).

46 (7) The department may recover a payment from a
47 qualified child-care provider that receives payment from the
48 department under this section if the entity does not comply
49 with the provisions of this section or with Federal or State
50 law or guidance. A qualified child-care provider that
51 receives a payment from the department under this section

1 shall provide documents, records and other information
2 related to a payment made under this section in the time,
3 manner and format requested by either the department or by
4 any other Federal or Commonwealth agency that is authorized
5 to audit the payments.

6 (f) Report.--Within 90 days of the reporting deadlines under
7 subsection (e), the department shall issue a report to the
8 chairperson and minority chairperson of the Appropriations
9 Committee of the Senate and the chairperson and minority
10 chairperson of the Appropriations Committee of the House of
11 Representatives regarding the aggregate staff retention and
12 staff recruitment payment information received under subsection
13 (e). The report shall be posted to the department's publicly
14 accessible Internet website. The publicly available report may
15 not include any proprietary recruitment and retention plan
16 information.

17 (g) Definitions.--As used in this section, the following
18 words and phrases shall have the meanings given to them in this
19 subsection unless the context clearly indicates otherwise:

20 "Department." The Department of Human Services of the
21 Commonwealth.

22 "Qualified child-care provider." Either of the following:

23 (1) Child-care provider certified under 55 Pa. Code Chs.
24 3270 (relating to child day care centers), 3280 (relating to
25 group child day care homes) unless those providers are under
26 investigation of fraud, refuse to renew or revocation or 3290
27 (relating to family child care homes) unless those providers
28 are under investigation of fraud, refuse to renew or
29 revocation.

30 (2) A relative provider unless directly engaged in child
31 care supervision activities exempt from certification under
32 55 Pa. Code Chs. 3270, 3280 and 3290.

33 "Qualified staff." An employee of a qualified child-care
34 provider who is involved in direct supervision of children or
35 environmental services. The term shall not include executives,
36 contracted staff, administrators and administrative support
37 staff or owners of child-care provider.

38 Section 163-C. Behavioral Health Commission for Adult Mental
39 Health.

40 (a) Commission.--The Behavioral Health Commission for Adult
41 Mental Health is established in the Department of Human
42 Services.

43 (b) Composition.--The commission shall consist of the
44 following members:

45 (1) The Secretary of Human Services or a designee.

46 (2) The Insurance Commissioner or a designee.

47 (3) The Secretary of Drug and Alcohol Programs or a
48 designee.

49 (4) The Secretary of Health or a designee.

50 (5) A representative of the Pennsylvania Commission on
51 Crime and Delinquency.

1 (6) An individual appointed by the President pro tempore
2 of the Senate.

3 (7) An individual appointed by the Minority Leader of
4 the Senate.

5 (8) An individual appointed by the Speaker of the House
6 of Representatives.

7 (9) An individual appointed by the Minority Leader of
8 the House of Representatives.

9 (10) The following members appointed by the Governor:

10 (i) Two active members of the Mental Health Planning
11 Council.

12 (ii) Two current or former behavioral health
13 consumers or family members with lived experience of
14 navigating diagnosis, treatment and recovery.

15 (iii) An individual from a list of recommendations
16 compiled by the Pennsylvania Association of County
17 Administrators of Mental Health and Developmental
18 Services with experience in county provision of mental
19 health services to the uninsured and underinsured.

20 (iv) Two representatives of behavioral health
21 managed care organizations, one of whom must provide
22 services in a rural county and one of whom must provide
23 services in an urban county.

24 (v) An individual from a list of recommendations
25 compiled by the Hospital and Healthsystem Association of
26 Pennsylvania.

27 (vi) An individual member of local law enforcement
28 who is certified in crisis intervention teams and an
29 active member of a mental health crisis intervention team
30 with experience working in crisis response from a list of
31 recommendations compiled by the Pennsylvania Chiefs of
32 Police Association.

33 (vii) A psychologist who specializes in mental,
34 social and emotional development from a list of
35 recommendations compiled by the Pennsylvania
36 Psychological Association.

37 (viii) A licensed clinical social worker from a list
38 of recommendations compiled by the Pennsylvania Chapter
39 of the National Association of Social Workers.

40 (ix) An individual who is a subject matter expert in
41 evidenced-based trauma-informed treatment modalities and
42 trauma-informed approaches.

43 (x) An individual who specializes in culturally
44 competent behavioral health care.

45 (xi) A recognized subject matter expert in the
46 treatment of co-occurring mental health and substance use
47 disorders from a list of recommendations compiled by the
48 Rehabilitation and Community Providers Association with
49 experience in behavioral health matters.

50 (xii) A recognized subject matter expert in
51 behavioral health from a list of recommendations compiled

1 by the Pennsylvania Association of Community Health
2 Centers.

3 (c) Chairperson.--The chairperson of the commission shall be
4 selected by the Governor from among the members of the
5 commission.

6 (d) Vice chairperson.--A vice chairperson shall be
7 designated by the chairperson of the commission from among the
8 members of the commission to preside at meetings in the absence
9 of the chairperson.

10 (e) (Reserved).

11 (f) Quorum.--A majority of the members of the commission
12 shall constitute a quorum and a quorum shall be required for all
13 actions.

14 (g) Actions.--A vote of the majority of the members of the
15 commission present shall be sufficient for all actions taken by
16 the commission. Members may participate in a meeting by means of
17 conference telephone or other electronic technology by means of
18 which all persons participating in the meeting can hear each
19 other. Participation in a meeting pursuant to this subsection
20 shall constitute presence at the meeting.

21 (h) Meetings.--The following shall apply:

22 (1) The commission shall hold its first meeting no later
23 than 60 days from the effective date of this subsection.

24 (2) The commission shall convene no less than two
25 meetings with county mental health administrations to review
26 the provision of behavioral health care and identify
27 recommendations for improvements in coordination of care. The
28 commission shall hold at least one meeting with
29 representatives from a rural county mental health
30 administration and related entities and at least one meeting
31 with representatives from a mental health administration from
32 either an urban or suburban county and related entities.

33 (3) As used in this subsection, "related entities"
34 includes, but is not limited to, county commissioners,
35 managed care organizations, behavioral health managed care
36 organizations, single county authorities, hospitals, law
37 enforcement, district attorneys, county child welfare
38 agencies and county jails.

39 (i) Cooperation.--The Department of Human Services shall
40 cooperate with the commission to assist the commission in
41 carrying out its duties.

42 (j) Report.--The commission shall issue a report on its
43 recommendations for the allocation of funding for the following:

44 (1) Delivery of services by telemedicine.

45 (2) Behavioral health rates, network adequacy and mental
46 health payment parity.

47 (3) Workforce development and retention.

48 (4) Expansion of certified peer support specialist
49 services and peer-run services.

50 (5) The development and provision of crisis services.

51 (6) The integration of behavioral health and substance

1 use disorder treatment.
2 (7) Cultural competencies when providing behavioral
3 health care.
4 (8) The impact of social determinants of health on
5 behavioral health.
6 (9) The intersection of behavioral health and the
7 criminal justice system.
8 (10) Establishing an integrated care model that can
9 deliver timely psychiatric care in a primary care setting.
10 (k) Recipients.--The report under subsection (j) shall be
11 made available on the Department of Human Services' publicly
12 accessible Internet website and shall be issued to the
13 following:
14 (1) The Governor.
15 (2) The Secretary of Human Services.
16 (3) The Secretary of the Budget.
17 (4) The President pro tempore of the Senate.
18 (5) The Majority Leader of the Senate.
19 (6) The Minority Leader of the Senate.
20 (7) The Speaker of the House of Representatives.
21 (8) The Majority Leader of the House of Representatives.
22 (9) The Minority Leader of the House of Representatives.
23 (10) The chairperson and minority chairperson of the
24 Appropriations Committee of the Senate.
25 (11) The chairperson and minority chairperson of the
26 Appropriations Committee of the House of Representatives.
27 (12) The chairperson and minority chairperson of the
28 Health and Human Services Committee of the Senate.
29 (13) The chairperson and minority chairperson of the
30 Health Committee of the House of Representatives.
31 (14) The chairperson and minority chairperson of the
32 Human Services Committee of the House of Representatives.
33 (l) Termination.--The Behavioral Health Commission for Adult
34 Mental Health shall terminate upon the issuance of the report
35 under subsection (j).

36 Section 9. Article I-C of the act is amended by adding a
37 subarticle to read:

38 SUBARTICLE I.1

39 DEPARTMENT OF REVENUE

40 Section 185-C. Property tax rent rebate.

41 (a) Use of money.--Amounts appropriated for COVID Relief -
42 ARPA - Property Tax Rent Rebate shall be transferred to the
43 State Lottery Fund and shall be used in accordance with this
44 section.

45 (b) Additional amount.--A claimant under section 704 and
46 Chapter 13 of the act of June 27, 2006 (1st Sp.Sess., P.L.1873,
47 No.1), known as the Taxpayer Relief Act, shall receive an
48 additional amount of property tax rebate or rent rebate in lieu
49 of property taxes. The amount of property tax rebate or rent
50 rebate in lieu of property taxes under this subsection shall be
51 equal to 70% of the claimant's property tax rebate or rent

1 rebate in lieu of property taxes under section 704 and Chapter
2 13 of the Taxpayer Relief Act for calendar year 2021.

3 (c) Manner of payment to claimant.--The amount due to a
4 claimant under subsection (b) shall be paid to the claimant in
5 the same manner as amounts due to a claimant under section 704
6 and Chapter 13 of the Taxpayer Relief Act for calendar year
7 2021.

8 (d) Coordination of payment.--No later than August 31, 2022,
9 the Department of Revenue shall begin making payments due to a
10 claimant under subsection (b) at the same time as amounts due to
11 the claimant under section 704 and Chapter 13 of the Taxpayer
12 Relief Act for calendar year 2021 are made.

13 (e) Application.--No additional application shall be
14 necessary for a claimant to receive the additional amount of
15 property tax rebate or rent rebate in lieu of property taxes
16 under this subsection.

17 Section 10. The act is amended by adding sections to read:
18 Section 192.1-C. State university assistance for fiscal year
19 2022-2023.

20 (a) Program.--Money appropriated for COVID Relief - ARPA -
21 State System of Higher Education to the State System of Higher
22 Education shall be paid to the State universities for the 2022-
23 2023 fiscal year as provided in this section.

24 (b) Determination of payments.--Payments made to each State
25 university for the 2022-2023 fiscal year shall be determined as
26 follows:

27 (1) The Board of Governors of the State System of Higher
28 Education in consultation with the Chancellor of the State
29 System of Higher Education shall make payments in the
30 aggregate amount of \$34,294,978 to the integrated
31 universities.

32 (2) The amount of \$7,371,688 shall be paid to Cheyney
33 University, to be directed by the president of the
34 university, in consultation with the university's council of
35 trustees.

36 (3) An amount determined for each State university, to
37 be directed by the president of the university, in
38 consultation with the university's council of trustees, that
39 does not receive payment under paragraph (1) or (2) as
40 follows:

41 (i) Multiply the average of the 2020 and 2021 fall
42 full-time equivalent enrollment for the State university
43 by \$83,333,334.

44 (ii) Divide the product under subparagraph (i) by
45 the average of the 2020 and 2021 fall full-time
46 equivalent enrollment for all State universities eligible
47 to receive payments under this paragraph.

48 (c) Payment deadline.--Payments made under this section
49 shall be made no later than August 1, 2022.

50 (d) Reports.--The Chancellor of the State System of Higher
51 Education shall issue an interim report by December 31, 2022,

1 and a final report by July 15, 2023, to the chairperson and
2 minority chairperson of the Appropriations Committee of the
3 Senate and the chairperson and minority chairperson of the
4 Appropriations Committee of the House of Representatives and
5 post the reports on the State System of Higher Education's
6 publicly accessible Internet website. The reports shall include
7 the following information:

8 (1) The 2020 and 2021 fall full-time equivalent
9 enrollment for each State university.

10 (2) The 2020 and 2021 fall full-time equivalent
11 enrollment for all State universities.

12 (3) The payment made to each State university under this
13 section.

14 (4) The total payments made to all State universities
15 under this section.

16 (5) A description of the use by the State university of
17 the payment.

18 (e) Definitions.--As used in this section, the following
19 words and phrases shall have the meanings given to them in this
20 subsection unless the context clearly indicates otherwise:

21 "Commonwealth University of Pennsylvania." The institution
22 consisting of Bloomsburg University of Pennsylvania, Lock Haven
23 University of Pennsylvania and Mansfield University
24 Pennsylvania, as consolidated under section 2002-A of the act of
25 March 10, 1949 (P.L.30, No.14), known as the Public School Code
26 of 1949.

27 "Fall Full-Time Equivalent Enrollment." The total credit
28 hours reported for the fall semester divided by 15 for
29 undergraduate students and 12 for graduate students, with clock-
30 hour enrollment converted to credit hours based upon national
31 standards.

32 "Integrated university." The term includes:

33 (1) Commonwealth University of Pennsylvania.

34 (2) Pennsylvania Western University.

35 "Pennsylvania Western University." The institution
36 consisting of California University of Pennsylvania, Clarion
37 University of Pennsylvania and Edinboro University of
38 Pennsylvania, as consolidated under section 2002-A of the Public
39 School Code of 1949.

40 "State university." An institution which is part of the
41 State System of Higher Education under Article XX-A of the
42 Public School Code of 1949.
43 Section 195-C. Development Cost Relief Program.

44 (a) Establishment.--The Development Cost Relief Program is
45 established in the agency to support the production of
46 developments by addressing financial deficiencies attributable
47 to the effects of the COVID-19 pandemic and other economic
48 factors. Money appropriated for COVID Relief - ARPA -
49 Development Cost Relief Program shall be used for the purposes
50 of this section.

51 (b) Eligibility.--A development which meets all of the

1 following criteria shall be eligible for an award under this
2 section:

3 (1) Has applied for, or has received a conditional or
4 full allocation from the agency of, low-income housing tax
5 credits under section 42 of the Internal Revenue Code of 1986
6 (Public Law 99-514, 26 U.S.C. § 42) during the 2019, 2020,
7 2021, 2022 or 2023 application cycles.

8 (2) Has not, as of the effective date of this section,
9 received a certificate of occupancy for each unit within the
10 development.

11 (3) Has experienced cost increases, or a loss in equity
12 investment, as the result of conditions arising from or
13 related to the effects of the COVID-19 pandemic, which in the
14 judgment of the agency necessitates the provision of
15 additional funding to complete the development.

16 (c) Application.--The agency shall make available to an
17 eligible development an application that requires information,
18 as determined necessary by the agency, to verify the need of the
19 development and to determine the extent to which funding should
20 be awarded, while ensuring that the development remains in
21 compliance with the low-income housing tax credit program.

22 (d) Determination.--A determination shall be made in
23 accordance with the following:

24 (1) Upon a determination of eligibility for money
25 allocated under this section, the agency shall provide the
26 development with a letter of commitment indicating the
27 conditional award amount.

28 (2) The agency shall use the same closing process and
29 terms for an award of money from the fund as is used for an
30 award from the Pennsylvania Housing Affordability and
31 Rehabilitation Enhancement Program for a low-income housing
32 tax credit recipient development.

33 (e) Limitation.--Money provided for the program under this
34 section may not be used to supplant other agency-committed
35 resources except if the development risks noncompliance with the
36 low-income housing tax credit program. Projects which have
37 received or have been approved by the agency for construction
38 cost relief funding under section 194-C may receive additional
39 funding under the Development Cost Relief Program.

40 (f) Additional amounts.--In addition to any amounts
41 appropriated for the program under this section, any amounts
42 which have not been awarded by the agency under section 194-C
43 shall be available for award under this section.

44 (g) Definitions.--As used in this section, the following
45 words and phrases shall have the meanings given to them in this
46 subsection unless the context clearly indicates otherwise:

47 "Agency." The Pennsylvania Housing Finance Agency.

48 "Development." An affordable multifamily rental development.
49 Section 196-C. Housing Options Grant Program.

50 (a) Establishment.--The agency shall establish a grant
51 program to be known as the Housing Options Grant Program.

1 (b) Purpose.--The program shall make grants available from
2 amounts appropriated for COVID Relief - ARPA - Affordable
3 Housing Construction for the development of affordable housing
4 units, including, but not limited to, building new units,
5 rehabbing existing properties to make them affordable housing
6 units or preserving existing affordable units.

7 (c) Duties.--The agency shall make grants available to
8 developers or nonprofit organizations consistent with the
9 purposes of this section.

10 (d) Requirements.--A grant shall be made to a developer or a
11 nonprofit organization for a project that meets the requirements
12 for an award under the Federal Low Income Housing Tax Credit. To
13 be eligible for a grant under this section, a developer or
14 nonprofit organization must agree to provide matching funds of
15 at least 25% of the grant amount to be awarded for the
16 development. All grants shall be awarded no later than December
17 31, 2024.

18 (e) Diversity.--The agency shall ensure that the grants are
19 geographically diverse across the Commonwealth.

20 (f) Reporting.--No later than June 30, 2023, and each June
21 30 thereafter, the agency shall report to the Governor and the
22 General Assembly and post on the agency's publicly accessible
23 Internet website:

24 (1) The number of grants awarded to a developer and
25 nonprofit organization.

26 (2) The county in which each grant is awarded.

27 (3) The total number of applications received in the
28 previous fiscal year and the amount of funds request.

29 (4) Any other information the agency deems necessary.

30 (g) Definitions.--As used in this section, the following
31 words and phrases shall have the meanings given to them in this
32 subsection unless the context clearly indicates otherwise:

33 "Agency." The Pennsylvania Housing Finance Agency.

