
 THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1300 Session of
2023

INTRODUCED BY MEHAFFIE, KIM, MADDEN, HILL-EVANS, KHAN,
SCHLOSSBERG, DELLOSO, GUENST, CIRESI, SANCHEZ, GREEN,
KENYATTA, T. DAVIS AND WEBSTER, MAY 30, 2023

SENATOR MARTIN, APPROPRIATIONS, IN SENATE, RE-REPORTED AS
AMENDED, AUGUST 30, 2023

AN ACT

1 ~~Amending the act of November 24, 2015 (P.L.232, No.64), entitled <--~~
 2 ~~"An act establishing the Pennsylvania Long term Care Council;~~
 3 ~~providing for its powers and duties; and repealing related~~
 4 ~~provisions of the Public Welfare Code," further providing for~~
 5 ~~Pennsylvania Long term Care Council.~~
 6 AMENDING THE ACT OF APRIL 9, 1929 (P.L.343, NO.176), ENTITLED <--
 7 "AN ACT RELATING TO THE FINANCES OF THE STATE GOVERNMENT;
 8 PROVIDING FOR CANCER CONTROL, PREVENTION AND RESEARCH, FOR
 9 AMBULATORY SURGICAL CENTER DATA COLLECTION, FOR THE JOINT
 10 UNDERWRITING ASSOCIATION, FOR ENTERTAINMENT BUSINESS
 11 FINANCIAL MANAGEMENT FIRMS, FOR PRIVATE DAM FINANCIAL
 12 ASSURANCE AND FOR REINSTATEMENT OF ITEM VETOES; PROVIDING FOR
 13 THE SETTLEMENT, ASSESSMENT, COLLECTION, AND LIEN OF TAXES,
 14 BONUS, AND ALL OTHER ACCOUNTS DUE THE COMMONWEALTH, THE
 15 COLLECTION AND RECOVERY OF FEES AND OTHER MONEY OR PROPERTY
 16 DUE OR BELONGING TO THE COMMONWEALTH, OR ANY AGENCY THEREOF,
 17 INCLUDING ESCHEATED PROPERTY AND THE PROCEEDS OF ITS SALE,
 18 THE CUSTODY AND DISBURSEMENT OR OTHER DISPOSITION OF FUNDS
 19 AND SECURITIES BELONGING TO OR IN THE POSSESSION OF THE
 20 COMMONWEALTH, AND THE SETTLEMENT OF CLAIMS AGAINST THE
 21 COMMONWEALTH, THE RESETTLEMENT OF ACCOUNTS AND APPEALS TO THE
 22 COURTS, REFUNDS OF MONEYS ERRONEOUSLY PAID TO THE
 23 COMMONWEALTH, AUDITING THE ACCOUNTS OF THE COMMONWEALTH AND
 24 ALL AGENCIES THEREOF, OF ALL PUBLIC OFFICERS COLLECTING
 25 MONEYS PAYABLE TO THE COMMONWEALTH, OR ANY AGENCY THEREOF,
 26 AND ALL RECEIPTS OF APPROPRIATIONS FROM THE COMMONWEALTH,
 27 AUTHORIZING THE COMMONWEALTH TO ISSUE TAX ANTICIPATION NOTES
 28 TO DEFRAY CURRENT EXPENSES, IMPLEMENTING THE PROVISIONS OF
 29 SECTION 7(A) OF ARTICLE VIII OF THE CONSTITUTION OF
 30 PENNSYLVANIA AUTHORIZING AND RESTRICTING THE INCURRING OF
 31 CERTAIN DEBT AND IMPOSING PENALTIES; AFFECTING EVERY

1 DEPARTMENT, BOARD, COMMISSION, AND OFFICER OF THE STATE
2 GOVERNMENT, EVERY POLITICAL SUBDIVISION OF THE STATE, AND
3 CERTAIN OFFICERS OF SUCH SUBDIVISIONS, EVERY PERSON,
4 ASSOCIATION, AND CORPORATION REQUIRED TO PAY, ASSESS, OR
5 COLLECT TAXES, OR TO MAKE RETURNS OR REPORTS UNDER THE LAWS
6 IMPOSING TAXES FOR STATE PURPOSES, OR TO PAY LICENSE FEES OR
7 OTHER MONEYS TO THE COMMONWEALTH, OR ANY AGENCY THEREOF,
8 EVERY STATE DEPOSITORY AND EVERY DEBTOR OR CREDITOR OF THE
9 COMMONWEALTH," IN DISPOSITION OF ABANDONED AND UNCLAIMED
10 PROPERTY, FURTHER PROVIDING FOR CLAIM FOR PROPERTY PAID OR
11 DELIVERED; IN OIL AND GAS WELLS, FURTHER PROVIDING FOR OIL
12 AND GAS LEASE FUND; IN HUMAN SERVICES, PROVIDING FOR CHILD
13 SUPPORT COSTS AND FEES; PROVIDING FOR STATEWIDE QUALITY CARE
14 ASSESSMENT AND FOR PENNSYLVANIA LONG-TERM CARE COUNCIL; IN
15 ADDITIONAL SPECIAL FUNDS AND RESTRICTED ACCOUNTS, FURTHER
16 PROVIDING FOR ESTABLISHMENT OF SPECIAL FUND AND ACCOUNT, FOR
17 USE OF FUND AND FOR DISTRIBUTIONS FOR PENNSYLVANIA RACE HORSE
18 DEVELOPMENT FUND, REPEALING PROVISIONS RELATING TO ENHANCED
19 REVENUE COLLECTION ACCOUNT; IN ADDITIONAL SPECIAL FUNDS AND
20 RESTRICTED ACCOUNTS, FURTHER PROVIDING FOR CLEAN STREAMS FUND
21 AND FOR DEFINITIONS, RENAMING THE SPORTS TOURISM AND
22 MARKETING ACCOUNT TO THE SPORTS, MARKETING AND TOURISM
23 ACCOUNT, FURTHER PROVIDING FOR TRANSFER OF FUNDS AND
24 PROVIDING FOR FACILITY TRANSITION ACCOUNT AND FOR GAME FUND;
25 IN GENERAL BUDGET IMPLEMENTATION, FURTHER PROVIDING FOR
26 DEPARTMENT OF AGRICULTURE, FOR DEPARTMENT OF CONSERVATION AND
27 NATURAL RESOURCES, FOR DEPARTMENT OF EDUCATION, FOR
28 PENNSYLVANIA STATE POLICE, FOR SURCHARGES, FOR FEDERAL AND
29 COMMONWEALTH USE OF FOREST LAND AND FOR MULTIMODAL
30 TRANSPORTATION FUND AND REPEALING PROVISIONS RELATING TO
31 SALES BY DISTILLERIES; PROVIDING FOR 2023-2024 BUDGET
32 IMPLEMENTATION, FOR 2023-2024 RESTRICTIONS ON APPROPRIATIONS
33 FOR FUNDS AND ACCOUNTS AND FOR PRIOR YEAR APPROPRIATIONS;
34 IMPOSING PENALTIES; MAKING REPEALS; AND MAKING AN EDITORIAL
35 CHANGE.

36 THE GENERAL ASSEMBLY FINDS AND DECLARES AS FOLLOWS:

37 (1) THE INTENT OF THIS ACT IS TO PROVIDE FOR THE
38 IMPLEMENTATION OF THE 2023-2024 COMMONWEALTH BUDGET.

39 (2) THE CONSTITUTION OF PENNSYLVANIA CONFERS NUMEROUS
40 EXPRESS DUTIES UPON THE GENERAL ASSEMBLY, INCLUDING THE
41 PASSAGE OF A BALANCED BUDGET FOR THE COMMONWEALTH.

42 (3) SECTION 24 OF ARTICLE III OF THE CONSTITUTION OF
43 PENNSYLVANIA REQUIRES THE GENERAL ASSEMBLY TO ADOPT ALL
44 APPROPRIATIONS FOR THE OPERATION OF GOVERNMENT IN THIS
45 COMMONWEALTH, REGARDLESS OF THEIR SOURCE. THE SUPREME COURT
46 HAS REPEATEDLY AFFIRMED THAT "IT IS FUNDAMENTAL WITHIN
47 PENNSYLVANIA'S TRIPARTITE SYSTEM THAT THE GENERAL ASSEMBLY

1 ENACTS THE LEGISLATION ESTABLISHING THOSE PROGRAMS WHICH THE
2 STATE PROVIDES FOR ITS CITIZENS AND APPROPRIATES THE FUNDS
3 NECESSARY FOR THEIR OPERATION."

4 (4) PURSUANT TO SECTION 13 OF ARTICLE VIII OF THE
5 CONSTITUTION OF PENNSYLVANIA, THE GENERAL ASSEMBLY IS
6 EXPLICITLY REQUIRED TO ADOPT A BALANCED COMMONWEALTH BUDGET.
7 GIVEN THE UNPREDICTABILITY AND POTENTIAL INSUFFICIENCY OF
8 REVENUE COLLECTIONS, VARIOUS CHANGES IN STATE LAW RELATING TO
9 SOURCES OF REVENUE, THE COLLECTION OF REVENUE AND THE
10 IMPLEMENTATION OF STATUTES WHICH IMPACT REVENUE MAY BE
11 REQUIRED TO DISCHARGE THIS CONSTITUTIONAL OBLIGATION.

12 (5) SECTION 11 OF ARTICLE III OF THE CONSTITUTION OF
13 PENNSYLVANIA REQUIRES THE ADOPTION OF A GENERAL APPROPRIATION
14 ACT THAT EMBRACES "NOTHING BUT APPROPRIATIONS." WHILE ACTUAL
15 ITEMS OF APPROPRIATION CAN BE CONTAINED IN A GENERAL
16 APPROPRIATION ACT, THE ACHIEVEMENT AND IMPLEMENTATION OF A
17 COMPREHENSIVE BUDGET INVOLVES MORE THAN SUBJECTS OF
18 APPROPRIATIONS AND DOLLAR AMOUNTS. ULTIMATELY, THE BUDGET HAS
19 TO BE BALANCED UNDER SECTION 13 OF ARTICLE VIII OF THE
20 CONSTITUTION OF PENNSYLVANIA. THIS MAY NECESSITATE CHANGES TO
21 SOURCES OF FUNDING AND ENACTMENT OF STATUTES TO ACHIEVE FULL
22 COMPLIANCE WITH THESE CONSTITUTIONAL PROVISIONS.

23 (6) FOR THE REASONS UNDER PARAGRAPHS (1), (2), (3), (4)
24 AND (5), IT IS THE INTENT OF THE GENERAL ASSEMBLY THROUGH
25 THIS ACT TO PROVIDE FOR THE IMPLEMENTATION OF THE 2023-2024
26 COMMONWEALTH BUDGET.

27 (7) EVERY PROVISION OF THIS ACT RELATES TO THE
28 IMPLEMENTATION OF THE OPERATING BUDGET OF THE COMMONWEALTH
29 FOR THIS FISCAL YEAR, ADDRESSING IN VARIOUS WAYS THE FISCAL
30 OPERATIONS, REVENUES AND POTENTIAL LIABILITIES OF THE

1 COMMONWEALTH. TO THAT END, THIS ACT IS INTENDED TO IMPLEMENT
2 THE 2023-2024 COMMONWEALTH BUDGET WITHOUT SPECIFICALLY
3 APPROPRIATING PUBLIC MONEY FROM THE GENERAL FUND. THIS ACT
4 PROVIDES ACCOUNTABILITY FOR SPENDING AND MAKES TRANSFERS OR
5 OTHER CHANGES NECESSARY TO IMPACT THE AVAILABILITY OF REVENUE
6 IN ORDER TO MEET THE REQUIREMENTS OF SECTION 13 OF ARTICLE
7 VIII OF THE CONSTITUTION OF PENNSYLVANIA AND TO IMPLEMENT THE
8 ACT OF AUGUST 3, 2023 (P.L. , NO.1A), KNOWN AS THE GENERAL
9 APPROPRIATION ACT OF 2023.

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

12 ~~Section 1. Section 3(b)(10) of the act of November 24, 2015 <--~~
13 ~~(P.L.232, No.64), known as the Pennsylvania Long term Care~~
14 ~~Council Act, is amended by adding a subparagraph to read:~~

15 ~~Section 3. Pennsylvania Long term Care Council.~~

16 * * *

17 ~~(b) Membership. The council shall be composed of and~~
18 ~~appointed in accordance with the following:~~

19 * * *

20 ~~(10) The following members to be appointed by the~~
21 ~~Governor, in consultation with the Secretary of Aging:~~

22 * * *

23 ~~(xii) One member who represents the Office of the~~
24 ~~State Long Term Care Ombudsman within the department.~~

25 * * *

26 ~~Section 2. This act shall take effect immediately.~~

27 SECTION 1. SECTION 1301.19 OF THE ACT OF APRIL 9, 1929 <--
28 (P.L.343, NO.176), KNOWN AS THE FISCAL CODE, IS AMENDED TO READ:

29 SECTION 1301.19. CLAIM FOR PROPERTY PAID OR DELIVERED.-- (A)
30 ANY PERSON CLAIMING AN INTEREST IN ANY PROPERTY PAID OR

1 DELIVERED TO THE COMMONWEALTH UNDER THIS ARTICLE MAY FILE A
2 CLAIM THERETO OR TO THE PROCEEDS FROM THE SALE THEREOF ON THE
3 FORM PRESCRIBED BY THE STATE TREASURER.

4 (B) REGARDLESS OF WHETHER A CLAIM IS FILED UNDER SUBSECTION
5 (A), THE STATE TREASURER MAY PAY OR DELIVER ANY PROPERTY PAID OR
6 DELIVERED TO THE COMMONWEALTH UNDER THIS ARTICLE, OR THE
7 PROCEEDS FROM THE SALE OF THE PROPERTY, TO A PERSON IF THE STATE
8 TREASURER FINDS THAT A REPORT FILED UNDER SECTION 1301.11
9 IDENTIFIES THE PERSON AS THE SOLE OWNER OF THE PROPERTY AND THE
10 VALUE OF THE PROPERTY OR PROCEEDS IS LESS THAN FIVE THOUSAND
11 DOLLARS (\$5,000).

12 SECTION 2. SECTION 1601.2-E(E) (1) (II) OF THE ACT, AMENDED
13 JULY 11, 2022 (P.L.540, NO.54), IS AMENDED TO READ:
14 SECTION 1601.2-E. OIL AND GAS LEASE FUND.

15 * * *

16 (E) ANNUAL TRANSFERS.--THE FOLLOWING APPLY:

17 (1) * * *

18 (II) NO AMOUNT SHALL BE TRANSFERRED FROM THE FUND TO
19 THE MARCELLUS LEGACY FUND FOR DISTRIBUTION TO THE
20 ENVIRONMENTAL STEWARDSHIP FUND FOR THE 2019-2020, 2020-
21 2021, 2021-2022 [AND], 2022-2023 AND 2023-2024 FISCAL
22 YEAR.

23 * * *

24 SECTION 3. THE ACT IS AMENDED BY ADDING A SECTION TO READ:
25 SECTION 1607-T. CHILD SUPPORT COSTS AND FEES.

26 (A) COSTS AND FEES.--IF AN OBLIGEE PREVAILS IN A PROCEEDING
27 TO ESTABLISH PATERNITY OR TO OBTAIN A SUPPORT ORDER, A COURT MAY
28 ASSESS AGAINST THE OBLIGOR FILING FEES, REASONABLE ATTORNEY FEES
29 AND NECESSARY TRAVEL AND OTHER REASONABLE COSTS AND EXPENSES
30 INCURRED BY THE OBLIGEE AND THE OBLIGEE'S WITNESSES. ATTORNEY

1 FEES MAY BE TAXED AS COSTS AND SHALL BE ORDERED TO BE PAID
2 DIRECTLY TO THE ATTORNEY, WHO MAY ENFORCE THE ORDER IN THE
3 ATTORNEY'S OWN NAME. PAYMENT OF SUPPORT OWED TO THE OBLIGEE
4 SHALL HAVE PRIORITY OVER FEES, COSTS AND EXPENSES.

5 (B) ANNUAL FEE.--THE COMMONWEALTH SHALL IMPOSE A FEE OF \$35
6 IN EACH CASE IN WHICH AN INDIVIDUAL HAS NEVER RECEIVED
7 ASSISTANCE UNDER 42 U.S.C. CH. 7 SUBCH. I (RELATING TO GRANTS TO
8 STATES FOR OLD-AGE ASSISTANCE) AND FOR WHOM THE COMMONWEALTH HAS
9 COLLECTED AT LEAST \$550 OF SUPPORT IN A FEDERAL FISCAL YEAR. THE
10 COMMONWEALTH SHALL PAY THE \$35 FEE FOR THOSE CASES IN WHICH THE
11 ANNUAL COLLECTION IS BETWEEN \$550 AND \$1,999.99. THE \$35 FEE
12 SHALL BE COLLECTED FROM THE CUSTODIAL PARENT IN CASES WHERE
13 ANNUAL COLLECTIONS EQUAL \$2,000 OR MORE.

14 (C) FAILURE TO PAY ON TIME.--IF A COURT DETERMINES THAT AN
15 INDIVIDUAL SUBJECT TO A CHILD SUPPORT ORDER DID NOT HAVE GOOD
16 CAUSE FOR FAILING TO MAKE CHILD SUPPORT PAYMENTS ON TIME, THE
17 COURT MAY FURTHER ASSESS COSTS AND REASONABLE ATTORNEY FEES
18 INCURRED BY THE PARTY SEEKING TO ENFORCE THE ORDER.

19 SECTION 4. THE ACT IS AMENDED BY ADDING ARTICLES TO READ:

20 ARTICLE XVI-U
21 STATEWIDE QUALITY CARE ASSESSMENT

22 SECTION 1601-U. DEFINITIONS.

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

26 "ASSESSMENT." THE FEE, KNOWN AS THE QUALITY CARE ASSESSMENT,
27 AUTHORIZED TO BE IMPLEMENTED UNDER THIS ARTICLE ON EVERY COVERED
28 HOSPITAL.

29 "BAD DEBT EXPENSE." THE COST OF CARE FOR WHICH A HOSPITAL
30 EXPECTED PAYMENT FROM THE PATIENT OR A THIRD-PARTY PAYER, BUT

1 WHICH THE HOSPITAL SUBSEQUENTLY DETERMINES TO BE UNCOLLECTIBLE,
2 AS FURTHER DESCRIBED IN THE MEDICARE PROVIDER REIMBURSEMENT
3 MANUAL PUBLISHED BY THE UNITED STATES DEPARTMENT OF HEALTH AND
4 HUMAN SERVICES.

5 "CHARITY CARE EXPENSE." THE COST OF CARE FOR WHICH A
6 HOSPITAL ORDINARILY CHARGES A FEE BUT WHICH IS PROVIDED FREE OR
7 AT A REDUCED RATE TO PATIENTS WHO CANNOT AFFORD TO PAY BUT WHO
8 ARE NOT ELIGIBLE FOR PUBLIC PROGRAMS, AND FROM WHOM THE HOSPITAL
9 DID NOT EXPECT PAYMENT IN ACCORDANCE WITH THE HOSPITAL'S CHARITY
10 CARE POLICY, AS FURTHER DESCRIBED IN THE MEDICARE PROVIDER
11 REIMBURSEMENT MANUAL PUBLISHED BY THE UNITED STATES DEPARTMENT
12 OF HEALTH AND HUMAN SERVICES.

13 "CONTRACTUAL ALLOWANCE." THE DIFFERENCE BETWEEN WHAT A
14 HOSPITAL CHARGES FOR SERVICES AND THE AMOUNTS THAT CERTAIN
15 PAYERS HAVE AGREED TO PAY FOR THE SERVICES AS FURTHER DESCRIBED
16 IN THE MEDICARE PROVIDER REIMBURSEMENT MANUAL PUBLISHED BY THE
17 UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES.

18 "COVERED HOSPITAL." A HOSPITAL OTHER THAN AN EXEMPT
19 HOSPITAL.

20 "CRITICAL ACCESS HOSPITAL." ANY HOSPITAL THAT HAS QUALIFIED
21 UNDER 42 U.S.C. § 1395X(MM) (1) (RELATING TO DEFINITIONS) AS A
22 CRITICAL ACCESS HOSPITAL UNDER MEDICARE.

23 "DEPARTMENT." THE DEPARTMENT OF HUMAN SERVICES OF THE
24 COMMONWEALTH.

25 "EXEMPT HOSPITAL." ANY OF THE FOLLOWING:

26 (1) A FEDERAL VETERANS' AFFAIRS HOSPITAL.

27 (2) A HOSPITAL THAT PROVIDES CARE, INCLUDING INPATIENT
28 HOSPITAL SERVICES, TO ALL PATIENTS FREE OF CHARGE.

29 (3) A PRIVATE PSYCHIATRIC HOSPITAL.

30 (4) A STATE-OWNED PSYCHIATRIC HOSPITAL.

1 (5) A CRITICAL ACCESS HOSPITAL.
2 (6) A LONG-TERM ACUTE CARE HOSPITAL.
3 (7) A FREE-STANDING ACUTE CARE HOSPITAL ORGANIZED
4 PRIMARILY FOR THE TREATMENT OF AND RESEARCH ON CANCER IN
5 WHICH AT LEAST 30% OF THE INPATIENT ADMISSIONS HAD CANCER AS
6 THE PRINCIPAL DIAGNOSIS BASED ON PENNSYLVANIA HEALTH CARE
7 COST CONTAINMENT COUNCIL CY 2014 INPATIENT DISCHARGE DATA.
8 FOR THE PURPOSES OF MEETING THIS DEFINITION, ONLY DISCHARGES
9 WITH ICD-9-CM PRINCIPAL DIAGNOSES CODES OF 140 THROUGH 239,
10 V58.0, V58.1, V66.1, V66.2 OR 990 ARE CONSIDERED.

11 "HOSPITAL." A FACILITY LICENSED AS A HOSPITAL UNDER 28 PA.
12 CODE PT. IV SUBPT. B (RELATING TO GENERAL AND SPECIAL
13 HOSPITALS).

14 "LONG-TERM ACUTE CARE HOSPITAL." A HOSPITAL OR UNIT OF A
15 HOSPITAL WHOSE PATIENTS HAVE A LENGTH OF STAY OF GREATER THAN 25
16 DAYS AND THAT PROVIDES SPECIALIZED ACUTE CARE OF MEDICALLY
17 COMPLEX PATIENTS WHO ARE CRITICALLY ILL.

18 "MEDICAL ASSISTANCE MANAGED CARE ORGANIZATION." A MEDICAID
19 MANAGED CARE ORGANIZATION AS DEFINED IN 42 U.S.C. §
20 1396B(M)(1)(A) (RELATING TO PAYMENTS TO STATES) THAT IS A PARTY
21 TO A MEDICAID MANAGED CARE CONTRACT WITH THE DEPARTMENT. THE
22 TERM SHALL NOT INCLUDE A BEHAVIORAL HEALTH MANAGED CARE
23 ORGANIZATION THAT IS A PARTY TO A MEDICAID MANAGED CARE CONTRACT
24 WITH THE DEPARTMENT.

25 "NET INPATIENT REVENUE." GROSS REVENUES RECEIVED OR EARNED
26 BY A HOSPITAL FOR INPATIENT SERVICES, INCLUDING MEDICAL
27 ASSISTANCE SUPPLEMENTAL REVENUES RECEIVED BY THE HOSPITAL FOR
28 INPATIENT HOSPITAL SERVICES, LESS ANY DEDUCTED AMOUNTS FOR BAD
29 DEBT EXPENSE, CHARITY CARE EXPENSE AND CONTRACTUAL ALLOWANCES AS
30 IDENTIFIED IN THE HOSPITAL'S RECORDS AND REPORTED ON FORMS

1 SPECIFIED BY THE DEPARTMENT.

2 "NET OUTPATIENT REVENUE." GROSS REVENUES RECEIVED OR EARNED
3 BY A HOSPITAL FOR OUTPATIENT SERVICES, INCLUDING MEDICAL
4 ASSISTANCE SUPPLEMENTAL REVENUES RECEIVED BY THE HOSPITAL FOR
5 OUTPATIENT HOSPITAL SERVICES, LESS ANY DEDUCTED AMOUNTS FOR BAD
6 DEBT EXPENSE, CHARITY CARE EXPENSE AND CONTRACTUAL ALLOWANCES AS
7 IDENTIFIED IN THE HOSPITAL'S RECORDS AND REPORTED ON FORMS
8 SPECIFIED BY THE DEPARTMENT.

9 "PROGRAM." THE COMMONWEALTH'S MEDICAL ASSISTANCE PROGRAM AS
10 AUTHORIZED UNDER ARTICLE IV OF THE ACT OF JUNE 13, 1967 (P.L.31,
11 NO.21), KNOWN AS THE HUMAN SERVICES CODE.

12 "SECRETARY." THE SECRETARY OF HUMAN SERVICES OF THE
13 COMMONWEALTH.
14 SECTION 1602-U. MEDICAL ASSISTANCE PAYMENTS FOR INSTITUTIONAL
15 CARE.

16 NOTWITHSTANDING SECTION 443.1(1.1)(I) OF THE ACT OF JUNE 13,
17 1967 (P.L.31, NO.21), KNOWN AS THE HUMAN SERVICES CODE, AND
18 SUBJECT TO SECTION 1614-U, FOR INPATIENT HOSPITAL SERVICES
19 PROVIDED DURING A FISCAL YEAR IN WHICH AN ASSESSMENT IS IMPOSED
20 UNDER THIS ARTICLE, PAYMENTS UNDER THE MEDICAL ASSISTANCE FEE-
21 FOR-SERVICE PROGRAM SHALL BE DETERMINED IN ACCORDANCE WITH THE
22 DEPARTMENT'S REGULATIONS, EXCEPT IF THE COMMONWEALTH'S APPROVED
23 TITLE XIX STATE PLAN FOR INPATIENT HOSPITAL SERVICES IN EFFECT
24 FOR THE PERIOD OF JULY 1, 2010, THROUGH JUNE 30, 2028, SPECIFIES
25 A METHODOLOGY FOR CALCULATING PAYMENTS THAT IS DIFFERENT FROM
26 THE DEPARTMENT'S REGULATIONS OR AUTHORIZES ADDITIONAL PAYMENTS
27 NOT SPECIFIED IN THE DEPARTMENT'S REGULATIONS, INCLUDING
28 INPATIENT DISPROPORTIONATE SHARE PAYMENTS AND DIRECT MEDICAL
29 EDUCATION PAYMENTS, THE DEPARTMENT SHALL FOLLOW THE METHODOLOGY
30 OR MAKE THE ADDITIONAL PAYMENTS AS SPECIFIED IN THE APPROVED

1 TITLE XIX STATE PLAN.

2 SECTION 1603-U. AUTHORIZATION.

3 IN ORDER TO GENERATE ADDITIONAL REVENUES FOR THE PURPOSE OF
4 ASSURING THAT MEDICAL ASSISTANCE RECIPIENTS HAVE ACCESS TO
5 HOSPITAL SERVICES, THE DEPARTMENT SHALL IMPLEMENT A MONETARY
6 ASSESSMENT, KNOWN AS THE QUALITY CARE ASSESSMENT, ON EACH
7 COVERED HOSPITAL SUBJECT TO THE CONDITIONS AND REQUIREMENTS
8 SPECIFIED IN THIS ARTICLE, INCLUDING SECTION 1614-U.

9 SECTION 1604-U. IMPLEMENTATION.

10 (A) HEALTH CARE-RELATED FEE.--THE ASSESSMENT AUTHORIZED
11 UNDER THIS ARTICLE, ONCE IMPOSED, SHALL BE IMPLEMENTED AS A
12 HEALTH CARE-RELATED FEE UNDER 42 U.S.C. § 1396B(W) (3) (B)
13 (RELATING TO PAYMENT TO STATES) OR ANY AMENDMENTS THERETO AND
14 MAY BE COLLECTED ONLY TO THE EXTENT AND FOR THE PERIODS THAT THE
15 SECRETARY DETERMINES THAT REVENUES GENERATED BY THE ASSESSMENT
16 WILL QUALIFY AS THE STATE SHARE OF PROGRAM EXPENDITURES ELIGIBLE
17 FOR FEDERAL FINANCIAL PARTICIPATION.

18 (B) ASSESSMENT PERCENTAGE.--SUBJECT TO SUBSECTION (C), EACH
19 COVERED HOSPITAL SHALL BE ASSESSED AS FOLLOWS:

20 (1) FOR FISCAL YEAR 2010-2011, EACH COVERED HOSPITAL
21 SHALL BE ASSESSED AN AMOUNT EQUAL TO 2.69% OF THE NET
22 INPATIENT REVENUE OF THE COVERED HOSPITAL,

23 (2) FOR FISCAL YEARS 2011-2012, 2012-2013, 2013-2014 AND
24 2014-2015, AN AMOUNT EQUAL TO 3.22% OF THE NET INPATIENT
25 REVENUE OF THE COVERED HOSPITAL.

26 (3) FOR FISCAL YEARS 2015-2016, 2016-2017 AND 2017-2018,
27 AN AMOUNT EQUAL TO 3.71% OF THE NET INPATIENT REVENUE OF THE
28 COVERED HOSPITAL.

29 (4) FOR FISCAL YEAR 2018-2019, AN AMOUNT EQUAL TO 2.98%
30 OF THE NET INPATIENT REVENUE OF THE COVERED HOSPITAL AND

1 1.55% OF THE NET OUTPATIENT REVENUE OF THE COVERED HOSPITAL.

2 (5) FOR FISCAL YEARS 2019-2020, 2020-2021, 2021-2022 AND
3 2022-2023, AN AMOUNT EQUAL TO 3.32% OF THE NET INPATIENT
4 REVENUE OF THE COVERED HOSPITAL AND 1.73% OF THE NET
5 OUTPATIENT REVENUE OF THE COVERED HOSPITAL.

6 (6) FOR FISCAL YEAR 2023-2024, AN AMOUNT EQUAL TO 3.54%
7 OF THE NET INPATIENT REVENUE OF THE COVERED HOSPITAL AND
8 1.78% OF THE NET OUTPATIENT REVENUE OF THE COVERED HOSPITAL;

9 (7) FOR FISCAL YEARS 2024-2025, 2025-2026, 2026-2027 AND
10 2027-2028, AN AMOUNT EQUAL TO 4.36% OF THE NET INPATIENT
11 REVENUE OF THE COVERED HOSPITAL AND 2.20% OF THE NET
12 OUTPATIENT REVENUE OF THE COVERED HOSPITAL.

13 (C) ADJUSTMENTS TO ASSESSMENT PERCENTAGE.--THE SECRETARY MAY
14 ADJUST THE ASSESSMENT PERCENTAGE SPECIFIED IN SUBSECTION (B) FOR
15 ALL OR PART OF THE FISCAL YEAR FOR INPATIENT SERVICES,
16 OUTPATIENT SERVICES OR BOTH, PROVIDED THAT, BEFORE IMPLEMENTING
17 AN ADJUSTMENT, THE SECRETARY SUBMITS A NOTICE TO THE LEGISLATIVE
18 REFERENCE BUREAU FOR PUBLICATION IN THE NEXT AVAILABLE ISSUE OF
19 THE PENNSYLVANIA BULLETIN THAT SPECIFIES THE PROPOSED ASSESSMENT
20 PERCENTAGE AND IDENTIFIES THE AGGREGATE IMPACT ON COVERED
21 HOSPITALS SUBJECT TO THE ASSESSMENT. INTERESTED PARTIES SHALL
22 HAVE 30 DAYS IN WHICH TO SUBMIT COMMENTS TO THE SECRETARY. UPON
23 EXPIRATION OF THE 30-DAY COMMENT PERIOD, THE SECRETARY, AFTER
24 CONSIDERATION OF THE COMMENTS, SHALL SUBMIT A SECOND NOTICE TO
25 THE LEGISLATIVE REFERENCE BUREAU FOR PUBLICATION IN THE NEXT
26 AVAILABLE ISSUE OF THE PENNSYLVANIA BULLETIN ANNOUNCING THE
27 ASSESSMENT PERCENTAGE.

