
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2821 Session of
2020

INTRODUCED BY MALAGARI, McNEILL, DALEY, BRIGGS, SANCHEZ,
HARKINS, YOUNGBLOOD, MILLARD, MERSKI, CALTAGIRONE, READSHAW,
DEASY, MURT, KOSIEROWSKI, WEBSTER, KIM, PASHINSKI, DRISCOLL,
SNYDER, LONGIETTI, DONATUCCI, DERMODY, FRANKEL, NEILSON,
KRUEGER, OTTEN, HOHENSTEIN, ISAACSON, GOODMAN, DeLUCA,
SAINATO, COMMITTA, MULLINS, SAPPEY, WILLIAMS, FITZGERALD,
HOWARD, ROZZI, SHUSTERMAN, T. DAVIS, CIRESI, DELLOSO, HILL-
EVANS, STEPHENS, KORTZ, INNAMORATO, ULLMAN AND MULLERY,
AUGUST 28, 2020

REFERRED TO COMMITTEE ON LIQUOR CONTROL, AUGUST 28, 2020

AN ACT

1 Establishing the Pennsylvania Brewery, Distillery and Winery
2 Manufacturers COVID-19 Grant Program; imposing powers and
3 duties on the Department of Community and Economic
4 Development; and making an appropriation.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Pennsylvania
9 Brewery, Distillery and Winery Manufacturers COVID-19 Grant
10 Program Act.

11 Section 2. Definitions.

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

15 "CARES Act." The Coronavirus Aid, Relief, and Economic

1 Security Act (Public Law 116-136, 134 Stat. 281).

2 "COVID-19." The coronavirus disease 2019, an infectious
3 disease caused by severe acute respiratory syndrome coronavirus
4 2 that was first identified during December 2019 in Wuhan,
5 China.

6 "Department." The Department of Community and Economic
7 Development of the Commonwealth.

8 "Fund." The COVID-19 Brewery, Distillery and Winery
9 Manufacturers Grant Fund established under this act.

10 "Manufacturer." A limited winery, limited distillery,
11 distillery or brewery licensed in this Commonwealth.

12 "Proclamation of disaster emergency." The proclamation of
13 disaster emergency issued by the Governor on March 6, 2020,
14 published in 50 Pa. B 1644 (March 21, 2020), and any renewal of
15 the state of disaster emergency.

16 "Program." The Pennsylvania Brewery, Distillery and Winery
17 Manufacturers COVID-19 Grant Program established under this act.
18 Section 3. Program.

19 (a) Establishment.--The Pennsylvania Brewery, Distillery and
20 Winery Manufacturers COVID-19 Grant Program is established
21 within the department.

22 (b) Duties of department.--The department shall award grants
23 under the program in accordance with this act to manufacturers
24 that are adversely affected financially due to COVID-19.

25 Section 4. Fund established.

26 The Pennsylvania Brewery, Distillery and Winery Manufacturers
27 COVID-19 Grant Fund is established in the State Treasury. Money
28 appropriated under section 11 shall be deposited into the fund
29 to be used exclusively by the department to award grants to
30 manufacturers under the program.

1 Section 5. Grant application forms.

2 (a) Development.--The department shall develop a grant
3 application form for a manufacturer to apply for a grant under
4 the program. At a minimum, the grant application form shall
5 contain the following information:

6 (1) The name, address and contact information of the
7 manufacturer.

8 (2) The amount of grant money requested under the
9 program.

10 (3) The proposed use for the grant money requested under
11 the program.

12 (4) The financial impact on the manufacturer due to
13 COVID-19.

14 (5) Any other information that the department deems
15 necessary and appropriate.

16 (b) Submission.--A manufacturer must submit the grant
17 application form to and in a manner prescribed by the department
18 to be eligible for a grant under the program.

19 Section 6. Award of grants.

20 (a) Review.--No later than 20 days after receipt of the
21 grant application under section 5(a), the department shall
22 review the grant application, determine whether to award a grant
23 to the manufacturer under the program and determine the amount
24 of the grant money to be awarded to the manufacturer, if
25 applicable.

26 (b) Considerations.--In determining the amount of the grant
27 money to be awarded to the manufacturer:

28 (1) The department shall consider:

29 (i) The geographic and demographic diversity of the
30 manufacturer.

1 (ii) How the manufacturer and the surrounding
2 community would be served through the award of the grant
3 money to the manufacturer.

4 (2) The department may require documentation and
5 information regarding the gross annual receipts and employees
6 of the manufacturer.

7 (c) Notice.--After conducting a review and making a
8 determination on a grant application under subsection (a), the
9 department shall provide written notice to the manufacturer of
10 the award or denial of a grant under the program. Notice of the
11 award of a grant under the program shall include the amount of
12 the grant money awarded and any conditions or restrictions on
13 the use of the grant money. Notice of the denial of all or part
14 of the grant money requested under the program in the grant
15 application shall include the reasons for the full or partial
16 denial.

17 Section 7. Public notice.

18 The department shall provide information regarding the
19 availability and award of grants under the program on the
20 department's publicly accessible Internet website.

21 Section 8. Limitations on award of grants.

22 Subject to the availability of funding, a grant to a
23 manufacturer under the program shall not exceed \$20,000.

24 Section 9. Reports.

25 (a) Preparation.--No later than 60 days after the notice is
26 published under section 12(a), the department shall prepare a
27 report listing each manufacturer that received grant money under
28 the program and a summary of the information specified in each
29 grant application under section 5(a).

30 (b) Publication.--The department shall post the report under

1 subsection (a) on the department's publicly accessible Internet
2 website.

3 Section 10. Guidelines.

4 The department may promulgate guidelines for the
5 implementation and administration of this article.

6 Section 11. Appropriation.

7 The sum of \$20,000,000 of the money available to the
8 Commonwealth under the CARES Act is appropriated to the
9 department for the purpose of awarding grants under the program.

10 Section 12. Expiration.

11 (a) Notice.--Upon termination or expiration of the
12 proclamation of disaster emergency under 35 Pa.C.S. § 7301(c)
13 (relating to general authority of Governor), the department
14 shall transmit notice of the expiration or termination to the
15 Legislative Reference Bureau for publication in the Pennsylvania
16 Bulletin.

17 (b) Authority.--The authority of the department to award
18 grants under the program shall expire 30 days after publication
19 of the notice under subsection (a).

20 Section 13. Effective Date.

21 This act shall take effect in 30 days.