34 "Program." The Housing Options Grant Program established
35 under subsection (a).

36 Section 11. Article I-C of the act is amended by adding a
37 subarticle to read:

38 SUBARTICLE N

39 DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

40 Section 198-C. State Parks and Outdoor Recreation Program.

41 (a) Establishment.--The State Parks and Outdoor Recreation
42 Program is established in the department to support the
43 rehabilitation, repair and development of park and forest areas
44 within this Commonwealth. Money appropriated to the department
45 for COVID Relief - ARPA - State Parks and Outdoor Recreation
46 Program shall be used to make awards for the program.

47 (b) Eligibility.--A project shall be eligible for an award
48 under the program if:

49 (1) One of the following:

50 (i) The project rehabilitates, repairs or develops a
51 State park, State forest land or the facilities of a

1 State park or State forest land.

2 (ii) The award will be used for the acquisition of
3 lands for a State park or State forest.

4 (2) The project is to plan, educate the public of,
5 acquire, develop, rehabilitate or repair:

6 (i) Greenways.

7 (ii) Recreational trails, including connections
8 between trails.

9 (iii) Open space, natural areas, river corridors and
10 access to riverfronts.

11 (iv) Watersheds.

12 (v) Community parks and recreations facilities.

13 (vi) Community conservation and beautification
14 projects.

15 (vii) Heritage areas and other conservation and
16 recreations.

17 (c) Allocation.--

18 (1) From money appropriated for the program, 75% shall
19 be used by the department for projects that meet the
20 requirements of subsection (b) (1).

21 (2) From money appropriated for the program, 25% shall
22 be used by the department to provide grants to eligible
23 entities for projects that meet the requirements of
24 subsection (b) (2).

25 (d) Application.--The department shall make available to an
26 eligible entity an application that requires information as
27 determined necessary by the department to verify the need for
28 the project and to determine the extent to which the awards
29 shall be awarded.

30 (e) Award amounts.--Awards made to eligible entities for
31 projects that meet the requirements of subsection (b) (2) shall
32 not be less than \$50,000, and shall not be more than \$5,000,000.

33 (f) Determination.--Upon a determination of eligibility for
34 an award, the department shall provide the eligible entity with
35 a letter of commitment indicating the conditional amount of the
36 award.

37 (g) Matching funds.--The department may require matching
38 funds for awards for eligible entities for projects awarded
39 under subsection (b) (2).

40 (h) Report.--After the awarding of grants, the department
41 shall provide a report to the chairperson and minority
42 chairperson of the Appropriations Committee of the Senate, the
43 chairperson and minority chairperson of the Appropriations
44 Committee of the House of Representatives, the chairperson and
45 minority chairperson of the Environmental Resources and Energy
46 Committee of the Senate and the chairperson and minority
47 chairperson of the Environmental Resources and Energy Committee
48 of the House of Representatives that includes the following
49 information:

50 (1) The total number of projects receiving awards.

51 (2) A list of eligible entities that received awards.

1 (3) The amount received by an eligible entity for each
2 project.

3 (i) Definitions.--As used in this section, the following
4 words and phrases shall have the meanings given to them in this
5 subsection unless the context clearly indicates otherwise:

6 "Department." The Department of Conservation and Natural
7 Resources of the Commonwealth.

8 "Eligible entity." A county, municipality, council of
9 governments, conservation district or authorized organization.

10 "Program." The State Parks and Outdoor Recreation Program
11 under this section.

12 Section 12. Sections 105-D(b) and 103-E(7) of the act,
13 amended or added June 30, 2021 (P.L.62, No.24), are amended to
14 read:

15 Section 105-D. Reallocation of grants.

16 * * *

17 (b) Time.--If the department determines that excess funds
18 will remain on September 20, 2022, or as of any updated Federal
19 deadline for the use of funds for emergency rental assistance
20 under the Consolidated Appropriations Act, 2021, whichever is
21 later, the department may recoup and reallocate excess funding
22 to other counties that have demonstrated a funding shortfall[.]
23 and the ability to spend additional funds within a timeframe to
24 be determined by the department. Any excess funding shall be
25 reallocated by the department [according to the reallocation
26 methodology under section 103-D(a) (7).] in a manner to ensure
27 that funds are spent by the Federal deadline for the use of
28 funds.

29 * * *

30 Section 103-E. Department.

31 The department shall have the power and duty to:

32 * * *

33 (7) [Recoup and reallocate unobligated grant funds as
34 identified by the county, a county agency or a contracted
35 entity.] If the department determines that excess funds will
36 remain on September 30, 2025, or as of any updated Federal
37 deadline for the use of grant funds for emergency rental
38 assistance under the American Rescue Plan, the department may
39 recoup and reallocate excess funds to other counties that
40 have demonstrated a funding shortfall and the ability to
41 spend additional funds within a timeframe to be determined by
42 the department. Any excess funding shall be recouped and
43 reallocated by the department as needed in a manner to ensure
44 that funds are spent by the Federal deadline for the use of
45 funds.

46 * * *

47 Section 13. The act is amended by adding a section to read:

48 Section 301.5. Commonwealth Payment Security.--(a) To
49 ensure the secure disbursement of public funds under the
50 custodial control of the State Treasurer on behalf of any
51 Commonwealth department, agency, board or commission of the

1 executive branch, the Treasury Department shall select and
2 require the implementation and maintenance of electronic payment
3 security standards, measures and procedures that, in the opinion
4 of the State Treasurer, are consistent with national financial
5 industry standards for the electronic movement of funds and
6 necessary to detect and prevent the fraudulent expenditure of
7 public funds and reduce administrative costs and financial
8 losses associated with invalid or improper fund disbursements.

9 (b) The electronic payment security standards, measures and
10 procedures required under subsection (a) shall be designed to
11 confirm and verify the existence, status, standing, maturity and
12 signatory authority of the banking account, authenticate account
13 ownership and control and accurately identify the identity of
14 intended payment counterparties, prior to the initiation and
15 completion of a payment to the account or against the account.

16 (c) Each Commonwealth department, agency, board or
17 commission of the executive branch for which the Treasury
18 Department makes payment disbursements shall cooperate and
19 assist in the implementation of this section. The departments,
20 agencies, boards and commissions for which the Office of the
21 Budget provides comptroller services shall work with the Office
22 of the Budget to implement this section.

23 (d) The following shall apply:

24 (1) Within ninety days of the effective date of this
25 section, the State Treasurer shall provide the Commonwealth
26 departments, agencies, boards and commissions of the executive
27 branch for which Treasury Department makes payment disbursements
28 with a list of vendors that the Treasury Department has
29 qualified to provide the payment security services under
30 subsection (a).

31 (2) Within eighteen months of the effective date of this
32 section, the Commonwealth departments, agencies, boards or
33 commissions of the executive branch for which the Treasury
34 Department makes payment disbursements shall implement
35 subsection (a) by procuring electronic payment security services
36 in accordance with 62 Pa.C.S. (relating to procurement) from the
37 list of vendors provided by the State Treasurer under paragraph
38 (1).

39 (3) The State Treasurer shall update the list of qualified
40 vendors required by paragraph (1) every two years. The
41 Commonwealth departments, agencies, boards and commissions of
42 the executive branch for which the Treasury Department makes
43 payment disbursements shall procure electronic payment security
44 services from the updated list of qualified vendors upon the
45 expiration of their contracts for the services in accordance
46 with 62 Pa.C.S.

47 Section 14. Section 1601.2-E(e) of the act, amended June 30,
48 2021 (P.L.62, No.24), is amended to read:
49 Section 1601.2-E. Oil and Gas Lease Fund.

50 * * *

51 (e) Annual transfers.--The following apply:

(1) (i) Except as provided under subparagraph (ii), for the 2017-2018 fiscal year and each fiscal year thereafter, \$20,000,000 shall be transferred from the fund to the Marcellus Legacy Fund for distribution to the Environmental Stewardship Fund.

(ii) No amount shall be transferred from the fund to the Marcellus Legacy Fund for distribution to the Environmental Stewardship Fund for the 2019-2020, 2020-2021 [and], 2021-2022 and 2022-2023 fiscal year.

(2) For the 2017-2018 fiscal year and each fiscal year thereafter, \$15,000,000 shall be transferred from the fund to the Marcellus Legacy Fund for distribution to the Hazardous Sites Cleanup Fund.

Section 15. Section 1606-M of the act is amended to read:
Section 1606-M. Transportation network company extension.

Notwithstanding 53 Pa.C.S. § 57A22(1) (relating to assessment), the provisions of 53 Pa.C.S. § 57A22 shall not expire until December 31, [2022] 2027.

Section 16. The act is amended by adding articles to read:

Article XVI-R

Agriculture Conservation Assistance Program

Section 1601-R. Definitions.

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

"Agricultural erosion and sediment control plan." A site-specific plan identifying BMPs to minimize accelerated erosion and sedimentation from agricultural runoff required by 25 Pa. Code Ch. 102 (relating to erosion and sediment control).

"Agricultural operation." The management and use of farming resources for production of crops, livestock or poultry.

"Agriculturally impaired stream miles." Stream miles that are designated impaired due to the identified source being agriculture as defined by the most recent Pennsylvania Integrated Water Quality Monitoring and Assessment Report by the Department of Environmental Protection.

"Animal concentration areas." The following:

(1) Barnyards, feedlots, loafing areas, exercise lots or other similar animal confinement areas that will not maintain a growing crop or where deposited manure nitrogen is in excess of crop needs.

(2) The term does not include:

(i) Areas managed as pastures or other cropland.

(ii) Pasture access ways, if they do not cause direct flow of nutrients to surface water or groundwater.

"Best management practice" or "BMP." A practice or combination of practices determined by the commission or United States Department of Agriculture Natural Resources Conservation Service to be effective and practical, considering technological, economic and institutional factors, to manage nutrients and sediment to protect surface water and groundwater.

1 "Commission." The State Conservation Commission.
2 "Conservation district." A county conservation district
3 established under the act of May 15, 1945 (P.L.547, No.217),
4 known as the Conservation District Law.
5 "Conservation plan." A United States Department of
6 Agriculture Natural Resources Conservation Service Plan,
7 including a schedule for implementation, that identifies site
8 specific conservation best management practices on an
9 agricultural operation.
10 "Cropland acres." The acres of land used to produce adapted
11 crops for harvest, which includes both cultivated and
12 noncultivated crops and areas managed for forage production that
13 are harvested by livestock, or a combination of livestock and
14 mechanical harvesting.
15 "Eligible applicant." Any person or other legal entity that
16 has legal or financial responsibility for one of the following:
17 (1) an the agricultural operation in which they are
18 engaged; or
19 (2) property on which an agricultural operation takes
20 place.
21 "Erosion." The natural process by which the surface of the
22 land is worn away by water, wind or chemical action.
23 "Livestock." Animals raised, stabled, fed or maintained on
24 an agricultural operation with the purpose of generating income
25 or providing work, recreation or transportation. The term does
26 not include aquatic species.
27 "Manure management plan." A plan developed and implemented
28 in accordance with 25 Pa. Code Ch. 91 (relating to general
29 provisions).
30 "Nutrient." A substance or recognized plant nutrient,
31 element or compound which is used or sold for its plant
32 nutritive content or its claimed nutritive value. The term
33 includes, but is not limited to, livestock and poultry manures,
34 compost as fertilizer, commercially manufactured chemical
35 fertilizers, biosolids or combinations thereof.
36 "Nutrient management plan." A written site-specific plan
37 which incorporates BMPs to manage the use of plant nutrients for
38 crop production and water quality protection consistent with the
39 criteria established in 3 Pa.C.S. §§ 504 (relating to powers and
40 duties of commission) and 506 (relating to nutrient management
41 plans).
42 "Poultry." Birds raised, fed or maintained on an
43 agricultural operation with the purpose of generating income.
44 "Program." The Agriculture Conservation Assistance Program
45 established under this article.
46 "Sediment." Soils or other erodible materials transported by
47 storm water as a product of erosion.
48 "Surface waters." Perennial and intermittent streams,
49 rivers, lakes, reservoirs, ponds, wetlands, springs, natural
50 seeps and estuaries. The term does not include water at
51 facilities approved for wastewater treatment, such as wastewater

1 treatment impoundments, cooling water ponds and constructed
2 wetlands used as part of a wastewater treatment process.

3 "Technical assistance." Advice, technical expertise,
4 information, training and tools provided to a landowner,
5 commission, conservation district or others regarding program
6 implementation, including, but not limited to, the proper
7 planning, design and installation of best management practices.

8 "Watershed implementation plan." A plan created to achieve
9 water quality improvement goals within a watershed of this
10 Commonwealth, including, but not limited to, Chesapeake Bay
11 Watershed implementation plans, county action plans or other
12 watershed-based restoration and implementation plans.

13 Section 1602-R. Establishment.

14 The Agriculture Conservation Assistance Program is
15 established in the commission.

16 Section 1603-R. Sources of funding.

17 Funding for the program may be provided through any of the
18 following:

19 (1) Money appropriated for purposes of the program.

20 (2) Amounts made available from the Clean Streams Fund
21 under section 1712-A.2(c)(1).

22 (3) Federal money appropriated or authorized for
23 purposes of the program.

24 (4) Money received from another governmental agency
25 through an interagency agreement or memorandum of
26 understanding.

27 (5) A gift or other contribution from a public or
28 private source.

29 (6) Return on money dedicated for the program, including
30 interest on loans, investment interest or refunds.

31 Section 1604-R. Powers, duties and administration.

32 (a) Administration.--The commission may dedicate up to 4% of
33 the funds allocated under section 1603-R for expenses incurred
34 in administration of the program. Up to 4% of the funds provided
35 under section 1603-R may be committed by the commission to
36 compensate the entities performing the administrative tasks and
37 activities under subsection (c).

38 (b) Powers and duties of commission.--The commission shall:

39 (1) Adopt guidelines and criteria for:

40 (i) Administration and oversight of the program.

41 (ii) Best management practices to be implemented and
42 receive funding under the program.

43 (2) Provide a system of program evaluation and quality
44 control.

45 (3) Develop a training, education and technical
46 assistance program for technicians, engineers and other
47 individuals performing work under the program.

48 (4) Designate or adopt a system for collecting and
49 reporting of collected data on funded practices to
50 governmental agencies, in a manner consistent with criteria
51 established under Federal and State laws.

1 (c) Delegation of powers and duties.--In performance of its
2 powers and duties, the commission may delegate to conservation
3 districts, The Pennsylvania State University, or other entity
4 determined appropriate by the commission, certain duties and
5 responsibilities necessary to carry out the program.

6 (d) Apportionment criteria.--The commission shall apportion
7 the funds under section 1603-R to participating conservation
8 districts based on written apportionment criteria developed by
9 the commission to establish priorities based on preventing
10 nutrient and sediment pollution. The following shall apply:

11 (1) The apportionment criteria shall consider:

12 (i) Agriculturally impaired stream miles.

13 (ii) The number of cropland acres.

14 (iii) The number of farms.

15 (iv) The number of livestock and poultry.

16 (v) Other criteria as established by the commission.

17 (2) Any apportioned funds that are not used in any
18 fiscal year may roll over for the following fiscal year. Any
19 unused apportioned funds after two years shall be
20 reapportioned to participating conservation districts in the
21 following year, consistent with the apportionment criteria
22 prescribed under paragraph (1).

23 (e) Powers and duties of participating conservation
24 districts.--The following shall apply:

25 (1) Each conservation district participating in the
26 program shall manage and administer funds apportioned by the
27 commission in a manner consistent with this article and the
28 guidelines established by the commission. Each participating
29 conservation district shall enter into an agreement with the
30 commission to establish the administrative responsibilities
31 and activities to be performed by the conservation district.

32 (2) Funds apportioned to a participating conservation
33 district shall be used for:

34 (i) Approving and providing financial assistance to
35 an eligible applicant to install and implement BMPs,
36 consistent with the criteria for approval of projects
37 provided under subsection (h).

38 (ii) Costs for technical training and education and
39 technical assistance in administration of projects
40 approved by the conservation district, including
41 technical assistance provided by the Pennsylvania Fish
42 and Boat Commission and third parties in accordance with
43 the provisions of subsection (b)(3).

44 (iii) Establishment of procedures for submission and
45 approval of applications for financial assistance for
46 BMPs that minimize, to the extent feasible, procedural
47 tasks and obligations for applicants.

48 (iv) Adoption of written criteria for ranking of
49 applications for financial assistance and determination
50 of proposed projects to be given priority.

51 (v) Entering into written agreements with recipients

1 of approved funding.

2 (vi) Administration and procedures to ensure
3 recipients of financial assistance timely complete
4 projects in a manner that meets established design and
5 construction standards.

6 (vii) Adoption of procedures to ensure that
7 recipients of the approved funding will fully comply with
8 requirements for future maintenance activities
9 established under the terms of agreement.

10 (viii) Development of procedures to ensure proper
11 performance of agreements executed under the program.

12 (ix) Other duties and responsibilities necessary to
13 carry out the purposes of this chapter.

14 (3) A participating district may dedicate up to 6% of
15 the annual amount apportioned by the commission under
16 subsection (d) for expenses incurred in administration of the
17 program. For purposes of this paragraph, expenses for
18 technical assistance under subsection (e)(2)(ii) shall not be
19 considered as expenses incurred in administration of the
20 program.

21 (f) Advisory committee.--Within a conservation district, a
22 committee may be appointed by the conservation district board to
23 advise the program and identify local priorities and
24 opportunities to complement other programs. The committee shall
25 include, at a minimum, one staff member of the conservation
26 district and one local representative of the United States
27 Department of Agriculture Natural Resources Conservation Service
28 and may include up to three other local representatives who are
29 knowledgeable of agricultural operations and conservation.