28 (D) REBASING NET INPATIENT REVENUE AND NET OUTPATIENT
29 REVENUE AMOUNTS ON AMOUNTS OWED FOR FISCAL YEARS PRIOR TO 2023-
30 2024.--FOR PURPOSES OF CALCULATING THE ANNUAL ASSESSMENT AMOUNT

1 OWED FOR FISCAL YEARS 2018-2019, 2019-2020, 2020-2021, 2021-2022
2 AND 2022-2023, THE SECRETARY MAY REQUIRE THE USE OF NET
3 INPATIENT REVENUE AND NET OUTPATIENT REVENUE AMOUNTS AS
4 IDENTIFIED IN THE RECORDS OF COVERED HOSPITALS FOR A STATE
5 FISCAL YEAR COMMENCING ON OR AFTER JULY 1, 2015. IF THE
6 SECRETARY DECIDES THAT THE NET INPATIENT REVENUE AND NET
7 OUTPATIENT REVENUE AMOUNTS SHOULD BE BASED ON A STATE FISCAL
8 YEAR COMMENCING ON OR AFTER JULY 1, 2015, THE SECRETARY SHALL
9 SUBMIT A NOTICE TO THE LEGISLATIVE REFERENCE BUREAU FOR
10 PUBLICATION IN THE NEXT AVAILABLE ISSUE OF THE PENNSYLVANIA
11 BULLETIN SPECIFYING THE STATE FISCAL YEAR FOR WHICH THE NET
12 INPATIENT REVENUE AND NET OUTPATIENT REVENUE AMOUNTS WILL BE
13 USED AT LEAST 30 DAYS PRIOR TO THE DATE ON WHICH AN ASSESSMENT
14 AMOUNT CALCULATED WITH THE REBASED AMOUNTS IS DUE TO BE PAID TO
15 THE DEPARTMENT.

16 (E) REBASING NET INPATIENT REVENUE AND NET OUTPATIENT
17 REVENUE AMOUNTS ON AMOUNTS OWED FOR FISCAL YEAR 2023-2024 AND
18 THEREAFTER.--FOR PURPOSES OF CALCULATING THE ANNUAL ASSESSMENT
19 AMOUNT OWED ON OR AFTER JULY 1, 2023, THE SECRETARY MAY REQUIRE
20 THE USE OF NET INPATIENT REVENUE AND NET OUTPATIENT REVENUE
21 AMOUNTS AS IDENTIFIED IN THE RECORDS OF COVERED HOSPITALS FOR A
22 STATE FISCAL YEAR COMMENCING ON OR AFTER JULY 1, 2018. IF THE
23 SECRETARY DECIDES THAT THE NET INPATIENT REVENUE AND NET
24 OUTPATIENT REVENUE AMOUNTS SHOULD BE BASED ON A STATE FISCAL
25 YEAR COMMENCING ON OR AFTER JULY 1, 2018, THE SECRETARY SHALL
26 SUBMIT A NOTICE TO THE LEGISLATIVE REFERENCE BUREAU FOR
27 PUBLICATION IN THE NEXT AVAILABLE ISSUE OF THE PENNSYLVANIA
28 BULLETIN SPECIFYING THE STATE FISCAL YEAR FOR WHICH THE NET
29 INPATIENT REVENUE AND NET OUTPATIENT REVENUE AMOUNTS WILL BE
30 USED AT LEAST 30 DAYS PRIOR TO THE DATE ON WHICH AN ASSESSMENT

1 AMOUNT CALCULATED WITH THE REBASED AMOUNTS IS DUE TO BE PAID TO
2 THE DEPARTMENT.

3 (F) MAXIMUM AMOUNT.--IN EACH YEAR IN WHICH THE ASSESSMENT IS
4 IMPLEMENTED, THE ASSESSMENT SHALL BE SUBJECT TO THE MAXIMUM
5 AGGREGATE AMOUNT THAT MAY BE ASSESSED UNDER 42 CFR 433.68(F)(3)
6 (I) (RELATING TO PERMISSIBLE HEALTH CARE-RELATED TAXES) OR ANY
7 OTHER MAXIMUM ESTABLISHED UNDER FEDERAL LAW.

8 (G) LIMITED REVIEW.--EXCEPT AS PERMITTED UNDER SECTION 1611-
9 U, THE SECRETARY'S DETERMINATION OF THE ASSESSMENT PERCENTAGE
10 UNDER SUBSECTION (B) SHALL NOT BE SUBJECT TO ADMINISTRATIVE OR
11 JUDICIAL REVIEW UNDER 2 PA.C.S. CHS. 5 SUBCH. A (RELATING TO
12 PRACTICE AND PROCEDURE OF COMMONWEALTH AGENCIES) AND 7 SUBCH. A
13 (RELATING TO JUDICIAL REVIEW OF COMMONWEALTH AGENCY ACTION) OR
14 ANY OTHER PROVISION OF LAW. ASSESSMENTS IMPLEMENTED UNDER THIS
15 ARTICLE OR FORMS OR REPORTS REQUIRED TO BE COMPLETED BY COVERED
16 HOSPITALS IN ACCORDANCE WITH THIS ARTICLE SHALL NOT BE SUBJECT
17 TO THE ACT OF JULY 31, 1968 (P.L.769, NO.240), REFERRED TO AS
18 THE COMMONWEALTH DOCUMENTS LAW, THE ACT OF OCTOBER 15, 1980
19 (P.L.950, NO.164), KNOWN AS THE COMMONWEALTH ATTORNEYS ACT, AND
20 THE ACT OF JUNE 25, 1982 (P.L.633, NO.181), KNOWN AS THE
21 REGULATORY REVIEW ACT.

22 SECTION 1605-U. ADMINISTRATION.

23 (A) CALCULATION AND NOTICE OF ASSESSMENT AMOUNT.--USING THE
24 ASSESSMENT PERCENTAGE ESTABLISHED UNDER SECTION 1604-U AND
25 COVERED HOSPITALS' NET INPATIENT REVENUE AND NET OUTPATIENT
26 REVENUE, THE DEPARTMENT SHALL CALCULATE AND NOTIFY EACH COVERED
27 HOSPITAL OF THE ASSESSMENT AMOUNT OWED FOR THE FISCAL YEAR.
28 NOTIFICATION UNDER THIS SUBSECTION MAY BE MADE IN WRITING OR
29 ELECTRONICALLY, AT THE DISCRETION OF THE DEPARTMENT.

30 (B) CALCULATION OF ASSESSMENT WITH CHANGES OF OWNERSHIP.--

1 (1) IF A SINGLE COVERED HOSPITAL CHANGES OWNERSHIP OR
2 CONTROL, THE DEPARTMENT SHALL CALCULATE THE ASSESSMENT AS
3 FOLLOWS:

4 (I) IF THE CHANGE OF OWNERSHIP OCCURS BEFORE JULY 1,
5 2018, THE DEPARTMENT SHALL CALCULATE THE ASSESSMENT USING
6 THE HOSPITAL'S NET INPATIENT REVENUE AND NET OUTPATIENT
7 REVENUE AMOUNTS FOR STATE FISCAL YEAR 2018-2019, OR A
8 LATER FISCAL YEAR THAT HAS BEEN SPECIFIED BY THE
9 SECRETARY IN ACCORDANCE WITH SECTION 1604-U(E).

10 (II) IF THE CHANGE OF OWNERSHIP OCCURS ON OR AFTER
11 JULY 1, 2018, THE DEPARTMENT SHALL CALCULATE THE
12 ASSESSMENT USING THE HOSPITAL'S NET INPATIENT REVENUE AND
13 NET OUTPATIENT REVENUE AMOUNTS FOR STATE FISCAL YEAR
14 2018-2019, OR A LATER FISCAL YEAR THAT HAS BEEN SPECIFIED
15 BY THE SECRETARY IN ACCORDANCE WITH SECTION 1604-U(E); OR

16 (III) IF THE NET INPATIENT REVENUE AND NET
17 OUTPATIENT REVENUE AMOUNTS FOR THE STATE FISCAL YEAR
18 2018-2019, OR A LATER FISCAL YEAR THAT HAS BEEN SPECIFIED
19 BY THE SECRETARY IN ACCORDANCE WITH SECTION 1604-U(E),
20 ARE UNAVAILABLE DUE TO A COVERED HOSPITAL'S ESTABLISHMENT
21 AS A NEW HOSPITAL UNDER SUBSECTION (D), THE DEPARTMENT
22 SHALL CALCULATE THE ASSESSMENT USING THE HOSPITAL'S NET
23 INPATIENT REVENUE AND NET OUTPATIENT REVENUE AMOUNTS
24 UNDER SUBSECTION (D).

25 (2) THE COVERED HOSPITAL SHALL BE LIABLE FOR ANY
26 OUTSTANDING ASSESSMENT AMOUNTS, INCLUDING OUTSTANDING AMOUNTS
27 RELATED TO PERIODS PRIOR TO THE CHANGE OF OWNERSHIP OR
28 CONTROL.

29 (3) IF TWO OR MORE HOSPITALS MERGE OR CONSOLIDATE INTO A
30 SINGLE COVERED HOSPITAL AS A RESULT OF A CHANGE IN OWNERSHIP

1 OR CONTROL, THE DEPARTMENT SHALL CALCULATE THE ASSESSMENT
2 AMOUNT OWED BY THE SINGLE COVERED HOSPITAL RESULTING FROM THE
3 MERGER OR CONSOLIDATION AS FOLLOWS:

4 (I) IF THE MERGER OR CONSOLIDATION OCCURS BEFORE
5 JULY 1, 2018, THE DEPARTMENT SHALL CALCULATE THE
6 ASSESSMENT USING THE MERGED OR CONSOLIDATED HOSPITALS'
7 COMBINED NET INPATIENT REVENUE AND NET OUTPATIENT REVENUE
8 AMOUNTS FOR STATE FISCAL YEAR 2018-2019, OR A LATER
9 FISCAL YEAR THAT HAS BEEN SPECIFIED BY THE SECRETARY IN
10 ACCORDANCE WITH SECTION 1604-U(E);

11 (II) IF THE MERGER OR CONSOLIDATION OCCURS ON OR
12 AFTER JULY 1, 2018, THE DEPARTMENT SHALL CALCULATE THE
13 ASSESSMENT USING THE MERGED OR CONSOLIDATED HOSPITALS'
14 COMBINED NET INPATIENT REVENUE AND NET OUTPATIENT REVENUE
15 AMOUNTS FOR STATE FISCAL YEAR 2018-2019, OR A LATER
16 FISCAL YEAR THAT HAS BEEN SPECIFIED BY THE SECRETARY IN
17 ACCORDANCE WITH SECTION 1604-U(E); OR

18 (III) IF ONE OR MORE HOSPITALS' NET INPATIENT
19 REVENUE AND NET OUTPATIENT REVENUE AMOUNTS FOR THE STATE
20 FISCAL YEAR 2018-2019, OR A LATER FISCAL YEAR THAT HAS
21 BEEN SPECIFIED BY THE SECRETARY IN ACCORDANCE WITH
22 SECTION 1604-U(E), IS UNAVAILABLE DUE TO THE HOSPITAL'S
23 ESTABLISHMENT AS A NEW HOSPITAL UNDER SUBSECTION (D), THE
24 FOLLOWING SHALL APPLY:

25 (A) THE DEPARTMENT SHALL CALCULATE A NEW
26 HOSPITAL'S NET INPATIENT REVENUE AND NET OUTPATIENT
27 REVENUE AMOUNTS UNDER SUBSECTION (D).

28 (B) FOR A HOSPITAL THAT IS NOT A NEW HOSPITAL,
29 THE DEPARTMENT SHALL CALCULATE THE HOSPITAL'S NET
30 INPATIENT REVENUE AND NET OUTPATIENT REVENUE AMOUNTS

1 FOR STATE FISCAL YEAR 2018-2019, OR A LATER FISCAL
2 YEAR THAT HAS BEEN SPECIFIED BY THE SECRETARY IN
3 ACCORDANCE WITH SECTION 1604-U(E).

4 (C) THE DEPARTMENT SHALL COMBINE THE AMOUNT
5 CALCULATED UNDER CLAUSE (A) WITH THE AMOUNT
6 CALCULATED UNDER CLAUSE (B) TO DETERMINE THE COMBINED
7 NET INPATIENT REVENUE AND NET OUTPATIENT REVENUE
8 AMOUNTS FOR THE MERGED OR CONSOLIDATED HOSPITALS.

9 (4) A SINGLE COVERED HOSPITAL IS LIABLE FOR ANY
10 OUTSTANDING ASSESSMENT AMOUNTS, INCLUDING OUTSTANDING AMOUNTS
11 RELATED TO PERIODS PRIOR TO THE CHANGE OF OWNERSHIP OR
12 CONTROL, OF ANY COVERED HOSPITAL THAT WAS MERGED OR
13 CONSOLIDATED.

14 (C) CALCULATION OF ASSESSMENT WITH CLOSURES OR OTHER CHANGES
15 IN OPERATION.--EXCEPT AS PROVIDED IN SUBSECTION (B) (3), A
16 COVERED HOSPITAL THAT CLOSES OR THAT BECOMES AN EXEMPT HOSPITAL
17 DURING A FISCAL YEAR IS LIABLE FOR BOTH:

18 (1) THE ANNUAL ASSESSMENT AMOUNT FOR THE FISCAL YEAR IN
19 WHICH THE CLOSURE OR CHANGE OCCURS PRORATED BY THE NUMBER OF
20 DAYS IN THE FISCAL YEAR DURING WHICH THE COVERED HOSPITAL WAS
21 IN OPERATION; AND

22 (2) ANY OUTSTANDING ASSESSMENT AMOUNTS RELATED TO
23 PERIODS PRIOR TO THE CLOSURE OR CHANGE IN OPERATION.

24 (D) CALCULATION OF ASSESSMENT FOR NEW HOSPITALS.--A HOSPITAL
25 THAT BEGINS OPERATION AS A COVERED HOSPITAL AFTER JULY 1, 2018,
26 SHALL BE ASSESSED AS FOLLOWS:

27 (1) DURING THE STATE FISCAL YEAR IN WHICH A COVERED
28 HOSPITAL BEGINS OPERATION OR IN WHICH A HOSPITAL BECOMES A
29 COVERED HOSPITAL, THE COVERED HOSPITAL SHALL NOT BE SUBJECT
30 TO THE ASSESSMENT.

1 (2) FOR THE STATE FISCAL YEAR FOLLOWING THE STATE FISCAL
2 YEAR UNDER PARAGRAPH (1), THE DEPARTMENT SHALL CALCULATE THE
3 COVERED HOSPITAL'S ASSESSMENT AMOUNT USING THE NET INPATIENT
4 REVENUE AND NET OUTPATIENT REVENUE FROM THE STATE FISCAL YEAR
5 IN WHICH THE COVERED HOSPITAL BEGAN OPERATION OR BECAME A
6 COVERED HOSPITAL THROUGH THE END OF THE STATE FISCAL YEAR.

7 (3) FOR THE STATE FISCAL YEAR FOLLOWING THE FIRST FULL
8 STATE FISCAL YEAR UNDER PARAGRAPH (2), THE DEPARTMENT SHALL
9 CALCULATE THE COVERED HOSPITAL'S ASSESSMENT AMOUNT USING THE
10 NET INPATIENT REVENUE AND NET OUTPATIENT REVENUE FROM THE
11 PRIOR STATE FISCAL YEAR. FOR SUBSEQUENT STATE FISCAL YEARS,
12 THE DEPARTMENT SHALL USE THE NET INPATIENT REVENUE AND NET
13 OUTPATIENT REVENUE CALCULATED UNDER THIS PARAGRAPH OR A LATER
14 FISCAL YEAR THAT HAS BEEN SPECIFIED BY THE SECRETARY IN
15 ACCORDANCE WITH SECTION 1604-U(E).

16 (4) IF ESTIMATED NET INPATIENT REVENUE AND NET
17 OUTPATIENT REVENUE IS USED IN CALCULATING A COVERED
18 HOSPITAL'S ASSESSMENT UNDER THIS SUBSECTION, THE DEPARTMENT
19 SHALL RECONCILE ANY AMOUNTS RECEIVED BASED ON REPORTED ACTUAL
20 NET INPATIENT REVENUES AND NET OUTPATIENT REVENUES.

21 (E) PAYMENT.--A COVERED HOSPITAL SHALL PAY THE ASSESSMENT
22 AMOUNT DUE FOR A FISCAL YEAR IN FOUR QUARTERLY INSTALLMENTS.
23 PAYMENT OF A QUARTERLY INSTALLMENT SHALL BE MADE ELECTRONICALLY
24 ON OR BEFORE THE FIRST DAY OF THE SECOND MONTH OF THE QUARTER OR
25 30 DAYS FROM THE DATE OF THE NOTICE OF THE QUARTERLY ASSESSMENT
26 AMOUNT, WHICHEVER IS LATER.

27 (F) RECORDS.--UPON REQUEST BY THE DEPARTMENT, A COVERED
28 HOSPITAL SHALL FURNISH TO THE DEPARTMENT ANY RECORDS AS THE
29 DEPARTMENT MAY SPECIFY IN ORDER FOR THE DEPARTMENT TO VALIDATE
30 THE NET INPATIENT REVENUE AND NET OUTPATIENT REVENUE AMOUNTS

1 REPORTED BY THE COVERED HOSPITAL OR TO DETERMINE THE ASSESSMENT
2 FOR A FISCAL YEAR OR THE AMOUNT OF THE ASSESSMENT DUE FROM THE
3 COVERED HOSPITAL OR TO VERIFY THAT THE COVERED HOSPITAL HAS PAID
4 THE CORRECT AMOUNT DUE.

5 (G) UNDERPAYMENTS AND OVERPAYMENTS.--IN THE EVENT THAT THE
6 DEPARTMENT DETERMINES THAT A COVERED HOSPITAL HAS FAILED TO PAY
7 AN ASSESSMENT OR THAT THE COVERED HOSPITAL HAS UNDERPAID AN
8 ASSESSMENT, THE DEPARTMENT SHALL NOTIFY THE COVERED HOSPITAL IN
9 WRITING OF THE AMOUNT DUE, INCLUDING INTEREST, AND THE DATE ON
10 WHICH THE AMOUNT DUE MUST BE PAID, WHICH SHALL NOT BE LESS THAN
11 30 DAYS FROM THE DATE OF THE NOTICE. IN THE EVENT THAT THE
12 DEPARTMENT DETERMINES THAT A COVERED HOSPITAL HAS OVERPAID AN
13 ASSESSMENT, THE DEPARTMENT SHALL NOTIFY THE COVERED HOSPITAL IN
14 WRITING OF THE OVERPAYMENT AND, WITHIN 30 DAYS OF THE DATE OF
15 THE NOTICE OF THE OVERPAYMENT, SHALL OFFSET THE AMOUNT OF THE
16 OVERPAYMENT AGAINST ANY AMOUNT THAT MAY BE OWED TO THE
17 DEPARTMENT FROM THE COVERED HOSPITAL.

18 SECTION 1606-U. RESTRICTED ACCOUNT.

19 (A) ESTABLISHMENT.--THERE IS ESTABLISHED A RESTRICTED
20 ACCOUNT, KNOWN AS THE QUALITY CARE ASSESSMENT ACCOUNT, IN THE
21 GENERAL FUND FOR THE RECEIPT AND DEPOSIT OF REVENUES COLLECTED
22 UNDER THIS ARTICLE. FUNDS IN THE ACCOUNT ARE APPROPRIATED TO THE
23 DEPARTMENT FOR THE FOLLOWING:

24 (1) MAKING MEDICAL ASSISTANCE PAYMENTS TO HOSPITALS FOR
25 INPATIENT SERVICES IN ACCORDANCE WITH SECTION 443.1(1.1) OF
26 THE ACT OF JUNE 13, 1967 (P.L.31, NO.21), KNOWN AS THE HUMAN
27 SERVICES CODE, AND OUTPATIENT SERVICES, INCLUDING FOR
28 OBSERVATION SERVICES IN ACCORDANCE WITH SECTION 443.3(A)(1.1)
29 OF THE HUMAN SERVICES CODE AND AS OTHERWISE SPECIFIED IN THE
30 COMMONWEALTH'S APPROVED TITLE XIX STATE PLAN.

1 (2) MAKING PAYMENTS TO MEDICAL ASSISTANCE MANAGED CARE
2 ORGANIZATIONS FOR ADDITIONAL PAYMENTS FOR INPATIENT HOSPITAL
3 SERVICES IN ACCORDANCE WITH SECTION 443.1(1.2), (1.3) AND
4 (1.4) OF THE HUMAN SERVICES CODE AND OUTPATIENT SERVICES.

5 (3) ANY OTHER PURPOSE APPROVED BY THE SECRETARY FOR
6 INPATIENT HOSPITAL, OUTPATIENT HOSPITAL AND HOSPITAL-RELATED
7 SERVICES.

8 (B) LIMITATIONS.--

9 (1) FOR THE FIRST YEAR OF THE ASSESSMENT, THE AMOUNT
10 USED FOR THE MEDICAL ASSISTANCE PAYMENTS FOR HOSPITALS AND
11 MEDICAID MANAGED CARE ORGANIZATIONS MAY NOT EXCEED THE
12 AGGREGATE AMOUNT OF ASSESSMENT FUNDS COLLECTED FOR THE YEAR
13 LESS \$121,000,000.

14 (2) FOR THE SECOND YEAR OF THE ASSESSMENT, THE AMOUNT
15 USED FOR THE MEDICAL ASSISTANCE PAYMENTS FOR HOSPITALS AND
16 MEDICAL ASSISTANCE MANAGED CARE ORGANIZATIONS MAY NOT EXCEED
17 THE AGGREGATE AMOUNT OF ASSESSMENT FUNDS COLLECTED FOR THE
18 YEAR LESS \$109,000,000.

19 (3) (RESERVED).

20 (4) FOR THE THIRD YEAR OF THE ASSESSMENT, THE AMOUNT
21 USED FOR THE MEDICAL ASSISTANCE PAYMENT FOR HOSPITALS AND
22 MEDICAL ASSISTANCE MANAGED CARE ORGANIZATIONS MAY NOT EXCEED
23 THE AGGREGATE AMOUNT OF THE ASSESSMENT FUNDS COLLECTED FOR
24 THE YEAR LESS \$109,000,000.

25 (5) FOR STATE FISCAL YEARS 2013-2014 AND 2014-2015, THE
26 AMOUNT USED FOR THE MEDICAL ASSISTANCE PAYMENT FOR HOSPITALS
27 AND MEDICAL ASSISTANCE MANAGED CARE ORGANIZATIONS MAY NOT
28 EXCEED THE AGGREGATE AMOUNT OF THE ASSESSMENT FUNDS COLLECTED
29 FOR THE YEAR LESS \$150,000,000.

30 (6) FOR STATE FISCAL YEARS 2015-2016, 2016-2017 AND

1 2017-2018, THE AMOUNT USED FOR THE MEDICAL ASSISTANCE PAYMENT
2 FOR HOSPITALS AND MEDICAL ASSISTANCE MANAGED CARE
3 ORGANIZATIONS MAY NOT EXCEED THE AGGREGATE AMOUNT OF THE
4 ASSESSMENT FUNDS COLLECTED FOR THE YEAR LESS \$220,000,000.

5 (7) FOR STATE FISCAL YEARS 2018-2019, 2019-2020 AND
6 2020-2021, THE AMOUNT USED FOR THE MEDICAL ASSISTANCE PAYMENT
7 FOR HOSPITALS AND MEDICAL ASSISTANCE MANAGED CARE
8 ORGANIZATIONS MAY NOT EXCEED THE AGGREGATE AMOUNT OF THE
9 ASSESSMENT FUNDS COLLECTED FOR THE YEAR LESS \$295,000,000.

10 (8) FOR STATE FISCAL YEARS 2021-2022 AND 2022-2023, THE
11 AMOUNT USED FOR THE MEDICAL ASSISTANCE PAYMENT FOR HOSPITALS
12 AND MEDICAL ASSISTANCE MANAGED CARE ORGANIZATIONS MAY NOT
13 EXCEED THE AGGREGATE AMOUNT OF THE ASSESSMENT FUNDS COLLECTED
14 FOR THE YEAR LESS \$300,000,000.

15 (9) FOR STATE FISCAL YEAR 2023-2024, THE AMOUNT USED FOR
16 THE MEDICAL ASSISTANCE PAYMENT FOR HOSPITALS AND MEDICAL
17 ASSISTANCE MANAGED CARE ORGANIZATIONS MAY NOT EXCEED THE
18 AGGREGATE AMOUNT OF THE ASSESSMENT FUNDS COLLECTED FOR THE
19 YEAR LESS \$368,000,000.

20 (10) FOR STATE FISCAL YEARS 2024-2025, 2025-2026, 2026-
21 2027 AND 2027-2028, THE AMOUNT USED FOR THE MEDICAL
22 ASSISTANCE PAYMENT FOR HOSPITALS AND MEDICAL ASSISTANCE
23 MANAGED CARE ORGANIZATIONS MAY NOT EXCEED THE AGGREGATE
24 AMOUNT OF THE ASSESSMENT FUNDS COLLECTED FOR THE YEAR LESS
25 \$452,000,000.

26 (11) THE AMOUNTS RETAINED BY THE DEPARTMENT UNDER
27 PARAGRAPHS (1), (2), (4), (5), (6), (7), (8), (9) AND (10)
28 AND ANY ADDITIONAL AMOUNTS REMAINING IN THE RESTRICTED
29 ACCOUNTS AFTER THE PAYMENTS DESCRIBED IN SUBSECTION (A) (1)
30 AND (2) ARE MADE SHALL BE USED FOR PURPOSES APPROVED BY THE

1 SECRETARY UNDER SUBSECTION (A) (3), SUBJECT TO PARAGRAPH (13).

2 (12) NOT LATER THAN 180 DAYS FOLLOWING THE END OF THE
3 STATE FISCAL YEAR, THE DEPARTMENT SHALL PREPARE A REVENUE
4 RECONCILIATION SCHEDULE FOR THE PRIOR STATE FISCAL YEAR THAT
5 INCLUDES INFORMATION SUPPORTING THE AMOUNTS RECEIVED OR
6 DEPOSITED INTO AND PAID OUT OF THE RESTRICTED ACCOUNT TO
7 SUPPORT ACTUAL PAYMENTS TO HOSPITALS AND MANAGED CARE
8 ORGANIZATIONS IN ACCORDANCE WITH SUBSECTION (A) (1) AND (2).

9 (13) ANY POSITIVE BALANCE REMAINING IN THE RESTRICTED
10 ACCOUNT IN EXCESS OF \$10,000,000 ANNUALLY THAT IS NOT USED BY
11 THE COMMONWEALTH TO OBTAIN FEDERAL MATCHING FUNDS AND PAID
12 OUT FOR HOSPITAL PAYMENTS SHALL BE FACTORED INTO THE
13 CALCULATION OF A NEW ASSESSMENT RATE BY REDUCING THE AMOUNT
14 OF HOSPITAL ASSESSMENT FUNDS THAT MUST BE GENERATED DURING
15 THE NEXT FISCAL YEAR IN WHICH THE DEPARTMENT IS ABLE TO
16 CALCULATE A NEW RATE. IF A NEW ASSESSMENT RATE IS NOT
17 CALCULATED, THE FUNDS REMAINING IN THE RESTRICTED ACCOUNT
18 SHALL BE REFUNDED TO THE COVERED HOSPITAL THAT PAID THE
19 ASSESSMENT IN PROPORTION TO THE COVERED HOSPITAL'S ASSESSMENT
20 AMOUNT PAID IN THE FISCAL YEAR.

21 (C) LAPSE.--FUNDS IN THE QUALITY CARE ASSESSMENT ACCOUNT
22 SHALL NOT LAPSE TO THE GENERAL FUND AT THE END OF A FISCAL YEAR.
23 IF THIS ARTICLE EXPIRES, THE DEPARTMENT SHALL USE ANY REMAINING
24 FUNDS FOR THE PURPOSES STATED IN THIS SECTION UNTIL THE FUNDS IN
25 THE QUALITY CARE ASSESSMENT ACCOUNT ARE EXHAUSTED.

26 SECTION 1607-U. NO HOLD HARMLESS.

27 NO COVERED HOSPITAL SHALL BE DIRECTLY GUARANTEED A REPAYMENT
28 OF ITS ASSESSMENT IN DEROGATION OF 42 CFR 433.68(F) (RELATING TO
29 PERMISSIBLE HEALTH CARE-RELATED TAXES), EXCEPT THAT, IN EACH
30 FISCAL YEAR IN WHICH AN ASSESSMENT IS IMPLEMENTED, THE

1 DEPARTMENT SHALL USE THE FUNDS RECEIVED UNDER THIS ARTICLE FOR
2 THE PURPOSES OUTLINED UNDER SECTION 1606-U TO THE EXTENT
3 PERMISSIBLE UNDER FEDERAL AND STATE LAW OR REGULATION AND
4 WITHOUT CREATING AN INDIRECT GUARANTEE TO HOLD HARMLESS, AS
5 THOSE TERMS ARE USED UNDER 42 CFR 433.68(F)(3)(I). THE SECRETARY
6 SHALL SUBMIT TO THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN
7 SERVICES ANY STATE MEDICAID PLAN AMENDMENTS THAT ARE NECESSARY
8 TO MAKE THE PAYMENTS AUTHORIZED UNDER SECTION 1606-U.
9 SECTION 1608-U. FEDERAL WAIVER.

10 TO THE EXTENT NECESSARY IN ORDER TO IMPLEMENT THIS ARTICLE,
11 THE DEPARTMENT SHALL SEEK A WAIVER UNDER 42 CFR 433.68(E)
12 (RELATING TO PERMISSIBLE HEALTH CARE-RELATED TAXES) FROM THE
13 CENTERS FOR MEDICARE AND MEDICAID SERVICES OF THE UNITED STATES
14 DEPARTMENT OF HEALTH AND HUMAN SERVICES. THE DEPARTMENT SHALL
15 NOT IMPLEMENT THE ASSESSMENT UNTIL APPROVAL OF THE WAIVER IS
16 OBTAINED. UPON APPROVAL OF THE WAIVER, THE ASSESSMENT SHALL BE
17 IMPLEMENTED RETROACTIVE TO THE FIRST DAY OF THE FISCAL YEAR TO
18 WHICH THE WAIVER APPLIES.

19 SECTION 1609-U. TAX EXEMPTION.

20 (A) PROHIBITION.--NOTWITHSTANDING ANY EXEMPTIONS GRANTED BY
21 ANY OTHER FEDERAL, STATE OR LOCAL TAX OR OTHER LAW, NO COVERED
22 HOSPITAL OTHER THAN AN EXEMPT HOSPITAL SHALL BE EXEMPT FROM THE
23 ASSESSMENT.

24 (B) INTERPRETATION.--THE ASSESSMENT IMPOSED UNDER THIS
25 ARTICLE SHALL BE RECOGNIZED BY THE COMMONWEALTH AS UNCOMPENSATED
26 GOODS AND SERVICES UNDER THE ACT OF NOVEMBER 26, 1997 (P.L.508,
27 NO.55), KNOWN AS THE INSTITUTIONS OF PURELY PUBLIC CHARITY ACT,
28 AND SHALL BE CONSIDERED A COMMUNITY BENEFIT FOR PURPOSES OF ANY
29 REQUIRED OR VOLUNTARY COMMUNITY BENEFIT REPORT FILED OR PREPARED
30 BY A COVERED HOSPITAL.