30 (g) Applications and certifications.--The following shall
31 apply:

32 (1) In a county with a delegated conservation district,
33 an eligible applicant may apply to the delegated conservation
34 district for an eligible project under the program. In a
35 county without a participating delegated conservation
36 district, an eligible applicant may apply directly to the
37 commission for an eligible project under the program. The
38 conservation district and commission shall prescribe the
39 respective form and manner of the application. The
40 application, at a minimum, shall include:

41 (i) The location of the project.

42 (ii) The description of the project, including the
43 planned BMPs.

44 (iii) If applicable, the amount and sources of
45 funding available for the project.

46 (iv) The total cost of the project.

47 (v) Any other information as required by the
48 conservation district or commission, as applicable.

49 (vi) Relevance of the project to the development,
50 improvement or implementation of the applicant's manure
51 or nutrient management plan, conservation plan or

1 agricultural erosion and sediment control plan.

2 (2) The conservation district or commission, as
3 applicable, shall review complete applications based upon the
4 criteria established under subsection (h) on an ongoing basis
5 and in the order received. Within 90 days of receipt of a
6 complete application, unless extenuating circumstances
7 prevent the conservation district or commission from doing
8 so, the conservation district or commission, as applicable,
9 shall notify the applicant of:

10 (i) Whether the project is approved for funding
11 under the program.

12 (ii) The total amount of funds approved for the
13 project.

14 (iii) The amount of each type of funding approved
15 for the project.

16 (3) Upon completion of a project funded under this
17 program, the eligible applicant who received the approval for
18 the project shall notify the conservation district or
19 commission, as applicable, of the completion of the project
20 and shall submit all documents to certify the completion.

21 (4) Projects funded under this program may be subject to
22 inspection by the commission, conservation district or their
23 designated agent.

24 (5) The funds shall be distributed upon certification
25 and verification that the funded project has been completed
26 and design and construction standards have been met.

27 (h) Criteria for evaluation of applications.--In approving
28 applications for eligible projects under the program, the
29 applicable delegated conservation district or commission shall
30 give priority to complete applications based upon the following
31 criteria:

32 (1) The project meets the goals of any applicable
33 watershed implementation plan or county action plan.

34 (2) If applicable to the agricultural operation, the
35 applicant has a conservation plan or agricultural erosion and
36 sediment control plan and a manure management plan or
37 nutrient management plan. Development of such plans shall be
38 included in the application if not yet developed prior to the
39 application.

40 (3) The project implements best management practices
41 included in a conservation plan, agricultural erosion and
42 sediment control plan, manure management plan or nutrient
43 management plan. For purposes of this paragraph, the
44 conservation district or commission shall give priority to
45 projects that implement best management practices for control
46 of nitrogen or phosphorus or sediment.

47 (4) An agricultural operation with an animal
48 concentration area shall have implemented best management
49 practices necessary to abate storm water runoff, loss of
50 sediment, loss of nutrients and runoff of other pollutants
51 from the animal concentration area, or the implementation of

1 such best management practices shall be included in an
2 application for funds.

3 (5) Proximity to surface waters, public drinking water
4 sources or karst geology with underground drainage systems or
5 open sinkholes.

6 (6) The project meets the design and construction
7 standards established by the commission. If standards do not
8 exist for a best management practice approved by the
9 commission, the commission may establish or approve design,
10 construction and certification standards for such a best
11 management practice.

12 (7) Any other criteria considered by the conservation
13 district, as applicable, and approved by the commission.

14 (i) Liability for failure of performance.--An eligible
15 applicant receiving funds under an approved project who fails to
16 adequately perform any term of the agreement executed for the
17 project shall be liable for repayment of money provided to the
18 eligible applicant related to adequate performance of the
19 agreement term. The commission or its designated agent may take
20 action to enforce the terms of the agreement with the eligible
21 applicant under agreement with the commission or its designated
22 agent in law or equity to compel adequate performance of a
23 project agreement or recoup funds provided under an approved
24 project for which the recipient is liable for repayment under
25 this article. Any funds repaid to the commission as a result of
26 failure of performance of a project agreement may be provided to
27 the conservation district that was party to that project
28 agreement for use in other project agreements.

29 (j) Reports.--The commission shall perform a periodic
30 program assessment, develop an annual report and provide the
31 report to:

32 (1) The chairperson and minority chairperson of the
33 Agriculture and Rural Affairs Committee of the Senate.

34 (2) The chairperson and minority chairperson of the
35 Agriculture and Rural Affairs Committee of the House of
36 Representatives.

37 (3) The chairperson and minority chairperson of the
38 Environmental Resources and Energy Committee of the Senate.

39 (4) The chairperson and minority chairperson of the
40 Environmental Resources and Energy Committee of the House of
41 Representatives.

42 ARTICLE XVI-S

43 CLEAN WATER PROCUREMENT PROGRAM

44 Section 1601-S. Scope of article.

45 This article relates to the Clean Water Procurement Program.

46 Section 1602-S. Definitions.

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

50 "Aggregator." A person or entity that facilitates or
51 coordinates a best management practice implemented by other

1 persons for nutrient or sediment reduction. The term includes an
2 agricultural or conservation business, educational institution
3 or nonprofit agricultural or conservation organization that:

4 (1) acts on behalf of farmers through a production
5 contract or cooperative membership; or

6 (2) administers a publicly or privately supported
7 program for implementation of a best management practice to
8 reduce nutrient or sediment pollution on a farm.

9 "Authority." The Pennsylvania Infrastructure Investment
10 Authority.

11 "Best management practice." A practice or combination of
12 practices determined by the commission or by the Natural
13 Resources Conservation Service of the United States Department
14 of Agriculture to be effective and practical, considering
15 technological, economic and institutional factors, to manage
16 nutrient and sediment to protect surface water and groundwater.

17 "Chesapeake Bay TMDL." The most current Chesapeake Bay TMDL
18 for nitrogen, phosphorus and sediment as established by the
19 Environmental Protection Agency.

20 "Commission." The State Conservation Commission.

21 "Department." The Department of Environmental Protection of
22 the Commonwealth.

23 "Locally impaired watershed." The land area not larger than
24 a watershed corresponding to a 12-digit Hydrologic Unit Code as
25 designated by the United States Geological Survey, that includes
26 a body of water on the Commonwealth's list of impaired waters
27 under section 303(d) of the Federal Water Pollution Control Act
28 (62 Stat. 1155, 33 U.S.C. § 1251 et seq.).

29 "Nutrient." Nitrogen or phosphorus.

30 "Nutrient or sediment reduction." A reduction in a nitrogen,
31 phosphorus or sediment pollution load discharged to surface
32 water or groundwater that can be directly quantified or modeled
33 using any model approved or accepted by the department or the
34 Environmental Protection Agency for the purpose of determining
35 the amount of nutrient or sediment pollution reduction, in
36 pounds per year, achieved by implementing a best management
37 practice.

38 "Program." The Clean Water Procurement Program established
39 under section 1603-S.

40 "Qualified bidder." A person or aggregator with a
41 verification plan approved by the department that meets the
42 following criteria:

43 (1) The person or aggregator is not listed on the
44 Debarment and Suspension List maintained by the Department of
45 General Services.

46 (2) The person or aggregator is not in default of a loan
47 or funding agreement administered by the authority or any
48 other Commonwealth agency.

49 (3) The person or aggregator does not have a history of
50 notice of violation of the act of June 22, 1937 (P.L.1987,
51 No.394), known as The Clean Streams Law or regulations of the

1 department.
2 "Sediment." Soils or other erodible materials transported by
3 storm water as a product of erosion.
4 "Small farm." An agricultural operation, except for a CAFO
5 as defined in 25 Pa. Code § 92a.2 (relating to definitions).
6 "TMDL." Total maximum daily load.
7 "Verification plan." A written plan that details the method
8 that a qualified bidder will use to verify performance of a best
9 management practice for nutrient or sediment reduction in
10 accordance with a protocol approved or accepted by the
11 department.
12 "Verified nutrient or sediment reduction." Nutrient or
13 sediment reduction measured in pounds created by a best
14 management practice pursuant to a verification plan and approved
15 by the department.
16 Section 1603-S. Establishment.
17 The Clean Water Procurement Program is established and shall
18 provide for the purchase of a verified nutrient or sediment
19 reduction through a competitive bidding process consistent with
20 62 Pa.C.S. Pt. I (relating to Commonwealth Procurement Code).
21 Section 1604-S. Sources of funding.
22 Funding for the program may be provided through any of the
23 following:
24 (1) Money appropriated for the purposes of the program.
25 (2) Amounts made available from the Cleans Streams Fund
26 under section 1712-A.2(c)(2).
27 (3) Federal money appropriated to or authorized for the
28 purposes of the program.
29 (4) Money received from another governmental agency
30 through an interagency agreement or memorandum of
31 understanding.
32 (5) A gift or other contribution from a public or
33 private source.
34 (6) Return on money dedicated to the program, including,
35 but not limited to, interest on loans, investment interest or
36 refunds.
37 Section 1605-S. Administrative expenses.
38 No more than 4% of the money appropriated for the program may
39 be used by the department to implement the program.
40 Section 1606-S. Duties of authority.
41 The authority shall have all of the following duties:
42 (1) Issue a request for proposals or initiate a
43 competitive bidding process under 62 Pa.C.S. Pt. I (relating
44 to Commonwealth Procurement Code) for the supply of a
45 verified nutrient or sediment reduction toward the
46 achievement of the Chesapeake Bay TMDL. The authority shall
47 require that a response to the request for proposals or
48 competitive bidding process shall include:
49 (i) The legal name, address and contact information,
50 including, where available, a telephone number and email
51 address of the person submitting the proposal.

1 (ii) A description of the project or practices to be
2 used or implemented to achieve the proposed nutrient or
3 sediment reduction, including an estimate of the amount
4 of reduction in pounds per year for each year of the
5 contract and the basis for estimates.

6 (iii) The location where the projects or practices
7 will be used or implemented.

8 (iv) The expected life of each reduction that will
9 be achieved as a result of the proposed projects or
10 practices.

11 (v) A description of the ownership, or written
12 agreement with the owner, of each parcel of land or
13 facility that will be used in implementing the projects
14 or practices.

15 (vi) A description of the measures to be used to
16 quantify, by measurement or modeling, the amounts of the
17 reductions of nutrients or sediment resulting from the
18 proposed projects or practices, and a verification plan
19 to verify the reductions, at such times or intervals as
20 the authority or the department shall specify.

21 (vii) A suggested payment schedule.

22 (viii) A statement of the qualified bidder's
23 qualification, experience and resources.

24 (ix) A statement of the qualified bidder's proposed
25 surety and other financial assurances.

26 (2) Evaluate, in consultation with the department and
27 the commission, the responses to the request for proposals or
28 competitive bidding process under paragraph (1).

29 (3) Execute a contract with a qualified bidder. A
30 contract under this paragraph:

31 (i) May not be for a term of more than 10 years.

32 (ii) Shall require periodic submissions from a
33 qualified bidder in accordance with a verification plan
34 approved by the department.

35 (iii) Shall require that payment be conditioned on
36 the achievement of specific outcomes based on defined
37 performance targets in accordance with a verification
38 plan approved by the department.

39 (iv) Shall specify measures that the authority will
40 take in the event of a failure by the qualified bidder to
41 meet or satisfy any performance obligation, or otherwise
42 fail to comply with any term or condition of the
43 contract, including the withholding of payments or
44 portions of payments that would otherwise be made, the
45 use of payment adjustments and time schedules, including
46 the extension of any target date, if performance targets
47 or schedules are not met, cancellation of the contract in
48 the event of a substantial failure of performance that
49 cannot be readily corrected or mitigated, and other
50 measures as may be appropriate.

51 (4) After the department has verified a nutrient or

1 sediment reduction, purchase a verified nutrient or sediment
2 reduction in accordance with the terms of a contract under
3 paragraph (3).

4 Section 1607-S. Publicly funded reductions.

5 A verified nutrient or sediment reduction funded entirely by
6 public funding shall not be eligible to be purchased under the
7 program. If a percentage of a verified nutrient or sediment
8 reduction is funded by public funding, the percentage of the
9 remaining verified nutrient or sediment reduction that is
10 eligible to be purchased shall be commensurate with the
11 percentage of the verified nutrient or sediment reduction that
12 is not provided by public funding.

13 Section 1608-S. Criteria.

14 The criteria for the evaluation of responses to the request
15 for proposals or competitive bidding process under section 1606-
16 S(1) and the weighted percentage to be applied to each factor in
17 the evaluation of the responses shall be determined by the
18 authority in consultation with the department and commission and
19 be published as part of the request for proposals or competitive
20 bidding process under section 1606-S(1). The criteria to be
21 considered must include all of the following:

22 (1) A verified nutrient or sediment reduction in a
23 locally impaired watershed.

24 (2) A verified nutrient or sediment reduction in a
25 county designated by the department as a Tier 1 Chesapeake
26 Bay county.

27 (3) The dollar cost per pound of nutrient or sediment
28 removed.

29 (4) The extent to which the project includes small
30 farms.

31 (5) The quantity of nutrient or sediment loads
32 anticipated to be reduced.

33 (6) The extent to which the project would provide
34 additional community and environmental benefits, including
35 mitigation of flooding, human exposure to toxic substances
36 and climate change.

37 (7) Any additional criteria determined relevant and
38 necessary by the authority, department and commission.

39 Section 1609-S. Annual report.

40 The authority shall publish and make available to the public
41 an annual report on the program detailing all of following for
42 the prior year:

43 (1) The total cost of the program.

44 (2) The best management practices implemented which
45 resulted in nutrient or sediment reductions.

46 (3) The verified nutrient or sediment reductions
47 achieved toward the satisfaction of the Chesapeake Bay TMDL.

48 (4) The total cost for each verified nutrient or
49 sediment reduction.

50 (5) The participation of small farms in the program.

51 Section 1610-S. Duties of department.

1 The department shall:

2 (1) Advise the authority as the authority establishes
3 criteria under section 1608-S.

4 (2) Review and approve a verification plan submitted
5 with a response to a request for proposals or competitive
6 bidding process under section 1606-S(1) and advise the
7 authority regarding the acceptability of a verification plan,
8 including what changes, if any, must be made in order for it
9 to be acceptable. To be approved, a verification plan must
10 describe the procedures that can be easily used by the
11 bidder, the department or a technically qualified inspection
12 contractor engaged by the department, to inspect any projects
13 or practices utilized by a bidder and determine the amount of
14 any reduction of nutrients or sediment being achieved under
15 the terms of the contract.

16 (3) Evaluate the responses to the request for proposals
17 or competitive bidding process based on the criteria under
18 section 1608-S and advise the authority regarding the
19 acceptability of the responses.

20 (4) In accordance with a contract under section 1606-
21 S(3), ensure, through inspections, compliance audits or other
22 means, that a qualified bidder is in compliance with an
23 approved verification plan. The department may enter into an
24 agreement with a third party to perform the duty under this
25 paragraph.

26 Section 1611-S. Duties of commission.

27 The commission shall:

28 (1) Advise the authority as it establishes criteria
29 under section 1608-S.

30 (2) Review a response to a request for proposals or
31 competitive bidding process under section 1606-S(1) and
32 advise the authority accordingly.

33 Section 1612-S. Regulations.

34 The department may promulgate regulations necessary to
35 administer the provisions of this article. A lack of regulations
36 promulgated under this section shall not preclude the
37 department, the commission or the authority from administering
38 and implementing the provisions of this article.

39 Section 1613-S. Expiration.

40 This article shall expire 10 years after the effective date
41 of this section.

42 Section 17. Section 1702-A(b)(1) of the act is amended by
43 adding a subparagraph to read:

44 Section 1702-A. Funding.

45 * * *

46 (b) Transfer of portion of surplus.--

47 (1) Except as may be provided in paragraph (2), for
48 fiscal years beginning after June 30, 2002, the following
49 apply:

50 * * *

51 (xiii) If the Secretary of the Budget certifies that

1 there is a surplus in the General Fund for the 2021-2022
2 fiscal year, the amount of \$2,100,000,000 shall be
3 deposited by the end of the next succeeding quarter into
4 the Budget Stabilization Reserve Fund.

5 * * *

6 Section 18. Section 1711-A of the act is amended to read:
7 Section 1711-A. Transfer.

8 (a) Transfer.--Notwithstanding section 704 of the act of
9 July 6, 1989 (P.L.169, No.32), known as the Storage Tank and
10 Spill Prevention Act, the Secretary of the Budget shall, by
11 October 15, 2002, transfer the sum of \$100,000,000 from the
12 Underground Storage Tank Indemnification Fund to the General
13 Fund.

14 (b) Repayment.--The sum transferred under this section shall
15 be repaid to the Underground Storage Tank Indemnification Fund
16 after June 30, 2004, and before July 1, 2029, plus interest.

17 (c) Annual payment amount.--An annual payment amount shall
18 be included in the budget submission required pursuant to
19 section 613 of the act of April 9, 1929 (P.L.177, No.175), known
20 as The Administrative Code of 1929.

21 (d) Notice and expiration.--Upon determination by the
22 Secretary of the Budget that the money transferred from the
23 Underground Storage Tank Indemnification Fund under subsection
24 (a) has been repaid to the Underground Storage Tank
25 Indemnification Fund, the Secretary of the Budget shall transmit
26 a notice to the Legislative Reference Bureau for publication in
27 the Pennsylvania Bulletin. This subarticle shall expire upon
28 publication of the notice under this subsection.

29 Section 19. Section 1772.1-A(a) of the act is amended and
30 the section is amended by adding a subsection to read:
31 Section 1772.1-A. H2O PA Account.

32 (a) Establishment.--There is established in the Gaming
33 Economic Development and Tourism Fund a restricted account to be
34 known as the H2O PA Account, which shall contain the following:

35 (1) Moneys available from transfers under section 1772-A
36 and Chapter 5 of the act of July 9, 2008 (P.L.908, No.63),
37 known as the H2O PA Act.

38 (2) Moneys available from transfers under 58 Pa.C.S. §
39 2315(a.1)(4) (relating to Statewide initiatives).

40 (2.1) Of the money appropriated for COVID Relief - ARPA
41 - Transfer to Commonwealth Financing Authority - Water and
42 Sewer Projects, \$214,400,000 shall be deposited in the
43 account.

44 (3) Other appropriations or transfers made to the
45 account.

46 * * *

47 (d) Application of Federal law.--Notwithstanding any
48 provision of this subarticle or the H2O PA Act to the contrary,
49 grants awarded from money deposited in the account under
50 subsection (a)(2.1) shall be made in accordance with applicable
51 Federal law.

1 Section 20. Section 1774.1-A of the act is amended by adding
2 a subsection to read:

3 Section 1774.1-A. Other grants.

4 * * *

5 (a.4) Additional water and sewer projects.--Of the money
6 appropriated for COVID Relief - ARPA - Transfer to Commonwealth
7 Financing Authority - Water and Sewer Projects, \$105,600,000
8 shall be transferred to the authority for distribution or
9 reimbursement for water and sewer projects with a cost of not
10 less than \$30,000 and not more than \$500,000. In determining the
11 grant amount for the purpose of this subsection, the authority
12 shall not include the matching funds requirement in the
13 calculation of the cost of the project. Notwithstanding any
14 provisions of this subarticle to the contrary, grants awarded
15 under this section shall be made in accordance with applicable
16 Federal law.

17 * * *

18 Section 21. Sections 1712-A.1(a)(2)(ii) and 1713-A.1(b)(1.8)
19 of the act, amended or added June 30, 2021 (P.L.62, No.24), are
20 amended to read:

21 Section 1712-A.1. Establishment of special fund and account.

22 (a) Tobacco Settlement Fund.--

23 * * *

24 (2) The following shall be deposited into the Tobacco
25 Settlement Fund:

26 * * *

27 (ii) For fiscal years 2019-2020, 2020-2021 [and],
28 2021-2022 and 2022-2023, an amount equal to the annual
29 debt service due in the fiscal year as certified by the
30 Secretary of the Budget pursuant to section 2804 of the
31 Tax Reform Code of 1971, as published in the Pennsylvania
32 Bulletin on March 3, 2018, at 48 Pa.B. 1406, shall be
33 transferred to the fund from the taxes collected under
34 Article XII of the Tax Reform Code of 1971 by April 30
35 following the beginning of the fiscal year. A deposit
36 under this paragraph shall occur prior to the deposits
37 and transfers under section 1296 of the Tax Reform Code
38 of 1971.

39 * * *

40 Section 1713-A.1. Use of fund.

41 * * *

42 (b) Appropriations.--The following shall apply:

43 * * *

44 (1.8) For fiscal [year] years 2021-2022 and 2022-2023,
45 the General Assembly shall appropriate money in the fund in
46 accordance with the following percentages based on the sum of
47 the portion of the annual payment deposited and the amount
48 deposited under section 1712-A.1(a)(2)(ii) in the fiscal
49 year:

50 (i) Four and five-tenths percent for tobacco use
51 prevention and cessation programs under Chapter 7 of the

1 Tobacco Settlement Act.

2 (ii) Twelve and six-tenths percent to be allocated
3 as follows:

4 (A) Seventy percent to fund research under
5 section 908 of the Tobacco Settlement Act.

6 (B) Thirty percent as follows:

7 (I) One million dollars for spinal cord
8 injury research programs under section 909.1 of
9 the Tobacco Settlement Act.

10 (II) From the amount remaining after the
11 amount under subclause (I) has been determined:

12 (a) Seventy-five percent for pediatric
13 cancer research institutions within this
14 Commonwealth that are equipped and actively
15 conducting pediatric cancer research
16 designated by the Secretary of Health to be
17 eligible to receive contributions. No more
18 than \$2,500,000 in a fiscal year shall be
19 made available to any one pediatric cancer
20 research institution.

21 (b) Twenty-five percent for capital and
22 equipment grants to be allocated by the
23 Department of Health to entities engaging in
24 biotechnology research, including entities
25 engaging in regenerative medicine research,
26 regenerative medicine medical technology
27 research, hepatitis and viral research, drug
28 research and clinical trials related to
29 cancer, research relating to pulmonary
30 embolism and deep vein thrombosis, genetic
31 and molecular research for disease
32 identification and eradication, vaccine
33 immune response diagnostics, nanotechnology
34 research and the commercialization of applied
35 research.

36 (iii) One percent for health and related research
37 under section 909 of the Tobacco Settlement Act.

38 (iv) Eight and eighteen hundredths percent for the
39 uncompensated care payment program under Chapter 11 of
40 the Tobacco Settlement Act.

41 (v) Thirty percent for the purchase of Medicaid
42 benefits for workers with disabilities under Chapter 15
43 of the Tobacco Settlement Act.

44 (vi) Forty-three and seventy-two hundredths percent
45 shall remain in the fund to be separately appropriated
46 for health-related purposes.

47 * * *

48 Section 22. Section 1723-A.1(a)(2)(i.8) and (3)(v) and (b)
49 of the act, amended June 30, 2021 (P.L.62, No.24), are amended
50 and subsection (a)(3) is amended by adding a subparagraph to
51 read:

1 Section 1723-A.1. Distributions from Pennsylvania Race Horse
2 Development Fund.

3 (a) Distributions.--Funds in the fund are appropriated to
4 the department on a continuing basis for the purposes set forth
5 in this subsection and shall be distributed to each active and
6 operating Category 1 licensee conducting live racing as follows:

7 * * *

8 (2) Distributions from the fund shall be allocated as
9 follows:

10 * * *

11 (i.8) The following apply:

12 (A) For fiscal year 2021-2022, the sum of
13 \$19,659,000 in the fund shall be transferred to the
14 account in 22 equal weekly amounts beginning on [the
15 effective date of this subparagraph.] July 1, 2021.

16 (B) For fiscal year 2022-2023, the sum of
17 \$14,659,000 in the fund shall be transferred to the
18 account in 22 equal weekly amounts beginning on the
19 effective date of this clause.

20 * * *

21 (3) The following shall apply:

22 * * *

23 (v) For fiscal year 2020-2021, the department shall
24 transfer \$10,066,000 from the fund to the State Racing
25 Fund pursuant to 3 Pa.C.S. § 9374(a). [3 Pa.C.S. §
26 9374(a) shall expire June 30, 2022.]

27 * * *

28 (vii) For fiscal year 2022-2023, the department
29 shall transfer \$10,066,000 from the fund to the State
30 Racing Fund under subsection (b).

31 (b) [(Reserved).] Annual transfers to State Racing Fund.--
32 The General Assembly shall authorize the transfer of funds from
33 the fund to the State Racing Fund to provide for each cost
34 associated with the collection and research of and testing for
35 medication, which shall include the cost of necessary personnel,
36 equipment, supplies and facilities, except holding barns or
37 stables, to be located at horse race facilities, grounds or
38 enclosures or at other locations designated by the commission.
39 All such costs shall be reviewed and approved by the commission.
40 The transfer shall be made in 52 equal weekly installments
41 during the fiscal year before any other distribution from the
42 fund. This subsection shall expire on June 30, 2025.

43 Section 23. Section 1738-A.1 of the act, added February 5,
44 2021 (P.L.1, No.1), is amended to read:
45 Section 1738-A.1. Workers' Compensation Security Fund transfer
46 to COVID-19 Response Restricted Account.

47 (a) Repayment.--Any amount transferred from the Workers'
48 Compensation Security Fund under section 1726-M(e) which is not
49 deposited under section 134-C(c) shall be repaid to the Workers'
50 Compensation Security Fund by July 1, 2029. If the Commonwealth
51 receives a payment of at least \$145,000,000 from the Federal

1 Government for the mitigation of general revenue losses incurred
2 as a result of the public health emergency with respect to the
3 Coronavirus Disease 2019, \$145,000,000 of the payment shall be
4 used to repay the Workers' Compensation Security Fund within 180
5 days of receipt from the Federal Government.

6 (b) Notice and expiration.--Upon determination by the
7 Secretary of the Budget that the money transferred from the
8 Workers' Compensation Security Fund under subsection (a) has
9 been repaid to the Workers' Compensation Security Fund, the
10 Secretary of the Budget shall transmit a notice to the
11 Legislative Reference Bureau for publication in the Pennsylvania
12 Bulletin. This section shall expire upon publication of the
13 notice under this subsection.

14 Section 24. Section 1792-A.1 of the act, added June 30, 2021
15 (P.L.62, No.24), is amended to read:

16 Section 1792-A.1. Opioid Settlement Restricted Account.

17 (a) Establishment.--The Opioid Settlement Restricted Account
18 is established within the General Fund as a restricted account.

19 (b) Deposits.--Money received by a State agency as a result
20 of a settlement, litigation [or an], enforcement action [related
21 to] or a court-ordered distribution pursuant to a
22 Bankruptcy Code (11 U.S.C. § 101 et seq.) approved plan, arising
23 from claims made by the Commonwealth [relating to] related to
24 the marketing, manufacturing, sale, promotion, distribution,
25 prescribing or dispensing of opioids shall be deemed funds of
26 the Commonwealth and shall, upon receipt, be deposited into the
27 account. Interest earned on money in the account shall be
28 deposited into the account.

29 (b.1) Exclusion.--Money received by county, municipal or
30 local governments and agencies, including district attorneys,
31 arising from claims concerning the marketing, manufacturing,
32 sale, promotion, distribution, prescribing or dispensing of
33 opioids shall not be deemed funds of the Commonwealth and shall
34 not be deposited into the account.

35 (c) Use.--Money in the account may only be used upon
36 appropriation by the General Assembly.

37 Section 25. The act is amended by adding an article to read:

38 ARTICLE XVII-A.2

39 ADDITIONAL SPECIAL FUNDS AND RESTRICTED ACCOUNTS

40 SUBARTICLE A

41 FEDERAL INFRASTRUCTURE PROJECT ACCOUNT

42 Section 1701-A.2. Definitions.

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

46 "Account." The Federal Infrastructure Project Account
47 continued under section 1702-A.2(a).

48 Section 1702-A.2. Federal Infrastructure Project Account.

49 (a) Continuation.--The account established under section
50 6105.1 of the act of June 30, 2021 (P.L.499, No.1A), known as
51 the General Appropriation Act of 2021, is continued as a

1 restricted account within the General Fund.

2 (b) Deposits.--Money appropriated to or transferred to the
3 account shall be deposited into the account.

4 (c) Use.--Money in the account may only be used upon
5 appropriation by the General Assembly.

6 SUBARTICLE B

7 CLEAN STREAMS FUND

8 Section 1711-A.2. Definitions.

9 The following words and phrases when used in this subarticle
10 shall have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 "Fund." The Clean Streams Fund established under section
13 1712-A.2(a).

14 Section 1712-A.2. Clean Streams Fund.

15 (a) Establishment.--The Clean Streams Fund is established in
16 the State Treasury.

17 (b) Deposits.--The following shall be deposited into the
18 fund:

19 (1) Money appropriated to the fund for COVID Relief -
20 ARPA - Transfer to the Clean Streams Fund.

21 (2) Money appropriated for purposes of the fund.

22 (3) Federal money appropriated or authorized for
23 purposes of the fund.

24 (4) Money received from a governmental agency through an
25 interagency agreement or memorandum of understanding.

26 (5) A gift or other contribution from a public or
27 private source.

28 (6) Return on money dedicated for the fund, including,
29 but not limited to, interest on loans, investment interest or
30 refunds.

31 (c) Distribution.--Money deposited into the fund under
32 subsection (b) shall be distributed as follows:

33 (1) Seventy percent to the State Conservation Commission
34 established under the act of May 15, 1945 (P.L.547, No.217),
35 known as the Conservation District Law, to implement the
36 Agriculture Conservation Assistance Program under Article
37 XVI-R.

38 (2) Ten percent to the Pennsylvania Infrastructure
39 Investment Authority to implement the Pennsylvania Clean
40 Water Procurement Program under Article XVI-S.

41 (3) Ten percent to the Nutrient Management Fund
42 established under 3 Pa.C.S. § 512 (relating to Nutrient
43 Management Fund).

44 (4) Four percent to the Department of Environmental
45 Protection for grants and reimbursements to municipalities
46 and counties under section 17 of the act of October 4, 1978
47 (P.L.864, No.167), known as the Storm Water Management Act.

48 (5) Four percent to the Department of Conservation and
49 Natural Resources for the Keystone Tree Restricted Account
50 established under 27 Pa.C.S. § 6602 (relating to
51 establishment).

1 (6) Two percent to the Acid Mine Drainage Abatement and
2 Treatment Fund.

3 SUBARTICLE C

4 SPORTS TOURISM AND MARKETING ACCOUNT

5 Section 1721-A.2. Definitions.

6 The following words and phrases when used in this subarticle
7 shall have the meanings given to them in this section unless the
8 context clearly indicates otherwise:

9 "Department." The Department of Community and Economic
10 Development of this Commonwealth.

11 "Eligible applicant." A municipality, a local authority, a
12 nonprofit organization or a legal entity that is participating
13 or plans to participate in a competitive selection process
14 conducted by a site selection organization not located in this
15 Commonwealth for the purpose of securing a single year or
16 multiyear commitment from the site selection organization to
17 conduct the sporting event at one or more locations in this
18 Commonwealth.

19 "Financial assistance." A grant, loan or loan guarantee
20 awarded by the department.

21 "High quality, amateur and professional sporting or esports
22 event." The term includes, but is not limited to, any of the
23 following and any activity related to or associated with the
24 following:

25 (1) The Amateur Athletic Union Junior Olympic Games.

26 (2) The Breeders' Cup World Championships.

27 (3) A game of the National Collegiate Athletic
28 Association College Football Playoff or its successor.

29 (4) A National Collegiate Athletic Association college
30 football bowl game.

31 (5) A Formula One automobile race.

32 (6) The Major League Baseball All-Star Game.

33 (7) The Major League Soccer All-Star Game or the Major
34 League Soccer Cup.

35 (8) A mixed martial arts championship.

36 (9) The Moto Grand Prix of the United States.

37 (10) A National Association for Stock Car Auto Racing
38 All-Star Race or season-ending Championship Race.

39 (11) The National Basketball Association All-Star Game.

40 (12) A National Collegiate Athletic Association Final
41 Four tournament game, including men's and women's basketball
42 and ice hockey.

43 (13) A National Collegiate Athletic Association men's or
44 women's individual or team championship game or tournament.

45 (14) A national collegiate championship of an amateur
46 sport sanctioned by the national governing body of the sport
47 that is recognized by the United States Olympic Committee.

48 (15) A Triple Crown Horse Race or a Triple Crown Harness
49 Race.

50 (16) The National Hockey League All-Star Game.

51 (17) An Olympic activity, including a Junior or Senior

1 activity, training program or feeder program sanctioned by
2 the United States Olympic Committee's Community Olympic
3 Development Program.

4 (18) A Super Bowl.

5 (19) A United States Golf Association professional or
6 amateur championship.

7 (20) The Ryder Cup, Walker Cup or Solheim Cup.

8 (21) The Professional Golfers' Association Championship.

9 (22) A World Cup soccer game or the World Cup soccer
10 tournament.

11 (23) The World Games.

12 (24) The X Games.

13 (25) The Invictus Games.

14 "Site selection organization." The term includes:

15 (1) The Amateur Athletic Union.

16 (2) The College Football Playoff Administration or its
17 successor.

18 (3) The Entertainment and Sports Programming Network or
19 an affiliate.

20 (4) The Federation Internationale de Football
21 Association.

22 (5) The International World Games Association.

23 (6) Major League Baseball.

24 (7) Major League Soccer.

25 (8) The National Association for Stock Car Auto Racing.

26 (9) The National Basketball Association.

27 (10) The National Collegiate Athletic Association.

28 (11) The National Cutting Horse Association.

29 (12) The National Football League.

30 (13) The National Hockey League.

31 (14) The Ultimate Fighting Championship.

32 (15) The United States Golf Association.

33 (16) The Professional Golfers' Association of America.

34 (17) The United States Olympic Committee.

35 (18) The national governing body of a sport that is
36 recognized by:

37 (i) The Federation Internationale de l'Automobile.

38 (ii) Formula One Management Limited.

39 (iii) The National Thoroughbred Racing Association.

40 (iv) The United States Olympic Committee.

41 Section 1722-A.2. Sports Tourism and Marketing Account.

42 (a) Establishment.--The Sports Tourism and Marketing Account
43 is established in the Pennsylvania Gaming Economic Development
44 and Tourism Fund as a restricted account. The purpose of the
45 Sports Tourism and Marketing Account shall be to attract high-
46 quality, amateur and professional sporting and esports events to
47 this Commonwealth for the purposes of advancing and promoting
48 year-round tourism, economic impact and quality of life through
49 sport.

50 (b) Administration and distribution.--The Sports Tourism and
51 Marketing Account shall be administered by the department.