1 SECTION 1610-U. REMEDIES.

2 IN ADDITION TO ANY OTHER REMEDY PROVIDED BY LAW, THE
3 DEPARTMENT MAY ENFORCE THIS ARTICLE BY IMPOSING ONE OR MORE OF
4 THE FOLLOWING REMEDIES:

5 (1) WHEN A COVERED HOSPITAL FAILS TO PAY AN ASSESSMENT
6 OR PENALTY IN THE AMOUNT OR ON THE DATE REQUIRED BY THIS
7 ARTICLE, THE DEPARTMENT SHALL ADD INTEREST AT THE RATE
8 PROVIDED IN SECTION 806 TO THE UNPAID AMOUNT OF THE
9 ASSESSMENT OR PENALTY FROM THE DATE SPECIFIED FOR THE
10 ASSESSMENT'S PAYMENT UNTIL THE DATE ON WHICH IT IS PAID.

11 (2) WHEN A COVERED HOSPITAL FAILS TO FILE A REPORT OR TO
12 FURNISH RECORDS TO THE DEPARTMENT AS REQUIRED BY THIS
13 ARTICLE, THE DEPARTMENT SHALL IMPOSE A PENALTY AGAINST THE
14 COVERED HOSPITAL IN THE AMOUNT OF \$1,000, PLUS AN ADDITIONAL
15 AMOUNT OF \$200 PER DAY FOR EACH ADDITIONAL DAY THAT THE
16 FAILURE TO FILE THE REPORT OR FURNISH THE RECORDS CONTINUES.

17 (3) WHEN A COVERED HOSPITAL THAT IS A MEDICAL ASSISTANCE
18 PROVIDER, OR THAT IS RELATED THROUGH COMMON OWNERSHIP OR
19 CONTROL AS THOSE TERMS ARE DEFINED IN 42 CFR 413.17(B)
20 (RELATING TO COST TO RELATED ORGANIZATIONS) TO A MEDICAL
21 ASSISTANCE PROVIDER, FAILS TO PAY ALL OR PART OF AN
22 ASSESSMENT OR PENALTY WITHIN 60 DAYS OF THE DATE THAT PAYMENT
23 IS DUE, THE DEPARTMENT MAY DEDUCT THE UNPAID ASSESSMENT OR
24 PENALTY AND ANY INTEREST OWED THEREON FROM ANY MEDICAL
25 ASSISTANCE PAYMENTS DUE TO THE COVERED HOSPITAL OR TO ANY
26 RELATED MEDICAL ASSISTANCE PROVIDER UNTIL THE FULL AMOUNT IS
27 RECOVERED. THE DEDUCTION SHALL BE MADE ONLY AFTER WRITTEN
28 NOTICE TO THE COVERED HOSPITAL AND MEDICAL ASSISTANCE
29 PROVIDER AND MAY BE TAKEN IN INSTALLMENTS OVER A PERIOD OF
30 TIME, TAKING INTO ACCOUNT THE FINANCIAL CONDITION OF THE

1 MEDICAL ASSISTANCE PROVIDER.

2 (4) WITHIN 60 DAYS AFTER THE END OF EACH CALENDAR
3 QUARTER, THE DEPARTMENT SHALL NOTIFY THE DEPARTMENT OF HEALTH
4 OF ANY COVERED HOSPITAL THAT HAS ASSESSMENT, PENALTY OR
5 INTEREST AMOUNTS THAT HAVE REMAINED UNPAID FOR 90 DAYS OR
6 MORE. THE DEPARTMENT OF HEALTH SHALL NOT RENEW THE LICENSE OF
7 THE COVERED HOSPITAL UNTIL THE DEPARTMENT NOTIFIES THE
8 DEPARTMENT OF HEALTH THAT THE COVERED HOSPITAL HAS PAID THE
9 OUTSTANDING AMOUNT IN ITS ENTIRETY OR THAT THE DEPARTMENT HAS
10 AGREED TO PERMIT THE COVERED HOSPITAL TO REPAY THE
11 OUTSTANDING AMOUNT IN INSTALLMENTS AND THAT, TO DATE, THE
12 COVERED HOSPITAL HAS PAID THE INSTALLMENTS IN THE AMOUNT AND
13 BY THE DATE REQUIRED BY THE DEPARTMENT.

14 (5) THE SECRETARY MAY WAIVE ALL OR PART OF THE INTEREST
15 OR PENALTIES ASSESSED AGAINST A COVERED HOSPITAL IN
16 ACCORDANCE WITH THIS ARTICLE FOR GOOD CAUSE AS SHOWN BY THE
17 COVERED HOSPITAL.

18 SECTION 1611-U. REQUEST FOR REVIEW.

19 A COVERED HOSPITAL THAT IS AGGRIEVED BY A DETERMINATION OF
20 THE DEPARTMENT AS TO THE AMOUNT OF THE ASSESSMENT DUE FROM THE
21 COVERED HOSPITAL OR A REMEDY IMPOSED UNDER SECTION 1610-U MAY
22 FILE A REQUEST FOR REVIEW OF THE DECISION OF THE DEPARTMENT BY
23 THE BUREAU OF HEARINGS AND APPEALS, WHICH SHALL HAVE EXCLUSIVE
24 JURISDICTION IN SUCH MATTERS. THE PROCEDURES AND REQUIREMENTS OF
25 67 PA.C.S. CH. 11 (RELATING TO MEDICAL ASSISTANCE HEARINGS AND
26 APPEALS) SHALL APPLY TO REQUESTS FOR REVIEW FILED IN ACCORDANCE
27 WITH THIS SECTION, EXCEPT THAT, IN THE REQUEST FOR REVIEW, A
28 COVERED HOSPITAL MAY NOT CHALLENGE AN ASSESSMENT PERCENTAGE
29 DETERMINED BY THE SECRETARY UNDER SECTION 1604-U(B) BUT ONLY
30 WHETHER THE DEPARTMENT CORRECTLY DETERMINED THE ASSESSMENT

1 AMOUNT DUE FROM THE COVERED HOSPITAL USING THE ASSESSMENT
2 PERCENTAGE IN EFFECT FOR THE FISCAL YEAR. A NOTICE OF REVIEW
3 FILED UNDER THIS SECTION SHALL NOT OPERATE AS A STAY OF THE
4 COVERED HOSPITAL'S OBLIGATION TO PAY THE ASSESSMENT AMOUNT DUE
5 FOR A FISCAL YEAR AS SPECIFIED IN SECTION 1605-U(E).
6 SECTION 1612-U. LIENS.

7 ANY ASSESSMENTS IMPLEMENTED AND INTEREST AND PENALTIES
8 ASSESSED AGAINST A COVERED HOSPITAL UNDER THIS ARTICLE SHALL BE
9 A LIEN ON THE REAL AND PERSONAL PROPERTY OF THE COVERED HOSPITAL
10 IN THE MANNER PROVIDED BY SECTION 1401, MAY BE ENTERED BY THE
11 DEPARTMENT IN THE MANNER PROVIDED BY SECTION 1404 AND SHALL
12 CONTINUE AND RETAIN PRIORITY IN THE MANNER PROVIDED IN SECTION
13 1404.1.

14 SECTION 1613-U. REGULATIONS.

15 THE DEPARTMENT MAY PROMULGATE REGULATIONS AND ISSUE ORDERS AS
16 MAY BE NECESSARY TO IMPLEMENT THE ASSESSMENT IN ACCORDANCE WITH
17 THE REQUIREMENTS OF THIS ARTICLE.

18 SECTION 1614-U. CONDITIONS FOR PAYMENTS.

19 THE DEPARTMENT SHALL NOT BE REQUIRED TO MAKE PAYMENTS AS
20 SPECIFIED IN SECTION 443.1(1.1), (1.2), (1.3) AND (1.4) OF THE
21 ACT OF JUNE 13, 1967 (P.L.31, NO. 21), KNOWN AS THE HUMAN
22 SERVICES CODE, AND A COVERED HOSPITAL SHALL NOT BE REQUIRED TO
23 PAY THE ASSESSMENT AS SPECIFIED IN SECTION 1605-U(E) UNLESS ALL
24 OF THE FOLLOWING HAVE OCCURRED:

25 (1) THE DEPARTMENT RECEIVES FEDERAL APPROVAL OF A WAIVER
26 UNDER 42 CFR 433.68(E) (RELATING TO PERMISSIBLE HEALTH CARE-
27 RELATED TAXES) AUTHORIZING THE DEPARTMENT TO IMPLEMENT THE
28 ASSESSMENT AS SPECIFIED IN THIS ARTICLE.

29 (2) THE DEPARTMENT RECEIVES FEDERAL APPROVAL OF A STATE
30 PLAN AMENDMENT AUTHORIZING THE CHANGES TO ITS PAYMENT METHODS

1 AND STANDARDS SPECIFIED IN SECTION 443.1(1.1)(II) OF THE
2 HUMAN SERVICES CODE.

3 (3) THE DEPARTMENT RECEIVES FEDERAL APPROVAL OF
4 AMENDMENTS TO ITS MEDICAL ASSISTANCE MANAGED CARE
5 ORGANIZATION CONTRACTS AUTHORIZING ADJUSTMENTS TO ITS
6 CAPITATION PAYMENTS FUNDED IN ACCORDANCE WITH SECTION 1606-U.
7 SECTION 1615-U. REPORT.

8 NOT LATER THAN 180 DAYS PRIOR TO THE EXPIRATION DATE
9 SPECIFIED IN SECTION 1616-U, THE DEPARTMENT SHALL PREPARE AND
10 SUBMIT A REPORT TO THE CHAIRPERSON AND MINORITY CHAIRPERSON OF
11 THE APPROPRIATIONS COMMITTEE OF THE SENATE, THE CHAIRPERSON AND
12 MINORITY CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE
13 HOUSE OF REPRESENTATIVES, THE CHAIRPERSON AND MINORITY
14 CHAIRPERSON OF THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE
15 SENATE AND THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE HUMAN
16 SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES. THE REPORT
17 SHALL INCLUDE THE FOLLOWING:

18 (1) THE NAME, ADDRESS AND AMOUNT OF ASSESSMENT FOR EACH
19 COVERED HOSPITAL SUBJECT TO THE ASSESSMENT.

20 (2) THE TOTAL AMOUNT OF ASSESSMENT REVENUE COLLECTED FOR
21 EACH YEAR.

22 (3) THE AMOUNT OF ASSESSMENT PAID BY EACH COVERED
23 HOSPITAL, INCLUDING ANY INTEREST AND PENALTIES PAID.

24 (4) THE NAME AND ADDRESS OF EACH HOSPITAL RECEIVING
25 SUPPLEMENTAL PAYMENTS INSTITUTED AS A RESULT OF THE
26 ASSESSMENT.

27 (5) THE PAYMENT AMOUNT AND TYPE OF SUPPLEMENTAL PAYMENT
28 RECEIVED BY EACH HOSPITAL.

29 (6) THE TOTAL AMOUNT OF FEE-FOR-SERVICE INPATIENT ACUTE
30 CARE PAYMENT MADE TO EACH HOSPITAL.

1 LEADER.

2 (9) TWO MEMBERS OF THE HOUSE OF REPRESENTATIVES, ONE
3 APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND
4 ONE APPOINTED BY THE MINORITY LEADER.

5 (10) THE FOLLOWING MEMBERS TO BE APPOINTED BY THE
6 GOVERNOR, IN CONSULTATION WITH THE SECRETARY OF AGING:

7 (I) ONE REPRESENTATIVE FROM THE PENNSYLVANIA COUNCIL
8 ON AGING.

9 (II) ONE MEMBER WHO REPRESENTS THE LOCAL AREA
10 AGENCIES ON AGING.

11 (III) SIX MEMBERS WHO REPRESENT CONSUMER ADVOCACY
12 GROUPS, WITH AT LEAST TWO BEING CONSUMERS OF LONG-TERM
13 CARE SERVICES.

14 (IV) ONE MEMBER WHO REPRESENTS THE ELDER LAW SECTION
15 OF THE PENNSYLVANIA BAR ASSOCIATION.

16 (V) ONE MEMBER WHO IS A LICENSED INSURANCE PRODUCER
17 WITH AT LEAST 10 YEARS' EXPERIENCE IN THE LONG-TERM CARE
18 INSURANCE MARKET.

19 (VI) SEVEN MEMBERS WHO REPRESENT PROVIDERS
20 THROUGHOUT THE LONG-TERM CARE CONTINUUM, WITH NO MORE
21 THAN ONE MEMBER REPRESENTING A SINGLE PROVIDER GROUP, AS
22 FOLLOWS:

23 (A) ONE MEMBER REPRESENTING NONPROFIT SKILLED
24 NURSING FACILITIES.

25 (B) ONE MEMBER REPRESENTING FOR-PROFIT SKILLED
26 NURSING FACILITIES.

27 (C) ONE MEMBER REPRESENTING ASSISTED LIVING
28 RESIDENCES OR PERSONAL CARE HOMES.

29 (D) ONE MEMBER REPRESENTING HOME CARE OR
30 HOSPICE.

1 (E) ONE MEMBER REPRESENTING OLDER ADULT DAILY
2 LIVING CENTERS.

3 (F) ONE MEMBER REPRESENTING SENIOR COMMUNITY
4 CENTERS.

5 (G) ONE MEMBER REPRESENTING LONG-TERM CARE
6 MANAGED CARE.

7 (VII) TWO MEMBERS WITH CAREGIVER EXPERIENCE, AT
8 LEAST ONE OF WHOM HAS PERSONAL EXPERIENCE AS A FAMILY
9 CAREGIVER.

10 (VIII) TWO MEMBERS WHO REPRESENT THE MEDICAL
11 COMMUNITY, ONE OF WHOM MUST BE A PHYSICIAN WITH AT LEAST
12 FIVE YEARS' EXPERIENCE IN A LONG-TERM CARE SETTING AND
13 THE OTHER OF WHOM MUST BE A NURSE WITH AT LEAST FIVE
14 YEARS' EXPERIENCE IN A LONG-TERM CARE SETTING.

15 (IX) TWO MEMBERS WHO REPRESENT AN ACADEMIC RESEARCH
16 INSTITUTION.

17 (X) ONE MEMBER WHO REPRESENTS THE COUNTY
18 COMMISSIONERS ASSOCIATION OF PENNSYLVANIA.

19 (XI) THE CHAIR OF THE STATE VETERANS COMMISSION OR A
20 DESIGNEE.

21 (XII) ONE MEMBER WHO REPRESENTS THE OFFICE OF THE
22 STATE LONG-TERM CARE OMBUDSMAN WITHIN THE DEPARTMENT.

23 (C) DESIGNEE.--WITH THE EXCEPTION OF THE CHAIRPERSON,
24 GOVERNMENTAL MEMBERS MAY APPOINT A DESIGNEE TO ATTEND AND VOTE
25 AT MEETINGS OF THE COUNCIL. EACH GOVERNMENTAL MEMBER WHO
26 APPOINTS A DESIGNEE SHALL DO SO BY SENDING A LETTER TO THE
27 CHAIRPERSON STATING THE NAME OF THAT DESIGNEE.

28 (D) CHAIRPERSON.--THE SECRETARY OF AGING SHALL SERVE AS
29 CHAIRPERSON.

30 (E) EXECUTIVE DIRECTOR.--THE SECRETARY OF AGING SHALL

1 APPOINT AN EXECUTIVE DIRECTOR OF THE COUNCIL.

2 (F) TERMS OF MEMBERS.--

3 (1) THE TERMS OF THOSE MEMBERS WHO SERVE IN ACCORDANCE
4 WITH SUBSECTION (B) (1), (2), (3), (4), (5), (6) AND (7) SHALL
5 BE CONCURRENT WITH THEIR SERVICE IN THE OFFICE FROM WHICH
6 THEY DERIVE THEIR MEMBERSHIP.

7 (2) MEMBERS APPOINTED IN ACCORDANCE WITH SUBSECTION (B)
8 (8) AND (9) SHALL SERVE TERMS CONTERMINOUS WITH THEIR
9 RESPECTIVE APPOINTING AUTHORITIES.

10 (3) OF THE MEMBERS APPOINTED BY THE GOVERNOR, NO LESS
11 THAN ONE-THIRD OF THE MEMBERS SHALL BE APPOINTED TO SERVE A
12 TWO-YEAR INITIAL TERM, NO LESS THAN ONE-THIRD OF THE MEMBERS
13 SHALL BE APPOINTED TO SERVE A THREE-YEAR INITIAL TERM, AND
14 THE REMAINING MEMBERS SHALL SERVE A FOUR-YEAR TERM. MEMBERS
15 OF THE COUNCIL SHALL SERVE FOR TERMS OF FOUR YEARS AFTER
16 COMPLETION OF THE INITIAL TERMS AS DESIGNATED IN THIS
17 SECTION.

18 (4) MEMBERS SHALL BE ELIGIBLE FOR REAPPOINTMENT BUT
19 SHALL SERVE NO MORE THAN TWO CONSECUTIVE FULL TERMS. MEMBERS
20 SHALL SERVE UNTIL THEIR SUCCESSORS ARE APPOINTED AND
21 QUALIFIED, PROVIDED THEY REPRESENT THE INTERESTS OF THE
22 MEMBERSHIP CLASS FOR WHICH THEY WERE APPOINTED.

23 (G) VACANCIES.--ANY VACANCY ON THE COUNCIL SHALL BE FILLED
24 BY THE ORIGINAL APPOINTING AUTHORITY. AN INDIVIDUAL APPOINTED TO
25 FILL A VACANCY SHALL SERVE THE BALANCE OF THE PREVIOUS MEMBER'S
26 TERM.

27 (H) REMOVAL.--IN ADDITION TO THE PROVISIONS OF SUBSECTION
28 (F) (1) AND (2), MEMBERS MAY BE REMOVED FROM THE BOARD FOR THE
29 FOLLOWING REASONS:

30 (1) A MEMBER WHO FAILS TO ATTEND THREE CONSECUTIVE

1 MEETINGS SHALL FORFEIT HIS OR HER SEAT UNLESS THE CHAIRMAN,
2 UPON WRITTEN REQUEST FROM THE MEMBER, FINDS THAT THE MEMBER
3 SHOULD BE EXCUSED FROM A MEETING.

4 (2) A MEMBER SHALL FORFEIT HIS OR HER SEAT IF HE OR SHE
5 NO LONGER REPRESENTS THE INTERESTS OF THE MEMBERSHIP CLASS
6 FOR WHICH HE OR SHE WAS APPOINTED. SPECIFICALLY, A MEMBER
7 MEETING THIS THRESHOLD SHALL NO LONGER BE EMPLOYED OR
8 ASSOCIATED WITH THE INTERESTS OF THE RESPECTIVE QUALIFICATION
9 FOR WHICH HE OR SHE WAS APPOINTED.

10 (I) EXPENSES.--MEMBERS MAY NOT RECEIVE COMPENSATION OR
11 REMUNERATION FOR THEIR SERVICE AS COUNCIL MEMBERS OR AS
12 COMMITTEE MEMBERS. NONGOVERNMENTAL COUNCIL MEMBERS SHALL BE
13 ENTITLED TO REIMBURSEMENT FOR TRAVEL AND RELATED ACTUAL EXPENSES
14 ACCRUED IN THE PERFORMANCE OF THEIR DUTIES AS MEMBERS, IN
15 ACCORDANCE WITH COMMONWEALTH TRAVEL POLICY. COMMITTEE MEMBERS
16 WHO ARE NOT MEMBERS OF THE COUNCIL MAY NOT RECEIVE
17 REIMBURSEMENT.

18 SECTION 1603-W. POWERS AND DUTIES OF COUNCIL.

19 (A) GENERAL RULE.--THE COUNCIL SHALL HAVE THE FOLLOWING
20 POWERS AND DUTIES:

21 (1) TO CONSULT WITH VARIOUS DEPARTMENTS AND AGENCIES AND
22 TO MAKE RECOMMENDATIONS ON REGULATIONS, LICENSURE, FINANCING
23 OR ANY OTHER RESPONSIBILITIES OF THOSE DEPARTMENTS OR
24 AGENCIES RELATING TO LONG-TERM CARE.

25 (2) TO PERFORM SUCH OTHER DUTIES AS THE GOVERNOR MAY
26 ASSIGN RELATING TO LONG-TERM CARE.

27 (3) TO APPROVE REPORTS PRODUCED BY ANY COMMITTEE
28 ESTABLISHED UNDER SECTION 1604-W BEFORE RELEASE TO THE PUBLIC
29 OR THE GENERAL ASSEMBLY.

30 (4) TO DEVELOP AND ADOPT RULES FOR CONDUCTING COUNCIL

1 MEETINGS, INCLUDING, BUT NOT LIMITED TO, THE PROCEDURE FOR
2 FORMALLY ADOPTING THE APPROVAL OF COMMITTEE REPORTS BEFORE
3 RELEASE TO THE PUBLIC.

4 (5) TO DEVELOP AND ADOPT RULES FOR CONDUCTING COMMITTEE
5 MEETINGS. THIS POWER INCLUDES, BUT IS NOT LIMITED TO,
6 DETERMINING THE SCOPE OF RESPONSIBILITIES FOR EACH COMMITTEE,
7 THE NUMBER OF MEMBERS FOR EACH COMMITTEE AND THE PROCEDURE
8 FOR FORMALLY ADOPTING THE APPROVAL OF COMMITTEE REPORTS
9 BEFORE RELEASE TO THE COUNCIL.

10 (6) TO ASSIGN TOPICS FOR RESEARCH AND STUDY TO EACH
11 COMMITTEE. NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO
12 PROHIBIT A COMMITTEE FROM PROPOSING TOPICS FOR CONSIDERATION
13 TO THE COUNCIL.

14 (B) SCOPE.--ALL THE POWERS AND DUTIES ENUMERATED IN THIS
15 SECTION SHALL BE PERFORMED IN A MANNER THAT ADDRESSES ALL AREAS
16 OF LONG-TERM CARE, INCLUDING, BUT NOT LIMITED TO, INSTITUTIONAL
17 CARE AND HOME-BASED AND COMMUNITY-BASED SERVICES.
18 SECTION 1604-W. COUNCIL COMMITTEES.

19 (A) ESTABLISHMENT.--THE COUNCIL SHALL ESTABLISH COMMITTEES
20 WHICH MAY RESEARCH AND STUDY THE FOLLOWING AREAS:

21 (1) REGULATORY REVIEW AND ACCESS TO QUALITY CARE.

22 (2) COMMUNITY ACCESS AND PUBLIC EDUCATION.

23 (3) LONG-TERM CARE SERVICES MODELS AND DELIVERY.

24 (4) WORK FORCE.

25 (5) HOUSING.

26 (6) BEHAVIORAL HEALTH ISSUES OF SENIOR CITIZENS WHO ARE
27 AT LEAST 60 YEARS OF AGE.

28 (B) COMPOSITION.--THE COUNCIL CHAIRPERSON SHALL APPOINT
29 COMMITTEE MEMBERS, WHO MAY INCLUDE THOSE WHO ARE NOT MEMBERS OF
30 THE COUNCIL AND WHO HAVE EXPERTISE PERTAINING TO THE SPECIFIC

1 TOPICS AND TASKS ASSIGNED.

2 (C) CHAIRPERSONS AND VICE CHAIRPERSONS.--THE CHAIRPERSON OF
3 THE COUNCIL SHALL APPOINT COUNCIL MEMBERS TO SERVE AS
4 CHAIRPERSON AND, AS NEEDED, VICE CHAIRPERSON FOR EACH COMMITTEE.

5 (D) DUTIES.--THE COUNCIL COMMITTEES SHALL HAVE THE FOLLOWING
6 POWERS AND DUTIES:

7 (1) TO STUDY AND REPORT ON THE TOPICS ASSIGNED BY THE
8 COUNCIL.

9 (2) TO FACILITATE THE CREATION OF THE REPORTS AND, WITH
10 THE PERMISSION OF THE COUNCIL, INVITE INDIVIDUALS TO ASSIST
11 IN PREPARATION OF REPORTS FOR THE COUNCIL.

12 (3) TO APPROVE REPORTS AND RECOMMENDATIONS FOR
13 SUBMISSION TO THE COUNCIL. ONLY MEMBERS APPOINTED TO EACH
14 COMMITTEE MAY PARTICIPATE IN APPROVING REPORTS AND
15 RECOMMENDATIONS TO THE COUNCIL.

16 (E) CONSTRUCTION.--NOTHING IN THIS SECTION SHALL BE
17 CONSTRUED TO PROHIBIT THE CHAIRPERSON, WITH CONCURRENCE BY THE
18 COUNCIL, FROM ESTABLISHING ADDITIONAL COMMITTEES OR AD HOC WORK
19 GROUPS TO ASSIST THE COUNCIL OR COMMITTEES.

20 SECTION 5. SECTIONS 1712-A.1(A)(2)(II) AND 1713-A.1(B)(1.8)
21 OF THE ACT, AMENDED JULY 11, 2022 (P.L.540, NO.54), ARE AMENDED
22 TO READ:

23 SECTION 1712-A.1. ESTABLISHMENT OF SPECIAL FUND AND ACCOUNT.

24 (A) TOBACCO SETTLEMENT FUND.--

25 * * *

26 (2) THE FOLLOWING SHALL BE DEPOSITED INTO THE TOBACCO
27 SETTLEMENT FUND:

28 * * *

29 (II) FOR FISCAL YEARS 2019-2020, 2020-2021, 2021-
30 2022 [AND], 2022-2023 AND 2023-2024, AN AMOUNT EQUAL TO

1 THE ANNUAL DEBT SERVICE DUE IN THE FISCAL YEAR AS
2 CERTIFIED BY THE SECRETARY OF THE BUDGET PURSUANT TO
3 SECTION 2804 OF THE TAX REFORM CODE OF 1971, AS PUBLISHED
4 IN THE PENNSYLVANIA BULLETIN ON MARCH 3, 2018, AT 48
5 PA.B. 1406, SHALL BE TRANSFERRED TO THE FUND FROM THE
6 TAXES COLLECTED UNDER ARTICLE XII OF THE TAX REFORM CODE
7 OF 1971 BY APRIL 30 FOLLOWING THE BEGINNING OF THE FISCAL
8 YEAR. A DEPOSIT UNDER THIS PARAGRAPH SHALL OCCUR PRIOR TO
9 THE DEPOSITS AND TRANSFERS UNDER SECTION 1296 OF THE TAX
10 REFORM CODE OF 1971.

11 * * *

12 SECTION 1713-A.1. USE OF FUND.

13 * * *

14 (B) APPROPRIATIONS.--THE FOLLOWING SHALL APPLY:

15 * * *

16 (1.8) FOR FISCAL YEARS 2021-2022 [AND], 2022-2023 AND
17 2023-2024, THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY IN
18 THE FUND IN ACCORDANCE WITH THE FOLLOWING PERCENTAGES BASED
19 ON THE SUM OF THE PORTION OF THE ANNUAL PAYMENT DEPOSITED AND
20 THE AMOUNT DEPOSITED UNDER SECTION 1712-A.1 (A) (2) (II) IN THE
21 FISCAL YEAR:

22 (I) FOUR AND FIVE-TENTHS PERCENT FOR TOBACCO USE
23 PREVENTION AND CESSATION PROGRAMS UNDER CHAPTER 7 OF THE
24 TOBACCO SETTLEMENT ACT.

25 (II) TWELVE AND SIX-TENTHS PERCENT TO BE ALLOCATED
26 AS FOLLOWS:

27 (A) SEVENTY PERCENT TO FUND RESEARCH UNDER
28 SECTION 908 OF THE TOBACCO SETTLEMENT ACT.

29 (B) THIRTY PERCENT AS FOLLOWS:

30 (I) ONE MILLION DOLLARS FOR SPINAL CORD

1 INJURY RESEARCH PROGRAMS UNDER SECTION 909.1 OF
2 THE TOBACCO SETTLEMENT ACT.

3 (II) FROM THE AMOUNT REMAINING AFTER THE
4 AMOUNT UNDER SUBCLAUSE (I) HAS BEEN DETERMINED:

5 (A) SEVENTY-FIVE PERCENT FOR PEDIATRIC
6 CANCER RESEARCH INSTITUTIONS WITHIN THIS
7 COMMONWEALTH THAT ARE EQUIPPED AND ACTIVELY
8 CONDUCTING PEDIATRIC CANCER RESEARCH
9 DESIGNATED BY THE SECRETARY OF HEALTH TO BE
10 ELIGIBLE TO RECEIVE CONTRIBUTIONS. NO MORE
11 THAN \$2,500,000 IN A FISCAL YEAR SHALL BE
12 MADE AVAILABLE TO ANY ONE PEDIATRIC CANCER
13 RESEARCH INSTITUTION.

14 (B) TWENTY-FIVE PERCENT FOR CAPITAL AND
15 EQUIPMENT GRANTS TO BE ALLOCATED BY THE
16 DEPARTMENT OF HEALTH TO ENTITIES ENGAGING IN
17 BIOTECHNOLOGY RESEARCH, INCLUDING ENTITIES
18 ENGAGING IN REGENERATIVE MEDICINE RESEARCH,
19 REGENERATIVE MEDICINE MEDICAL TECHNOLOGY
20 RESEARCH, HEPATITIS AND VIRAL RESEARCH, DRUG
21 RESEARCH AND CLINICAL TRIALS RELATED TO
22 CANCER, RESEARCH RELATING TO PULMONARY
23 EMBOLISM AND DEEP VEIN THROMBOSIS, GENETIC
24 AND MOLECULAR RESEARCH FOR DISEASE
25 IDENTIFICATION AND ERADICATION, VACCINE
26 IMMUNE RESPONSE DIAGNOSTICS, NANOTECHNOLOGY
27 RESEARCH AND THE COMMERCIALIZATION OF APPLIED
28 RESEARCH.

29 (III) ONE PERCENT FOR HEALTH AND RELATED RESEARCH
30 UNDER SECTION 909 OF THE TOBACCO SETTLEMENT ACT.

1 (IV) EIGHT AND EIGHTEEN HUNDREDTHS PERCENT FOR THE
2 UNCOMPENSATED CARE PAYMENT PROGRAM UNDER CHAPTER 11 OF
3 THE TOBACCO SETTLEMENT ACT.

4 (V) THIRTY PERCENT FOR THE PURCHASE OF MEDICAID
5 BENEFITS FOR WORKERS WITH DISABILITIES UNDER CHAPTER 15
6 OF THE TOBACCO SETTLEMENT ACT.

7 (VI) FORTY-THREE AND SEVENTY-TWO HUNDREDTHS PERCENT
8 SHALL REMAIN IN THE FUND TO BE SEPARATELY APPROPRIATED
9 FOR HEALTH-RELATED PURPOSES.

10 * * *

11 SECTION 6. SECTION 1723-A.1(A)(2)(I.8) OF THE ACT IS AMENDED
12 BY ADDING A CLAUSE AND PARAGRAPH (3) IS AMENDED BY ADDING A
13 SUBPARAGRAPH TO READ:

14 SECTION 1723-A.1. DISTRIBUTIONS FROM PENNSYLVANIA RACE HORSE
15 DEVELOPMENT FUND.

16 (A) DISTRIBUTIONS.--FUNDS IN THE FUND ARE APPROPRIATED TO
17 THE DEPARTMENT ON A CONTINUING BASIS FOR THE PURPOSES SET FORTH
18 IN THIS SUBSECTION AND SHALL BE DISTRIBUTED TO EACH ACTIVE AND
19 OPERATING CATEGORY 1 LICENSEE CONDUCTING LIVE RACING AS FOLLOWS:

20 * * *

21 (2) DISTRIBUTIONS FROM THE FUND SHALL BE ALLOCATED AS
22 FOLLOWS:

23 * * *

24 (I.8) THE FOLLOWING APPLY:

25 * * *

26 (C) FOR FISCAL YEAR 2023-2024, THE SUM OF
27 \$9,309,000 IN THE FUND SHALL BE TRANSFERRED TO THE
28 ACCOUNT IN EQUAL WEEKLY AMOUNTS SUFFICIENT TO
29 COMPLETE THE TOTAL TRANSFER BY JUNE 30, 2024.

30 * * *

1 (3) THE FOLLOWING SHALL APPLY:

2 * * *

3 (VIII) FOR FISCAL YEAR 2023-2024, THE DEPARTMENT
4 SHALL TRANSFER \$10,066,000 FROM THE FUND TO THE STATE
5 RACING FUND UNDER SUBSECTION (B).

6 * * *

7 SECTION 7. SUBARTICLE G OF ARTICLE XVII-A.1 OF THE ACT IS
8 REPEALED:

9 [SUBARTICLE G

10 ENHANCED REVENUE COLLECTION ACCOUNT

11 SECTION 1761-A.1. DEFINITIONS.

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

15 "ACCOUNT." THE ENHANCED REVENUE COLLECTION ACCOUNT CONTINUED
16 UNDER SECTION 1762-A.1.

17 "DEPARTMENT." THE DEPARTMENT OF REVENUE OF THE COMMONWEALTH.
18 SECTION 1762-A.1. ENHANCED REVENUE COLLECTION ACCOUNT.

19 THE ENHANCED REVENUE COLLECTION ACCOUNT IS CONTINUED AS A
20 RESTRICTED ACCOUNT WITHIN THE GENERAL FUND. REVENUES COLLECTED
21 AND THE AMOUNT OF REFUNDS AVOIDED AS A RESULT OF EXPANDED TAX
22 RETURN REVIEWS AND TAX COLLECTION ACTIVITIES BY THE DEPARTMENT
23 SHALL BE DEPOSITED INTO THE ACCOUNT.

24 SECTION 1763-A.1. USE OF ACCOUNT.

25 (A) APPROPRIATION.--THE GENERAL ASSEMBLY MAY APPROPRIATE
26 MONEY IN THE ACCOUNT TO THE DEPARTMENT TO FUND THE COSTS
27 ASSOCIATED WITH EXPANDED TAX RETURN REVIEWS AND TAX COLLECTION
28 ACTIVITIES.

29 (B) RETURN.--EXCEPT FOR AMOUNTS APPROPRIATED UNDER
30 SUBSECTION (A), MONEY IN THE ACCOUNT SHALL BE RETURNED

1 PROPORTIONATELY TO THE GENERAL FUND REVENUE OR REFUND ACCOUNTS
2 THAT WERE THE SOURCE OF THE MONEY NO LATER THAN THE 28TH DAY OF
3 EACH MONTH OF THE FISCAL YEAR.

4 SECTION 1764-A.1. REPORT.

5 THE DEPARTMENT SHALL ISSUE A REPORT TO THE GOVERNOR, THE
6 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE APPROPRIATIONS
7 COMMITTEE OF THE SENATE AND THE CHAIRPERSON AND MINORITY
8 CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF
9 REPRESENTATIVES BY JUNE 5, 2020, AND EACH JUNE 1 THEREAFTER,
10 WITH THE FOLLOWING INFORMATION:

11 (1) A DETAILED BREAKDOWN OF THE DEPARTMENT'S
12 ADMINISTRATIVE COSTS IN IMPLEMENTING EXPANDED TAX RETURN
13 REVIEWS AND TAX COLLECTION ACTIVITIES.

14 (2) THE AMOUNT OF REVENUE COLLECTED AND THE AMOUNT OF
15 REFUNDS AVOIDED AS A RESULT OF THE EXPANDED TAX RETURN
16 REVIEWS AND TAX COLLECTION ACTIVITIES, INCLUDING THE TYPE OF
17 TAX GENERATING THE REVENUE AND AVOIDED REFUNDS.]

18 SECTION 8. SECTION 1712-A.2 (C) INTRODUCTORY PARAGRAPH OF THE
19 ACT, ADDED JULY 11, 2022 (P.L.540, NO.54), IS AMENDED AND THE
20 SECTION IS AMENDED BY ADDING SUBSECTIONS TO READ:

21 SECTION 1712-A.2. CLEAN STREAMS FUND.

22 * * *

23 (C) DISTRIBUTION FOR FISCAL YEAR 2022-2023.--[MONEY] FOR
24 FISCAL YEAR 2022-2023, MONEY DEPOSITED INTO THE FUND [UNDER
25 SUBSECTION (B)] SHALL BE DISTRIBUTED AS FOLLOWS:

26 * * *

27 (D) ADDITIONAL DISTRIBUTIONS.--FOR FISCAL YEAR 2023-2024 AND
28 EACH YEAR THEREAFTER, MONEY DEPOSITED INTO THE FUND SHALL BE
29 DISTRIBUTED AS FOLLOWS:

30 (1) EIGHTY PERCENT TO THE STATE CONSERVATION COMMISSION

1 ESTABLISHED UNDER THE CONSERVATION DISTRICT LAW, TO IMPLEMENT
2 THE AGRICULTURE CONSERVATION ASSISTANCE PROGRAM UNDER ARTICLE
3 XVI-R.

4 (2) EIGHT PERCENT TO THE PENNSYLVANIA INFRASTRUCTURE
5 INVESTMENT AUTHORITY TO IMPLEMENT THE PENNSYLVANIA CLEAN
6 WATER PROCUREMENT PROGRAM UNDER ARTICLE XVI-S.

7 (3) EIGHT PERCENT TO THE NUTRIENT MANAGEMENT FUND
8 ESTABLISHED UNDER 3 PA.C.S. § 512.

9 (4) FOUR PERCENT TO THE DEPARTMENT OF ENVIRONMENTAL
10 PROTECTION FOR GRANTS AND REIMBURSEMENTS TO MUNICIPALITIES
11 AND COUNTIES UNDER SECTION 17 OF THE STORM WATER MANAGEMENT
12 ACT.

13 (E) UNEXPENDED MONEY.--PRIOR TO EXPENDING MONEY DISTRIBUTED
14 UNDER SUBSECTION (D), THE DEPARTMENT OF AGRICULTURE, THE
15 PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY AND THE
16 DEPARTMENT OF ENVIRONMENTAL PROTECTION SHALL EXPEND NO LESS THAN
17 75% OF THE MONEY APPROPRIATED FROM COVID RELIEF - ARPA -
18 TRANSFER TO THE CLEAN STREAMS FUND AND DISTRIBUTED UNDER
19 SUBSECTION (B).

20 SECTION 8.1. SUBARTICLE C HEADING OF ARTICLE XVII-A.2 OF THE
21 ACT IS AMENDED TO READ:

22 SUBARTICLE C

23 SPORTS [TOURISM AND MARKETING], MARKETING AND TOURISM ACCOUNT

24 SECTION 9. THE DEFINITION OF "ELIGIBLE APPLICANT" IN SECTION
25 1721-A.2 OF THE ACT, ADDED JULY 11, 2022 (P.L.540, NO.54), IS
26 AMENDED AND THE SECTION IS AMENDED BY ADDING DEFINITIONS TO
27 READ:

28 SECTION 1721-A.2. DEFINITIONS.

29 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS SUBARTICLE
30 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE

1 CONTEXT CLEARLY INDICATES OTHERWISE:

2 "ACCOUNT." THE SPORTS, MARKETING AND TOURISM ACCOUNT
3 ESTABLISHED UNDER SECTION 1722-A.2(A).

4 * * *

5 "ELIGIBLE APPLICANT." ANY OF THE FOLLOWING:

6 (1) A MUNICIPALITY, A LOCAL AUTHORITY, A NONPROFIT
7 ORGANIZATION OR A LEGAL ENTITY THAT IS PARTICIPATING OR PLANS
8 TO PARTICIPATE IN A COMPETITIVE SELECTION PROCESS CONDUCTED
9 BY A SITE SELECTION ORGANIZATION NOT LOCATED IN THIS
10 COMMONWEALTH FOR THE PURPOSE OF SECURING A SINGLE YEAR OR
11 MULTIYEAR COMMITMENT FROM THE SITE SELECTION ORGANIZATION TO
12 CONDUCT THE SPORTING EVENT AT ONE OR MORE LOCATIONS IN THIS
13 COMMONWEALTH.

14 (2) A NONPROFIT ENTITY THAT HAS BEEN DESIGNATED TO
15 MANAGE AND ORGANIZE AN INTERNATIONAL SPORTING EVENT.

16 * * *

17 "INTERNATIONAL SPORTING EVENT." A SPORTING EVENT IN THE CITY
18 OF THE FIRST CLASS AS WELL AS OTHER CITIES IN NORTH AMERICA
19 THAT:

20 (1) IS NO LESS THAN 25 DAYS IN LENGTH;

21 (2) HAS NO LESS THAN FIVE COMPETITION DAYS IN THIS
22 COMMONWEALTH; AND

23 (3) WILL ATTRACT INTERNATIONAL TEAMS FROM NO FEWER THAN
24 40 COUNTRIES.

25 * * *

26 SECTION 10. SECTIONS 1722-A.2 HEADING, (A), (B), (C) (2), (D)
27 AND (E) (2) AND 1723-A.2 OF THE ACT, ADDED JULY 11, 2022

28 (P.L.540, NO.54), ARE AMENDED TO READ:

29 SECTION 1722-A.2. SPORTS [TOURISM AND], MARKETING AND TOURISM
30 ACCOUNT.

1 (A) ESTABLISHMENT.--THE SPORTS [TOURISM AND], MARKETING AND
2 TOURISM ACCOUNT IS ESTABLISHED IN THE PENNSYLVANIA GAMING
3 ECONOMIC DEVELOPMENT AND TOURISM FUND AS A RESTRICTED ACCOUNT.
4 THE PURPOSE OF THE [SPORTS TOURISM AND MARKETING ACCOUNT]
5 ACCOUNT SHALL BE TO ATTRACT HIGH-QUALITY, AMATEUR AND
6 PROFESSIONAL SPORTING AND ESPORTS EVENTS TO THIS COMMONWEALTH
7 FOR THE PURPOSES OF ADVANCING AND PROMOTING YEAR-ROUND TOURISM,
8 ECONOMIC IMPACT AND QUALITY OF LIFE THROUGH SPORT AND TO PROMOTE
9 TOURISM AND TOURISM ACTIVITIES WITHIN THIS COMMONWEALTH.

10 (B) ADMINISTRATION AND DISTRIBUTION.--THE [SPORTS TOURISM
11 AND MARKETING ACCOUNT] ACCOUNT SHALL BE ADMINISTERED BY THE
12 DEPARTMENT.

13 (C) DUTIES OF DEPARTMENT.--THE DEPARTMENT SHALL:

14 * * *

15 (2) ESTABLISH PROCEDURES FOR ELIGIBLE APPLICANTS TO
16 APPLY FOR FINANCIAL ASSISTANCE FROM THE [SPORTS TOURISM AND
17 MARKETING ACCOUNT] ACCOUNT.

18 * * *

19 (D) USE OF FUNDS.--

20 (1) THE DEPARTMENT MAY AWARD FINANCIAL ASSISTANCE IN THE
21 FORM OF A SINGLE YEAR OR MULTIYEAR AWARD FOR ANY OF THE
22 FOLLOWING:

23 [(1)] (I) THE COSTS RELATING TO THE PREPARATIONS
24 NECESSARY FOR CONDUCTING THE EVENT.

25 [(2)] (II) THE COSTS OF CONDUCTING THE EVENT AT THE
26 VENUE, INCLUDING COSTS OF AN IMPROVEMENT OR RENOVATION TO
27 AN EXISTING FACILITY AT THE VENUE. THE FINANCIAL
28 ASSISTANCE UNDER THIS SECTION SHALL BE LIMITED TO 20% OF
29 THE TOTAL COST OF AN IMPROVEMENT OR RENOVATION TO AN
30 EXISTING FACILITY, EXCEPT IF THE FACILITY IS PUBLICLY

1 OWNED.

2 [(3)] (III) PROMOTION, MARKETING AND PROGRAMMING
3 COSTS ASSOCIATED WITH THE EVENT.

4 [(4)] (IV) PAID ADVERTISING AND MEDIA BUYS WITHIN
5 THIS COMMONWEALTH RELATED TO THE EVENT.

6 [(5)] (V) PRODUCTION AND TECHNICAL EXPENSES RELATED
7 TO THE EVENT.

8 [(6)] (VI) SITE FEES AND COSTS, SUCH AS LABOR,
9 RENTALS, INSURANCE, SECURITY AND MAINTENANCE.

10 [(7)] (VII) MACHINERY AND EQUIPMENT PURCHASES
11 ASSOCIATED WITH THE CONDUCT OF THE EVENT.

12 [(8)] (VIII) PUBLIC INFRASTRUCTURE UPGRADES OR
13 PUBLIC SAFETY IMPROVEMENTS THAT WILL DIRECTLY OR
14 INDIRECTLY BENEFIT THE CONDUCT OF THE EVENT.

15 [(9)] (IX) COSTS RELATED TO LAND ACQUISITION
16 DIRECTLY RELATED TO THE CONDUCT OF THE EVENT. THE
17 FINANCIAL ASSISTANCE UNDER THIS SECTION SHALL BE LIMITED
18 TO 20% OF THE TOTAL ACQUISITION COST, EXCEPT IF THE VENUE
19 AT WHICH THE EVENT WILL BE CONDUCTED IS PUBLICLY OWNED.

20 [(10)] (X) ON-SITE HOSPITALITY DURING THE CONDUCT OF
21 THE EVENT.

22 (2) THE DEPARTMENT MAY USE UP TO \$10,000,000 IN THE FORM
23 OF SINGLE OR MULTIYEAR AWARDS TO AN ELIGIBLE APPLICANT FOR
24 COSTS RELATED TO THE PREPARATION NECESSARY FOR CONDUCTING AN
25 INTERNATIONAL SPORTING EVENT, INCLUDING COSTS ASSOCIATED WITH
26 THE EVENT VENUE, PROMOTION, ADVERTISING, SITE RENTALS,
27 INFRASTRUCTURE UPGRADES, ON-SITE HOSPITALITY, COMMUNITY
28 ENGAGEMENT PROGRAMMING ACROSS THIS COMMONWEALTH AND PUBLIC
29 SAFETY PLANNING AND IMPROVEMENTS.

30 (3) THE DEPARTMENT MAY USE UP TO \$15,000,000 FOR

1 ACTIVITIES RELATED TO A STATEWIDE MARKETING STRATEGY.

2 (E) PROHIBITIONS.--

3 * * *

4 (2) PARAGRAPH (1) SHALL NOT PROHIBIT A DISBURSEMENT FROM
5 THE [SPORTS TOURISM AND MARKETING ACCOUNT] ACCOUNT FOR THE
6 CONSTRUCTION OF TEMPORARY STRUCTURES WITHIN AN ARENA, STADIUM
7 OR INDOOR OR OUTDOOR VENUE WHERE THE SPORTING EVENT WILL BE
8 CONDUCTED THAT ARE NECESSARY FOR THE CONDUCT OF AN EVENT OR
9 TEMPORARY 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 (A) FISCAL YEAR 2022-2023.--NOTWITHSTANDING 4 PA.C.S. §
13 13C62 (B) (3) (RELATING TO SPORTS WAGERING TAX), FOR FISCAL YEAR
14 2022-2023, AN AMOUNT EQUAL TO 5% OF THE TAX REVENUE GENERATED BY
15 THE TAX IMPOSED UNDER 4 PA.C.S. § 13C62 OR \$2,500,000, WHICHEVER
16 IS GREATER, SHALL BE TRANSFERRED TO THE [SPORTS TOURISM AND
17 MARKETING ACCOUNT] ACCOUNT FOR USE BY THE DEPARTMENT IN
18 ACCORDANCE WITH THIS SUBARTICLE. THE AMOUNT TRANSFERRED UNDER
19 THIS SECTION MAY NOT EXCEED \$5,000,000.

20 (B) FISCAL YEAR 2023-2024.--NOTWITHSTANDING 4 PA.C.S. § 1407
21 (RELATING TO PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND
22 TOURISM FUND) OR ANY OTHER PROVISION OF LAW, THE SUM OF
23 \$25,000,000 SHALL BE TRANSFERRED FROM THE PENNSYLVANIA GAMING
24 ECONOMIC DEVELOPMENT AND TOURISM FUND TO THE ACCOUNT FOR USE BY
25 THE DEPARTMENT IN ACCORDANCE WITH THIS SUBARTICLE.

26 SECTION 11. ARTICLE XVII-A.2 OF THE ACT IS AMENDED BY ADDING
27 SUBARTICLES TO READ:

28 SUBARTICLE E

29 FACILITY TRANSITION ACCOUNT

30 SECTION 1741-A.2. FACILITY TRANSITION ACCOUNT.

1 (A) ESTABLISHMENT.--THE FACILITY TRANSITION ACCOUNT IS
2 ESTABLISHED IN THE GENERAL FUND AS A RESTRICTED ACCOUNT.

3 (B) DEPOSITS.--THE FOLLOWING SHALL BE DEPOSITED INTO THE
4 ACCOUNT:

5 (1) MONEY APPROPRIATED TO THE STATE SYSTEM OF HIGHER
6 EDUCATION FOR FACILITY TRANSITION.

7 (2) (RESERVED).

8 (C) USE OF MONEY.--MONEY IN THE ACCOUNT IS APPROPRIATED ON A
9 CONTINUING BASIS TO THE STATE SYSTEM OF HIGHER EDUCATION FOR THE
10 PAYMENT OF DEBT SERVICE, INCLUDING EARLY REPAYMENT OF DEBT ON
11 FACILITIES OWNED BY THE STATE SYSTEM OF HIGHER EDUCATION LOCATED
12 AT PENNSYLVANIA WESTERN UNIVERSITY. MONEY APPROPRIATED UNDER
13 THIS SUBSECTION SHALL ONLY BE USED TO MAKE PAYMENTS RELATED TO
14 PENNSYLVANIA WESTERN UNIVERSITY PROJECTS ASSOCIATED WITH THE
15 FOLLOWING BOND ISSUANCES:

16 (1) SERIES AO.

17 (2) SERIES AP.

18 (3) SERIES AQ.

19 (4) SERIES AR.

20 (5) SERIES AS.

21 (6) SERIES AT.

22 (7) SERIES AU.

23 (8) SERIES AV.

24 (9) SERIES AW.

25 (10) SERIES AX.

26 (11) SERIES AY.

27 (D) REMAINING MONEY.--ANY MONEY REMAINING IN THE ACCOUNT
28 AFTER FINAL PAYMENTS ARE MADE UNDER SUBSECTION (C) SHALL LAPSE
29 INTO THE GENERAL FUND.

30 SUBARTICLE F

1 GAME FUND

2 SECTION 1751-A.2. FUND TRANSFER.

3 NOTWITHSTANDING ANY OTHER LAW, FOR FISCAL YEAR 2023-2024,
4 FROM GAS AND OIL LEASE REVENUE DEPOSITED INTO THE GAME FUND
5 BEGINNING IN FISCAL YEAR 2019-2020, \$150,000,000 SHALL BE
6 TRANSFERRED FROM THE GAME FUND TO THE CLEAN STREAMS FUND. THE
7 TRANSFER UNDER THIS SECTION SHALL BE MADE BY OCTOBER 15.

8 SECTION 12. SECTION 1718-E(A) OF THE ACT IS AMENDED BY
9 ADDING A PARAGRAPH TO READ:

10 SECTION 1718-E. DEPARTMENT OF AGRICULTURE.

11 (A) APPROPRIATIONS.--THE FOLLOWING SHALL APPLY TO
12 APPROPRIATIONS FOR THE DEPARTMENT OF AGRICULTURE:

13 * * *

14 (3) NO MONEY APPROPRIATED FROM THE MOTOR LICENSE FUND
15 FOR MAINTENANCE AND IMPROVEMENT OF DIRT, GRAVEL AND LOW-
16 VOLUME STATE AND MUNICIPAL ROADS UNDER 75 PA.C.S. § 9106
17 (RELATING TO DIRT, GRAVEL AND LOW-VOLUME ROAD MAINTENANCE)
18 MAY BE USED ON LAND OWNED OR OTHERWISE UNDER THE CONTROL OF
19 THE PENNSYLVANIA GAME COMMISSION.

20 * * *

21 SECTION 13. SECTION 1720-E(B) (9) OF THE ACT IS AMENDED, THE
22 SUBSECTION IS AMENDED BY ADDING A PARAGRAPH AND THE SECTION IS
23 AMENDED BY ADDING A SUBSECTION TO READ:

24 SECTION 1720-E. DEPARTMENT OF CONSERVATION AND NATURAL
25 RESOURCES.

26 * * *

27 (B) REGIONAL ATV PILOT PROGRAM FOR DEPARTMENT LANDS.--

28 * * *

29 (5.1) THE DEPARTMENT SHALL PROVIDE ACCESS TO THE
30 DEPARTMENT ATV PILOT AREA FOR AT LEAST THE 2024 AND 2025

1 SUMMER ATV RIDING SEASON FROM THE FRIDAY BEFORE MEMORIAL DAY
2 THROUGH THE LAST FULL WEEKEND IN SEPTEMBER, IN ADDITION TO AN
3 EXTENDED SEASON TO BE DETERMINED BY THE DEPARTMENT BASED ON
4 LOCAL CONDITIONS.

5 * * *

6 (9) THE DEPARTMENT SHALL MONITOR THE USE, ENFORCEMENT,
7 MAINTENANCE NEEDS AND ANY ASSOCIATED IMPACTS TO STATE FOREST
8 LAND RESOURCES, VALUE AND FOREST USERS RESULTING FROM THE
9 DEPARTMENT ATV PILOT AREA. ON OR BEFORE DECEMBER 31, 2023,
10 AND EVERY THREE YEARS THEREAFTER, THE DEPARTMENT SHALL SUBMIT
11 A REPORT TO THE GENERAL ASSEMBLY ON THE DEPARTMENT ATV PILOT
12 AREA.

13 * * *

14 (C) PENNSYLVANIA GAME COMMISSION LANDS.--NO MONEY
15 APPROPRIATED FROM THE MOTOR LICENSE FUND FOR THE MAINTENANCE AND
16 MITIGATION OF DUST AND SEDIMENT POLLUTION FROM PARKS AND
17 FORESTRY ROADS UNDER 75 PA.C.S. § 9106 (RELATING TO DIRT, GRAVEL
18 AND LOW-VOLUME ROAD MAINTENANCE) MAY BE USED ON LANDS OWNED OR
19 OTHERWISE UNDER THE CONTROL OF THE PENNSYLVANIA GAME COMMISSION.

20 SECTION 14. SECTION 1722-E OF THE ACT IS AMENDED BY ADDING A
21 SUBSECTION TO READ:

22 SECTION 1722-E. DEPARTMENT OF EDUCATION.

23 * * *

24 (H) DRUG AND ALCOHOL RECOVERY HIGH SCHOOL PROGRAM.--

25 (1) A STUDENT MAY ENROLL IN THE RECOVERY HIGH SCHOOL
26 UNDER THE PROGRAM ESTABLISHED IN SECTION 1402-A OF THE PUBLIC
27 SCHOOL CODE OF 1949 IF THE FOLLOWING APPLY:

28 (I) SUBJECT TO SUBPARAGRAPH (II), THE STUDENT
29 RESIDES IN A SCHOOL DISTRICT OF THE FIRST CLASS AND THE
30 STUDENT'S PARENT OR GUARDIAN HAS APPLIED FOR ENROLLMENT

1 IN THE RECOVERY HIGH SCHOOL ON THE STUDENT'S BEHALF.

2 (II) IF FEWER THAN 20 STUDENTS RESIDING IN A SCHOOL
3 DISTRICT OF THE FIRST CLASS ENROLL IN THE RECOVERY HIGH
4 SCHOOL UNDER THE PROGRAM AT ANY TIME UNDER SUBPARAGRAPH
5 (I), A STUDENT WHO RESIDES IN A SCHOOL DISTRICT OTHER
6 THAN A SCHOOL DISTRICT OF THE FIRST CLASS MAY ENROLL IN
7 THE RECOVERY HIGH SCHOOL UNDER THE PROGRAM IF THE
8 STUDENT'S PARENT OR GUARDIAN HAS APPLIED FOR ENROLLMENT
9 IN THE RECOVERY HIGH SCHOOL ON THE STUDENT'S BEHALF.

10 (2) THE DEPARTMENT OF EDUCATION SHALL PAY ANY TUITION
11 DUE TO THE RECOVERY HIGH SCHOOL BY SUBTRACTING THE AMOUNT
12 FROM STATE SUBSIDIES PAYABLE TO THE STUDENT'S SCHOOL DISTRICT
13 OF RESIDENCE.

14 SECTION 15. SECTION 1733-E OF THE ACT IS AMENDED BY ADDING A
15 PARAGRAPH TO READ:

16 SECTION 1733-E. PENNSYLVANIA STATE POLICE.

17 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE
18 PENNSYLVANIA STATE POLICE:

19 * * *

20 (3) FOR FISCAL YEARS BEGINNING 2023-2024,
21 NOTWITHSTANDING SECTION 205 OF THE ACT OF APRIL 9, 1929
22 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929,
23 THE PENNSYLVANIA STATE POLICE SHALL CONSIST OF A NUMBER OF
24 OFFICERS AND ENLISTED MEMBERS AND SHALL BE ORGANIZED IN A
25 MANNER AS THE COMMISSIONER OF THE PENNSYLVANIA STATE POLICE,
26 WITH THE APPROVAL OF THE GOVERNOR, SHALL DETERMINE. THE
27 NUMBER OF OFFICERS AND ENLISTED MEMBERS BEGINNING IN FISCAL
28 YEAR 2023-2024 SHALL NOT EXCEED IN THE AGGREGATE AT ANY TIME
29 4,410 INDIVIDUALS. PENNSYLVANIA STATE POLICE OFFICERS AND
30 ENLISTED MEMBERS ASSIGNED TO DUTY WITH THE PENNSYLVANIA

1 TURNPIKE COMMISSION, DELAWARE RIVER JOINT TOLL BRIDGE
2 COMMISSION, GAMING ENFORCEMENT AND LIQUOR CONTROL ENFORCEMENT
3 SHALL NOT BE COUNTED IN DETERMINING THE TOTAL NUMBER OF
4 OFFICERS AND ENLISTED MEMBERS IN THE PENNSYLVANIA STATE
5 POLICE UNDER THIS PARAGRAPH.

6 SECTION 16. SECTION 1795.1-E(B) (3), (C) (1) (IV) AND (2) OF
7 THE ACT, ADDED JULY 11, 2022 (P.L.540, NO.54), AND SUBSECTIONS
8 (B) (3) AND (C) (1) (IV) EXPIRED JULY 31, 2023, ARE AMENDED,
9 SUBSECTION (B) IS AMENDED BY ADDING A PARAGRAPH AND SUBSECTION
10 (C) (3) IS AMENDED BY ADDING A SUBPARAGRAPH TO READ:

11 SECTION 1795.1-E. SURCHARGES.

12 * * *

13 (B) IMPOSITION.--

14 * * *

15 [(3) AN ADDITIONAL SURCHARGE OF \$10 SHALL BE CHARGED AND
16 COLLECTED BY A DIVISION OF THE UNIFIED JUDICIAL SYSTEM. THIS
17 PARAGRAPH SHALL EXPIRE JULY 31, 2023. THE ADDITIONAL
18 SURCHARGE UNDER THIS PARAGRAPH SHALL BE DEPOSITED INTO THE
19 JUDICIAL DEPARTMENT OPERATIONS AUGMENTATION ACCOUNT UNDER
20 SUBSECTION (D).]

21 (4) AN ADDITIONAL SURCHARGE OF \$10 SHALL BE CHARGED AND
22 COLLECTED BY A DIVISION OF THE UNIFIED JUDICIAL SYSTEM. THIS
23 PARAGRAPH SHALL EXPIRE JULY 31, 2025. THE ADDITIONAL
24 SURCHARGE UNDER THIS PARAGRAPH SHALL BE DEPOSITED INTO THE
25 JUDICIAL DEPARTMENT OPERATIONS AUGMENTATION ACCOUNT UNDER
26 SUBSECTION (D).

27 (C) OTHER SURCHARGE AND FEES.--

28 (1) IN ADDITION TO THE FEES IMPOSED UNDER 42 PA.C.S. §§
29 3733(A.1) AND 3733.1 (RELATING TO SURCHARGE), EXCEPT AS SET
30 FORTH IN PARAGRAPH (2), THE FOLLOWING APPLY:

1 * * *

2 [(IV) A SURCHARGE OF \$11.25 SHALL BE CHARGED AND
3 COLLECTED BY A DIVISION OF THE UNIFIED JUDICIAL SYSTEM.
4 THIS SUBPARAGRAPH SHALL EXPIRE JULY 31, 2023. THE
5 SURCHARGE UNDER THIS SUBPARAGRAPH SHALL BE DEPOSITED INTO
6 THE JUDICIAL DEPARTMENT OPERATIONS AUGMENTATION ACCOUNT
7 UNDER SUBSECTION (D).]

8 (V) A SURCHARGE OF \$11.25 SHALL BE CHARGED AND
9 COLLECTED BY A DIVISION OF THE UNIFIED JUDICIAL SYSTEM.
10 THIS SUBPARAGRAPH SHALL EXPIRE JULY 31, 2025. THE
11 SURCHARGE UNDER THIS SUBPARAGRAPH SHALL BE DEPOSITED INTO
12 THE JUDICIAL DEPARTMENT OPERATIONS AUGMENTATION ACCOUNT
13 UNDER SUBSECTION (D).

14 (2) PARAGRAPH [(1) DOES] (1) (II) AND (III) SHALL NOT
15 APPLY TO A CONVICTION OR GUILTY PLEA BASED ON THE FILING OF A
16 TRAFFIC CITATION CHARGING AN OFFENSE UNDER 75 PA.C.S.
17 (RELATING TO VEHICLES) THAT IS CLASSIFIED AS A SUMMARY
18 OFFENSE UNDER A STATE STATUTE OR LOCAL ORDINANCE AS PROVIDED
19 IN THE PENNSYLVANIA RULES OF CRIMINAL PROCEDURE.

20 * * *

21 SECTION 17. SECTION 1798.1-E OF THE ACT IS AMENDED TO READ:
22 SECTION 1798.1-E. FEDERAL AND COMMONWEALTH USE OF FOREST LAND.

23 (A) SCOPE.--THIS SECTION APPLIES TO THE FOLLOWING:

24 (1) REAL PROPERTY ACQUIRED FOR FOREST RESERVES BY ANY OF
25 THE FOLLOWING:

26 (I) [~~THE~~] THE FEDERAL GOVERNMENT[~~;~~ OR].

27 (II) [~~THE~~] THE COMMONWEALTH.

28 (2) TAX-EXEMPT REAL PROPERTY ACQUIRED BY THE FEDERAL
29 GOVERNMENT OR BY THE COMMONWEALTH FOR THE PURPOSE OF
30 PRESERVING, PERPETUATING AND MAINTAINING ANY PORTION OF THE

1 ORIGINAL FORESTS OF THIS COMMONWEALTH AS PUBLIC PLACES AND
2 PARKS.

3 (3) REAL PROPERTY:

4 (I) WHICH IS ACQUIRED FOR THE PURPOSE OF
5 CONSERVATION OF WATER OR THE PREVENTION OF FLOOD
6 CONDITIONS; AND

7 (II) UPON WHICH THERE IS AN IMPOSED TAX PAYABLE BY
8 THE COMMONWEALTH.

9 (B) CHARGE.--

10 (1) FOR LAND OWNED BY THE DEPARTMENT OF CONSERVATION AND
11 NATURAL RESOURCES, SUBJECT TO SUBSECTION (C), REAL PROPERTY
12 UNDER SUBSECTION (A) SHALL BE SUBJECT TO AN ANNUAL CHARGE OF
13 ALL OF THE FOLLOWING:

14 (I) [\$2] TWO DOLLARS AND FORTY CENTS PER ACRE FOR
15 THE BENEFIT OF EACH COUNTY WHERE THE REAL PROPERTY IS
16 LOCATED[;]. ONE DOLLAR AND TWENTY CENTS SHALL BE PAID BY
17 THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES AND
18 \$1.20 SHALL BE PAID FROM MONEY AVAILABLE UNDER 4 PA.C.S.
19 § 1403 (RELATING TO ESTABLISHMENT OF STATE GAMING FUND
20 AND NET SLOT MACHINE REVENUE DISTRIBUTION).