1 (c) Duties of department.--The department shall:
2 (1) Issue program guidelines to implement this section.
3 (2) Establish procedures for eligible applicants to
4 apply for financial assistance from the Sports Tourism and
5 Marketing Account.
6 (3) Determine the form and manner by which an applicant
7 can apply for financial assistance with the department.
8 (4) Award financial assistance to eligible applicants in
9 accordance with this section. The department shall make
10 payments to recipients in accordance with an agreement
11 executed between the recipient and the department.
12 (d) Use of funds.--The department may award financial
13 assistance in the form of a single year or multiyear award for
14 any of the following:
15 (1) The costs relating to the preparations necessary for
16 conducting the event.
17 (2) The costs of conducting the event at the venue,
18 including costs of an improvement or renovation to an
19 existing facility at the venue. The financial assistance
20 under this section shall be limited to 20% of the total cost
21 of an improvement or renovation to an existing facility,
22 except if the facility is publicly owned.
23 (3) Promotion, marketing and programming costs
24 associated with the event.
25 (4) Paid advertising and media buys within this
26 Commonwealth related to the event.
27 (5) Production and technical expenses related to the
28 event.
29 (6) Site fees and costs, such as labor, rentals,
30 insurance, security and maintenance.
31 (7) Machinery and equipment purchases associated with
32 the conduct of the event.
33 (8) Public infrastructure upgrades or public safety
34 improvements that will directly or indirectly benefit the
35 conduct of the event.
36 (9) Costs related to land acquisition directly related
37 to the conduct of the event. The financial assistance under
38 this section shall be limited to 20% of the total acquisition
39 cost, except if the venue at which the event will be
40 conducted is publicly owned.
41 (10) On-site hospitality during the conduct of the
42 event.
43 (e) Prohibitions.--
44 (1) Except as provided under paragraph (2), financial
45 assistance awarded under this section may not be used for any
46 of the following:
47 (i) To solicit the relocation of a professional
48 sports franchise located in this Commonwealth.
49 (ii) To construct an arena, stadium, playing field,
50 racetrack, golf course or any other venue or surface upon
51 which the sporting event will take place.

1 (iii) To conduct usual and customary maintenance of
2 the facility or venue where the sporting event will take
3 place.

4 (2) Paragraph (1) shall not prohibit a disbursement from
5 the Sports Tourism and Marketing Account for the construction
6 of temporary structures within an arena, stadium or indoor or
7 outdoor venue where the sporting event will be conducted that
8 are necessary for the conduct of an event or temporary
9 maintenance of a facility that is necessary for the
10 preparation for or conduct of an event.

11 Section 1723-A.2. Transfer of funds.

12 Notwithstanding 4 Pa.C.S. § 13C62(b)(3) (relating to sports
13 wagering tax), for fiscal year 2022-2023, an amount equal to 5%
14 of the tax revenue generated by the tax imposed under 4 Pa.C.S.
15 § 13C62 or \$2,500,000, whichever is greater, shall be
16 transferred to the Sports Tourism and Marketing Account for use
17 by the department in accordance with this subarticle. The amount
18 transferred under this section may not exceed \$5,000,000.

19 Section 1724-A.2. Study of economic impact.

20 No later than nine months after the completion of an event
21 conducted in this Commonwealth that received funds under this
22 subarticle, the Independent Fiscal Office shall complete a
23 report analyzing the direct and indirect economic impact the
24 event had on the Commonwealth, the county and geographic region
25 in which the event was conducted. The report shall be provided
26 to the chairperson and minority chairperson of the
27 Appropriations Committee of the Senate and the chairperson and
28 minority chairperson of the Appropriations Committee of the
29 House of Representatives and shall be posted on the Independent
30 Fiscal Office's publicly accessible Internet website.

31 SUBARTICLE D

32 ELECTION INTEGRITY RESTRICTED ACCOUNT

33 Section 1731-A.2. (Reserved).

34 Section 1732-A.2. Election Integrity Restricted Account.

35 (a) Establishment.--The Election Integrity Restricted
36 Account is established in the General Fund as a restricted
37 account.

38 (b) Annual transfer.--No later than August 1, 2022, and each
39 August 1 thereafter, the sum of \$45,000,000 shall be transferred
40 from funds received under the authority of Article III of the
41 act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code
42 of 1971, to the Election Integrity Restricted Account.

43 (c) Limitation on use.--Money in the Election Integrity
44 Restricted Account may only be expended upon enactment of a
45 statute to provide for the use of the money in the account and
46 upon appropriation by the General Assembly.

47 Section 26. Sections 1712-B(2)(v) and 1729-B(8) and (9) of
48 the act, repealed and added June 30, 2021 (P.L.62, No.24), are
49 amended to read:

50 Section 1712-B. Executive offices.

51 The following apply to appropriations for the Pennsylvania

Commission on Crime and Delinquency:

* * *

(2) The following apply:

* * *

[(v) From the amount appropriated, \$250,000 shall be available to the Judicial Computer System Financial Audit Committee to carry out its duties pursuant to legislation enacted by the Commonwealth after the effective date of this subparagraph.]

* * *

Section 1729-B. Department of Human Services.

The following apply to appropriations for the Department of Human Services:

* * *

(8) From the appropriation for 2-1-1 Communications, \$750,000 shall be allocated for a Statewide 2-1-1 System Grant Program, and \$4,000,000 shall be used for nonrecurring infrastructure enhancements to the Statewide 2-1-1 System.

(9) The appropriation for services for the visually impaired includes the following:

(i) an allocation of [\$2,584,000] \$3,084,000 for Statewide professional services provider association for the blind to provide training and supportive services for individuals who are blind and preschool vision screenings and eye safety education; and

(ii) an allocation of [\$518,000] \$618,000 to provide specialized services and prevention of blindness services in cities of the first class.

* * *

Section 27. Section 1712-E of the act is amended by adding a subsection to read:

Section 1712-E. Executive Offices.

* * *

(d) Non-State financial participation.--For the purpose of determining non-State financial participation for a redevelopment assistance capital project as defined under section 302 of the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, money distributed to counties under 58 Pa.C.S. § 2314(d) (relating to distribution of fee) may not be considered State funds if the redevelopment assistance capital project serves a purpose which is an eligible use under 58 Pa.C.S. § 2314(g).

Section 28. Section 1721-E of the act is amended to read:

Section 1721-E. Department of Corrections.

(a) Appropriations.--The following shall apply to appropriations for the Department of Corrections:

(1) When making expenditures from appropriations for the operation of State correctional institutions, the Department of Corrections shall give consideration to minimum relief factor values calculated when determining staffing levels for corrections officers and food service instructors at each

1 State correctional institution.

2 (2) [(Reserved).] The annual general government
3 operations funding for the Pennsylvania Parole Board shall be
4 appropriated to the Department of Corrections via a separate
5 line item appropriation.

6 (3) The annual general government operations funding for
7 the Board of Pardons shall be appropriated to the Department
8 of Corrections via a separate line item appropriation.

9 (b) (Reserved).

10 Section 29. Sections 1722-E and 1725-E of the act are
11 amended by adding subsections to read:

12 Section 1722-E. Department of Education.

13 * * *

14 (f) Payments from basic education funding or school
15 employees' Social Security appropriations prohibited.--
16 Notwithstanding section 1724-A of the Public School Code of 1949
17 or 24 Pa.C.S. § 8329 (relating to payments on account of social
18 security deductions from appropriations), no payments shall be
19 made to charter schools, regional charter schools or cyber
20 charter schools authorized under Article XVII-A of the Public
21 School Code of 1949 to provide for Social Security and Medicare
22 contributions from money appropriated for basic education
23 funding or school employees' Social Security.

24 (g) Payments from required contributions for public school
25 employees' retirement appropriations prohibited.--
26 Notwithstanding section 1724-A of the Public School Code of 1949
27 or 24 Pa.C.S. §§ 8326 (relating to contributions by the
28 Commonwealth) and 8535 (relating to payments to school entities
29 by Commonwealth), no payments shall be made to charter schools,
30 regional charter schools or cyber charter schools authorized
31 under Article XVII-A of the Public School Code of 1949 from
32 money appropriated for payment of required contributions for
33 public school employees' retirement.

34 Section 1725-E. Department of Health.

35 * * *

36 (d) Repayment by Rural Health Redesign Center Authority.--No
37 later than 15 days after the effective date of this subsection,
38 the Secretary of Health and the Chair of the Rural Health
39 Redesign Center Authority shall enter into an agreement to amend
40 the Intergovernmental Agreement dated June 1, 2020, in
41 accordance with the following:

42 (1) The Rural Health Redesign Center Authority shall
43 repay the entire balance owed to the Department of Health no
44 later than June 30, 2024.

45 (2) The Rural Health Redesign Center Authority shall not
46 be required to make partial repayments prior to June 30,
47 2024.

48 Section 30. Sections 1727-E(c) and 1728-E of the act are
49 amended to read:

50 Section 1727-E. Department of Labor and Industry.

51 * * *

1 (c) Reemployment Fund.--Five percent of the contributions on
2 wages paid under section 301.4 of the act of December 5, 1936
3 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment
4 Compensation Law, from July 1, 2018, through September 30,
5 [2022] 2024, shall be deposited into the Reemployment Fund to
6 the extent the contributions are paid on or before December 31,
7 [2022] 2024. The department may deposit contributions in
8 accordance with section 301.4(e)(2) of the Unemployment
9 Compensation Law before depositing contributions in accordance
10 with this subsection and section 301.4(e)(3) of the Unemployment
11 Compensation Law.

12 Section 1728-E. Department of Military and Veterans Affairs.

13 (a) Distributed generation systems.--The definition of
14 "customer-generator" in section 2 of the act of November 30,
15 2004 (P.L.1672, No.213), known as the Alternative Energy
16 Portfolio Standards Act, shall include net-metered distributed
17 generation systems owned, operated or supporting the Department
18 of Military and Veterans Affairs on property owned or leased and
19 operated by the department with a nameplate capacity not to
20 exceed the department's annual electric needs to support the
21 department's facilities on its property.

22 (b) Contracts for burial details for veterans.--The
23 Department of Military and Veterans Affairs may enter into
24 contracts with a Statewide nonprofit fraternal society that
25 represents various veterans' groups or may request the services
26 of members of the Pennsylvania National Guard for the purpose of
27 providing the burial details authorized by 51 Pa.C.S. § 705
28 (relating to burial details for veterans). If a contract under
29 this subsection is executed, the department shall pay an amount
30 not exceeding \$250 for each day that the burial detail is
31 provided, and no other expenses shall be paid by the department
32 under the contract. Other terms of the contract shall be in
33 accordance with 51 Pa.C.S. § 705.

34 (c) Pay of Pennsylvania National Guard and Pennsylvania
35 Guard.--Notwithstanding any provision of the current Armed
36 Forces Pay and Allowance Act under 37 U.S.C. (relating to pay
37 and allowances of the uniformed services) or a successor statute
38 or 51 Pa.C.S. § 3101 (relating to pay of officers and enlisted
39 personnel on special duty) or 3102 (relating to pay of officers
40 and enlisted personnel in active State service), the base pay of
41 members of the Pennsylvania National Guard or Pennsylvania Guard
42 ordered to duty under 51 Pa.C.S. § 3101 or 3102 shall not be
43 less than \$180 per day.

44 Section 31. Section 1729-E introductory paragraph of the act
45 is amended and the section is amended by adding a subsection to
46 read:

47 Section 1729-E. Department of Human Services.

48 (a) Appropriations.--The following shall apply to
49 appropriations for the Department of Human Services:

50 * * *

51 (b) Home and Community-Based Services for Individuals with

1 Intellectual Disabilities Augmentation Account.--

2 (1) A restricted account is established in the General
3 Fund to be known as the Home and Community-Based Services for
4 Individuals with Intellectual Disabilities Augmentation
5 Account.

6 (2) Money in the account shall not lapse.

7 (3) The following shall be deposited in the account:

8 (i) The net proceeds of the sale of real property
9 which served as a state center for individuals with
10 intellectual disabilities.

11 (ii) An annual transfer from the General Fund to the
12 account in accordance with the following:

13 (A) If the amount of the appropriation for state
14 centers for individuals with intellectual
15 disabilities in a fiscal year is less than the amount
16 of the appropriation for the prior fiscal year, the
17 Secretary of the Budget shall certify the difference
18 as the amount to be transferred.

19 (B) The transfer under this subparagraph shall
20 be made no later than last day of the first quarter
21 of a fiscal year.

22 (iii) Any amounts appropriated or transferred to the
23 account.

24 (4) Money in the account is hereby appropriated to the
25 Department of Human Services to provide home and community-
26 based supports, including quality direct support professional
27 capacity, to provide housing supports for individuals with
28 intellectual disabilities and to provide home and community-
29 based supports for people on the emergency waiting list as
30 determined by the department after receiving input from the
31 Office of Developmental Programs and the Information Sharing
32 and Advisory Committee.

33 Section 32. Section 1730-E(c) (2) and (3) of the act are
34 amended and the subsection is amended by adding a paragraph to
35 read:

36 Section 1730-E. Department of Revenue.

37 * * *

38 (c) Military installation remediation program.--
39 Notwithstanding Chapter 3-A of the act of December 8, 2004
40 (P.L.1801, No.238), known as the Transit Revitalization
41 Investment District Act, and any law providing for the
42 confidentiality of tax records, the following shall apply:

43 * * *

44 (2) The qualified authority shall have access to State
45 or local tax information filed on or after November 27, 2019,
46 by a qualified business for a designated parcel under section
47 301-A(a) (4) of the Transit Revitalization Investment District
48 Act solely for the purpose of documenting the certification
49 required under Chapter 3-A of the Transit Revitalization
50 Investment District Act[.] or determining the amount
51 allocated to any uses specified under section 303-A(a) of the

1 Transit Revitalization Investment District Act. Any other use
2 of the tax information described in this subsection shall be
3 prohibited as provided under law.

4 (2.1) The following apply to a qualified authority:

5 (i) The terms of members of the governing body of a
6 qualified authority serving as of December 31, 2022,
7 shall terminate on December 31, 2022.

8 (ii) Notwithstanding 53 Pa.C.S. § 5610(a) (relating
9 to governing body), beginning on January 1, 2023, the
10 governing body of a qualified authority shall be composed
11 of the following members, who shall be appointed by the
12 qualified municipality:

13 (A) Five permanent residents of the qualified
14 municipality.

15 (B) Two permanent residents of a municipality
16 that has within its geographic bounds a former
17 military installation where activities caused per-
18 and polyfluoroalkyl public drinking water
19 contamination and which municipality is immediately
20 adjacent to a qualified municipality.

21 (iii) The terms of members of the board of the
22 qualified authority who are appointed under subparagraph
23 (ii) after December 31, 2022, shall be staggered as
24 provided under 53 Pa.C.S. § 5610.

25 (3) As used in this [section] subsection, the following
26 words and phrases shall have the meanings given to them in
27 this paragraph unless the context clearly indicates
28 otherwise:

29 "Military installation remediation project." As defined
30 in section 103 of the Transit Revitalization Investment
31 District Act.

32 "Qualified authority." As defined in section 103 of the
33 Transit Revitalization Investment District Act.

34 "Qualified municipality." As defined in section 103 of
35 the Transit Revitalization Investment District Act.

36 "Qualified tax." As defined in section 103 of the
37 Transit Revitalization Investment District Act.

38 "Qualified taxpayer." As defined in section 103 of the
39 Transit Revitalization Investment District Act.

40 Section 33. Sections 1740-E, 1742-E, 1743-E, 1744-E and
41 1745-E of the act are amended to read:

42 Section 1740-E. Pennsylvania Infrastructure Investment
43 Authority [(Reserved)].

44 (a) Use of certain Federal funds.--

45 (1) Federal funds received by the Commonwealth pursuant
46 to the Infrastructure Investment and Jobs Act of 2021 (Public
47 Law 117-58) or the Water Infrastructure Improvements for the
48 Nation Act of 2016 (Public Law 114-322) and which are
49 appropriated to the Pennsylvania Infrastructure Investment
50 Authority for water projects under paragraph (2) shall be
51 administered by the Pennsylvania Infrastructure Investment

Authority in accordance with the Infrastructure Investment and Jobs Act of 2021 and the Water Infrastructure Improvements for the Nation Act of 2016.

(2) Paragraph (1) shall apply to Federal funds appropriated to the Pennsylvania Infrastructure Investment Authority for the following purposes:

(i) From amounts appropriated from Clean Water State Revolving Fund for programs to address emerging contaminants.

(ii) From amounts appropriated from Drinking Water State Revolving Fund for programs to address lead service line replacement and emerging contaminants.

(iii) From amounts appropriated for Water Infrastructure Improvements for the Nation Act of 2016 for programs to address small and underserved communities and emerging contaminants.

(iv) Other Federal amounts that are made available under the Infrastructure Investment and Jobs Act of 2021 or the Water Infrastructure Improvements for the Nation Act of 2016 which are eligible to be awarded as a grant or principal forgiveness.

(3) Awards of Federal funds by the Pennsylvania Infrastructure Investment Authority under paragraph (1) shall not be subject to the provisions of sections 10(e), 10(i) and any other conflicting provision of the act of March 1, 1988 (P.L.82, No.16), known as the Pennsylvania Infrastructure Investment Authority Act.

(4) The Pennsylvania Infrastructure Investment Authority shall issue guidance on the implementation of paragraphs (1) and (3).

(b) (Reserved).

Section 1742-E. [Pennsylvania Board of Probation and Parole] (Reserved).

Section 1743-E. [Pennsylvania Public Television Network Commission] (Reserved).

Section 1744-E. [Pennsylvania Securities Commission] (Reserved).

Section 1745-E. [State Tax Equalization Board] (Reserved).