21 (II) [\$2] TWO DOLLARS AND FORTY CENTS PER ACRE FOR
22 THE BENEFIT OF THE SCHOOLS IN EACH SCHOOL DISTRICT WHERE
23 THE REAL PROPERTY IS LOCATED[; AND]. ONE DOLLAR AND
24 TWENTY CENTS SHALL BE PAID BY THE DEPARTMENT OF
25 CONSERVATION AND NATURAL RESOURCES AND \$1.20 SHALL BE
26 PAID FROM MONEY AVAILABLE UNDER 4 PA.C.S. § 1403.

27 (III) [\$2] TWO DOLLARS AND FORTY CENTS PER ACRE FOR
28 THE BENEFIT OF THE TOWNSHIP WHERE THE REAL PROPERTY IS
29 LOCATED. ONE DOLLAR AND TWENTY CENTS SHALL BE PAID BY THE
30 DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES AND

1 \$1.20 SHALL BE PAID FROM MONEY AVAILABLE UNDER 4 PA.C.S.
2 § 1403.

3 (2) FOR LAND OWNED BY THE PENNSYLVANIA GAME COMMISSION
4 OR THE PENNSYLVANIA FISH AND BOAT COMMISSION, REAL PROPERTY
5 UNDER SUBSECTION (A) SHALL BE SUBJECT TO AN ANNUAL CHARGE OF
6 ALL OF THE FOLLOWING:

7 (I) [\$1.20] TWO DOLLARS AND FORTY CENTS PER ACRE FOR
8 THE BENEFIT OF EACH COUNTY WHERE THE REAL PROPERTY IS
9 LOCATED[;]. FORTY CENTS SHALL BE PAID BY THE COMMONWEALTH
10 AGENCY WHICH OWNS THE PROPERTY AND \$2 SHALL BE PAID FROM
11 MONEY AVAILABLE UNDER 4 PA.C.S. § 1403.

12 (II) [\$1.20] TWO DOLLARS AND FORTY CENTS PER ACRE
13 FOR THE BENEFIT OF THE SCHOOLS IN EACH SCHOOL DISTRICT
14 WHERE THE REAL PROPERTY IS LOCATED[; AND]. FORTY CENTS
15 SHALL BE PAID BY THE COMMONWEALTH AGENCY WHICH OWNS THE
16 PROPERTY AND \$2 SHALL BE PAID FROM MONEY AVAILABLE UNDER
17 4 PA.C.S. § 1403.

18 (III) [\$1.20] TWO DOLLARS AND FORTY CENTS PER ACRE
19 FOR THE BENEFIT OF THE TOWNSHIP WHERE THE REAL PROPERTY
20 IS LOCATED. FORTY CENTS SHALL BE PAID BY THE COMMONWEALTH
21 AGENCY WHICH OWNS THE PROPERTY AND \$2 SHALL BE PAID FROM
22 MONEY AVAILABLE UNDER 4 PA.C.S. § 1403.

23 (3) [SUBJECT TO SUBSECTION (F), THE] THE CHARGE UNDER
24 PARAGRAPH (1) SHALL BE PAYABLE BY THE COMMONWEALTH BEFORE
25 SEPTEMBER 2.

26 (C) DURATION.--

27 (1) EXCEPT AS SET FORTH IN PARAGRAPH (2), THE ANNUAL
28 CHARGE PAYABLE BY THE COMMONWEALTH ON REAL PROPERTY UNDER
29 SUBSECTION (A) (1) (I) SHALL CONTINUE ONLY UNTIL THE RECEIPT OF
30 MONEY BY TREASURERS AND TOWNSHIP SUPERVISORS OF THE POLITICAL

1 SUBDIVISIONS UNDER SUBSECTION (B) (1), IN ACCORDANCE WITH THE
2 ACT OF APRIL 27, 1925 (P.L.324, NO.185), ENTITLED "AN ACT FOR
3 THE DISTRIBUTION BY THE COMMONWEALTH AND COUNTIES TO
4 TOWNSHIPS AND SCHOOL DISTRICTS OF MONEYS RECEIVED FROM THE
5 UNITED STATES FROM FOREST RESERVES WITHIN THE COMMONWEALTH,"
6 EQUALS OR EXCEEDS THE AMOUNT PAID BY THE COMMONWEALTH IN LIEU
7 OF TAXES.

8 (2) PARAGRAPH (1) [~~DOES~~] SHALL NOT APPLY TO THE
9 FOLLOWING:

10 (I) [~~THE~~] THE ANNUAL CHARGE PER ACRE FOR THE BENEFIT
11 OF THE COUNTY WHERE REAL PROPERTY UNDER SUBSECTION (A) (1)
12 (I) IS LOCATED FOR CALENDAR YEARS 1953, 1954, 1955 AND
13 1956[; ~~AND~~].

14 (II) THE AMOUNT OF \$0.025 OF THE ANNUAL CHARGE PER
15 ACRE FOR THE BENEFIT OF THE COUNTY WHERE THE REAL
16 PROPERTY UNDER SUBSECTION (A) (1) (I) IS LOCATED FOR EACH
17 YEAR AFTER 1956.

18 (3) THE COMMONWEALTH SHALL ANNUALLY PAY THE CHARGES
19 EXEMPTED UNDER PARAGRAPH (2).

20 (D) CERTIFICATION.--UPON APPLICATION OF THE TREASURER OR
21 TOWNSHIP SUPERVISOR, THE SECRETARY OF CONSERVATION AND NATURAL
22 RESOURCES SHALL CERTIFY TO THE RESPECTIVE COUNTIES, SCHOOL
23 DISTRICTS AND TOWNSHIPS WHERE REAL PROPERTY UNDER SUBSECTION (A)
24 IS LOCATED AND TO THE STATE TREASURER:

25 (1) THE NUMBER OF ACRES OWNED BY THE FEDERAL GOVERNMENT
26 AND BY THE COMMONWEALTH IN THE POLITICAL SUBDIVISION; AND

27 (2) THE CHARGE AGAINST THE REAL PROPERTY.

28 (E) PAYMENT.--THE STATE TREASURER SHALL PAY TO POLITICAL
29 SUBDIVISIONS UNDER SUBSECTION (D) THE AMOUNT DUE UNDER
30 SUBSECTION (B) UPON:

1 (1) REQUISITION OF THE SECRETARY OF CONSERVATION AND
2 NATURAL RESOURCES; AND

3 (2) APPLICATION BY THE APPROPRIATE TREASURER OR TOWNSHIP
4 SUPERVISORS.

5 [(F) SOURCE OF PAYMENT.--FOR REAL PROPERTY OWNED BY THE
6 DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES, THE
7 PENNSYLVANIA GAME COMMISSION OR THE PENNSYLVANIA FISH AND BOAT
8 COMMISSION, OF THE CHARGE PER ACRE UNDER SUBSECTION (B) :

9 (1) \$2.40 SHALL BE PAID FROM MONEY AVAILABLE UNDER 4
10 PA.C.S. § 1403 (RELATING TO ESTABLISHMENT OF STATE GAMING
11 FUND AND NET SLOT MACHINE REVENUE DISTRIBUTION); AND

12 (2) THE REMAINDER SHALL BE PAID BY THE COMMONWEALTH
13 AGENCY WHICH OWNS THE PROPERTY.]

14 SECTION 18. SECTION 1798.3-E OF THE ACT, AMENDED JULY 11,
15 2022 (P.L.540, NO.54), IS AMENDED TO READ:

16 SECTION 1798.3-E. MULTIMODAL TRANSPORTATION FUND.

17 (A) DEPARTMENT OF TRANSPORTATION.--

18 (1) FROM FUNDS AVAILABLE TO THE DEPARTMENT OF
19 TRANSPORTATION UNDER 74 PA.C.S. § 2104(A) (2) (RELATING TO USE
20 OF MONEY IN FUND), THE LOCAL MATCH UNDER 74 PA.C.S. § 2106
21 (RELATING TO LOCAL MATCH) MAY BE WAIVED BY THE SECRETARY OF
22 TRANSPORTATION FOR GOOD CAUSE IF THE APPLICANT FOR ASSISTANCE
23 IS A MUNICIPALITY.

24 (2) FROM FUNDS AVAILABLE TO THE DEPARTMENT OF
25 TRANSPORTATION UNDER 74 PA.C.S. § 2104(A) (2), THE LOCAL MATCH
26 UNDER 74 PA.C.S. § 2106 MAY BE WAIVED BY THE SECRETARY OF
27 TRANSPORTATION FOR GOOD CAUSE IF THE APPLICANT FOR ASSISTANCE
28 IS A PORT AUTHORITY.

29 (B) COMMONWEALTH FINANCING AUTHORITY.--NOTWITHSTANDING THE
30 PROVISIONS OF 74 PA.C.S. § 2106, A MUNICIPALITY OR PORT

1 AUTHORITY RECEIVING FINANCIAL ASSISTANCE UNDER 74 PA.C.S. §
2 2104(A) (4) MAY NOT BE REQUIRED TO PROVIDE A LOCAL MATCH.

3 (C) 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 "MUNICIPALITY." A COUNTY, CITY, BOROUGH, INCORPORATED TOWN,
7 TOWNSHIP OR LOCAL, REGIONAL OR METROPOLITAN TRANSPORTATION
8 AUTHORITY.

9 "PORT AUTHORITY." A PORT AUTHORITY AS ESTABLISHED UNDER THE
10 ACT OF JULY 10, 1989 (P.L.291, NO.50), KNOWN AS THE PHILADELPHIA
11 REGIONAL PORT AUTHORITY ACT.

12 (D) EXPIRATION.--THIS SECTION SHALL EXPIRE DECEMBER 31,
13 [2023] 2024.

14 SECTION 19. SECTION 1799.5-E OF THE ACT IS REPEALED:

15 [SECTION 1799.5-E. SALES BY DISTILLERIES.

16 (A) GENERAL RULE.--NOTWITHSTANDING ANY PROVISION OF THE ACT
17 OF APRIL 12, 1951 (P.L.90, NO.21), KNOWN AS THE LIQUOR CODE, TO
18 THE CONTRARY, THE HOLDER OF A DISTILLERY OR LIMITED DISTILLERY
19 LICENSE MAY SELL LIQUOR TO THE BOARD AND TO PERSONS NOT LICENSED
20 BY THE BOARD. A DISTILLERY OR LIMITED DISTILLERY LICENSE HOLDER
21 MAY ALSO DIRECTLY SELL LIQUOR TO ANY LICENSE OR PERMIT HOLDER
22 THAT IS OTHERWISE AUTHORIZED TO SELL LIQUOR. HOWEVER, AGGREGATE
23 SALES TO THE LICENSE AND PERMIT HOLDERS MAY NOT EXCEED 50,000
24 GALLONS DURING A CALENDAR YEAR. A LICENSE OR PERMIT HOLDER THAT
25 WISHES TO ACQUIRE LIQUOR PRODUCED BY A DISTILLERY OR LIMITED
26 DISTILLERY LICENSE HOLDER AFTER THE PRODUCER HAS REACHED ITS
27 AGGREGATE 50,000-GALLON LIMIT MAY STILL ACQUIRE THE PRODUCT IF
28 IT IS AVAILABLE FROM THE BOARD. IF A PERSON HOLDS MORE THAN ONE
29 DISTILLERY OR LIMITED DISTILLERY LICENSE, EITHER DIRECTLY OR
30 THROUGH A WHOLLY OWNED SUBSIDIARY, THE SALES FROM ALL SUCH

1 LICENSES SHALL BE CONSIDERED WHEN DETERMINING WHETHER THE
2 50,000-GALLON LIMIT HAS BEEN REACHED.

3 (B) DEFINITION.--AS USED IN THIS SECTION, THE TERM "BOARD"
4 MEANS THE PENNSYLVANIA LIQUOR CONTROL BOARD.]

5 SECTION 20. THE ACT IS AMENDED BY ADDING ARTICLES TO READ:

6 ARTICLE XVII-F.3

7 2023-2024 BUDGET IMPLEMENTATION

8 SUBARTICLE A

9 PRELIMINARY PROVISIONS

10 SECTION 1701-F.3. APPLICABILITY.

11 EXCEPT AS SPECIFICALLY PROVIDED IN THIS ARTICLE, THIS ARTICLE
12 APPLIES TO THE GENERAL APPROPRIATION ACT OF 2023 AND ALL OTHER
13 APPROPRIATION ACTS OF 2023.

14 SECTION 1702-F.3. DEFINITIONS.

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

18 "GENERAL APPROPRIATION ACT OF 2023." THE ACT OF AUGUST 3,
19 2023 (P.L. , NO.1A), KNOWN AS THE GENERAL APPROPRIATION ACT OF
20 2023.

21 "HUMAN SERVICES CODE." THE ACT OF JUNE 13, 1967 (P.L.31,
22 NO.21), KNOWN AS THE HUMAN SERVICES CODE.

23 "PUBLIC SCHOOL CODE OF 1949." THE ACT OF MARCH 10, 1949
24 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949.

25 "SECRETARY." THE SECRETARY OF THE BUDGET OF THE
26 COMMONWEALTH.

27 "TANFBG." TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
28 GRANT.

29 SECTION 1703-F.3. (RESERVED).

30 SECTION 1704-F.3. (RESERVED).

1 ADDITIONAL ASSISTANT DISTRICT ATTORNEYS DESIGNATED AS A
2 SPECIAL UNITED STATES ATTORNEY BY A UNITED STATES
3 ATTORNEY'S OFFICE THROUGH PARTICIPATION IN THE PROJECT
4 SAFE NEIGHBORHOODS PROGRAM AND WHO WILL EXCLUSIVELY
5 PROSECUTE CRIMES UNDER 18 U.S.C. § 922(G) (RELATING TO
6 UNLAWFUL ACTS).

7 (VI) \$500,000 SHALL BE USED TO SUPPORT A STATEWIDE
8 CHILD PREDATOR UNIT.

9 (VII) \$500,000 SHALL BE USED FOR TRAINING AND
10 EQUIPMENT NEEDS TO SUPPORT IMPROVEMENTS IN THE
11 IDENTIFICATION, INVESTIGATION AND PROSECUTION OF 18
12 PA.C.S. § 6312 (RELATING TO SEXUAL ABUSE OF CHILDREN).

13 (VIII) NO LESS THAN \$1,750,000 SHALL BE USED FOR
14 NONNARCOTIC MEDICATION SUBSTANCE USE DISORDER TREATMENT
15 FOR ELIGIBLE OFFENDERS, WHICH SHALL INCLUDE THE
16 ESTABLISHMENT AND ADMINISTRATION OF A NONNARCOTIC
17 MEDICATION ASSISTED SUBSTANCE GRANT PROGRAM TO PROVIDE
18 ANNUAL GRANTS TO COUNTY CORRECTIONS INSTITUTIONS. AS USED
19 IN THIS SUBPARAGRAPH, THE TERM "ELIGIBLE OFFENDER" MEANS
20 A DEFENDANT OR INMATE CONVICTED OF A CRIMINAL OFFENSE WHO
21 WILL BE COMMITTED TO THE CUSTODY OF THE COUNTY AND WHO
22 MEETS THE CLINICAL CRITERIA FOR AN OPIOID OR ALCOHOL USE
23 DISORDER AS DETERMINED BY A PHYSICIAN.

24 (IX) (RESERVED).

25 (X) (RESERVED).

26 (2) FROM MONEY APPROPRIATED FOR VIOLENCE AND DELINQUENCY
27 PREVENTION PROGRAMS:

28 (I) NO LESS THAN THE AMOUNT USED IN THE 2014-2015
29 FISCAL YEAR SHALL BE USED FOR PROGRAMS IN A CITY OF THE
30 SECOND CLASS; AND

1 (II) NO LESS THAN THE AMOUNT USED IN THE 2014-2015
2 FISCAL YEAR SHALL BE USED FOR BLUEPRINT MENTORING
3 PROGRAMS THAT ADDRESS REDUCING YOUTH VIOLENCE IN CITIES
4 OF THE FIRST, SECOND AND THIRD CLASS WITH PROGRAMS IN
5 CITIES OF THE SECOND CLASS AND THIRD CLASS ALSO RECEIVING
6 A PROPORTIONAL SHARE OF \$350,000.

7 (3) MONEY APPROPRIATED FOR VIOLENCE INTERVENTION AND
8 PREVENTION SHALL BE USED SOLELY TO PROVIDE GRANTS AND
9 TECHNICAL ASSISTANCE TO COMMUNITY-BASED ORGANIZATIONS,
10 INSTITUTIONS OF HIGHER EDUCATION, MUNICIPALITIES, DISTRICT
11 ATTORNEYS AND OTHER ENTITIES IN ACCORDANCE WITH SECTION 1306-
12 B(B) OF THE PUBLIC SCHOOL CODE OF 1949 AND NOTWITHSTANDING
13 SECTION 1306-B(H) (7) OF THE PUBLIC SCHOOL CODE OF 1949 FOR
14 PROGRAMS ELIGIBLE UNDER SECTION 1306-B(J) (22) OF THE PUBLIC
15 SCHOOL CODE OF 1949.

16 (4) MONEY APPROPRIATED FOR COUNTY INTERMEDIATE
17 PUNISHMENT SHALL BE DISTRIBUTED TO COUNTIES FOR COUNTY ADULT
18 PROBATION SUPERVISION AND DRUG AND ALCOHOL AND MENTAL HEALTH
19 TREATMENT PROGRAMS FOR OFFENDERS SENTENCED TO RESTRICTIVE
20 CONDITIONS OF PROBATION IMPOSED UNDER 42 PA.C.S. § 9763(C) OR
21 (D) (RELATING TO CONDITIONS OF PROBATION) AND ARE CERTIFIED
22 IN ACCORDANCE WITH 42 PA.C.S. § 2154.1(B) (RELATING TO
23 ADOPTION OF GUIDELINES FOR RESTRICTIVE CONDITIONS). THE
24 PORTION OF MONEY FOR DRUG AND ALCOHOL AND MENTAL HEALTH
25 TREATMENT PROGRAMS SHALL BE BASED ON NATIONAL STATISTICS THAT
26 IDENTIFY THE PERCENTAGE OF INCARCERATED INDIVIDUALS THAT ARE
27 IN NEED OF TREATMENT FOR SUBSTANCE ISSUES BUT IN NO CASE
28 SHALL BE LESS THAN 80% OF THE AMOUNT APPROPRIATED.

29 SECTION 1713-F.3. LIEUTENANT GOVERNOR (RESERVED).

30 SECTION 1714-F.3. ATTORNEY GENERAL.

1 THE FOLLOWING APPLY TO APPROPRIATIONS TO THE ATTORNEY

2 GENERAL:

3 (1) THE SUM OF \$8,431,000 SHALL BE DISTRIBUTED BETWEEN
4 THE ATTORNEY GENERAL AND THE DISTRICT ATTORNEY'S OFFICE IN A
5 CITY OF THE FIRST CLASS FOR COSTS ASSOCIATED WITH THE
6 OPERATION OF THE JOINT LOCAL-STATE FIREARM TASK FORCE IN THE
7 CITY OF THE FIRST CLASS. NO MORE THAN 20% MAY BE ALLOCATED
8 FOR THE DISTRICT ATTORNEY'S OFFICE IN A CITY OF THE FIRST
9 CLASS.

10 (2) THE SUM OF \$4,000,048 SHALL BE DISTRIBUTED TO THE
11 ATTORNEY GENERAL FOR COSTS ASSOCIATED WITH A JOINT LOCAL-
12 STATE FIREARM TASK FORCE IN A CITY OF THE FIRST CLASS.

13 (2.1) THE SUM OF \$1,537,952 SHALL BE USED TO COVER THE
14 COSTS ASSOCIATED WITH ESTABLISHING AND OPERATING A JOINT
15 LOCAL-STATE FIREARM TASK FORCE IN A COUNTY OF THE SECOND
16 CLASS.

17 (3) THE ATTORNEY GENERAL MAY EXPEND UP TO \$2,000,000 IN
18 TOTAL FROM THE FOLLOWING RESTRICTED ACCOUNTS FOR BUILDING
19 MAINTENANCE AND RENOVATION COSTS FOR A REGIONAL OFFICE OF THE
20 ATTORNEY GENERAL LOCATED IN A CITY OF THE FIRST CLASS:

21 (I) THE CRIMINAL ENFORCEMENT RESTRICTED ACCOUNT
22 ESTABLISHED UNDER SECTION 1713-A.1.

23 (II) THE COLLECTION ADMINISTRATION ACCOUNT
24 ESTABLISHED UNDER SECTION 922.1 OF THE ACT OF APRIL 9,
25 1929 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE
26 OF 1929.

27 (III) THE RESTRICTED ACCOUNT ESTABLISHED UNDER
28 1795.1-E(C) (3) (III).

29 (IV) THE STRAW PURCHASE PREVENTION EDUCATION FUND
30 ESTABLISHED UNDER 18 PA.C.S. § 6186 (RELATING TO STRAW

1 PURCHASE PREVENTION EDUCATION FUND).

2 (V) THE RESTRICTED ACCOUNT ESTABLISHED UNDER SECTION
3 4 OF THE ACT OF DECEMBER 4, 1996 (P.L.911, NO.147), KNOWN
4 AS THE TELEMARKETER REGISTRATION ACT.

5 SECTION 1715-F.3. AUDITOR GENERAL (RESERVED).

6 SECTION 1716-F.3. TREASURY DEPARTMENT (RESERVED).

7 SECTION 1717-F.3. DEPARTMENT OF AGING (RESERVED).

8 SECTION 1718-F.3. DEPARTMENT OF AGRICULTURE.

9 THE FOLLOWING APPLY TO APPROPRIATIONS FOR THE DEPARTMENT OF
10 AGRICULTURE:

11 (1) FROM MONEY APPROPRIATED FOR GENERAL GOVERNMENT
12 OPERATIONS, THE FOLLOWING APPLY:

13 (I) (RESERVED).

14 (II) NO LESS THAN \$250,000 SHALL BE USED FOR THE
15 COMMISSION FOR AGRICULTURAL EDUCATION EXCELLENCE TO
16 ASSIST IN THE DEVELOPMENT AND IMPLEMENTATION OF
17 AGRICULTURAL EDUCATION PROGRAMMING.

18 (2) FROM MONEY APPROPRIATED FOR AGRICULTURAL
19 PREPAREDNESS AND RESPONSE, THE FOLLOWING SHALL APPLY:

20 (I) NO LESS THAN \$25,000,000 SHALL BE USED FOR THE
21 FOLLOWING COSTS ASSOCIATED WITH PREPARING FOR AND
22 RESPONDING TO AN OUTBREAK OF HIGHLY PATHOGENIC AVIAN
23 INFLUENZA:

24 (A) GRANTS TO ASSIST WITH INCOME LOSSES AND
25 COSTS ASSOCIATED WITH WORKFORCE PAYROLL AND BENEFITS,
26 MORTGAGE INTEREST AND RENT PAYMENTS, UTILITY
27 PAYMENTS, COSTS OF DELAYED REPOPULATING AND REOPENING
28 FACILITIES AND OTHER LOSSES OR COSTS ASSOCIATED WITH
29 RESPONSE NOT OTHERWISE ELIGIBLE FOR OR COVERED BY
30 FEDERAL FUNDING, INSURANCE, CONTRACTS OR OTHER

1 FUNDING SOURCES.

2 (B) THE ESTABLISHMENT AND OPERATIONS OF A HIGHLY
3 PATHOGENIC AVIAN INFLUENZA RAPID RESPONSE TEAM. THE
4 AMOUNT UTILIZED UNDER THIS CLAUSE MAY NOT EXCEED
5 \$2,000,000.

6 (II) NO LESS THAN \$6,000,000 SHALL BE USED FOR COSTS
7 INCURRED BY THE PENNSYLVANIA ANIMAL DIAGNOSTIC LABORATORY
8 SYSTEM IN PREPARING FOR AND RESPONDING TO AN OUTBREAK OF
9 HIGHLY PATHOGENIC AVIAN INFLUENZA.

10 (3) (RESERVED).

11 (4) FROM MONEY APPROPRIATED FOR AGRICULTURAL RESEARCH,
12 THE FOLLOWING APPLY:

13 (I) NO LESS THAN \$300,000 SHALL BE USED FOR AN
14 AGRICULTURAL RESOURCE CENTER.

15 (II) NO LESS THAN \$100,000 SHALL BE USED FOR
16 AGRICULTURAL LAW RESEARCH PROGRAMS, INCLUDING THOSE
17 ADDRESSING ENERGY DEVELOPMENT, IN CONJUNCTION WITH A
18 LAND-GRANT UNIVERSITY.

19 (5) FROM MONEY APPROPRIATED FOR HARDWOODS RESEARCH AND
20 PROMOTION, AT LEAST 80% OF THE MONEY SHALL BE EQUALLY
21 DISTRIBUTED AMONG THE HARDWOOD UTILIZATION GROUPS OF THIS
22 COMMONWEALTH ESTABLISHED PRIOR TO THE EFFECTIVE DATE OF THIS
23 SECTION.

24 (6) MONEY APPROPRIATED FOR THE ANIMAL HEALTH AND
25 DIAGNOSTIC COMMISSION SHALL BE EQUALLY DISTRIBUTED TO THE
26 ANIMAL DIAGNOSTIC LABORATORY SYSTEM LABORATORIES LOCATED AT A
27 LAND-GRANT UNIVERSITY AND AT A SCHOOL OF VETERINARY MEDICINE
28 LOCATED WITHIN THIS COMMONWEALTH.

29 SECTION 1719-F.3. DEPARTMENT OF COMMUNITY AND ECONOMIC
30 DEVELOPMENT.

1 THE FOLLOWING APPLY TO APPROPRIATIONS FOR THE DEPARTMENT OF
2 COMMUNITY AND ECONOMIC DEVELOPMENT:

3 (1) FROM MONEY APPROPRIATED FOR GENERAL GOVERNMENT
4 OPERATIONS, NO LESS THAN \$1,900,000 SHALL BE USED TO SUPPORT
5 A MANUFACTURING TECHNOLOGY DEVELOPMENT EFFORT, TO ASSIST
6 PENNSYLVANIA SMALL BUSINESSES WITH ENHANCED CYBER SECURITY
7 AND TO TEST COAL ASH REFUSE EXTRACTION OF RARE EARTH METALS
8 FOR DOMESTIC CHIP MANUFACTURING IN A COUNTY OF THE FOURTH
9 CLASS WITH A POPULATION OF AT LEAST 130,000 BUT NOT MORE THAN
10 135,000, UNDER THE MOST RECENT FEDERAL DECENNIAL CENSUS.

11 (2) (RESERVED).

12 (3) FROM MONEY APPROPRIATED FOR MARKETING TO ATTRACT
13 TOURISTS:

14 (I) \$4,145,000 TO FUND THE ACTIVITIES OF THE TOURISM
15 OFFICE WITHIN THE DEPARTMENT; AND

16 (II) THE REMAINING MONEY INCLUDES AN ALLOCATION TO
17 BE USED TO PLAN, MARKET AND CONDUCT A SERIES OF ARTS AND
18 CULTURAL ACTIVITIES THAT GENERATE STATEWIDE AND REGIONAL
19 ECONOMIC IMPACT, AND \$1,000,000 SHALL BE USED FOR AN
20 ANNUAL STATEWIDE COMPETITION SERVING APPROXIMATELY 2,000
21 ATHLETES WITH INTELLECTUAL DISABILITIES FROM ACROSS THIS
22 COMMONWEALTH TO BE HELD IN A COUNTY OF THE FOURTH CLASS.

23 (4) FROM MONEY APPROPRIATED FOR PENNSYLVANIA FIRST, NO
24 LESS THAN \$8,000,000 SHALL BE USED TO FUND THE WORKFORCE AND
25 ECONOMIC DEVELOPMENT NETWORK OF PENNSYLVANIA (WEDNETPA) FOR
26 WORKFORCE TRAINING GRANTS PROVIDED THROUGH AN ALLIANCE OF
27 EDUCATIONAL PROVIDERS, INCLUDING, BUT NOT LIMITED TO, STATE
28 SYSTEM OF HIGHER EDUCATION UNIVERSITIES, THE PENNSYLVANIA
29 COLLEGE OF TECHNOLOGY AND COMMUNITY COLLEGES LOCATED IN THIS
30 COMMONWEALTH.

1 (5) FROM MONEY APPROPRIATED FOR KEYSTONE COMMUNITIES:

2 (I) \$6,405,000 SHALL BE USED TO FUND THE MAIN STREET
3 PROGRAM, ELM STREET PROGRAM, ENTERPRISE ZONE PROGRAM AND
4 ACCESSIBLE HOUSING. THE ALLOCATION FOR THE MAIN STREET
5 PROGRAM, ELM STREET PROGRAM, ENTERPRISE ZONE PROGRAM AND
6 ACCESSIBLE HOUSING SHALL BE DISTRIBUTED IN THE SAME
7 PROPORTION AS AMOUNTS ALLOCATED IN FISCAL YEAR 2012-2013.

8 (II) THE REMAINING MONEY SHALL BE USED FOR PROJECTS
9 SUPPORTING ECONOMIC GROWTH, COMMUNITY DEVELOPMENT AND
10 MUNICIPAL ASSISTANCE THROUGHOUT THIS COMMONWEALTH.

11 (6) (RESERVED).

12 (7) NOTWITHSTANDING SECTION 4(1) OF THE ACT OF OCTOBER
13 11, 1984 (P.L.906, NO.179), KNOWN AS THE COMMUNITY
14 DEVELOPMENT BLOCK GRANT ENTITLEMENT PROGRAM FOR NONURBAN
15 COUNTIES AND CERTAIN OTHER MUNICIPALITIES, THE COMMONWEALTH
16 MAY USE UP TO 3% OF THE MONEY RECEIVED PURSUANT TO THE
17 HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 (PUBLIC LAW 93-
18 383, 88 STAT. 633) FOR ADMINISTRATIVE COSTS.

19 (8) MONEY APPROPRIATED FOR LOCAL MUNICIPAL RELIEF SHALL
20 INCLUDE AN ALLOCATION TO PROVIDE STATE ASSISTANCE TO
21 INDIVIDUALS, PERSONS OR POLITICAL SUBDIVISIONS DIRECTLY
22 AFFECTED BY NATURAL OR MANMADE DISASTERS, PUBLIC SAFETY
23 EMERGENCIES, OTHER SITUATIONS THAT POSE A PUBLIC SAFETY
24 DANGER OR OTHER SITUATIONS AT THE DISCRETION OF THE
25 DEPARTMENT. STATE ASSISTANCE MAY BE LIMITED TO GRANTS FOR
26 PROJECTS THAT DO NOT QUALIFY FOR FEDERAL ASSISTANCE TO HELP
27 REPAIR DAMAGES TO PRIMARY RESIDENCES, PERSONAL PROPERTY AND
28 PUBLIC FACILITIES AND STRUCTURES. GRANTS SHALL BE MADE
29 AVAILABLE FOR REIMBURSEMENT IN A DISASTER EMERGENCY AREA ONLY
30 WHEN A PRESIDENTIAL DISASTER DECLARATION DOES NOT COVER THE

1 AREA OR WHEN THE DEPARTMENT OF COMMUNITY AND ECONOMIC
2 DEVELOPMENT DETERMINES THAT A PUBLIC SAFETY EMERGENCY HAS
3 OCCURRED.

4 (9) (RESERVED).

5 (10) MONEY APPROPRIATED FOR HOSPITAL AND HEALTH SYSTEM
6 EMERGENCY RELIEF SHALL INCLUDE AN ALLOCATION TO PROVIDE STATE
7 ASSISTANCE TO HOSPITAL AND HEALTH CARE SYSTEMS THAT
8 EXPERIENCE UNEXPECTED FINANCIAL IMPACT SITUATIONS. STATE
9 ASSISTANCE MAY BE LIMITED TO GRANTS TO STABILIZE FINANCES
10 THAT DO NOT QUALIFY FOR FEDERAL PARTICIPATION OR MATCHING
11 FUNDS UNDER THE MEDICAL ASSISTANCE PROGRAM.