Section 34. The act is amended by adding a section to read:
Section 1754-E. State-related universities.

(a) Appropriations.--The following shall apply to appropriations to State-related universities:

(1) Money appropriated to State-related universities 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.

(2) (Reserved).

(b) (Reserved).

Section 35. Section 1795.1-E(c)(3)(i) of the act is amended,

subsection (b) is amended by adding a paragraph, subsection (c)
(1) is amended by adding a subparagraph and the section is
amended by adding a subsection to read:
Section 1795.1-E. Surcharges.

* * *

(b) Imposition.--

* * *

(3) An additional surcharge of \$10 shall be charged and collected by a division of the unified judicial system. This paragraph shall expire July 31, 2023. The additional surcharge under this paragraph shall be deposited into the Judicial Department Operations Augmentation Account under subsection (d).

(c) Other surcharge and fees.--

(1) In addition to the fees imposed under 42 Pa.C.S. §§ 3733(a.1) and 3733.1 (relating to surcharge), except as set forth in paragraph (2), the following apply:

* * *

(iv) A surcharge of \$11.25 shall be charged and collected by a division of the unified judicial system. This subparagraph shall expire July 31, 2023. The surcharge under this subparagraph shall be deposited into the Judicial Department Operations Augmentation Account under subsection (d).

* * *

(3) The following apply:

[(i) The separate reserve account within the Judicial Computer System Augmentation Account established under 42 Pa.C.S. § 3733.1(c)(1) is continued, and the surcharge under paragraph (1)(i) shall be deposited into the separate reserve account. Notwithstanding 42 Pa.C.S. § 3732 (relating to utilization of funds in account), money deposited under this paragraph is appropriated to the Supreme Court, upon compliance with Article XV, for the operation of the Judicial Department.]

* * *

(d) Judicial Department Operations Augmentation Account.-- The separate reserve account within the Judicial Computer System Augmentation Account established under the former 42 Pa.C.S. § 3733.1(c)(1) is reestablished as a restricted revenue account in the General Fund to be known as the Judicial Department Operations Augmentation Account. Notwithstanding 42 Pa.C.S. § 3732 (relating to utilization of funds in account), money deposited in the restricted revenue account is appropriated to the Supreme Court, upon compliance with Article XV, for the operation of the Judicial Department.

Section 36. Section 1798.3-E(d) of the act, amended June 30, 2021 (P.L.62, No.24), is amended to read:

Section 1798.3-E. Multimodal Transportation Fund.

* * *

(d) Expiration.--This section shall expire December 31,

1 [2022] 2023.

2 Section 37. The act is amended by adding articles to read:

3 ARTICLE XVII-F.1

4 2022-2023 BUDGET IMPLEMENTATION

5 SUBARTICLE A

6 PRELIMINARY PROVISIONS

7 Section 1701-F.1. Applicability.

8 Except as specifically provided in this article, this article
9 applies to the General Appropriation Act of 2022 and all other
10 appropriation acts of 2022.

11 Section 1702-F.1. Definitions.

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

15 "General Appropriation Act of 2022." The act of _____,
16 2022 (P.L. _____, No. _____), known as the General Appropriation Act of
17 2022.

18 "Human Services Code." The act of June 13, 1967 (P.L.31,
19 No.21), known as the Human Services Code.

20 "Most recent Federal decennial census." The population
21 figures for the most recent Federal decennial census as
22 published by the Department of General Services in the most
23 recent Pennsylvania Manual as of the effective date of this
24 section.

25 "Public School Code of 1949." The act of March 10, 1949
26 (P.L.30, No.14), known as the Public School Code of 1949.

27 "Secretary." The Secretary of the Budget of the
28 Commonwealth.

29 "TANFBG." Temporary Assistance for Needy Families Block
30 Grant.

31 Section 1703-F.1. (Reserved).

32 Section 1704-F.1. (Reserved).

33 SUBARTICLE B

34 EXECUTIVE DEPARTMENTS

35 Section 1711-F.1. Governor (Reserved).

36 Section 1712-F.1. Executive offices.

37 The following apply to appropriations for the executive
38 offices:

39 (1) The following apply to money appropriated for the
40 Pennsylvania Commission on Crime and Delinquency:

41 (i) No less than the amount used in the 2014-2015
42 fiscal year shall be used to support the Statewide
43 Automated Victim Information and Notification System
44 (SAVIN) to provide offender information through county
45 jails.

46 (ii) No less than the amount used in the 2014-2015
47 fiscal year shall be used for a residential treatment
48 community facility for at-risk youth located in a county
49 of the fifth class.

50 (iii) From the amount appropriated, \$400,000 shall
51 be used for an innovative police data sharing pointer

index system that will allow participating law enforcement agencies access to incident report data.

(iv) From the amount appropriated, \$600,000 shall be used for a diversion program for first-time nonviolent offenders facing prison sentences. The diversion program must include education and employment services, case management and mentoring.

(v) No less than \$3,000,000 shall be available as a pilot program to offset costs incurred by a city of the first class and a county of the second class A that is also a home rule county in connection with hiring additional assistant district attorneys designated as a Special United States Attorney by a United States Attorney's office through participation in the Project Safe Neighborhoods program and who will exclusively prosecute crimes under 18 U.S.C. § 922(g) (relating to unlawful acts).

(vi) \$500,000 shall be used to support a Statewide child predator unit.

(vii) \$500,000 shall be used for training and equipment needs to support improvements in the identification, investigation and prosecution of 18 Pa.C.S. § 6312 (relating to sexual abuse of children).

(viii) \$100,000 shall be allocated for criminal indigent defense training.

(2) From money appropriated for violence and delinquency prevention programs:

(i) no less than the amount used in the 2014-2015 fiscal year shall be used for programs in a city of the second class; and

(ii) no less than the amount used in the 2014-2015 fiscal year shall be used for blueprint mentoring programs that address reducing youth violence in cities of the first, second and third class with programs in cities of the second class and third class also receiving a proportional share of \$200,000.

(3) Money appropriated for violence intervention and prevention shall be used solely to provide grants and technical assistance to community-based organizations, institutions of higher education, municipalities, district attorneys and other entities in accordance with section 1306-B(b) of the Public School Code of 1949 and notwithstanding section 1306-B(h)(7) of the Public School Code of 1949 for programs eligible under section 1306-B(j)(22) of the Public School Code of 1949.

(4) Money appropriated for county intermediate punishment shall be distributed to counties for county adult probation supervision and drug and alcohol and mental health treatment programs for offenders sentenced to restrictive conditions of probation imposed under 42 Pa.C.S. § 9763(c) or (d) (relating to conditions of probation) and are certified

1 in accordance with 42 Pa.C.S. § 2154.1(b) (relating to
2 adoption of guidelines for restrictive conditions). The
3 portion of money for drug and alcohol and mental health
4 treatment programs shall be based on national statistics that
5 identify the percentage of incarcerated individuals that are
6 in need of treatment for substance issues but in no case
7 shall be less than 80% of the amount appropriated.

8 Section 1713-F.1. Lieutenant Governor (Reserved).

9 Section 1714-F.1. Attorney General.

10 The following shall apply to appropriations to the Attorney
11 General:

12 (1) From amounts appropriated for a joint local-State
13 firearm task force in a city of the first class, no more than
14 20% may be allocated for a district attorney in a city of the
15 first class.

16 (2) (Reserved).

17 Section 1715-F.1. Auditor General.

18 The following shall apply to appropriations to the Department
19 of the Auditor General:

20 (1) From money appropriated for special financial
21 audits, \$500,000 shall be used for the financial auditing of
22 entities that receive money through contracts with the
23 Department of Human Services from money appropriated for
24 Medical Assistance - Capitation, Medical Assistance Community
25 HealthChoices, Medical Assistance - Long-term Living, Mental
26 Health Services or the Intellectual Disabilities - Community
27 Waiver Program.

28 (2) Appropriations made to the Department of Auditor
29 General shall include funding to conduct an audit of a school
30 district in which the school board has approved a motion to
31 request an audit by the Auditor General within the six months
32 prior to the effective date of this paragraph. The audit
33 shall be conducted as provided by law. To the extent
34 possible, the audit shall include a review of the books,
35 contracts and transactions of the school district, including
36 those related to Federal and State funding of the school
37 district for the previous five school years.

38 Section 1716-F.1. Treasury Department (Reserved).

39 Section 1717-F.1. Department of Aging (Reserved).

40 Section 1718-F.1. Department of Agriculture.

41 The following apply to appropriations for the Department of
42 Agriculture:

43 (1) From money appropriated for general government
44 operations, the following apply:

45 (i) No less than the amount transferred in the 2014-
46 2015 fiscal year shall be transferred to the Dog Law
47 Restricted Account.

48 (ii) No less than \$250,000 shall be used for the
49 Commission of Agricultural Education Excellence to assist
50 in development and implementation of agricultural
51 education programming.

1 (2) From money appropriated for agricultural
2 preparedness and response, the following shall apply:

3 (i) No less than \$25,000,000 shall be used for costs
4 associated with preparing for and responding to an
5 outbreak of highly pathogenic avian influenza in the form
6 of grants to assist with income losses and costs
7 associated with workforce payroll and benefits, mortgage
8 interest and rent payments, utility payments, costs of
9 delayed repopulating and reopening facilities and other
10 losses or costs associated with response not otherwise
11 eligible for or covered by Federal funding, insurance,
12 contracts or other funding sources.

13 (ii) no less than \$6,000,000 shall be used for costs
14 incurred by the Pennsylvania Animal Diagnostic Laboratory
15 System in preparing for and responding to an outbreak of
16 highly pathogenic avian influenza.

17 (3) From money appropriated for agricultural excellence
18 programs, no less than \$250,000 shall be allocated to the
19 Center for Beef Excellence for grants to be used for producer
20 education and physical infrastructure development to increase
21 the inventory of beef cattle in this Commonwealth.

22 (4) From money appropriated for agricultural research,
23 the following apply:

24 (i) No less than \$300,000 shall be used for an
25 agricultural resource center.

26 (ii) No less than \$100,000 shall be used for
27 agricultural law research programs, including those
28 addressing energy development, in conjunction with a
29 land-grant university.

30 (5) From money appropriated for hardwoods research and
31 promotion, at least 80% of the money shall be equally
32 distributed among the hardwood utilization groups of this
33 Commonwealth established prior to the effective date of this
34 section.

35 (6) Money appropriated for the Animal Health and
36 Diagnostic Commission shall be equally distributed to the
37 animal diagnostic laboratory system laboratories located at a
38 land grant university and at a school of veterinary medicine
39 located within this Commonwealth.

40 Section 1719-F.1. Department of Community and Economic
41 Development.

42 The following apply to appropriations for the Department of
43 Community and Economic Development:

44 (1) From money appropriated for general government
45 operations, no less than \$1,900,000 shall be used to support
46 a manufacturing technology development effort, to assist
47 Pennsylvania small businesses with enhanced cyber security
48 and to test coal ash refuse extraction of rare earth metals
49 for domestic chip manufacturing in a county of the fourth
50 class with a population of at least 143,679 but not more than
51 144,200, under the most recent Federal decennial census.

1 (2) (Reserved).
2 (3) From money appropriated for marketing to attract
3 tourists:
4 (i) \$4,093,000 to fund the activities of the tourism
5 office within the department; and
6 (ii) the remaining money includes an allocation to
7 be used to plan, market and conduct a series of arts and
8 cultural activities that generate Statewide and regional
9 economic impact, and \$500,000 shall be used for an annual
10 Statewide competition serving approximately 2,000
11 athletes with intellectual disabilities from across this
12 Commonwealth to be held in a county of the fourth class.
13 (4) From money appropriated for Pennsylvania First, no
14 less than \$8,000,000 shall be used to fund the Workforce and
15 Economic Development Network of Pennsylvania (WEDnetPA) for
16 workforce training grants provided through an alliance of
17 educational providers, including, but not limited to, State
18 System of Higher Education universities, the Pennsylvania
19 College of Technology and community colleges located in this
20 Commonwealth.
21 (5) From money appropriated for Keystone Communities:
22 (i) \$6,377,000 shall be used to fund the Main Street
23 Program, Elm Street Program, Enterprise Zone Program and
24 accessible housing. The allocation for the Main Street
25 Program, Elm Street Program, Enterprise Zone Program and
26 accessible housing shall be distributed in the same
27 proportion as amounts allocated in fiscal year 2012-2013.
28 (ii) The remaining money shall be used for projects
29 supporting economic growth, community development and
30 municipal assistance throughout this Commonwealth.
31 (6) From money appropriated for partnerships for
32 regional economic performance, the amount of \$1,000,000 shall
33 be distributed on a pro rata basis for grants and other
34 activities allowed under Department of Community and Economic
35 Development guidelines in effect for fiscal year 2021-2022.
36 (7) Notwithstanding section 4(1) of the act of October
37 11, 1984 (P.L.906, No.179), known as the Community
38 Development Block Grant Entitlement Program for Nonurban
39 Counties and Certain Other Municipalities, the Commonwealth
40 may use up to 3% of the money received pursuant to the
41 Housing and Community Development Act of 1974 (Public Law 93-
42 383, 88 Stat. 633) for administrative costs.
43 (8) Money appropriated for local municipal relief shall
44 include an allocation to provide State assistance to
45 individuals, persons or political subdivisions directly
46 affected by natural or manmade disasters, public safety
47 emergencies, other situations that pose a public safety
48 danger or other situations at the discretion of the
49 department. State assistance may be limited to grants for
50 projects that do not qualify for Federal assistance to help
51 repair damages to primary residences, personal property and

1 public facilities and structures. Grants shall be made
2 available for reimbursement in a disaster emergency area only
3 when a Presidential disaster declaration does not cover the
4 area or when the department determines that a public safety
5 emergency has occurred.

6 Section 1720-F.1. Department of Conservation and Natural
7 Resources (Reserved).

8 Section 1721-F.1. Department of Corrections.

9 The following apply to appropriations for the Department of
10 Corrections:

11 (1) From amounts appropriated for general government
12 operations, no less than \$1,750,000 shall be used for
13 nonnarcotic medication substance use disorder treatment,
14 which may include the establishment and administration of a
15 nonnarcotic medication assisted substance abuse treatment
16 grant program.

17 (2) Notwithstanding any other provision of law to the
18 contrary, for the purposes of any program funded under
19 paragraph (1) and established under 61 Pa.C.S. Ch. 46
20 (relating to nonnarcotic medication assisted substance abuse
21 treatment grant pilot program), the term "eligible offender"
22 means a defendant or inmate convicted of a criminal offense
23 who will be committed to the custody of the county and who
24 meets the clinical criteria for an opioid or alcohol use
25 disorder as determined by a physician.

26 Section 1722-F.1. Department of Drug and Alcohol Programs
27 (Reserved).

28 Section 1723-F.1. Department of Education.

29 The following shall apply to appropriations to the Department
30 of Education:

31 (1) From money appropriated for general government
32 operations, no less than \$1,500,000 shall be used for an
33 educational and professional development online course
34 initiative. The department shall establish a central online
35 clearinghouse in accordance with the Public School Code of
36 1949, which shall include an online database of online
37 courses for students in grades K-12 and online professional
38 development courses, and to make the clearinghouse accessible
39 to school entities, nonpublic schools, home education
40 programs and the general public.

41 (2) From money appropriated for the Pre-K Counts
42 Program, the per-student grant award amount for grants made
43 pursuant to section 1514-D of the Public School Code of 1949
44 shall be increased by 14.3% over the amount paid in fiscal
45 year 2021-2022.

46 (3) From an appropriation for adult and family literacy
47 programs, summer reading programs and the adult high school
48 diplomas program. The following apply:

49 (i) no less than the amount allocated in the 2014-
50 2015 fiscal year shall be allocated for an after-school
51 learning program servicing low-income students located in

a county of the sixth class with a population, based on the most recent Federal decennial census, of at least 60,000 but not more than 70,000; and

(ii) no less than the amount allocated in the 2016-2017 fiscal year shall be used for an after-school learning program servicing low-income students located in a county of the third class with a population, based on the most recent Federal decennial census, of at least 320,000 but not more than 321,000.

(4) Notwithstanding any other provision of law, the appropriation for pupil transportation may not be redirected for any purpose.

(5) From money appropriated for Pennsylvania Chartered Schools for Deaf and Blind Children, the following apply:

(i) Upon distribution of the final tuition payment for the fiscal year, the balance of the appropriation, excluding amounts under subparagraph (ii), shall be used to pay the schools' increased share of required contributions for public school employees' retirement and shall be distributed pro rata based on each school's contributions for the prior fiscal year.

(ii) \$1,000,000 is included for capital-related costs and deferred maintenance to be divided equally between each approved private school.

(6) Notwithstanding any other provision of law, the amount of money set aside under section 2509.8 of the Public School Code of 1949 shall be allocated to each approved private school with a day tuition rate determined to be less than \$32,000 during the 2010-2011 school year. The allocation shall be no less than the amount allocated in the 2015-2016 fiscal year.

(7) Money appropriated for regional community college services shall be distributed to each entity that received funding in fiscal year 2019-2020 in an amount equal to the amount it received in that fiscal year and a pro rata share of \$85,000.

(8) Notwithstanding any other provision of law, money appropriated for community education councils shall be distributed in a manner that each community education council which received funding in fiscal year 2021-2022 shall receive an amount equal to the amount it received in that fiscal year and a pro rata share of \$96,000.

Section 1724-F.1. Department of Environmental Protection

(Reserved).

Section 1725-F.1. Department of General Services.

From money appropriated to the Department of General Services for Capitol fire protection, the City of Harrisburg shall use the money to support the provisions of fire services to the Capitol complex.