12 (11) MONEY APPROPRIATED FOR COMMUNITY AND ECONOMIC
13 ASSISTANCE SHALL INCLUDE AN ALLOCATION TO PROVIDE STATE
14 ASSISTANCE IN THE FORM OF GRANTS TO ASSIST IN COMMUNITY AND
15 ECONOMIC DEVELOPMENT, INCLUDING PROJECTS IN THE PUBLIC
16 INTEREST.

17 (12) FROM MONEY APPROPRIATED TO THE DEPARTMENT OF
18 COMMUNITY AND ECONOMIC DEVELOPMENT, THE DEPARTMENT OF
19 COMMUNITY AND ECONOMIC DEVELOPMENT SHALL PAY ONE-THIRD OF THE
20 COST FOR THE COMMISSION ON EDUCATION AND ECONOMIC
21 COMPETITIVENESS TO IMPLEMENT A CONTRACT FOR A NONPROFIT
22 ENTITY THAT HAS EXPERIENCE IN THE CREATION OF LONG-TERM
23 EDUCATION PLANNING EFFORTS AS REQUIRED UNDER SECTION 123.1(G)
24 OF THE ACT OF MARCH 10, 1949 (P.L.30. NO.14), KNOWN AS THE
25 PUBLIC SCHOOL CODE OF 1949. A PROCUREMENT UNDER THIS
26 PARAGRAPH SHALL NOT BE SUBJECT TO THE REQUIREMENTS OF 62
27 PA.C.S. (RELATING TO PROCUREMENT). THE DEPARTMENT OF
28 COMMUNITY AND ECONOMIC DEVELOPMENT SHALL COLLABORATE WITH ANY
29 OTHER STATE AGENCY AS NECESSARY TO IMPLEMENT A PROCUREMENT
30 UNDER THIS PARAGRAPH.

1 (13) MONEY APPROPRIATED FOR WORKFORCE DEVELOPMENT SHALL
2 BE DISTRIBUTED IN THE SAME PROPORTION AS DISTRIBUTED IN
3 FISCAL YEAR 2022-2023.

4 SECTION 1720-F.3. DEPARTMENT OF CONSERVATION AND NATURAL
5 RESOURCES.

6 THE FOLLOWING APPLY TO APPROPRIATIONS FOR THE DEPARTMENT OF
7 CONSERVATION AND NATURAL RESOURCES:

8 (1) (RESERVED).

9 (2) MONEY APPROPRIATED FOR PARKS, FORESTS AND RECREATION
10 PROJECTS SHALL BE USED FOR GRANTS FOR PROJECTS TO ENHANCE
11 PARKS, FORESTS AND RECREATION ACTIVITIES.

12 SECTION 1721-F.3. DEPARTMENT OF CORRECTIONS (RESERVED).

13 SECTION 1722-F.3. DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS
14 (RESERVED).

15 SECTION 1723-F.3. DEPARTMENT OF EDUCATION.

16 THE FOLLOWING APPLY TO APPROPRIATIONS TO THE DEPARTMENT OF
17 EDUCATION:

18 (1) (RESERVED).

19 (2) FROM AN APPROPRIATION FOR ADULT AND FAMILY LITERACY
20 PROGRAMS, SUMMER READING PROGRAMS AND THE ADULT HIGH SCHOOL
21 DIPLOMAS PROGRAM. THE FOLLOWING APPLY:

22 (I) NO LESS THAN THE AMOUNT ALLOCATED IN THE 2014-
23 2015 FISCAL YEAR SHALL BE ALLOCATED FOR AN AFTER-SCHOOL
24 LEARNING PROGRAM SERVICING LOW-INCOME STUDENTS LOCATED IN
25 A COUNTY OF THE SIXTH CLASS WITH A POPULATION, BASED ON
26 THE MOST RECENT FEDERAL DECENNIAL CENSUS, OF AT LEAST
27 64,730 BUT NOT MORE THAN 65,558; AND

28 (II) NO LESS THAN THE AMOUNT ALLOCATED IN THE 2016-
29 2017 FISCAL YEAR SHALL BE USED FOR AN AFTER-SCHOOL
30 LEARNING PROGRAM SERVICING LOW-INCOME STUDENTS LOCATED IN

1 A COUNTY OF THE THIRD CLASS WITH A POPULATION, BASED ON
2 THE MOST RECENT FEDERAL DECENNIAL CENSUS, OF AT LEAST
3 320,000 BUT NOT MORE THAN 330,000.

4 (III) FROM MONEY APPROPRIATED FOR ADULT AND FAMILY
5 LITERACY, AT LEAST \$1,050,000 SHALL BE USED TO DEVELOP
6 AND ADMINISTER A PROGRAM TO SUBSIDIZE THE COST OF HIGH
7 SCHOOL EQUIVALENCY TESTING THAT LEADS TO A COMMONWEALTH
8 SECONDARY SCHOOL DIPLOMA CREDENTIAL FOR INDIVIDUALS WHO
9 MEET REQUIREMENTS ESTABLISHED BY THE DEPARTMENT.

10 (3) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE
11 APPROPRIATION FOR PUPIL TRANSPORTATION MAY NOT BE REDIRECTED
12 FOR ANY PURPOSE.

13 (4) FROM MONEY APPROPRIATED FOR PENNSYLVANIA CHARTERED
14 SCHOOLS FOR DEAF AND BLIND CHILDREN, THE FOLLOWING APPLY:

15 (I) UPON DISTRIBUTION OF THE FINAL TUITION PAYMENT
16 FOR THE FISCAL YEAR, THE BALANCE OF THE APPROPRIATION,
17 EXCLUDING AMOUNTS UNDER SUBPARAGRAPH (II), SHALL BE USED
18 TO PAY THE SCHOOLS' INCREASED SHARE OF REQUIRED
19 CONTRIBUTIONS FOR PUBLIC SCHOOL EMPLOYEES' RETIREMENT AND
20 SHALL BE DISTRIBUTED PRO RATA BASED ON EACH SCHOOL'S
21 CONTRIBUTIONS FOR THE PRIOR FISCAL YEAR.

22 (II) \$1,000,000 IS INCLUDED FOR CAPITAL-RELATED
23 COSTS AND DEFERRED MAINTENANCE TO BE DIVIDED EQUALLY
24 BETWEEN EACH SCHOOL.

25 (5) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE
26 AMOUNT OF MONEY SET ASIDE UNDER SECTION 2509.8 OF THE PUBLIC
27 SCHOOL CODE OF 1949 SHALL BE ALLOCATED TO EACH APPROVED
28 PRIVATE SCHOOL WITH A DAY TUITION RATE DETERMINED TO BE LESS
29 THAN \$32,000 DURING THE 2010-2011 SCHOOL YEAR. THE ALLOCATION
30 SHALL BE NO LESS THAN THE AMOUNT ALLOCATED IN THE 2015-2016

1 FISCAL YEAR.

2 (6) MONEY APPROPRIATED FOR REGIONAL COMMUNITY COLLEGE
3 SERVICES SHALL BE DISTRIBUTED TO EACH ENTITY THAT RECEIVED
4 FUNDING IN FISCAL YEAR 2022-2023 IN AN AMOUNT EQUAL TO THE
5 AMOUNT RECEIVED IN THAT FISCAL YEAR.

6 (7) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, MONEY
7 APPROPRIATED FOR COMMUNITY EDUCATION COUNCILS SHALL BE
8 DISTRIBUTED IN A MANNER THAT EACH COMMUNITY EDUCATION COUNCIL
9 WHICH RECEIVED FUNDING IN FISCAL YEAR 2022-2023 SHALL RECEIVE
10 AN AMOUNT EQUAL TO THE AMOUNT RECEIVED IN THAT FISCAL YEAR.

11 (7.1) FROM MONEY APPROPRIATED FOR PARENT PATHWAYS, THE
12 DEPARTMENT OF EDUCATION SHALL EXPAND THE PARENT PATHWAYS
13 LEARNING NETWORK PILOT PROGRAM TO ASSIST PARENTING STUDENTS
14 IN PURSUING POSTSECONDARY PATHWAYS TO POSTSECONDARY DEGREE OR
15 CERTIFICATE COMPLETION. THE DEPARTMENT OF EDUCATION SHALL
16 PROVIDE FINANCIAL AND TECHNICAL ASSISTANCE TO POSTSECONDARY
17 INSTITUTIONS TO REMOVE BARRIERS TO POSTSECONDARY DEGREE OR
18 CERTIFICATE COMPLETION AND INCREASE ACCESS TO FAMILY
19 SUSTAINING WAGES AND IN-DEMAND OCCUPATIONS.

20 (8) NOTWITHSTANDING SECTION 123(K) OF THE ACT OF MARCH
21 10, 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF
22 1949, THE BASIC EDUCATION FUNDING COMMISSION IS RECONSTITUTED
23 AND SHALL ISSUE AN INTERIM REPORT TO THE RECIPIENTS LISTED IN
24 SECTION 123(I) (12) OF THE PUBLIC SCHOOL CODE OF 1949 NOT
25 LATER THAN JANUARY 30, 2024, AND A FINAL REPORT TO TO THE
26 RECIPIENTS NOT LATER THAN APRIL 30, 2024.

27 (9) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FOR THE
28 2023-2024 FISCAL YEAR, THE DEPARTMENT MAY NOT ACCEPT OR
29 APPROVE NEW SCHOOL BUILDING CONSTRUCTION OR RECONSTRUCTION
30 PROJECT APPLICATIONS UNDER SUBARTICLE (C) OF ARTICLE VII OF

1 THE PUBLIC SCHOOL CODE OF 1949.

2 (10) FOR THE 2023-2024 FISCAL YEAR, THE DEPARTMENT MAY
3 NOT USE ANY APPROPRIATION FOR PROJECTS FOR WHICH APPROVAL AND
4 REIMBURSEMENT IS SOUGHT AND FOR THE PROGRAM UNDER ARTICLE
5 XXVI-J OF THE PUBLIC SCHOOL CODE OF 1949.

6 (11) FROM MONEY APPROPRIATED FOR SAFE SCHOOL
7 INITIATIVES, THE COMBINED AMOUNT OF GRANTS AWARDED TO
8 INTERMEDIATE UNITS ON BEHALF OF NONPUBLIC SCHOOLS UNDER
9 SECTION 1302-A(C) OF THE PUBLIC SCHOOL CODE OF 1949 AND
10 GRANTS AWARDED FOR COSTS ASSOCIATED WITH A NONPUBLIC SCHOOL
11 OBTAINING THE SERVICES OF A SCHOOL POLICE OFFICER UNDER
12 SECTION 1302-A(C.1) OF THE PUBLIC SCHOOL CODE OF 1949 SHALL
13 BE NO LESS THAN \$14,550,571.

14 (12) FROM MONEY APPROPRIATED FOR THE PRE-K COUNTS
15 PROGRAM, THE FOLLOWING SHALL APPLY:

16 (I) BEGINNING DECEMBER 31, 2023, AND ON THE LAST DAY
17 OF EACH MONTH THEREAFTER, AN APPROVED PROVIDER SHALL
18 SUBMIT A MONTHLY REPORT OF THE FOLLOWING PROGRAM
19 INFORMATION TO THE DEPARTMENT OF EDUCATION:

20 (A) THE NUMBER OF STUDENTS FOR WHICH THE
21 APPROVED PROVIDER IS RECEIVING GRANT FUNDS.

22 (B) THE NUMBER OF STUDENTS ENROLLED DURING THE
23 MONTH.

24 (C) THE AVERAGE DAILY MEMBERSHIP OF STUDENTS
25 ENROLLED.

26 (D) THE NUMBER OF STUDENTS SEEKING SERVICES BUT
27 NOT ENROLLED.

28 (II) NO LATER THAN 30 DAYS AFTER RECEIVING THE
29 REQUIRED REPORTS FROM APPROVED PROVIDERS UNDER
30 SUBPARAGRAPH (I) THE DEPARTMENT OF EDUCATION SHALL MAKE A

1 REPORT OF THE INFORMATION COLLECTED FROM APPROVED
2 PROVIDERS AND INFORMATION DETAILING THE RECOVERY AND
3 REDIRECTION OF GRANT FUNDS TO THE CHAIRPERSON AND
4 MINORITY CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF
5 THE SENATE AND THE CHAIRPERSON AND MINORITY CHAIRPERSON
6 OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF
7 REPRESENTATIVES THAT INCLUDES THE FOLLOWING:

8 (A) THE INFORMATION RECEIVED UNDER SUBPARAGRAPH
9 (I).

10 (B) THE AMOUNT OF FUNDS TO BE RECOVERED UNDER
11 SUBPARAGRAPH (III).

12 (C) THE NUMBER OF STUDENTS FOR WHICH FUNDS TO BE
13 RECOVERED UNDER SUBPARAGRAPH (III) WERE INTENDED TO
14 PROVIDE SERVICES.

15 (D) THE AMOUNT OF FUNDS TO BE REALLOCATED UNDER
16 SUBPARAGRAPH (IV).

17 (E) THE NUMBER OF STUDENTS THAT FUNDS TO BE
18 REALLOCATED UNDER SUBPARAGRAPH (IV) WILL ALLOW TO
19 RECEIVE SERVICES.

20 (F) THE AMOUNT OF FUNDS RECOVERED AND NOT
21 REALLOCATED UNDER SUBPARAGRAPH (IV).

22 (III) GRANT FUNDS RECEIVED BY AN APPROVED PROVIDER
23 SHALL BE RECOVERED BY THE DEPARTMENT OF EDUCATION WITHIN
24 15 DAYS OF A REPORT MADE UNDER SUBPARAGRAPH (I) THAT
25 FINDS THE NUMBER OF STUDENTS FOR WHICH THE APPROVED
26 PROVIDER IS RECEIVING GRANT FUNDS IS GREATER THAN THE
27 NUMBER OF STUDENTS ENROLLED DURING THE MONTH. THE AMOUNT
28 OF GRANT FUNDS TO BE RECOVERED SHALL BE DETERMINED BY
29 SUBTRACTING THE NUMBER OF STUDENTS ENROLLED DURING THE
30 MONTH FROM THE NUMBER OF STUDENTS FOR WHICH THE APPROVED

1 PROVIDER IS RECEIVING GRANT FUNDS AND MULTIPLYING THE
2 DIFFERENCE BY THE PORTION OF THE PER-STUDENT GRANT AWARD
3 AMOUNT PAID TO THE APPROVED PROVIDER FOR THE PERIOD FOR
4 WHICH THE REPORT WAS MADE.

5 (IV) GRANT FUNDS RECOVERED UNDER SUBPARAGRAPH (III)
6 SHALL BE REALLOCATED PROPORTIONALLY TO APPROVED PROVIDERS
7 BASED ON THE NUMBER OF STUDENTS SEEKING SERVICES BUT NOT
8 ENROLLED AS REPORTED IN SUBPARAGRAPH (I). GRANT FUNDS MAY
9 NOT BE REALLOCATED IN EXCESS OF THE NUMBER OF STUDENTS
10 SEEKING SERVICES BUT NOT ENROLLED. ANY RECOVERED GRANT
11 FUNDS REMAINING AT THE END OF THE FISCAL YEAR SHALL LAPSE
12 TO THE GENERAL FUND.

13 (V) THE SECRETARY OF EDUCATION AND THE SECRETARY OF
14 HUMAN SERVICES SHALL REPORT, ON A QUARTERLY BASIS, IN
15 PERSON TO THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
16 APPROPRIATIONS COMMITTEE OF THE SENATE AND THE
17 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
18 APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES
19 OR THEIR DESIGNEES, THE INFORMATION REPORTED UNDER
20 SUBPARAGRAPH (I) AND INFORMATION DOCUMENTING THE RECOVERY
21 OF FUNDS UNDER SUBPARAGRAPH (III) AND THE REALLOCATION OF
22 FUNDS AND FUNDS REMAINING AVAILABLE UNDER SUBPARAGRAPH
23 (IV).

24 (13) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE
25 CONTRARY, FROM MONEY APPROPRIATED FOR PAYMENT OF APPROVED
26 OPERATING EXPENSES OF COMMUNITY COLLEGES, EACH COMMUNITY
27 COLLEGE SHALL RECEIVE AN AMOUNT EQUAL TO THE FOLLOWING:

28 (I) FOR THE 2023-2024 FISCAL YEAR, EACH COMMUNITY
29 COLLEGE SHALL RECEIVE AN AMOUNT EQUAL TO THE FOLLOWING:

30 (A) AN AMOUNT EQUAL TO THE REIMBURSEMENT FOR

1 OPERATING COSTS RECEIVED IN FISCAL YEAR 2022-2023
2 UNDER SECTION 1913-A(B) (1.6) (XVI) (A) AND (C) AND
3 (XVII) OF THE PUBLIC SCHOOL CODE OF 1949.

4 (B) AN AMOUNT EQUAL TO THE ECONOMIC DEVELOPMENT
5 STIPEND RECEIVED IN FISCAL YEAR 2022-2023 UNDER
6 SECTION 1913-A(B) (1.6) (XVI) (B) OF THE PUBLIC SCHOOL
7 CODE OF 1949.

8 (C) FOR EACH COMMUNITY COLLEGE THAT RECEIVES
9 FUNDING UNDER CLAUSE (A) OR (B), AN ADDITIONAL AMOUNT
10 FOR OPERATING COSTS DETERMINED FOR EACH COMMUNITY
11 COLLEGE, AS FOLLOWS:

12 (I) MULTIPLY THE AUDITED FULL-TIME
13 EQUIVALENT ENROLLMENT AS VERIFIED UNDER SECTION
14 1913-B(K.1) FOR THE MOST RECENT YEAR AVAILABLE
15 FOR THE COMMUNITY COLLEGE BY \$5,130,000.

16 (II) DIVIDE THE PRODUCT IN SUBCLAUSE (I) BY
17 THE SUM OF THE AUDITED FULL-TIME EQUIVALENT
18 ENROLLMENT AS VERIFIED UNDER SECTION 1913-A(K.1)
19 OF THE PUBLIC SCHOOL CODE OF 1949 FOR THE MOST
20 RECENT YEAR AVAILABLE FOR ALL COMMUNITY COLLEGES.

21 (II) (RESERVED).

22 (14) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE
23 CONTRARY, FROM MONEY APPROPRIATED FOR A SUBSIDY TO PUBLIC
24 LIBRARIES FUNDS SHALL BE DISTRIBUTED AS FOLLOWS:

25 (I) THE STATE LIBRARIAN SHALL DISTRIBUTE \$6,717 TO
26 EACH DISTRICT LIBRARY CENTER THAT RECEIVED LESS THAN THE
27 AMOUNT SPECIFIED UNDER 24 PA.C.S. § 9338(B) (2) (RELATING
28 TO DISTRICT LIBRARY CENTER AID) IN FISCAL YEAR 2022-2023
29 FROM FUNDS ALLOCATED UNDER SECTION 2326(1) OF THE PUBLIC
30 SCHOOL CODE OF 1949.

1 (II) ALL FUNDS REMAINING AFTER THE DISTRIBUTION
2 UNDER SUBPARAGRAPH (I) SHALL BE DISTRIBUTED TO EACH
3 LIBRARY UNDER THE FOLLOWING FORMULA:

4 (A) DIVIDE THE SUM OF THE AMOUNT OF FUNDING THE
5 LIBRARY RECEIVED IN FISCAL YEAR 2022-2023 UNDER
6 SECTION 2326(1) OF THE PUBLIC SCHOOL CODE OF 1949 AND
7 SUBPARAGRAPH (I) BY THE SUM OF THE TOTAL AMOUNT OF
8 STATE AID PROVIDED UNDER SECTION 2326(1) OF THE
9 PUBLIC SCHOOL CODE OF 1949 AND SUBPARAGRAPH (I).

10 (B) MULTIPLY THE QUOTIENT UNDER CLAUSE (A) BY
11 \$70,422,981.

12 (III) FOLLOWING DISTRIBUTION OF FUNDS APPROPRIATED
13 FOR STATE AID TO LIBRARIES UNDER SUBPARAGRAPHS (I) AND
14 (II), ANY REMAINING FUNDS MAY BE DISTRIBUTED AT THE
15 DISCRETION OF THE STATE LIBRARIAN.

16 (IV) IF FUNDS APPROPRIATED FOR STATE AID TO
17 LIBRARIES IN FISCAL YEAR 2023-2024 ARE LESS THAN FUNDS
18 APPROPRIATED IN FISCAL YEAR 2002-2003, THE STATE
19 LIBRARIAN MAY WAIVE STANDARDS AS PRESCRIBED IN 24 P.A.C.S.
20 CH. 93 (RELATING TO PUBLIC LIBRARY CODE).

21 (V) EACH LIBRARY SYSTEM RECEIVING STATE AID UNDER
22 THIS PARAGRAPH MAY DISTRIBUTE THE LOCAL LIBRARY SHARE OF
23 THAT AID IN A MANNER AS DETERMINED BY THE BOARD OF
24 DIRECTORS OF THE LIBRARY SYSTEM.

25 (VI) IN THE CASE OF A LIBRARY SYSTEM THAT CONTAINS A
26 LIBRARY OPERATING IN A CITY OF THE SECOND CLASS, CHANGES
27 TO THE DISTRIBUTION OF STATE AID TO THE LIBRARY SHALL BE
28 MADE BY MUTUAL AGREEMENT BETWEEN THE LIBRARY AND THE
29 LIBRARY SYSTEM.

30 (VII) IN THE EVENT OF A CHANGE IN DISTRICT LIBRARY

1 CENTER POPULATION PRIOR TO THE EFFECTIVE DATE OF THIS
2 SECTION AS A RESULT OF:

3 (A) A CITY, BOROUGH, TOWN, TOWNSHIP, SCHOOL
4 DISTRICT OR COUNTY MOVING FROM ONE LIBRARY CENTER TO
5 ANOTHER; OR

6 (B) A TRANSFER OF DISTRICT LIBRARY CENTER STATUS
7 TO A COUNTY LIBRARY SYSTEM;

8 FUNDING OF DISTRICT LIBRARY CENTER AID SHALL BE PAID
9 BASED ON THE POPULATION OF THE NEWLY ESTABLISHED OR
10 RECONFIGURED DISTRICT LIBRARY CENTER.

11 (VIII) IN THE EVENT OF A CHANGE IN DIRECT SERVICE
12 AREA FROM ONE LIBRARY TO ANOTHER, THE STATE LIBRARIAN,
13 UPON AGREEMENT OF THE AFFECTED LIBRARIES, MAY
14 REDISTRIBUTE THE LOCAL LIBRARY SHARE OF AID TO THE
15 LIBRARY CURRENTLY SERVICING THE AREA.

16 (15) FROM MONEY APPROPRIATED FOR READY-TO-LEARN BLOCK
17 GRANT FOR THE 2023-2024 SCHOOL YEAR, EACH SCHOOL ENTITY SHALL
18 RECEIVE A READY-TO-LEARN BLOCK GRANT IN AN AMOUNT NOT LESS
19 THAN THE AMOUNT RECEIVED BY THE SCHOOL ENTITY FROM THE
20 APPROPRIATION FOR THE READY-TO-LEARN BLOCK GRANT DURING THE
21 2022-2023 FISCAL YEAR.

22 (16) (RESERVED).

23 (17) FROM MONEY APPROPRIATED FOR PAYMENTS ON ACCOUNT OF
24 SPECIAL EDUCATION OF EXCEPTIONAL CHILDREN, 5.5% OF THE AMOUNT
25 SHALL BE PAID TO INTERMEDIATE UNITS ON ACCOUNT OF SPECIAL
26 EDUCATION SERVICES.

27 (18) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
28 CONTRARY, FROM MONEY APPROPRIATED FOR CAREER AND TECHNICAL
29 EDUCATION, PAYMENTS ON ACCOUNT OF PUPILS ENROLLED IN CAREER
30 AND TECHNICAL EDUCATION CURRICULUMS AS REQUIRED UNDER SECTION

1 2502.8 OF THE PUBLIC SCHOOL CODE OF 1949 SHALL BY CALCULATED
2 BY DETERMINING THE INCREASE IN THE WEIGHTED AVERAGE DAILY
3 MEMBERSHIP BY MULTIPLYING THE NUMBER OF STUDENTS IN AVERAGE
4 DAILY MEMBERSHIP IN CAREER AND TECHNICAL CURRICULUMS IN AREA
5 CAREER AND TECHNICAL SCHOOLS BY 0.2668 AND THE NUMBER OF
6 STUDENTS IN AVERAGE DAILY MEMBERSHIP IN SCHOOL DISTRICT AND
7 CHARTER SCHOOL CAREER AND TECHNICAL CURRICULUMS BY 0.2178.

8 (19) (RESERVED).

9 (20) ARTICLE XXVI-J OF THE PUBLIC SCHOOL CODE OF 1949
10 SHALL APPLY TO PROJECTS FOR WHICH APPROVAL AND REIMBURSEMENT
11 IS SOUGHT AND FOR THE PROGRAM BEGINNING JULY 1, 2024.

12 (21) THE DEPARTMENT OF EDUCATION MAY UTILIZE UP TO
13 \$7,000,000 OF UNDISTRIBUTED FUNDS NOT EXPENDED, ENCUMBERED OR
14 COMMITTED FROM APPROPRIATIONS FOR GRANTS, SUBSIDIES AND
15 ASSESSMENTS MADE TO THE DEPARTMENT OF EDUCATION TO ASSIST
16 SCHOOL DISTRICTS DECLARED TO BE IN FINANCIAL RECOVERY STATUS
17 UNDER SECTION 621-A OF THE PUBLIC SCHOOL CODE OF 1949,
18 IDENTIFIED FOR FINANCIAL WATCH STATUS UNDER SECTION 611-A OF
19 THE PUBLIC SCHOOL CODE OF 1949 OR IDENTIFIED FOR FINANCIAL
20 WATCH STATUS UNDER SECTION 694-A OF THE PUBLIC SCHOOL CODE OF
21 1949; EXCEPT THAT THE FUNDS MUST BE FIRST UTILIZED TO
22 ACCOMPLISH THE PROVISIONS CONTAINED IN SECTION 695-A OF THE
23 PUBLIC SCHOOL CODE OF 1949. THE FUNDS SHALL BE TRANSFERRED BY
24 THE SECRETARY OF THE BUDGET TO A RESTRICTED ACCOUNT AS
25 NECESSARY TO MAKE PAYMENTS UNDER THIS PARAGRAPH AND, WHEN
26 TRANSFERRED, ARE APPROPRIATED TO CARRY OUT THE PROVISIONS OF
27 THIS SECTION 2510.3 OF THE PUBLIC SCHOOL CODE OF 1949.

28 (22) FROM MONEY APPROPRIATED TO THE DEPARTMENT OF
29 EDUCATION, THE DEPARTMENT OF EDUCATION SHALL PAY ONE-THIRD OF
30 THE COST FOR THE COMMISSION ON EDUCATION AND ECONOMIC

1 COMPETITIVENESS TO IMPLEMENT A CONTRACT FOR A NONPROFIT
2 ENTITY THAT HAS EXPERIENCE IN THE CREATION OF LONG-TERM
3 EDUCATION PLANNING EFFORTS AS REQUIRED UNDER SECTION 123.1(G)
4 OF THE PUBLIC SCHOOL CODE OF 1949. A PROCUREMENT UNDER THIS
5 PARAGRAPH SHALL NOT BE SUBJECT TO THE REQUIREMENTS OF 62
6 PA.C.S. (RELATING TO PROCUREMENT). THE DEPARTMENT OF
7 EDUCATION SHALL COLLABORATE WITH ANY OTHER STATE AGENCY AS
8 NECESSARY TO IMPLEMENT A PROCUREMENT UNDER THIS PARAGRAPH.

9 (23) FROM MONEY APPROPRIATED FOR GRANTS TO SCHOOL
10 DISTRICTS TO ASSIST IN MEETING FEDERAL MATCHING REQUIREMENTS
11 FOR GRANTS RECEIVED UNDER 42 U.S.C. CH. 13A (RELATING TO
12 CHILD NUTRITION) AND TO AID IN PROVIDING A FOOD PROGRAM FOR
13 NEEDY CHILDREN, MONEY SHALL BE USED TO REIMBURSE SCHOOLS THAT
14 PARTICIPATE IN THE NATIONAL SCHOOL LUNCH AND SCHOOL BREAKFAST
15 PROGRAMS FOR THE DIFFERENCE BETWEEN THE REIMBURSEMENT RATE
16 FOR A FREE LUNCH AND A REDUCED PRICE LUNCH AND THE DIFFERENCE
17 BETWEEN THE REIMBURSEMENT RATE FOR A FREE BREAKFAST AND A
18 REDUCED PRICE BREAKFAST OR PAID BREAKFAST.

19 (24) MONEY APPROPRIATED FOR JOB TRAINING AND EDUCATION
20 PROGRAMS SHALL BE USED FOR GRANTS FOR JOB TRAINING AND
21 EDUCATIONAL PROGRAMS.

22 (25) MONEY APPROPRIATED FOR MOBILE SCIENCE AND
23 MATHEMATICS EDUCATION PROGRAMS SHALL BE USED FOR GRANTS TO
24 SUPPORT MOBILE SCIENCE AND MATHEMATICS EDUCATION PROGRAMS.

25 SECTION 1724-F.3. DEPARTMENT OF ENVIRONMENTAL PROTECTION

26 (RESERVED).

27 SECTION 1725-F.3. DEPARTMENT OF GENERAL SERVICES.

28 FROM MONEY APPROPRIATED TO THE DEPARTMENT OF GENERAL SERVICES
29 FOR CAPITOL FIRE PROTECTION, THE CITY OF HARRISBURG SHALL USE
30 THE MONEY TO SUPPORT THE PROVISIONS OF FIRE SERVICES TO THE

1 CAPITOL COMPLEX.

2 SECTION 1726-F.3. DEPARTMENT OF HEALTH.

3 THE FOLLOWING APPLY TO APPROPRIATIONS FOR THE DEPARTMENT OF
4 HEALTH:

5 (1) FROM MONEY APPROPRIATED FOR GENERAL GOVERNMENT
6 OPERATIONS, SUFFICIENT MONEY IS INCLUDED FOR THE COORDINATION
7 OF DONATED DENTAL SERVICES.

8 (2) (RESERVED).

9 (3) FROM MONEY APPROPRIATED FOR PRIMARY HEALTH CARE
10 PRACTITIONER, THE FOLLOWING APPLY:

11 (I) NO LESS THAN \$3,451,000 SHALL BE USED FOR
12 PRIMARY CARE LOAN REPAYMENT GRANT AWARDS.

13 (II) NO LESS THAN \$1,500,000 SHALL BE USED FOR THE
14 PENNSYLVANIA ACADEMY OF FAMILY PHYSICIANS FAMILY MEDICINE
15 RESIDENCY EXPANSION PROGRAM.

16 (III) NO LESS THAN \$1,300,000 SHALL BE USED FOR THE
17 PENNSYLVANIA ACADEMY OF FAMILY PHYSICIANS FAMILY MEDICINE
18 RESIDENCY COMMUNITY HEALTH IMPACT GRANT PROGRAM.

19 (IV) GRANTEES OTHER THAN AS PROVIDED UNDER
20 SUBPARAGRAPHS (I), (II) AND (III) THAT RECEIVED AMOUNTS
21 IN THE 2022-2023 FISCAL YEAR SHALL RECEIVE THE AMOUNT
22 EACH GRANTEE RECEIVED IN THE 2022-2023 FISCAL YEAR.

23 (4) MONEY APPROPRIATED FOR SERVICES FOR CHILDREN WITH
24 SPECIAL NEEDS SHALL BE DISTRIBUTED TO GRANTEES IN THE SAME
25 PROPORTION AS DISTRIBUTED IN FISCAL YEAR 2019-2020.