Section 1726-F.1. Department of Health.

The following apply to appropriations for the Department of

1 Health:

2 (1) From money appropriated for general government
3 operations, sufficient money is included for the coordination
4 of donated dental services.

5 (2) From money appropriated for diabetes programs,
6 \$100,000 shall be allocated for Type I diabetes awareness,
7 education and outreach.

8 (3) From money appropriated for primary health care
9 practitioner, the following apply:

10 (i) No less than \$3,451,000 shall be used for
11 Primary Care Loan Repayment Grant Awards.

12 (ii) No less than \$1,500,000 shall be used for the
13 Pennsylvania Academy of Family Physicians Residency
14 Program.

15 (iii) Grantees other than as provided under
16 subparagraphs (i) and (ii) that received amounts in the
17 2021-2022 fiscal year shall receive the amount each
18 grantee received in the 2021-2022 fiscal year and a pro
19 rata allocation of \$558,000.

20 (4) Money appropriated for services for children with
21 special needs shall be distributed to grantees in the same
22 proportion as distributed in fiscal year 2019-2020.

23 (5) From money appropriated for adult cystic fibrosis
24 and other chronic respiratory illnesses, the following apply:

25 (i) No less than \$212,000 shall be used for a
26 program promoting cystic fibrosis research in a county of
27 the second class.

28 (ii) No less than \$106,000 shall be used for
29 research related to childhood cystic fibrosis in a city
30 of the first class with a hospital that is nationally
31 accredited as a cystic fibrosis treatment center and
32 specializes in the treatment of children.

33 (iii) Any money not used under subparagraph (i) or
34 (ii) shall be distributed to grantees in the same
35 proportion as distributed in fiscal year 2019-2020.

36 (6) Money appropriated for diagnosis and treatment for
37 Cooley's anemia shall be distributed to grantees in the same
38 proportion as distributed in fiscal year 2019-2020.

39 (7) Money appropriated for hemophilia services shall be
40 distributed to grantees in the same proportion as distributed
41 in fiscal year 2019-2020.

42 (8) Money appropriated for lupus programs shall be
43 distributed proportionately to each entity that received
44 funding in fiscal year 2018-2019.

45 (9) From money appropriated for sickle cell anemia
46 services, including camps for children with sickle cell
47 anemia, the following shall apply:

48 (i) Grantees which received amounts in fiscal year
49 2019-2020 shall receive an amount which is in the same
50 proportion as distributed in fiscal year 2019-2020.

51 (ii) \$75,000 shall be distributed to a qualifying

1 academic medical center located in a county of the third
2 class with a population between 260,000 and 270,000 under
3 the most recent Federal decennial census for expanded
4 care of adult sickle cell disease.

5 (10) Money appropriated for Lyme disease includes
6 \$930,000 for costs related to free tick testing for residents
7 performed in conjunction with a university that is part of
8 the State System of Higher Education, including outreach and
9 marketing.

10 (11) Money appropriated for biotechnology research shall
11 include allocations for regenerative medicine research, for
12 regenerative medicine medical technology, for hepatitis and
13 viral research, for drug research and clinical trials related
14 to cancer, pulmonary embolism and deep vein thrombosis, for
15 genetic and molecular research for disease identification and
16 eradication, for vaccine immune response diagnostics, for
17 nanotechnology and for the commercialization of applied
18 research.

19 (12) From the appropriation for leukemia/lymphoma, the
20 entire amount shall be allocated to a branch of an eastern
21 Pennsylvania chapter of a nonprofit organization, where the
22 branch is located within a city of the third class that is
23 located in two counties of the third class, dedicated to
24 awareness, education, patient assistance and outreach related
25 to blood cancer.

26 Section 1727-F.1. Insurance Department (Reserved).

27 Section 1728-F.1. Department of Labor and Industry.

28 The following apply to appropriations to the Department of
29 Labor and Industry:

30 (1) From money appropriated for Industry Partnerships,
31 no less than the amount allocated in the 2014-2015 fiscal
32 year shall be used for a work force development program that
33 links veterans with employment in a home rule county that was
34 formerly a county of the second class A.

35 (2) (Reserved).

36 Section 1729-F.1. Department of Military and Veterans Affairs
37 (Reserved).

38 Section 1730-F.1. Department of Human Services.

39 The following apply to appropriations for the Department of
40 Human Services:

41 (1) From money appropriated for mental health services
42 or from Federal money, \$580,000 shall be used for the
43 following:

44 (i) The operation and maintenance of a network of
45 web portals that provide comprehensive referral services,
46 support and information relating to early intervention,
47 prevention and support for individuals with mental health
48 or substance abuse issues, county mental health offices,
49 providers and others that provide mental and behavioral
50 health treatment and related services.

51 (ii) The expansion of the existing web portals,

1 including services and resources for military veterans
2 and their families, including comprehensive referral
3 services for transitional, temporary and permanent
4 housing, job placement and career counseling and other
5 services for military veterans returning to civilian
6 life.

7 (2) (Reserved).

8 (3) Subject to the availability of Federal money and
9 eligibility under Federal TANFBG rules, grantees who operated
10 within the PA WorkWear program in the prior fiscal year and
11 who remain in operation shall be offered a grant for the
12 fiscal year to continue service delivery under substantially
13 similar terms as previous PA WorkWear grants unless both
14 parties agree to alternate terms. Nothing in this paragraph
15 shall prohibit the Department of Human Services from offering
16 a grant to a prospective PA WorkWear provider to replace a
17 prior grantee who chooses not to continue to operate in the
18 program.

19 (4) From money appropriated for medical assistance
20 capitation:

21 (i) No less than the amount used in the 2014-2015
22 fiscal year shall be used for prevention and treatment of
23 depression and its complications in older Pennsylvanians
24 in a county of the second class.

25 (ii) Subject to Federal approval as may be necessary
26 and contingent on Federal financial participation,
27 sufficient funds are included to provide rates for
28 ambulance transportation at the following amounts,
29 beginning on January 1, 2023:

30 (A) For basic life support, not less than \$325
31 per loaded trip.

32 (B) For advanced life support, not less than
33 \$400 per loaded trip.

34 (C) For ground mileage, not less than \$4 per
35 mile for each loaded mile beyond 20 loaded miles.

36 (5) The following shall apply to amounts appropriated
37 for medical assistance fee-for-service:

38 (i) Payments to hospitals for Community Access Fund
39 grants shall be distributed under the formulas utilized
40 for these grants in fiscal year 2014-2015. If the total
41 funding available under this subparagraph is less than
42 that available in fiscal year 2014-2015, payments shall
43 be made on a pro rata basis.

44 (ii) Amounts allocated from money appropriated for
45 fee-for-service used for the SelectPlan for Women's
46 preventative health services shall be used for women's
47 medical services, including noninvasive contraception
48 supplies.

49 (iii) Notwithstanding any other law, money
50 appropriated for medical assistance payments for fee-for-
51 service care, exclusive of inpatient services provided

1 through capitation plans, shall include sufficient money
2 for two separate All Patient Refined Diagnostic Related
3 Group payments for inpatient acute care general hospital
4 stays for:

5 (A) normal newborn care; and

6 (B) mothers' obstetrical delivery.

7 (iv) No less than \$330,000 shall be used for cleft
8 palates and other craniofacial anomalies.

9 (v) No less than \$800,000 shall be distributed to a
10 hospital for clinical ophthalmologic services located in
11 a city of the first class.

12 (vi) No less than \$700,000 shall be distributed for
13 improvements to an acute care hospital located in a city
14 of the first class.

15 (vii) No less than \$5,000,000 shall be distributed
16 to a hospital in a city of the third class in a home rule
17 county that was formerly a county of the second class A,
18 provided that services and specialties available on the
19 effective date of this paragraph must remain available
20 until July 1, 2023, and compliance with any other
21 requirements imposed by the Department of Human Services.
22 The Department of Human Services may recoup funds from
23 any hospital failing to meet the conditions under this
24 paragraph.

25 (viii) No less than \$2,000,000 shall be distributed
26 to a university located in a city of the first class to
27 research the impact of trauma-informed programs on
28 community violence prevention and health disparities.

29 (ix) No less than \$3,000,000 shall be distributed to
30 an enrolled outpatient therapy service provider located
31 in a city of the second class in a county of the second
32 class that provides behavioral health and medical
33 rehabilitation pediatric outpatient services.

34 (x) No less than \$2,500,000 shall be distributed to
35 an acute care hospital in a city of the third class with
36 a population between 14,000 and 15,000 according to the
37 most recent Federal decennial census in a county of the
38 third class with a population between 360,000 and 370,000
39 according to the most recent Federal decennial census.

40 (xi) Subject to Federal approval as may be necessary
41 and contingent on Federal financial participation,
42 sufficient funds are included to provide rates for
43 ambulance transportation at the following amounts,
44 beginning on January 1, 2023:

45 (A) For basic life support, not less than \$325
46 per loaded trip.

47 (B) For advanced life support, not less than
48 \$400 per loaded trip.

49 (C) For ground mileage, not less than \$4 per
50 mile for each loaded mile beyond 20 loaded miles.

51 (6) To supplement the money appropriated to the

1 department for medical assistance for workers with
2 disabilities, in addition to the monthly premium under
3 section 1503(b)(1) of the act of June 26, 2001 (P.L.755,
4 No.77), known as the Tobacco Settlement Act, the department
5 may adjust the percentage of the premium upon approval of the
6 Centers for Medicare and Medicaid Services as authorized
7 under Federal requirements. Failure to make payments in
8 accordance with this paragraph or section 1503(b)(1) of the
9 Tobacco Settlement Act shall result in the termination of
10 medical assistance coverage.

11 (7) Qualifying physician practice plans that received
12 money for fiscal year 2017-2018 shall not receive less than
13 the State appropriation made available to those physician
14 practice plans during fiscal year 2017-2018.

15 (8) Federal or State money appropriated under the
16 General Appropriation Act of 2022 in accordance with 35
17 Pa.C.S. § 8107.3 (relating to funding) not used to make
18 payments to hospitals qualifying as Level III trauma centers
19 or seeking accreditation as Level III trauma centers shall be
20 used to make payments to hospitals qualifying as Levels I and
21 II trauma centers.

22 (9) Qualifying academic medical centers that received
23 money for fiscal year 2017-2018 shall receive the same amount
24 from the State appropriation made available to those academic
25 medical centers during fiscal year 2017-2018.

26 (10) Money appropriated for medical assistance
27 transportation shall only be utilized as a payment of last
28 resort for transportation for eligible medical assistance
29 recipients.

30 (11) The following shall apply:

31 (i) Money appropriated for women's service programs
32 grants to nonprofit agencies whose primary function is to
33 promote childbirth and provide alternatives to abortion
34 shall be expended to provide services to women until
35 childbirth and for up to 12 months thereafter, including
36 food, shelter, clothing, health care, counseling,
37 adoption services, parenting classes, assistance for
38 postdelivery stress and other supportive programs and
39 services and for related outreach programs. Agencies may
40 subcontract with other nonprofit entities that operate
41 projects designed specifically to provide all or a
42 portion of these services. Projects receiving money
43 referred to in this subparagraph shall not promote, refer
44 for or perform abortions or engage in any counseling
45 which is inconsistent with the appropriation referred to
46 in this subparagraph and shall be physically and
47 financially separate from any component of any legal
48 entity engaging in such activities.

49 (ii) Federal money appropriated for TANFBG
50 Alternatives to Abortion shall be utilized solely for
51 services to women whose gross family income is below 185%

1 of the Federal poverty guidelines.
2 (12) From money appropriated for medical assistance
3 long-term living:
4 (i) No less than the amount distributed in the 2014-
5 2015 fiscal year shall be distributed to a county nursing
6 home located in a home rule county that was formerly a
7 county of the second class A with more than 725 beds and
8 a Medicaid acuity at 0.79 as of August 1, 2015.
9 (ii) No less than the amount used in the 2020-2021
10 fiscal year shall be distributed to a nonpublic nursing
11 home located in a county of the first class with more
12 than 395 beds and a Medicaid acuity at 1.15 as of August
13 1, 2021, to ensure access to necessary nursing care in
14 that county.
15 (iii) \$5,000,000 shall be distributed to a nonpublic
16 nursing home located in a county of the eighth class with
17 more than 119 beds and a Medicaid acuity at 1.07 as of
18 August 1, 2021, to ensure access to necessary nursing
19 home care in that county.
20 (iv) An additional \$500,000 shall be paid in equal
21 payments to nursing facilities which remain open as of
22 the effective date of this section that qualified for
23 supplemental ventilator care and tracheostomy care
24 payments in fiscal year 2014-2015 with a percentage of
25 medical assistance recipient residents who required
26 medically necessary ventilator care or tracheostomy care
27 greater than 90%.
28 (v) Subject to Federal approval of necessary
29 amendments of the Title XIX State Plan, \$16,000,000 is
30 allocated for medical assistance day-one incentive
31 payments to qualified nonpublic nursing facilities under
32 methodology and criteria under section 443.1(7)(vi) of
33 the Human Services Code. The Department of Human Services
34 shall determine a nonpublic nursing facility's overall
35 and medical assistance occupancy rate to qualify for a
36 medical assistance day-one incentive payment for the
37 fiscal year based on a nursing facility's resident day
38 quarter ending December 31, 2019, for the first of two
39 payments and a nursing facility's resident day quarter
40 ending March 31, 2020, for the second of two payments.
41 (vi) No less than \$500,000 shall be allocated to a
42 special rehabilitation facility in peer group number 13
43 in a city of the third class with a population between
44 115,000 and 120,000 based upon the most recent Federal
45 decennial census.
46 (vii) Subject to Federal approval, sufficient funds
47 are included to provide a 17.5% annualized rate increase
48 effective January 1, 2023, that is calculated in
49 accordance with section 443.1 of the Human Services Code
50 and 55 Pa. Code Chs. 1187 (relating to nursing facility
51 services) and 1189 (relating to county nursing facility

1 services), including for costs associated with compliance
2 with section 443.13 of the Human Services Code.

3 (13) From money appropriated for Medical Assistance
4 Community HealthChoices, subject to Federal approval,
5 sufficient funds are included to make payments with dates of
6 service beginning January 1, 2023, in accordance with section
7 443.1(7)(iv.1) of the Human Services Code.

8 (14) From money appropriated for autism intervention and
9 services:

10 (i) \$600,000 shall be allocated to a behavioral
11 health facility located in a county of the fifth class
12 with a population between 130,000 and 135,000 under the
13 most recent Federal decennial census and shall be
14 distributed to a health system that operates both a
15 general acute care hospital and a behavioral health
16 facility that has a center for autism and developmental
17 disabilities located in a county of the fifth class with
18 a population between 130,000 and 135,000 under the most
19 recent Federal decennial census;

20 (ii) \$300,000 shall be allocated to an institution
21 of higher education that provides autism education and
22 diagnostic curriculum located in a city of the first
23 class that operates a center for autism in a county of
24 the second class A;

25 (iii) \$300,000 shall be allocated to an institution
26 of higher education that provides autism education and
27 diagnostic curriculum and is located in a county of the
28 second class;

29 (iv) no less than the amount distributed in the
30 2014-2015 fiscal year shall be allocated for programs to
31 promote the health and fitness of persons with
32 developmental disabilities located in a city of the first
33 class;

34 (v) \$500,000 shall be allocated for the expansion of
35 an adult autism program in a county of the third class;
36 and

37 (vi) \$600,000 shall be allocated for an entity that
38 provides alternative educational services to individuals
39 with autism and developmental disabilities in the county
40 which was most recently designated as a county of the
41 second class A.

42 (15) (Reserved).

43 (16) From money appropriated for child-care services, no
44 less than \$25,000,000 shall be allocated to apply an income
45 limit for subsidized child care during redetermination of
46 eligibility to no more than 300% of the Federal poverty
47 income guidelines or 85% of the State median income,
48 whichever is lower. Notwithstanding any other provision of
49 law, the department shall determine copayment amounts for
50 family incomes above 235% of the Federal poverty income
51 guidelines in order to support economic self-sufficiency. The

1 department shall transmit notice of the copayment schedule to
2 the Legislative Reference Bureau for publication in the
3 Pennsylvania Bulletin.

4 (17) (Reserved).

5 (18) Money appropriated for breast cancer screening may
6 be used for women's medical services, including noninvasive
7 contraception supplies.

8 (19) From the appropriation for 2-1-1 Communications,
9 \$750,000 shall be allocated for a Statewide 2-1-1 System
10 Grant Program.

11 (20) The appropriation for services for the visually
12 impaired includes the following:

13 (i) an allocation of \$3,084,000 for a Statewide
14 professional services provider association for the blind
15 to provide training and supportive services for
16 individuals who are blind and preschool vision screenings
17 and eye safety education; and

18 (ii) an allocation of \$618,000 to provide
19 specialized services and prevention of blindness services
20 in cities of the first class.

21 (21) The provisions of 8 U.S.C. §§ 1611 (relating to
22 aliens who are not qualified aliens ineligible for Federal
23 public benefits), 1612 (relating to limited eligibility of
24 qualified aliens for certain Federal programs) and 1642
25 (relating to verification of eligibility for Federal public
26 benefits) shall apply to payments and providers.

27 (22) The following duty shall apply:

28 (i) The Secretary of Human Services shall report on
29 a quarterly basis in person to the secretary, the
30 chairperson and minority chairperson of the
31 Appropriations Committee of the Senate and the
32 chairperson and minority chairperson of the
33 Appropriations Committee of the House of Representatives
34 information documenting each of the following State
35 appropriations and their associated Federal
36 appropriations:

37 (A) Medical Assistance - Capitation.

38 (B) Medical Assistance - Fee-for-Service.

39 (C) Payment to Federal Government - Medicare
40 Drug Program.

41 (D) Medical Assistance - Workers with
42 Disabilities.

43 (E) Medical Assistance - Long-Term Living.

44 (F) Medical Assistance - Community
45 HealthChoices.

46 (G) Long-Term Care Managed Care.

47 (H) Intellectual Disabilities - Intermediate
48 Care Facilities.

49 (I) Intellectual Disabilities - Community Waiver
50 Program.

51 (J) Autism Intervention and Services.

1 (K) Early Intervention.
2 (ii) The information included in a report under
3 subparagraph (i) shall include the following:
4 (A) Number of enrollees by month.
5 (B) Average cost per enrollee.
6 (C) Required payment amounts by appropriation
7 during the fiscal year.
8 (D) Revised estimate of the money needed by
9 appropriation to make required payments for the
10 remainder of the fiscal year.
11 (iii) If revised estimates under subparagraph (ii)
12 (D) indicate supplemental money may be necessary, the
13 secretary shall provide a detailed explanation, in
14 writing, of the reasons the revised estimates differ from
15 the General Appropriation Act of 2022, or information
16 provided previously under this paragraph.
17 (23) The Department of Human Services shall not add non-
18 medically necessary services to the Medical Assistance
19 Program that would result in the need for a supplemental
20 appropriation without the approval of the General Assembly.
21 Each proposed service shall be outlined in the Governor's
22 Executive Budget or subsequent updates provided in writing to
23 the General Assembly.
24 (24) Of the funding appropriated for COVID Relief - ARPA
25 - Adult Mental Health Programs, no funding shall be expended
26 until enabling legislation is enacted by the General
27 Assembly.
28 Section 1731-F.1. Department of Revenue (Reserved).
29 Section 1732-F.1. Department of State (Reserved).
30 Section 1733-F.1. Department of Transportation.
31 The following shall apply to appropriations for the
32 Department of Transportation:
33 (1) From money appropriated for infrastructure projects,
34 \$1,900,000 shall be allocated for costs related to capital
35 equipment for a rural transit service headquartered in this
36 Commonwealth that provides intercity line-run service with at
37 least six different line runs.
38 (2) (Reserved).
39 Section 1734-F.1. Pennsylvania State Police (Reserved).
40 Section 1735-F.1. Pennsylvania Emergency Management Agency.
41 The following shall apply to appropriations for the
42 Pennsylvania Emergency Management Agency:
43 (1) Money appropriated for search and rescue programs
44 shall be used to support programs related to training working
45 service dogs focusing on rescue and public safety.
46 (2) Money appropriated for the State Fire Commissioner
47 includes funding for a Statewide recruitment and retention
48 coordinator and regional technical advisors to develop,
49 implement and deliver recruitment and retention training
50 programs and provide technical assistance to local fire
51 organizations and local governments.

1 (3) Money appropriated for State disaster assistance
2 shall be used to provide individual disaster recovery
3 assistance to assist in the recovery from emergencies and
4 non-federally declared disasters. Amounts under this
5 paragraph may be used for critical needs assistance and to
6 repair damage to residential properties not compensated by
7 insurance or any other funding sources. The agency shall
8 publish guidelines to implement this paragraph.

9 Section 1736-F.1. State-related universities.

10 The following shall apply to appropriations for State-related
11 universities:

12 (1) Representatives from a State-related university
13 which receives funding under the act of , (P.L. , No.) known
14 as the State-related University Nonpreferred Appropriation
15 Act of 2022, shall appear before the Appropriations Committee
16 of the Senate and the Appropriations Committee of the House
17 of Representatives no fewer than three times during the
18 fiscal year.

19 (2) Every tuition invoice that includes a discount due
20 to money appropriated under the State-related University
21 Nonpreferred Appropriation Act of 2022 shall specify that the
22 funding for the discount comes from money appropriated by the
23 General Assembly.

24 Section 1737-F.1. State System of Higher Education (Reserved).

25 Section 1738-F.1. Pennsylvania Higher Education Assistance

26 Agency.

27 The following shall apply to appropriations for the
28 Pennsylvania Higher Education Assistance Agency:

29 (1) The Pennsylvania Higher Education Assistance Agency
30 shall allocate \$500,000 from the Higher Education Assistance
31 Fund for the Cheyney University Keystone Academy.

32 (2) From money appropriated for payment of education
33 assistance grants, the amount of \$1,000,000 shall be
34 allocated to a State-owned university located in Tioga County
35 for merit scholarships.

36 (3) From money appropriated for Pennsylvania Internship
37 Program grants, funds may be used for internship and seminar
38 programs.

39 Section 1739-F.1. Thaddeus Stevens College of Technology.

40 The following shall apply to appropriations for the Thaddeus
41 Stevens College of Technology:

42 (1) From funds appropriated for Thaddeus Stevens College
43 of Technology, the President of the college shall cause to be
44 prepared and submitted to the President Pro Tempore of the
45 Senate, the Speaker of the House of Representatives, the
46 Majority Leader and the Minority Leader of Senate, the
47 Majority Leader and the Minority Leader of the House of
48 Representatives, the chairperson and minority chairperson of
49 the Education Committee of the Senate, the chairperson and
50 minority chairperson of the Education Committee of the House
51 of Representatives and the Secretary of Education a

comprehensive report outlining the use of funds appropriated,
to specifically include the strategies and use of funds to
expand student enrollment.

(2) (Reserved).

Section 1740-F.1. Pennsylvania Historical and Museum Commission
(Reserved).

Section 1741-F.1. Environmental Hearing Board (Reserved).

Section 1742-F.1. Health Care Cost Containment Council
(Reserved).

Section 1743-F.1. State Ethics Commission (Reserved).

Section 1744-F.1. Commonwealth Financing Authority.

Notwithstanding any provision of law or guidelines to the
contrary, for the purposes of the Statewide Local Share Account
Program, the Department of Community and Economic Development
may not deem an application ineligible if it is for a project
where a down payment was required and the applicant made the
down payment after the application submission date. This section
shall apply regardless of when a purchase agreement was
executed.

SUBARTICLE C

STATE GOVERNMENT SUPPORT AGENCIES

Section 1751-F.1. Legislative Reference Bureau (Reserved).

Section 1752-F.1. Legislative Budget and Finance Committee
(Reserved).

Section 1753-F.1. Legislative Data Processing Committee
(Reserved).

Section 1754-F.1. Joint State Government Commission (Reserved).

Section 1755-F.1. Local Government Commission (Reserved).

Section 1756-F.1. Legislative Audit Advisory Commission
(Reserved).

Section 1757-F.1. Independent Regulatory Review Commission
(Reserved).

Section 1758-F.1. Capitol Preservation Committee (Reserved).

Section 1759-F.1. Pennsylvania Commission on Sentencing
(Reserved).

Section 1760-F.1. Center for Rural Pennsylvania (Reserved).

Section 1761-F.1. Commonwealth Mail Processing Center
(Reserved).

Section 1762-F.1. Legislative Reapportionment Commission
(Reserved).

Section 1763-F.1. Independent Fiscal Office (Reserved).

SUBARTICLE D

JUDICIAL DEPARTMENT

Section 1771-F.1. Supreme Court (Reserved).

Section 1772-F.1. Superior Court (Reserved).

Section 1773-F.1. Commonwealth Court (Reserved).

Section 1774-F.1. Courts of common pleas (Reserved).

Section 1775-F.1. Community courts; magisterial district judges
(Reserved).

Section 1776-F.1. Philadelphia Municipal Court (Reserved).

Section 1777-F.1. Judicial Conduct Board (Reserved).

Section 1778-F.1. Court of Judicial Discipline (Reserved).

Section 1779-F.1. Juror cost reimbursement (Reserved).

Section 1780-F.1. County court reimbursement (Reserved).

SUBARTICLE E

GENERAL ASSEMBLY

(Reserved)

ARTICLE XVII-F.2

2022-2023 RESTRICTIONS ON APPROPRIATIONS

FOR FUNDS AND ACCOUNTS

Section 1701-F.2. Applicability.

Except as specifically provided in this article, this article applies to the act of , 2022 (P.L. , No.), known as the General Appropriation Act of 2022, and all other appropriation acts of 2022.

Section 1702-F.2. Definitions.

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

"General Appropriation Act of 2022. " The act of , 2022 (P.L. , No.), known as the General Appropriation Act of 2022.

"Most recent Federal decennial census." The population figures for the most recent Federal decennial census as published by the Department of General Services in the most recent Pennsylvania Manual as of the effective date of this section.

Section 1703-F.2. State Lottery Fund.

The following apply:

(1) Money appropriated for PENNCARE shall not be utilized for administrative costs by the Department of Aging.

(2) (Reserved).

Section 1704-F.2. Tobacco Settlement Fund (Reserved).

Section 1705-F.2. Judicial Computer System Augmentation Account (Reserved).

Section 1706-F.2. Emergency Medical Services Operating Fund (Reserved).

Section 1707-F.2. The State Stores Fund (Reserved).

Section 1708-F.2. Motor License Fund.

The following shall apply to appropriations from the Motor License Fund:

(1) From money appropriated to the Department of Transportation for municipal traffic signals, \$5,000,000 shall be used by the Department of Transportation to provide grants to municipalities to install and maintain traffic signal technologies at traffic control signals which will be connected to a central location using the Commonwealth communications network. Municipalities shall not be required to provide matching funds as a condition of receiving a grant under this paragraph. The following traffic signal technologies shall be eligible for a grant under this paragraph:

(i) A system that synchronizes and times traffic

1 signals.

2 (ii) Adaptive signal control technology that
3 utilizes sensors to monitor traffic flow, vehicle delay
4 and queues in order to optimize the timing plan of the
5 traffic signal in real time.

6 (iii) Controller, detection and communication
7 technology to support traffic signal timing and
8 synchronization updates using automated traffic signal
9 performance measures.

10 (iv) Controller and communication technology to
11 support unified command and control.

12 (2) (Reserved).

13 Section 1709-F.2. Aviation Restricted Account (Reserved).

14 Section 1710-F.2. Hazardous Material Response Fund (Reserved).

15 Section 1711-F.2. Milk Marketing Fund (Reserved).

16 Section 1712-F.2. HOME Investment Trust Fund (Reserved).

17 Section 1713-F.2. Tuition Account Guaranteed Savings Program
18 Fund (Reserved).

19 Section 1714-F.2. Banking Fund (Reserved).

20 Section 1715-F.2. Firearm Records Check Fund (Reserved).

21 Section 1716-F.2. Ben Franklin Technology Development Authority
22 Fund (Reserved).

23 Section 1717-F.2. Oil and Gas Lease Fund (Reserved).

24 Section 1718-F.2. Home Improvement Account (Reserved).

25 Section 1719-F.2. Cigarette Fire Safety and Firefighter
26 Protection Act Enforcement Fund (Reserved).

27 Section 1720-F.2. Insurance Regulation and Oversight Fund
28 (Reserved).

29 Section 1721-F.2. Pennsylvania Race Horse Development
30 Restricted Receipts Account (Reserved).

31 Section 1722-F.2. Justice Reinvestment Fund (Reserved).

32 Section 1723-F.2. Multimodal Transportation Fund (Reserved).

33 Section 1724-F.2. State Racing Fund (Reserved).

34 Section 1725-F.2. ABLE Savings Program Fund (Reserved).

35 Section 1726-F.2. Tourism Promotion Fund (Reserved).

36 Section 1727-F.2. Enhanced Revenue Collection Account
37 (Reserved).

38 Section 1728-F.2. (Reserved).

39 Section 1729-F.2. Opioid Settlement Restricted Account.

40 From money appropriated from the Opioid Settlement Restricted
41 Account, the sum of \$1,000,000 shall be distributed to Office of
42 the District Attorney in a county of the third class with a
43 population between 349,000 and 350,000 under the most recent
44 Federal decennial census.

45 Section 1730-F.2. COVID-19 Response Restricted Account
46 (Reserved).

47 Section 1731-F.2. Pennsylvania Preferred® Trademark Licensing
48 Fund.

49 Notwithstanding 3 Pa.C.S. § 4616 (relating to Pennsylvania
50 Preferred® Trademark Licensing Fund), the Department of
51 Agriculture may use money deposited into the Pennsylvania

Preferred® Trademark Licensing Fund to promote one or more of the funding objectives under 3 Pa.C.S. § 4616(c) through the awarding of grants.

Section 1732-F.2. Agricultural Conservation Easement Purchase Fund.

In addition to the uses provided in section 7.3 of the act of June 18, 1982 (P.L.549, No.159), entitled "An act providing for the administration of certain Commonwealth farmland within the Department of Agriculture," the department may use up to a total of \$165,000 in the Agricultural Conservation Easement Purchase Fund under section 7.1 of the act of June 18, 1982 (P.L.549, No.159), entitled "An act providing for the administration of certain Commonwealth farmland within the Department of Agriculture," to issue grants not to exceed \$5,000 each for succession planning to ensure that agricultural operations continue on land subject to agricultural conservation easements. The department, in consultation with the State Agricultural Land Preservation Board, shall establish eligibility criteria for awarding grants under this section.

Section 1733-F.2. Restricted receipt accounts.

(a) Authority.--The Secretary of the Budget may create restricted receipt accounts for the purpose of administering Federal grants only for the purposes designated in this section.

(b) Department of Community and Economic Development.--The following restricted receipt accounts may be established for the Department of Community and Economic Development:

(1) ARC Housing Revolving Loan Program.

(2) (Reserved).

(c) Department of Conservation and Natural Resources.--The following restricted receipt accounts may be established for the Department of Conservation and Natural Resources:

(1) Federal Aid to volunteer fire companies.

(2) Land and Water Conservation Fund Act of 1965 (Public Law 88-578, 16 U.S.C. § 4601-4 et seq.).

(3) National Forest Reserve Allotment.

(d) Department of Education.--The following restricted receipt accounts may be established for the Department of Education:

(1) Education of the Disabled - Part C.

(2) LSTA - Library Grants.

(3) The Pennsylvania State University Federal Aid.

(4) Emergency Immigration Education Assistance.

(5) Education of the Disabled - Part D.

(6) Homeless Adult Assistance Program.

(7) Severely Handicapped.

(8) Medical Assistance Reimbursements to Local Education Agencies.

(e) Department of Environmental Protection.--The following restricted receipt accounts may be established for the Department of Environmental Protection:

(1) Federal Water Resources Planning Act.

- 1 (2) Flood Control Payments.
2 (3) Soil and Water Conservation Act - Inventory of
3 Programs.
4 (f) Department of Drug and Alcohol Programs.--The following
5 restricted receipt accounts may be established for the
6 Department of Drug and Alcohol Programs:
7 (1) Share Loan Program.
8 (2) (Reserved).
9 (g) Department of Transportation.--The following restricted
10 receipt accounts may be established for the Department of
11 Transportation:
12 (1) Capital Assistance Elderly and Handicapped Programs.
13 (2) Railroad Rehabilitation and Improvement Assistance.
14 (3) Ridesharing/Van Pool Program - Acquisition.
15 (h) Pennsylvania Emergency Management Agency.--The following
16 restricted receipt accounts may be established for the
17 Pennsylvania Emergency Management Agency:
18 (1) Receipts from Federal Government - Disaster Relief -
19 Disaster Relief Assistance to State and Political
20 Subdivisions.
21 (2) (Reserved).
22 (i) Pennsylvania Historical and Museum Commission.--The
23 following restricted receipt accounts may be established for the
24 Pennsylvania Historical and Museum Commission:
25 (1) Federal Grant - National Historic Preservation Act.
26 (2) (Reserved).
27 (j) Executive offices.--The following restricted receipt
28 accounts may be established for the executive offices:
29 (1) Retired Employees Medicare Part D.
30 (2) Justice Assistance.
31 (3) Juvenile Accountability Incentive.
32 (4) Early Retiree Reinsurance Program.

33 Section 1734-F.2. Fund transfers.

34 (a) Transfer to Environmental Stewardship Fund.--From money
35 received under the authority of Article III of the act of March
36 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, the
37 sum of \$12,317,000 shall be transferred to the Environmental
38 Stewardship Fund.

39 (b) Applicability.--Section 1795.2-E shall not apply to
40 fiscal year 2022-2023.

41 Section 38. Repeals are as follows:

42 (1) The General Assembly declares that the repeal under
43 paragraph (2) is necessary to effectuate the addition of
44 section 1721-E(a)(2) and (3) of the act.

45 (2) Section 29 of the act of June 30, 2021 (P.L.260,
46 No.59), is repealed.

47 (3) The General Assembly declares that the repeal under
48 paragraph (4) is necessary to effectuate the amendment of
49 section 1728-E(b) of the act.

50 (4) 51 Pa.C.S. § 705(b) is repealed.

51 (5) The General Assembly declares that the repeal under

paragraph (6) is necessary to effectuate the addition of section 1730-E(c)(2.1) of the act.

(6) Section 305-A(a) and (b) of the act of December 8, 2004 (P.L.1801, No.238), known as the Transit Revitalization Investment District Act, is repealed insofar as it is inconsistent with section 1730-E(c)(2.1) of the act.

Section 39. The following shall apply retroactively to July 1, 2022:

(1) The repeal of section 111-C(g) of the act.

(2) The addition of Subarticle A of Article XVII-A.2 of the act.

(3) The addition of section 1722-E(f) and (g) of the act.

(4) The amendment of section 1740-E of the act.

(5) The addition of section 1754-E of the act.

(6) The addition of Articles XVII-F.1 and XVII-F.2 of the act.

Section 40. This act shall take effect immediately.