26 (5) FROM MONEY APPROPRIATED FOR ADULT CYSTIC FIBROSIS
27 AND OTHER CHRONIC RESPIRATORY ILLNESSES, THE FOLLOWING APPLY:

28 (I) NO LESS THAN \$212,000 SHALL BE USED FOR A
29 PROGRAM PROMOTING CYSTIC FIBROSIS RESEARCH IN A COUNTY OF
30 THE SECOND CLASS.

1 (II) NO LESS THAN \$106,000 SHALL BE USED FOR
2 RESEARCH RELATED TO CHILDHOOD CYSTIC FIBROSIS IN A CITY
3 OF THE FIRST CLASS WITH A HOSPITAL THAT IS NATIONALLY
4 ACCREDITED AS A CYSTIC FIBROSIS TREATMENT CENTER AND
5 SPECIALIZES IN THE TREATMENT OF CHILDREN.

6 (III) ANY MONEY NOT USED UNDER SUBPARAGRAPH (I) OR
7 (II) SHALL BE DISTRIBUTED TO GRANTEES IN THE SAME
8 PROPORTION AS DISTRIBUTED IN FISCAL YEAR 2019-2020.

9 (6) MONEY APPROPRIATED FOR DIAGNOSIS AND TREATMENT FOR
10 COOLEY'S ANEMIA SHALL BE DISTRIBUTED TO GRANTEES IN THE SAME
11 PROPORTION AS DISTRIBUTED IN FISCAL YEAR 2019-2020.

12 (7) MONEY APPROPRIATED FOR HEMOPHILIA SERVICES SHALL BE
13 DISTRIBUTED TO GRANTEES IN THE SAME PROPORTION AS DISTRIBUTED
14 IN FISCAL YEAR 2019-2020.

15 (8) MONEY APPROPRIATED FOR LUPUS PROGRAMS SHALL BE
16 DISTRIBUTED PROPORTIONATELY TO EACH ENTITY THAT RECEIVED
17 FUNDING IN FISCAL YEAR 2018-2019.

18 (9) FROM MONEY APPROPRIATED FOR SICKLE CELL ANEMIA
19 SERVICES, INCLUDING CAMPS FOR CHILDREN WITH SICKLE CELL
20 ANEMIA, THE FOLLOWING SHALL APPLY:

21 (I) GRANTEES WHICH RECEIVED AMOUNTS IN FISCAL YEAR
22 2019-2020 SHALL RECEIVE AN AMOUNT WHICH IS IN THE SAME
23 PROPORTION AS DISTRIBUTED IN FISCAL YEAR 2019-2020.

24 (II) \$75,000 SHALL BE DISTRIBUTED TO A QUALIFYING
25 ACADEMIC MEDICAL CENTER LOCATED IN A COUNTY OF THE THIRD
26 CLASS WITH A POPULATION BETWEEN 280,000 AND 300,000 UNDER
27 THE MOST RECENT FEDERAL DECENNIAL CENSUS FOR EXPANDED
28 CARE OF ADULT SICKLE CELL DISEASE.

29 (10) MONEY APPROPRIATED FOR LYME DISEASE INCLUDES
30 \$2,000,000 FOR COSTS RELATED TO FREE TICK TESTING FOR

1 RESIDENTS PERFORMED IN CONJUNCTION WITH A UNIVERSITY THAT IS
2 PART OF THE STATE SYSTEM OF HIGHER EDUCATION, INCLUDING
3 OUTREACH AND MARKETING.

4 (11) MONEY APPROPRIATED FOR BIOTECHNOLOGY RESEARCH SHALL
5 INCLUDE ALLOCATIONS FOR REGENERATIVE MEDICINE RESEARCH, FOR
6 REGENERATIVE MEDICINE MEDICAL TECHNOLOGY, FOR HEPATITIS AND
7 VIRAL RESEARCH, FOR DRUG RESEARCH AND CLINICAL TRIALS RELATED
8 TO CANCER, FOR GENETIC AND MOLECULAR RESEARCH FOR DISEASE
9 IDENTIFICATION AND ERADICATION, FOR VACCINE IMMUNE RESPONSE
10 DIAGNOSTICS, FOR NANOTECHNOLOGY AND FOR THE COMMERCIALIZATION
11 OF APPLIED RESEARCH.

12 SECTION 1727-F.3. INSURANCE DEPARTMENT (RESERVED).

13 SECTION 1728-F.3. DEPARTMENT OF LABOR AND INDUSTRY.

14 THE FOLLOWING APPLY TO APPROPRIATIONS TO THE DEPARTMENT OF
15 LABOR AND INDUSTRY:

16 (1) FROM MONEY APPROPRIATED FOR INDUSTRY PARTNERSHIPS,
17 NO LESS THAN THE AMOUNT ALLOCATED IN THE 2014-2015 FISCAL
18 YEAR SHALL BE USED FOR A WORK FORCE DEVELOPMENT PROGRAM THAT
19 LINKS VETERANS WITH EMPLOYMENT IN A HOME RULE COUNTY THAT WAS
20 FORMERLY A COUNTY OF THE SECOND CLASS A.

21 (2) FROM MONEY APPROPRIATED TO THE DEPARTMENT OF LABOR
22 AND INDUSTRY, THE DEPARTMENT OF LABOR AND INDUSTRY SHALL PAY
23 ONE-THIRD OF THE COST FOR THE COMMISSION ON EDUCATION AND
24 ECONOMIC COMPETITIVENESS TO IMPLEMENT A CONTRACT FOR A
25 NONPROFIT ENTITY THAT HAS EXPERIENCE IN THE CREATION OF LONG-
26 TERM EDUCATION PLANNING EFFORTS AS REQUIRED UNDER SECTION
27 123.1(G) OF THE ACT OF MARCH 10, 1949 (P.L.30. NO.14), KNOWN
28 AS THE PUBLIC SCHOOL CODE OF 1949. A PROCUREMENT UNDER THIS
29 PARAGRAPH SHALL NOT BE SUBJECT TO THE REQUIREMENTS OF 62
30 PA.C.S. (RELATING TO PROCUREMENT). THE DEPARTMENT OF LABOR

1 AND INDUSTRY SHALL COLLABORATE WITH ANY OTHER STATE AGENCY AS
2 NECESSARY TO IMPLEMENT A PROCUREMENT UNDER THIS PARAGRAPH.
3 SECTION 1729-F.3. DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
4 (RESERVED).

5 SECTION 1730-F.3. DEPARTMENT OF HUMAN SERVICES.

6 THE FOLLOWING APPLY TO APPROPRIATIONS FOR THE DEPARTMENT OF
7 HUMAN SERVICES:

8 (1) FROM MONEY APPROPRIATED FOR MENTAL HEALTH SERVICES
9 OR FROM FEDERAL MONEY, \$580,000 SHALL BE USED FOR THE
10 FOLLOWING:

11 (I) THE OPERATION AND MAINTENANCE OF A NETWORK OF
12 WEB PORTALS THAT PROVIDE COMPREHENSIVE REFERRAL SERVICES,
13 SUPPORT AND INFORMATION RELATING TO EARLY INTERVENTION,
14 PREVENTION AND SUPPORT FOR INDIVIDUALS WITH MENTAL HEALTH
15 OR SUBSTANCE ABUSE ISSUES, COUNTY MENTAL HEALTH OFFICES,
16 PROVIDERS AND OTHERS THAT PROVIDE MENTAL AND BEHAVIORAL
17 HEALTH TREATMENT AND RELATED SERVICES.

18 (II) THE EXPANSION OF THE EXISTING WEB PORTALS,
19 INCLUDING SERVICES AND RESOURCES FOR MILITARY VETERANS
20 AND THEIR FAMILIES, INCLUDING COMPREHENSIVE REFERRAL
21 SERVICES FOR TRANSITIONAL, TEMPORARY AND PERMANENT
22 HOUSING, JOB PLACEMENT AND CAREER COUNSELING AND OTHER
23 SERVICES FOR MILITARY VETERANS RETURNING TO CIVILIAN
24 LIFE.

25 (2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FROM THE
26 MONEY APPROPRIATED FOR MENTAL HEALTH SERVICES, \$20,000,000
27 SHALL BE USED FOR COUNTY MENTAL HEALTH SERVICES IN ADDITION
28 TO THE COUNTY FUNDING PROVIDED UNDER THE ACT OF OCTOBER 20,
29 1966 (3RD SP.SESS., P.L.96, NO.6), KNOWN AS THE MENTAL HEALTH
30 AND INTELLECTUAL DISABILITY ACT OF 1966, AND THE HUMAN

1 SERVICES BLOCK GRANT PROGRAM UNDER ARTICLE XIV-B OF THE HUMAN
2 SERVICES CODE. THE FOLLOWING APPLY:

3 (I) MONEY SHALL BE DISTRIBUTED TO EACH COUNTY AND
4 COUNTY LOCAL COLLABORATIVE ARRANGEMENT ON A PRO RATA
5 BASIS BASED UPON FISCAL YEAR 2022-2023 MENTAL HEALTH
6 COMMUNITY BASE FUNDED SERVICES ALLOCATIONS.

7 (II) COUNTY MENTAL HEALTH SERVICES SHALL BE PROVIDED
8 AND REPORTED IN ACCORDANCE WITH THE REPORTING AND
9 MONITORING REQUIREMENTS OF THE DEPARTMENT OF HUMAN
10 SERVICES.

11 (III) MONEY RECEIVED UNDER THIS PARAGRAPH MAY NOT BE
12 INCLUDED IN THE CALCULATION OF THE ALLOCATION OF FUNDS
13 UNDER THE HUMAN SERVICES BLOCK GRANT PROGRAM.

14 (3) SUBJECT TO THE AVAILABILITY OF FEDERAL MONEY AND
15 ELIGIBILITY UNDER FEDERAL TANFBG RULES, GRANTEEES WHO OPERATED
16 WITHIN THE PA WORKWEAR PROGRAM IN THE PRIOR FISCAL YEAR AND
17 WHO REMAIN IN OPERATION SHALL BE OFFERED A GRANT FOR THE
18 FISCAL YEAR TO CONTINUE SERVICE DELIVERY UNDER SUBSTANTIALLY
19 SIMILAR TERMS AS PREVIOUS PA WORKWEAR GRANTS UNLESS BOTH
20 PARTIES AGREE TO ALTERNATE TERMS. NOTHING IN THIS PARAGRAPH
21 SHALL PROHIBIT THE DEPARTMENT OF HUMAN SERVICES FROM OFFERING
22 A GRANT TO A PROSPECTIVE PA WORKWEAR PROVIDER TO REPLACE A
23 PRIOR GRANTEE WHO CHOOSES NOT TO CONTINUE TO OPERATE IN THE
24 PROGRAM.

25 (4) FROM MONEY APPROPRIATED FOR MEDICAL ASSISTANCE
26 CAPITATION:

27 (I) NO LESS THAN THE AMOUNT USED IN THE 2014-2015
28 FISCAL YEAR SHALL BE USED FOR PREVENTION AND TREATMENT OF
29 DEPRESSION AND ITS COMPLICATIONS IN OLDER PENNSYLVANIANS
30 IN A COUNTY OF THE SECOND CLASS.

1 (II) SUBJECT TO FEDERAL APPROVAL AS MAY BE NECESSARY
2 AND CONTINGENT ON FEDERAL FINANCIAL PARTICIPATION,
3 SUFFICIENT FUNDS ARE INCLUDED TO PROVIDE REIMBURSEMENT
4 FOR GROUND MILEAGE FOR EVERY LOADED MILE AND TO PROVIDE
5 THE GREATER OF MEDICARE RATES PUBLISHED IN THE AMBULANCE
6 FEE SCHEDULE PUBLIC USE FILE FOR CALENDAR YEAR 2023 OR
7 THE CURRENT MEDICAID AMBULANCE FEES AS UPDATED BY MEDICAL
8 ASSISTANCE BULLETIN 26-22-07 EFFECTIVE DATE JANUARY 1,
9 2023, BEGINNING ON JANUARY 1, 2024.

10 (5) THE FOLLOWING SHALL APPLY TO AMOUNTS APPROPRIATED
11 FOR MEDICAL ASSISTANCE FEE-FOR-SERVICE:

12 (I) PAYMENTS TO HOSPITALS FOR COMMUNITY ACCESS FUND
13 GRANTS SHALL BE DISTRIBUTED UNDER THE FORMULAS UTILIZED
14 FOR THESE GRANTS IN FISCAL YEAR 2014-2015. IF THE TOTAL
15 FUNDING AVAILABLE UNDER THIS SUBPARAGRAPH IS LESS THAN
16 THAT AVAILABLE IN FISCAL YEAR 2014-2015, PAYMENTS SHALL
17 BE MADE ON A PRO RATA BASIS.

18 (II) AMOUNTS ALLOCATED FROM MONEY APPROPRIATED FOR
19 FEE-FOR-SERVICE USED FOR THE SELECTPLAN FOR WOMEN'S
20 PREVENTATIVE HEALTH SERVICES SHALL BE USED FOR WOMEN'S
21 MEDICAL SERVICES, INCLUDING NONINVASIVE CONTRACEPTION
22 SUPPLIES.

23 (III) NOTWITHSTANDING ANY OTHER LAW, MONEY
24 APPROPRIATED FOR MEDICAL ASSISTANCE PAYMENTS FOR FEE-FOR-
25 SERVICE CARE, EXCLUSIVE OF INPATIENT SERVICES PROVIDED
26 THROUGH CAPITATION PLANS, SHALL INCLUDE SUFFICIENT MONEY
27 FOR TWO SEPARATE ALL PATIENT REFINED DIAGNOSTIC RELATED
28 GROUP PAYMENTS FOR INPATIENT ACUTE CARE GENERAL HOSPITAL
29 STAYS FOR:

30 (A) NORMAL NEWBORN CARE; AND

1 (B) MOTHERS' OBSTETRICAL DELIVERY.

2 (IV) NO LESS THAN \$330,000 SHALL BE USED FOR CLEFT
3 PALATES AND OTHER CRANIOFACIAL ANOMALIES.

4 (V) NO LESS THAN \$800,000 SHALL BE DISTRIBUTED TO A
5 HOSPITAL FOR CLINICAL OPHTHALMOLOGIC SERVICES LOCATED IN
6 A CITY OF THE FIRST CLASS.

7 (VI) (RESERVED).

8 (VII) NO LESS THAN \$5,000,000 SHALL BE DISTRIBUTED
9 TO A HOSPITAL IN A CITY OF THE THIRD CLASS IN A HOME RULE
10 COUNTY THAT WAS FORMERLY A COUNTY OF THE SECOND CLASS A,
11 PROVIDED THAT SERVICES AND SPECIALTIES AVAILABLE ON THE
12 EFFECTIVE DATE OF THIS PARAGRAPH MUST REMAIN AVAILABLE
13 UNTIL JULY 1, 2024, AND COMPLIANCE WITH ANY OTHER
14 REQUIREMENTS IMPOSED BY THE DEPARTMENT OF HUMAN SERVICES.
15 THE DEPARTMENT OF HUMAN SERVICES MAY RECOUP FUNDS FROM
16 ANY HOSPITAL FAILING TO MEET THE CONDITIONS UNDER THIS
17 PARAGRAPH.

18 (VIII) NO LESS THAN \$2,000,000 SHALL BE DISTRIBUTED
19 TO A UNIVERSITY LOCATED IN A CITY OF THE FIRST CLASS TO
20 RESEARCH THE IMPACT OF TRAUMA-INFORMED PROGRAMS ON
21 COMMUNITY VIOLENCE PREVENTION AND HEALTH DISPARITIES.

22 (IX) NO LESS THAN \$3,000,000 SHALL BE DISTRIBUTED TO
23 AN ENROLLED OUTPATIENT THERAPY SERVICE PROVIDER LOCATED
24 IN A CITY OF THE SECOND CLASS IN A COUNTY OF THE SECOND
25 CLASS THAT PROVIDES BEHAVIORAL HEALTH AND MEDICAL
26 REHABILITATION PEDIATRIC OUTPATIENT SERVICES.

27 (X) NO LESS THAN \$1,250,000 SHALL BE DISTRIBUTED TO
28 AN ACUTE CARE HOSPITAL IN A CITY OF THE THIRD CLASS WITH
29 A POPULATION BETWEEN 14,000 AND 15,000 ACCORDING TO THE
30 MOST RECENT FEDERAL DECENNIAL CENSUS IN A COUNTY OF THE

1 THIRD CLASS WITH A POPULATION BETWEEN 350,000 AND 370,000
2 ACCORDING TO THE MOST RECENT FEDERAL DECENNIAL CENSUS.

3 (XI) SUBJECT TO FEDERAL APPROVAL AS MAY BE NECESSARY
4 AND CONTINGENT ON FEDERAL FINANCIAL PARTICIPATION,
5 SUFFICIENT FUNDS ARE INCLUDED TO PROVIDE REIMBURSEMENT
6 FOR GROUND MILEAGE FOR EVERY LOADED MILE AND TO PROVIDE
7 THE GREATER OF MEDICARE RATES PUBLISHED IN THE AMBULANCE
8 FEE SCHEDULE PUBLIC USE FILE FOR CALENDAR YEAR 2023 OR
9 THE CURRENT MEDICAID AMBULANCE FEES AS UPDATED BY MEDICAL
10 ASSISTANCE BULLETIN 26-22-07 EFFECTIVE DATE JANUARY 1,
11 2023, BEGINNING ON JANUARY 1, 2024.

12 (6) TO SUPPLEMENT THE MONEY APPROPRIATED TO THE
13 DEPARTMENT FOR MEDICAL ASSISTANCE FOR WORKERS WITH
14 DISABILITIES, IN ADDITION TO THE MONTHLY PREMIUM UNDER
15 SECTION 1503(B)(1) OF THE ACT OF JUNE 26, 2001 (P.L.755,
16 NO.77), KNOWN AS THE TOBACCO SETTLEMENT ACT, THE DEPARTMENT
17 MAY ADJUST THE PERCENTAGE OF THE PREMIUM UPON APPROVAL OF THE
18 CENTERS FOR MEDICARE AND MEDICAID SERVICES AS AUTHORIZED
19 UNDER FEDERAL REQUIREMENTS. FAILURE TO MAKE PAYMENTS IN
20 ACCORDANCE WITH THIS PARAGRAPH OR SECTION 1503(B)(1) OF THE
21 TOBACCO SETTLEMENT ACT SHALL RESULT IN THE TERMINATION OF
22 MEDICAL ASSISTANCE COVERAGE.

23 (7) QUALIFYING PHYSICIAN PRACTICE PLANS THAT RECEIVED
24 MONEY FOR FISCAL YEAR 2017-2018 SHALL NOT RECEIVE LESS THAN
25 THE STATE APPROPRIATION MADE AVAILABLE TO THOSE PHYSICIAN
26 PRACTICE PLANS DURING FISCAL YEAR 2017-2018.

27 (8) FEDERAL OR STATE MONEY APPROPRIATED UNDER THE
28 GENERAL APPROPRIATION ACT OF 2023 IN ACCORDANCE WITH 35
29 PA.C.S. § 8107.3 (RELATING TO FUNDING) NOT USED TO MAKE
30 PAYMENTS TO HOSPITALS QUALIFYING AS LEVEL III TRAUMA CENTERS

1 OR SEEKING ACCREDITATION AS LEVEL III TRAUMA CENTERS SHALL BE
2 USED TO MAKE PAYMENTS TO HOSPITALS QUALIFYING AS LEVELS I AND
3 II TRAUMA CENTERS.

4 (9) QUALIFYING ACADEMIC MEDICAL CENTERS THAT RECEIVED
5 MONEY FOR FISCAL YEAR 2017-2018 SHALL RECEIVE THE SAME AMOUNT
6 FROM THE STATE APPROPRIATION MADE AVAILABLE TO THOSE ACADEMIC
7 MEDICAL CENTERS DURING FISCAL YEAR 2017-2018.

8 (10) MONEY APPROPRIATED FOR MEDICAL ASSISTANCE
9 TRANSPORTATION SHALL ONLY BE UTILIZED AS A PAYMENT OF LAST
10 RESORT FOR TRANSPORTATION FOR ELIGIBLE MEDICAL ASSISTANCE
11 RECIPIENTS.

12 (11) (RESERVED).

13 (12) FROM MONEY APPROPRIATED FOR MEDICAL ASSISTANCE
14 LONG-TERM LIVING:

15 (I) NO LESS THAN THE AMOUNT DISTRIBUTED IN THE 2014-
16 2015 FISCAL YEAR SHALL BE DISTRIBUTED TO A COUNTY NURSING
17 HOME LOCATED IN A HOME RULE COUNTY THAT WAS FORMERLY A
18 COUNTY OF THE SECOND CLASS A WITH MORE THAN 725 BEDS AND
19 A MEDICAID ACUITY AT 0.79 AS OF AUGUST 1, 2015.

20 (II) NO LESS THAN THE AMOUNT USED IN THE 2020-2021
21 FISCAL YEAR SHALL BE DISTRIBUTED TO A NONPUBLIC NURSING
22 HOME LOCATED IN A COUNTY OF THE FIRST CLASS WITH MORE
23 THAN 395 BEDS AND A MEDICAID ACUITY AT 1.06 AS OF AUGUST
24 1, 2022, TO ENSURE ACCESS TO NECESSARY NURSING CARE IN
25 THAT COUNTY.

26 (III) \$5,000,000 SHALL BE DISTRIBUTED TO A NONPUBLIC
27 NURSING HOME LOCATED IN A COUNTY OF THE EIGHTH CLASS WITH
28 MORE THAN 119 BEDS AND A MEDICAID ACUITY AT 1.11 AS OF
29 AUGUST 1, 2022, TO ENSURE ACCESS TO NECESSARY NURSING
30 HOME CARE IN THAT COUNTY.

1 (IV) AN ADDITIONAL \$500,000 SHALL BE PAID IN EQUAL
2 PAYMENTS TO NURSING FACILITIES WHICH REMAIN OPEN AS OF
3 THE EFFECTIVE DATE OF THIS SECTION THAT QUALIFIED FOR
4 SUPPLEMENTAL VENTILATOR CARE AND TRACHEOSTOMY CARE
5 PAYMENTS IN FISCAL YEAR 2014-2015 WITH A PERCENTAGE OF
6 MEDICAL ASSISTANCE RECIPIENT RESIDENTS WHO REQUIRED
7 MEDICALLY NECESSARY VENTILATOR CARE OR TRACHEOSTOMY CARE
8 GREATER THAN 90%.

9 (V) SUBJECT TO FEDERAL APPROVAL OF NECESSARY
10 AMENDMENTS OF THE TITLE XIX STATE PLAN, \$16,000,000 IS
11 ALLOCATED FOR MEDICAL ASSISTANCE DAY-ONE INCENTIVE
12 PAYMENTS TO QUALIFIED NONPUBLIC NURSING FACILITIES UNDER
13 METHODOLOGY AND CRITERIA UNDER SECTION 443.1(7)(VI) OF
14 THE HUMAN SERVICES CODE. THE DEPARTMENT OF HUMAN SERVICES
15 SHALL DETERMINE A NONPUBLIC NURSING FACILITY'S OVERALL
16 AND MEDICAL ASSISTANCE OCCUPANCY RATE TO QUALIFY FOR A
17 MEDICAL ASSISTANCE DAY-ONE INCENTIVE PAYMENT FOR THE
18 FISCAL YEAR BASED ON A NURSING FACILITY'S RESIDENT DAY
19 QUARTER ENDING DECEMBER 31, 2019, FOR THE FIRST OF TWO
20 PAYMENTS AND A NURSING FACILITY'S RESIDENT DAY QUARTER
21 ENDING MARCH 31, 2020, FOR THE SECOND OF TWO PAYMENTS.

22 (VI) FOR FISCAL YEAR 2023-2024, THE DEPARTMENT OF
23 HUMAN SERVICES SHALL CALCULATE EACH NURSING FACILITY'S
24 CASE-MIX RATE BASED ON THE COST DATABASE AND PEER GROUP
25 PRICES FOR EACH NET OPERATING COST CENTER USED IN THE
26 CALCULATION OF EACH NURSING FACILITY'S CASE-MIX FOR
27 FISCAL YEAR 2022-2023. EACH NURSING FACILITY'S CASE-MIX
28 RATE SHALL BE ADJUSTED QUARTERLY IN ACCORDANCE WITH 55
29 PA. CODE § 1187.96(A)(5) (RELATING TO PRICE- AND RATE-
30 SETTING COMPUTATIONS).

1 (13) FROM MONEY APPROPRIATED FOR MEDICAL ASSISTANCE
2 COMMUNITY HEALTHCHOICES:

3 (I) (RESERVED).

4 (II) SUBJECT TO FEDERAL APPROVAL AS MAY BE NECESSARY
5 AND CONTINGENT ON FEDERAL FINANCIAL PARTICIPATION,
6 SUFFICIENT FUNDS ARE INCLUDED TO PROVIDE REIMBURSEMENT
7 FOR GROUND MILEAGE FOR EVERY LOADED MILE AND TO PROVIDE
8 THE GREATER OF MEDICARE RATES PUBLISHED IN THE AMBULANCE
9 FEE SCHEDULE PUBLIC USE FILE FOR CALENDAR YEAR 2023 OR
10 THE CURRENT MEDICAID AMBULANCE FEES AS UPDATED BY MEDICAL
11 ASSISTANCE BULLETIN 26-22-07 EFFECTIVE DATE JANUARY 1,
12 2023, BEGINNING ON JANUARY 1, 2024.

13 (III) FOR FISCAL YEAR 2023-2024, THE DEPARTMENT OF
14 HUMAN SERVICES SHALL CALCULATE EACH NURSING FACILITY'S
15 CASE-MIX RATE BASED ON THE COST DATABASE AND PEER GROUP
16 PRICES FOR EACH NET OPERATING COST CENTER USED IN THE
17 CALCULATION OF EACH NURSING FACILITY'S CASE-MIX FOR
18 FISCAL YEAR 2022-2023. EACH NURSING FACILITY'S CASE-MIX
19 RATE SHALL BE ADJUSTED QUARTERLY IN ACCORDANCE WITH 55
20 PA. CODE § 1187.96(A)(5).

21 (14) FROM MONEY APPROPRIATED FOR AUTISM INTERVENTION AND
22 SERVICES:

23 (I) \$600,000 SHALL BE ALLOCATED TO A BEHAVIORAL
24 HEALTH FACILITY LOCATED IN A COUNTY OF THE FIFTH CLASS
25 WITH A POPULATION BETWEEN 140,000 AND 145,000 UNDER THE
26 MOST RECENT FEDERAL DECENNIAL CENSUS AND SHALL BE
27 DISTRIBUTED TO A HEALTH SYSTEM THAT OPERATES BOTH A
28 GENERAL ACUTE CARE HOSPITAL AND A BEHAVIORAL HEALTH
29 FACILITY THAT HAS A CENTER FOR AUTISM AND DEVELOPMENTAL
30 DISABILITIES LOCATED IN A COUNTY OF THE FIFTH CLASS WITH

1 A POPULATION BETWEEN 140,000 AND 145,000 UNDER THE MOST
2 RECENT FEDERAL DECENNIAL CENSUS;

3 (II) \$300,000 SHALL BE ALLOCATED TO AN INSTITUTION
4 OF HIGHER EDUCATION THAT PROVIDES AUTISM EDUCATION AND
5 DIAGNOSTIC CURRICULUM LOCATED IN A CITY OF THE FIRST
6 CLASS THAT OPERATES A CENTER FOR AUTISM IN A COUNTY OF
7 THE SECOND CLASS A;

8 (III) \$300,000 SHALL BE ALLOCATED TO AN INSTITUTION
9 OF HIGHER EDUCATION THAT PROVIDES AUTISM EDUCATION AND
10 DIAGNOSTIC CURRICULUM AND IS LOCATED IN A COUNTY OF THE
11 SECOND CLASS;

12 (IV) NO LESS THAN THE AMOUNT DISTRIBUTED IN THE
13 2014-2015 FISCAL YEAR SHALL BE ALLOCATED FOR PROGRAMS TO
14 PROMOTE THE HEALTH AND FITNESS OF PERSONS WITH
15 DEVELOPMENTAL DISABILITIES LOCATED IN A CITY OF THE FIRST
16 CLASS; AND

17 (V) \$600,000 SHALL BE ALLOCATED FOR AN ENTITY THAT
18 PROVIDES ALTERNATIVE EDUCATIONAL SERVICES TO INDIVIDUALS
19 WITH AUTISM AND DEVELOPMENTAL DISABILITIES IN THE COUNTY
20 WHICH WAS MOST RECENTLY DESIGNATED AS A COUNTY OF THE
21 SECOND CLASS A.

22 (15) (RESERVED).

23 (16) FROM MONEY APPROPRIATED FOR CHILD-CARE SERVICES, NO
24 LESS THAN \$25,000,000 SHALL BE ALLOCATED TO APPLY AN INCOME
25 LIMIT FOR SUBSIDIZED CHILD CARE DURING REDETERMINATION OF
26 ELIGIBILITY TO NO MORE THAN 300% OF THE FEDERAL POVERTY
27 INCOME GUIDELINES OR 85% OF THE STATE MEDIAN INCOME,
28 WHICHEVER IS LOWER. NOTWITHSTANDING ANY OTHER PROVISION OF
29 LAW, THE DEPARTMENT SHALL DETERMINE COPAYMENT AMOUNTS FOR
30 FAMILY INCOMES ABOVE 235% OF THE FEDERAL POVERTY INCOME

1 GUIDELINES IN ORDER TO SUPPORT ECONOMIC SELF-SUFFICIENCY. THE
2 DEPARTMENT SHALL TRANSMIT NOTICE OF THE COPAYMENT SCHEDULE TO
3 THE LEGISLATIVE REFERENCE BUREAU FOR PUBLICATION IN THE NEXT
4 AVAILABLE ISSUE OF THE PENNSYLVANIA BULLETIN.

5 (17) (RESERVED).

6 (18) MONEY APPROPRIATED FOR BREAST CANCER SCREENING MAY
7 BE USED FOR WOMEN'S MEDICAL SERVICES, INCLUDING NONINVASIVE
8 CONTRACEPTION SUPPLIES.

9 (19) FROM THE APPROPRIATION FOR 2-1-1 COMMUNICATIONS,
10 \$750,000 SHALL BE ALLOCATED FOR A STATEWIDE 2-1-1 SYSTEM
11 GRANT PROGRAM.

12 (20) THE APPROPRIATION FOR SERVICES FOR THE VISUALLY
13 IMPAIRED INCLUDES THE FOLLOWING:

14 (I) AN ALLOCATION OF \$4,084,000 FOR A STATEWIDE
15 PROFESSIONAL SERVICES PROVIDER ASSOCIATION FOR THE BLIND
16 TO PROVIDE TRAINING AND SUPPORTIVE SERVICES FOR
17 INDIVIDUALS WHO ARE BLIND AND PRESCHOOL VISION SCREENINGS
18 AND EYE SAFETY EDUCATION; AND

19 (II) AN ALLOCATION OF \$618,000 TO PROVIDE
20 SPECIALIZED SERVICES AND PREVENTION OF BLINDNESS SERVICES
21 IN CITIES OF THE FIRST CLASS.

22 (21) THE PROVISIONS OF 8 U.S.C. §§ 1611 (RELATING TO
23 ALIENS WHO ARE NOT QUALIFIED ALIENS INELIGIBLE FOR FEDERAL
24 PUBLIC BENEFITS), 1612 (RELATING TO LIMITED ELIGIBILITY OF
25 QUALIFIED ALIENS FOR CERTAIN FEDERAL PROGRAMS) AND 1642
26 (RELATING TO VERIFICATION OF ELIGIBILITY FOR FEDERAL PUBLIC
27 BENEFITS) SHALL APPLY TO PAYMENTS AND PROVIDERS.

28 (22) (RESERVED).

29 (23) THE DEPARTMENT OF HUMAN SERVICES SHALL NOT ADD NON-
30 MEDICALLY NECESSARY SERVICES TO THE MEDICAL ASSISTANCE

1 PROGRAM THAT WOULD RESULT IN THE NEED FOR A SUPPLEMENTAL
2 APPROPRIATION WITHOUT THE APPROVAL OF THE GENERAL ASSEMBLY.
3 EACH PROPOSED SERVICE SHALL BE OUTLINED IN THE GOVERNOR'S
4 EXECUTIVE BUDGET OR SUBSEQUENT UPDATES PROVIDED IN WRITING TO
5 THE GENERAL ASSEMBLY.

6 (24) NO LATER THAN SIX MONTHS AFTER THE ENACTMENT OF THE
7 GENERAL APPROPRIATION ACT OF 2023, THE DEPARTMENT OF HUMAN
8 SERVICES SHALL COMPLETE A REPORT ANALYZING THE WAGES FOR
9 DIRECT CARE WORKERS PROVIDING SERVICES TO THE DEPARTMENT OF
10 HUMAN SERVICES. THE FOLLOWING SHALL APPLY:

11 (I) THE REPORT SHALL INCLUDE ALL OF THE FOLLOWING:

12 (A) THE AVERAGE WAGES PAID TO DIRECT CARE STAFF
13 BY EACH PROGRAM OFFICE.

14 (B) WHETHER WAGES ARE ATTRIBUTED TO STAFFING
15 SHORTAGES AND RESULTED IN WAITING LISTS.

16 (II) THE DEPARTMENT OF HUMAN SERVICES SHALL SUBMIT
17 THE REPORT TO THE CHAIRPERSON AND MINORITY CHAIRPERSON OF
18 THE APPROPRIATIONS COMMITTEE OF THE SENATE, THE
19 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
20 APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES,
21 THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE HEALTH
22 AND HUMAN SERVICES COMMITTEE OF THE SENATE AND THE
23 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE HUMAN
24 SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

25 SECTION 1731-F.3. DEPARTMENT OF REVENUE (RESERVED).

26 SECTION 1732-F.3. DEPARTMENT OF STATE (RESERVED).

27 SECTION 1733-F.3. DEPARTMENT OF TRANSPORTATION (RESERVED).

28 SECTION 1734-F.3. PENNSYLVANIA STATE POLICE (RESERVED).

29 SECTION 1735-F.3. PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY.

30 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE

1 PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY:

2 (1) MONEY APPROPRIATED FOR SEARCH AND RESCUE PROGRAMS
3 SHALL BE USED TO SUPPORT PROGRAMS RELATED TO TRAINING WORKING
4 SERVICE DOGS FOCUSING ON RESCUE AND PUBLIC SAFETY.

5 (2) MONEY APPROPRIATED FOR THE STATE FIRE COMMISSIONER
6 INCLUDES FUNDING FOR A STATEWIDE RECRUITMENT AND RETENTION
7 COORDINATOR AND REGIONAL TECHNICAL ADVISORS TO DEVELOP,
8 IMPLEMENT AND DELIVER RECRUITMENT AND RETENTION TRAINING
9 PROGRAMS AND PROVIDE TECHNICAL ASSISTANCE TO LOCAL FIRE
10 ORGANIZATIONS AND LOCAL GOVERNMENTS.

11 (3) MONEY APPROPRIATED FOR STATE DISASTER ASSISTANCE
12 SHALL BE USED TO PROVIDE INDIVIDUAL DISASTER RECOVERY
13 ASSISTANCE TO ASSIST IN THE RECOVERY FROM EMERGENCIES AND
14 NON-FEDERALLY DECLARED DISASTERS. AMOUNTS UNDER THIS
15 PARAGRAPH MAY BE USED FOR CRITICAL NEEDS ASSISTANCE AND TO
16 REPAIR DAMAGE TO RESIDENTIAL PROPERTIES NOT COMPENSATED BY
17 INSURANCE OR ANY OTHER FUNDING SOURCES. THE PENNSYLVANIA
18 EMERGENCY MANAGEMENT AGENCY SHALL DEVELOP GUIDELINES TO
19 IMPLEMENT THIS PARAGRAPH AND SUBMIT THE GUIDELINES TO THE
20 LEGISLATIVE REFERENCE BUREAU FOR PUBLICATION IN THE NEXT
21 AVAILABLE ISSUE OF THE PENNSYLVANIA BULLETIN.

22 SECTION 1736-F.3. STATE-RELATED UNIVERSITIES (RESERVED).

23 SECTION 1737-F.3. STATE SYSTEM OF HIGHER EDUCATION.

24 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE STATE
25 SYSTEM OF HIGHER EDUCATION:

26 (1) IT SHALL BE A CONDITION OF RECEIPT OF MONEY
27 APPROPRIATED BY THE COMMONWEALTH THAT, FOR THE 2023-2024 AND
28 2024-2025 ACADEMIC YEARS, THE TUITION LEVEL CHARGED BY AN
29 INSTITUTION TO STUDENTS WHO ARE RESIDENTS OF THIS
30 COMMONWEALTH SHALL REMAIN THE SAME AS THE AMOUNT CHARGED TO

1 RESIDENTS OF THIS COMMONWEALTH DURING THE 2022-2023 ACADEMIC
2 YEAR. THE DIFFERENCE BETWEEN THE TUITION LEVEL CHARGED FOR
3 RESIDENTS AND NONRESIDENTS MAY BE WAIVED FOR NONRESIDENT
4 STUDENTS FROM STATES CONTIGUOUS TO THIS COMMONWEALTH AT THE
5 DISCRETION OF AN INSTITUTION PRESIDENT.

6 (2) (RESERVED).

7 SECTION 1738-F.3. PENNSYLVANIA HIGHER EDUCATION ASSISTANCE
8 AGENCY.

9 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE
10 PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY:

11 (1) THE PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY
12 SHALL ALLOCATE \$500,000 FROM THE HIGHER EDUCATION ASSISTANCE
13 FUND FOR THE CHEYNEY UNIVERSITY KEYSTONE ACADEMY.

14 (2) FROM MONEY APPROPRIATED FOR PAYMENT OF EDUCATION
15 ASSISTANCE GRANTS, THE AMOUNT OF \$1,000,000 SHALL BE
16 ALLOCATED TO A STATE-OWNED UNIVERSITY LOCATED IN TIOGA COUNTY
17 FOR MERIT SCHOLARSHIPS.

18 (3) FROM MONEY APPROPRIATED FOR PENNSYLVANIA INTERNSHIP
19 PROGRAM GRANTS, FUNDS MAY BE USED FOR INTERNSHIP AND SEMINAR
20 PROGRAMS.

21 SECTION 1739-F.3. THADDEUS STEVENS COLLEGE OF TECHNOLOGY.

22 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE THADDEUS
23 STEVENS COLLEGE OF TECHNOLOGY:

24 (1) FROM FUNDS APPROPRIATED FOR THADDEUS STEVENS COLLEGE
25 OF TECHNOLOGY, THE PRESIDENT OF THE COLLEGE SHALL CAUSE TO BE
26 PREPARED AND SUBMITTED TO THE SECRETARY OF EDUCATION, THE
27 PRESIDENT PRO TEMPORE OF THE SENATE, THE SPEAKER OF THE HOUSE
28 OF REPRESENTATIVES, THE MAJORITY LEADER AND THE MINORITY
29 LEADER OF THE SENATE, THE MAJORITY LEADER AND THE MINORITY
30 LEADER OF THE HOUSE OF REPRESENTATIVES, THE CHAIRPERSON AND

1 MINORITY CHAIRPERSON OF THE EDUCATION COMMITTEE OF THE SENATE
2 AND THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE EDUCATION
3 COMMITTEE OF THE HOUSE OF REPRESENTATIVES A COMPREHENSIVE
4 REPORT OUTLINING THE USE OF FUNDS APPROPRIATED, TO
5 SPECIFICALLY INCLUDE THE STRATEGIES AND USE OF FUNDS TO
6 EXPAND STUDENT ENROLLMENT.

7 (2) (RESERVED).

8 SECTION 1740-F.3. PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION
9 (RESERVED).

10 SECTION 1741-F.3. ENVIRONMENTAL HEARING BOARD (RESERVED).

11 SECTION 1742-F.3. HEALTH CARE COST CONTAINMENT COUNCIL
12 (RESERVED).

13 SECTION 1743-F.3. STATE ETHICS COMMISSION (RESERVED).

14 SECTION 1744-F.3. COMMONWEALTH FINANCING AUTHORITY (RESERVED).

15 SUBARTICLE C

16 STATE GOVERNMENT SUPPORT AGENCIES

17 SECTION 1751-F.3. LEGISLATIVE REFERENCE BUREAU (RESERVED).

18 SECTION 1752-F.3. LEGISLATIVE BUDGET AND FINANCE COMMITTEE
19 (RESERVED).

20 SECTION 1753-F.3. LEGISLATIVE DATA PROCESSING COMMITTEE
21 (RESERVED).

22 SECTION 1754-F.3. JOINT STATE GOVERNMENT COMMISSION (RESERVED).

23 SECTION 1755-F.3. LOCAL GOVERNMENT COMMISSION (RESERVED).

24 SECTION 1756-F.3. LEGISLATIVE AUDIT ADVISORY COMMISSION
25 (RESERVED).

26 SECTION 1757-F.3. INDEPENDENT REGULATORY REVIEW COMMISSION
27 (RESERVED).

28 SECTION 1758-F.3. CAPITOL PRESERVATION COMMITTEE (RESERVED).

29 SECTION 1759-F.3. PENNSYLVANIA COMMISSION ON SENTENCING
30 (RESERVED).

1 SECTION 1760-F.3. CENTER FOR RURAL PENNSYLVANIA (RESERVED).

2 SECTION 1761-F.3. COMMONWEALTH MAIL PROCESSING CENTER

3 (RESERVED).

4 SECTION 1762-F.3. LEGISLATIVE REAPPORTIONMENT COMMISSION

5 (RESERVED).

6 SECTION 1763-F.3. INDEPENDENT FISCAL OFFICE (RESERVED).

7 SUBARTICLE D

8 JUDICIAL DEPARTMENT

9 SECTION 1771-F.3. SUPREME COURT (RESERVED).

10 SECTION 1772-F.3. SUPERIOR COURT (RESERVED).

11 SECTION 1773-F.3. COMMONWEALTH COURT (RESERVED).

12 SECTION 1774-F.3. COURTS OF COMMON PLEAS (RESERVED).

13 SECTION 1775-F.3. COMMUNITY COURTS; MAGISTERIAL DISTRICT JUDGES

14 (RESERVED).

15 SECTION 1776-F.3. PHILADELPHIA MUNICIPAL COURT (RESERVED).

16 SECTION 1777-F.3. JUDICIAL CONDUCT BOARD (RESERVED).

17 SECTION 1778-F.3. COURT OF JUDICIAL DISCIPLINE (RESERVED).

18 SECTION 1779-F.3. JUROR COST REIMBURSEMENT (RESERVED).

19 SECTION 1780-F.3. COUNTY COURT REIMBURSEMENT (RESERVED).

20 SUBARTICLE E

21 GENERAL ASSEMBLY

22 (RESERVED)

23 ARTICLE XVII-F.4

24 2023-2024 RESTRICTIONS ON APPROPRIATIONS

25 FOR FUNDS AND ACCOUNTS

26 SECTION 1701-F.4. APPLICABILITY.

27 EXCEPT AS SPECIFICALLY PROVIDED IN THIS ARTICLE, THIS ARTICLE

28 APPLIES TO THE GENERAL APPROPRIATION ACT OF 2023 AND ALL OTHER

29 APPROPRIATION ACTS OF 2023.

30 SECTION 1702-F.4. DEFINITIONS.

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

4 "GENERAL APPROPRIATION ACT OF 2023." THE ACT OF AUGUST 3,
5 2023 (P.L. , NO.1A), KNOWN AS THE GENERAL APPROPRIATION ACT OF
6 2023.

7 SECTION 1703-F.4. STATE LOTTERY FUND.

8 THE FOLLOWING APPLY:

9 (1) MONEY APPROPRIATED FOR PENNCARE MAY NOT BE UTILIZED
10 FOR ADMINISTRATIVE COSTS BY THE DEPARTMENT OF AGING.

11 (2) (RESERVED).

12 SECTION 1704-F.4. TOBACCO SETTLEMENT FUND (RESERVED).

13 SECTION 1705-F.4. JUDICIAL COMPUTER SYSTEM AUGMENTATION ACCOUNT
14 (RESERVED).

15 SECTION 1706-F.4. EMERGENCY MEDICAL SERVICES OPERATING FUND
16 (RESERVED).

17 SECTION 1707-F.4. THE STATE STORES FUND (RESERVED).

18 SECTION 1708-F.4. MOTOR LICENSE FUND (RESERVED).

19 SECTION 1709-F.4. AVIATION RESTRICTED ACCOUNT (RESERVED).

20 SECTION 1710-F.4. HAZARDOUS MATERIAL RESPONSE FUND (RESERVED).

21 SECTION 1711-F.4. MILK MARKETING FUND (RESERVED).

22 SECTION 1712-F.4. HOME INVESTMENT TRUST FUND (RESERVED).

23 SECTION 1713-F.4. TUITION ACCOUNT GUARANTEED SAVINGS PROGRAM
24 FUND (RESERVED).

25 SECTION 1714-F.4. BANKING FUND (RESERVED).

26 SECTION 1715-F.4. FIREARM RECORDS CHECK FUND (RESERVED).

27 SECTION 1716-F.4. BEN FRANKLIN TECHNOLOGY DEVELOPMENT AUTHORITY
28 FUND (RESERVED).

29 SECTION 1717-F.4. OIL AND GAS LEASE FUND (RESERVED).

30 SECTION 1718-F.4. HOME IMPROVEMENT ACCOUNT (RESERVED).

1 SECTION 1719-F.4. CIGARETTE FIRE SAFETY AND FIREFIGHTER
2 PROTECTION ACT ENFORCEMENT FUND (RESERVED).
3 SECTION 1720-F.4. INSURANCE REGULATION AND OVERSIGHT FUND
4 (RESERVED).
5 SECTION 1721-F.4. PENNSYLVANIA RACE HORSE DEVELOPMENT
6 RESTRICTED RECEIPTS ACCOUNT (RESERVED).
7 SECTION 1722-F.4. JUSTICE REINVESTMENT FUND (RESERVED).
8 SECTION 1723-F.4. MULTIMODAL TRANSPORTATION FUND (RESERVED).
9 SECTION 1724-F.4. STATE RACING FUND (RESERVED).
10 SECTION 1725-F.4. ABLE SAVINGS PROGRAM FUND (RESERVED).
11 SECTION 1726-F.4. TOURISM PROMOTION FUND (RESERVED).
12 SECTION 1727-F.4. ENHANCED REVENUE COLLECTION ACCOUNT
13 (RESERVED).
14 SECTION 1728-F.4. (RESERVED).
15 SECTION 1729-F.4. OPIOID SETTLEMENT RESTRICTED ACCOUNT
16 (RESERVED).
17 SECTION 1730-F.4. COVID-19 RESPONSE RESTRICTED ACCOUNT
18 (RESERVED).
19 SECTION 1731-F.4. PENNSYLVANIA PREFERRED® TRADEMARK LICENSING
20 FUND.
21 NOTWITHSTANDING 3 PA.C.S. § 4616 (RELATING TO PENNSYLVANIA
22 PREFERRED® TRADEMARK LICENSING FUND), THE DEPARTMENT OF
23 AGRICULTURE MAY USE MONEY DEPOSITED INTO THE PENNSYLVANIA
24 PREFERRED® TRADEMARK LICENSING FUND TO PROMOTE ONE OR MORE OF
25 THE FUNDING OBJECTIVES UNDER 3 PA.C.S. § 4616(C) THROUGH THE
26 AWARDING OF GRANTS.
27 SECTION 1732-F.4. AGRICULTURAL CONSERVATION EASEMENT PURCHASE
28 FUND.
29 IN ADDITION TO THE USES PROVIDED IN SECTION 7.3 OF THE ACT OF
30 JUNE 18, 1982 (P.L.549, NO.159), ENTITLED "AN ACT PROVIDING FOR

1 THE ADMINISTRATION OF CERTAIN COMMONWEALTH FARMLAND WITHIN THE
2 DEPARTMENT OF AGRICULTURE," THE DEPARTMENT MAY USE UP TO A TOTAL
3 OF \$165,000 IN THE AGRICULTURAL CONSERVATION EASEMENT PURCHASE
4 FUND UNDER SECTION 7.1 OF THE ACT OF JUNE 18, 1982 (P.L.549,
5 NO.159), ENTITLED "AN ACT PROVIDING FOR THE ADMINISTRATION OF
6 CERTAIN COMMONWEALTH FARMLAND WITHIN THE DEPARTMENT OF
7 AGRICULTURE," TO ISSUE GRANTS NOT TO EXCEED \$5,000 EACH FOR
8 SUCCESSION PLANNING TO ENSURE THAT AGRICULTURAL OPERATIONS
9 CONTINUE ON LAND SUBJECT TO AGRICULTURAL CONSERVATION EASEMENTS.
10 THE DEPARTMENT, IN CONSULTATION WITH THE STATE AGRICULTURAL LAND
11 PRESERVATION BOARD, SHALL ESTABLISH ELIGIBILITY CRITERIA FOR
12 AWARDING GRANTS UNDER THIS SECTION.

13 SECTION 1733-F.4. RESTRICTED RECEIPT ACCOUNTS.

14 (A) AUTHORITY.--THE SECRETARY OF THE BUDGET MAY CREATE
15 RESTRICTED RECEIPT ACCOUNTS FOR THE PURPOSE OF ADMINISTERING
16 FEDERAL GRANTS ONLY FOR THE PURPOSES DESIGNATED IN THIS SECTION.

17 (B) DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.--THE
18 FOLLOWING RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE
19 DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT:

20 (1) ARC HOUSING REVOLVING LOAN PROGRAM.

21 (2) BROWNFIELDS REVOLVING LOAN FUND.

22 (C) DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES.--THE
23 FOLLOWING RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE
24 DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES:

25 (1) FEDERAL AID TO VOLUNTEER FIRE COMPANIES.

26 (2) LAND AND WATER CONSERVATION FUND ACT OF 1965 (PUBLIC
27 LAW 88-578, 16 U.S.C. § 460L-4 ET SEQ.).

28 (3) NATIONAL FOREST RESERVE ALLOTMENT.

29 (D) DEPARTMENT OF EDUCATION.--THE FOLLOWING RESTRICTED
30 RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE DEPARTMENT OF

1 EDUCATION:

2 (1) EDUCATION OF THE DISABLED - PART C.

3 (2) LSTA - LIBRARY GRANTS.

4 (3) THE PENNSYLVANIA STATE UNIVERSITY FEDERAL AID.

5 (4) EMERGENCY IMMIGRATION EDUCATION ASSISTANCE.

6 (5) EDUCATION OF THE DISABLED - PART D.

7 (6) HOMELESS ADULT ASSISTANCE PROGRAM.

8 (7) SEVERELY HANDICAPPED.

9 (8) MEDICAL ASSISTANCE REIMBURSEMENTS TO LOCAL EDUCATION
10 AGENCIES.

11 (E) DEPARTMENT OF ENVIRONMENTAL PROTECTION.--THE FOLLOWING
12 RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE
13 DEPARTMENT OF ENVIRONMENTAL PROTECTION:

14 (1) FEDERAL WATER RESOURCES PLANNING ACT.

15 (2) FLOOD CONTROL PAYMENTS.

16 (3) SOIL AND WATER CONSERVATION ACT - INVENTORY OF
17 PROGRAMS.

18 (F) DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS.--THE FOLLOWING
19 RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE
20 DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS:

21 (1) SHARE LOAN PROGRAM.

22 (2) (RESERVED).

23 (G) DEPARTMENT OF TRANSPORTATION.--THE FOLLOWING RESTRICTED
24 RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE DEPARTMENT OF
25 TRANSPORTATION:

26 (1) CAPITAL ASSISTANCE ELDERLY AND HANDICAPPED PROGRAMS.

27 (2) RAILROAD REHABILITATION AND IMPROVEMENT ASSISTANCE.

28 (3) RIDESHARING/VAN POOL PROGRAM - ACQUISITION.

29 (H) PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY.--THE FOLLOWING
30 RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE

1 PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY:

2 (1) RECEIPTS FROM FEDERAL GOVERNMENT - DISASTER RELIEF -
3 DISASTER RELIEF ASSISTANCE TO STATE AND POLITICAL
4 SUBDIVISIONS.

5 (2) (RESERVED).

6 (I) PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION.--THE
7 FOLLOWING RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE
8 PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION:

9 (1) FEDERAL GRANT - NATIONAL HISTORIC PRESERVATION ACT.

10 (2) (RESERVED).

11 (J) EXECUTIVE OFFICES.--THE FOLLOWING RESTRICTED RECEIPT
12 ACCOUNTS MAY BE ESTABLISHED FOR THE EXECUTIVE OFFICES:

13 (1) RETIRED EMPLOYEES MEDICARE PART D.

14 (2) JUSTICE ASSISTANCE.

15 (3) JUVENILE ACCOUNTABILITY INCENTIVE.

16 (4) EARLY RETIREE REINSURANCE PROGRAM.

17 SECTION 1734-F.4. FUND TRANSFERS.

18 (A) TRANSFER TO ENVIRONMENTAL STEWARDSHIP FUND.--FROM MONEY
19 RECEIVED UNDER THE AUTHORITY OF ARTICLE III OF THE ACT OF MARCH
20 4, 1971 (P.L.6, NO.2), KNOWN AS THE TAX REFORM CODE OF 1971, THE
21 SUM OF \$10,538,000 SHALL BE TRANSFERRED TO THE ENVIRONMENTAL
22 STEWARDSHIP FUND.

23 (B) APPLICABILITY.--SECTION 1795.2-E SHALL NOT APPLY TO
24 FISCAL YEAR 2023-2024.

25 (C) TRANSFER TO THE GENERAL FUND.--FROM MONEY DEPOSITED INTO
26 THE MEDICAL MARIJUANA PROGRAM FUND, \$31,900,000 SHALL BE
27 TRANSFERRED TO THE GENERAL FUND.

28 (D) TRANSFER TO SURFACE MINING CONSERVATION AND RECLAMATION
29 FUND.--FROM MONEY RECEIVED UNDER THE AUTHORITY OF ARTICLE III OF
30 THE TAX REFORM CODE OF 1971, THE SUM OF \$4,000,000 SHALL BE

1 TRANSFERRED TO THE SURFACE MINING CONSERVATION AND RECLAMATION
2 FUND.

3 ARTICLE XVII-F.5

4 2023-2024 RESTRICTIONS ON APPROPRIATIONS

5 FOR FUNDS AND ACCOUNTS

6 SECTION 1701-F.5. APPLICABILITY.

7 EXCEPT AS SPECIFICALLY PROVIDED IN THIS ARTICLE, THIS ARTICLE
8 APPLIES TO THE GENERAL APPROPRIATION ACT OF 2023.

9 SECTION 1702-F.5. DEFINITIONS.

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

13 "GENERAL APPROPRIATION ACT OF 2023." THE ACT OF AUGUST 3,
14 2023 (P.L. , NO.1A), KNOWN AS THE GENERAL APPROPRIATION ACT OF
15 2023.

16 SECTION 1734-F.5. FUND TRANSFERS.

17 (A) TRANSFER WITHIN HIGHER EDUCATION ASSISTANCE FUND.--THE
18 SUM OF \$8,551,000 SHALL BE TRANSFERRED FROM THE SCITECH AND GI
19 BILL RESTRICTED REVENUE ACCOUNT IN THE HIGHER EDUCATION
20 ASSISTANCE FUND TO THE STATE GRANTS RESTRICTED REVENUE ACCOUNT
21 IN THE HIGHER EDUCATION ASSISTANCE FUND.

22 (B) (RESERVED).

23 SECTION 1735-F.5. (RESERVED).

24 ARTICLE XVII-F.6

25 PRIOR YEAR APPROPRIATIONS

26 SECTION 1701-F.6. DEFINITIONS.

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

30 "GENERAL APPROPRIATION ACT OF 2023." THE ACT OF AUGUST 3,

1 2023 (P.L. , NO.1A), KNOWN AS THE GENERAL APPROPRIATION ACT OF
2 2023.

3 SECTION 1702-F.6. (RESERVED).

4 SECTION 1703-F.6. CONSTRUCTION WITH PRIOR YEAR APPROPRIATION
5 ACTS.

6 AN APPROPRIATION IN PART LI OF THE GENERAL APPROPRIATION ACT
7 OF 2023 WHICH IS THE SAME OR SIMILAR TO AN APPROPRIATION IN THE
8 ACT OF JULY 8, 2022 (P.L.2191, NO.1A), KNOWN AS THE GENERAL
9 APPROPRIATION ACT OF 2022, SHALL REPLACE THAT APPROPRIATION.
10 MONEY WHICH HAS BEEN APPROPRIATED AND EXPENDED UNDER THE GENERAL
11 APPROPRIATION ACT OF 2022 SHALL BE DEDUCTED FROM THE
12 CORRESPONDING APPROPRIATION IN PART LI OF THE GENERAL
13 APPROPRIATION ACT OF 2023.

14 SECTION 21. REPEALS ARE AS FOLLOWS:

15 (1) (RESERVED).

16 (2) (RESERVED).

17 (3) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER
18 PARAGRAPH (4) IS NECESSARY TO EFFECTUATE THE ADDITION OF
19 SECTION 1607-T OF THE ACT.

20 (4) THE PROVISIONS OF 23 PA.C.S. § 4351 ARE REPEALED.

21 (5) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER
22 PARAGRAPH (6) IS NECESSARY TO EFFECTUATE THE ADDITION OF
23 ARTICLE XVI-U OF THE ACT.

24 (6) ARTICLE VIII-G OF THE ACT OF JUNE 13, 1967 (P.L.31,
25 NO.21), KNOWN AS THE HUMAN SERVICES CODE, IS REPEALED.

26 (6.1) THE GENERAL ASSEMBLY FINDS THAT THE REPEAL UNDER
27 PARAGRAPH (6.2) IS NECESSARY TO EFFECTUATE THE ADDITION OF
28 ARTICLE XVI-W OF THE ACT.

29 (6.2) THE ACT OF NOVEMBER 24, 2015 (P.L.232, NO.64),
30 KNOWN AS THE PENNSYLVANIA LONG-TERM CARE COUNCIL ACT, IS

1 REPEALED.

2 (7) THE GENERAL ASSEMBLY FINDS THAT THE REPEAL UNDER
3 PARAGRAPH (8) IS NECESSARY TO EFFECTUATE THE ADDITION OF
4 SECTION 1722-E(H) OF THE ACT.

5 (8) SECTION 1403-A(C) (1), (D) AND (E) OF THE PUBLIC
6 SCHOOL CODE OF 1949 ARE REPEALED.

7 (9) THE GENERAL ASSEMBLY FINDS THAT THE REPEAL UNDER
8 PARAGRAPH (10) IS NECESSARY TO EFFECTUATE THE ADDITION OF
9 SECTION 1723-F.3(8) OF THE ACT.

10 (10) SECTION 123(K) (2) OF THE PUBLIC SCHOOL CODE OF 1949
11 IS REPEALED TO THE EXTENT OF ANY INCONSISTENCY WITH SECTION
12 1723-F.3(8) OF THE ACT.

13 (11) (RESERVED) .

14 (12) (RESERVED) .

15 (13) THE GENERAL ASSEMBLY FINDS THAT THE REPEAL UNDER
16 PARAGRAPH (14) IS NECESSARY TO EFFECTUATE THE ADDITION OF
17 SECTION 1723-F.3(20) OF THE ACT.

18 (14) SECTION 2608-J OF THE PUBLIC SCHOOL CODE OF 1949 IS
19 REPEALED.

20 SECTION 21.1. THE ADDITION OF ARTICLE XVI-U OF THE ACT SHALL
21 APPLY RETROACTIVELY TO JULY 1, 2023.

22 SECTION 22. CONTINUATION IS AS FOLLOWS:

23 (1) THE ADDITION OF ARTICLE XVI-U OF THE ACT IS A
24 CONTINUATION OF ARTICLE VIII-G OF THE ACT OF JUNE 13, 1967
25 (P.L.31, NO.21), KNOWN AS THE HUMAN SERVICES CODE. EXCEPT AS
26 OTHERWISE PROVIDED IN THE ADDITION OF ARTICLE XVI-U OF THE
27 ACT, ALL ACTIVITIES INITIATED UNDER THE ARTICLE VIII-G OF THE
28 HUMAN SERVICES CODE SHALL CONTINUE AND REMAIN IN FULL FORCE
29 AND EFFECT AND MAY BE COMPLETED UNDER THE ADDITION OF ARTICLE
30 XVI-U OF THE ACT. ORDERS, REGULATIONS, RULES AND DECISIONS

1 WHICH WERE MADE UNDER THE ARTICLE VIII-G OF THE HUMAN
2 SERVICES CODE AND WHICH ARE IN EFFECT ON THE EFFECTIVE DATE
3 OF SECTION 21(6) OF THIS ACT SHALL REMAIN IN FULL FORCE AND
4 EFFECT UNTIL REVOKED, VACATED OR MODIFIED UNDER THE ADDITION
5 OF ARTICLE XVI-U OF THE ACT. CONTRACTS, OBLIGATIONS AND
6 COLLECTIVE BARGAINING AGREEMENTS ENTERED INTO UNDER ARTICLE
7 VIII-G OF THE HUMAN SERVICES CODE ARE NOT AFFECTED NOR
8 IMPAIRED BY THE REPEAL OF THE ARTICLE VIII-G OF THE HUMAN
9 SERVICES CODE.

10 (2) THE ADDITION OF ARTICLE XVI-W OF THE ACT IS A
11 CONTINUATION OF THE ACT OF NOVEMBER 24, 2015 (P.L.232,
12 NO.64), KNOWN AS THE PENNSYLVANIA LONG-TERM CARE COUNCIL ACT.
13 EXCEPT AS OTHERWISE PROVIDED IN ARTICLE XVI-W OF THE ACT, ALL
14 ACTIVITIES INITIATED UNDER THE PENNSYLVANIA LONG-TERM CARE
15 COUNCIL ACT SHALL CONTINUE AND REMAIN IN FULL FORCE AND
16 EFFECT AND MAY BE COMPLETED UNDER ARTICLE XVI-W OF THE ACT.
17 ORDERS, REGULATIONS, RULES AND DECISIONS WHICH WERE MADE
18 UNDER THE PENNSYLVANIA LONG-TERM CARE COUNCIL ACT AND WHICH
19 ARE IN EFFECT ON THE EFFECTIVE DATE OF SECTION 21(6.2) OF
20 THIS ACT SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL REVOKED,
21 VACATED OR MODIFIED UNDER ARTICLE XVI-W OF THE ACT.
22 CONTRACTS, OBLIGATIONS AND COLLECTIVE BARGAINING AGREEMENTS
23 ENTERED INTO UNDER THE PENNSYLVANIA LONG-TERM CARE COUNCIL
24 ACT ARE NOT AFFECTED NOR IMPAIRED BY THE REPEAL OF THE
25 PENNSYLVANIA LONG-TERM CARE COUNCIL ACT.

26 (3) EXCEPT AS SPECIFIED IN PARAGRAPH (4), ANY DIFFERENCE
27 IN LANGUAGE BETWEEN ARTICLE XVI-W OF THE ACT AND THE
28 PENNSYLVANIA LONG-TERM CARE COUNCIL ACT IS INTENDED ONLY TO
29 CONFORM TO THE STYLE OF THE PENNSYLVANIA CONSOLIDATED
30 STATUTES AND IS NOT INTENDED TO CHANGE OR AFFECT THE

1 LEGISLATIVE INTENT, JUDICIAL CONSTRUCTION OR ADMINISTRATION
2 AND IMPLEMENTATION OF THE PENNSYLVANIA LONG-TERM CARE COUNCIL
3 ACT.

4 (4) PARAGRAPH (3) DOES NOT APPLY TO THE ADDITION OF
5 SECTION 1602-W(B) (10) (XII) OF THE ACT.

6 SECTION 23. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.