

FISCAL CODE - OMNIBUS AMENDMENTS
Act of Jun. 22, 2018, P.L. 281, No. 42

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Session of 2018
No. 2018-42

HB 1929

AN ACT

Amending the act of April 9, 1929 (P.L.343, No.176), entitled, as amended, "An act relating to the finances of the State government; providing for cancer control, prevention and research, for ambulatory surgical center data collection and for the Joint Underwriting Association, providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth, authorizing the Commonwealth to issue tax anticipation notes to defray current expenses, implementing the provisions of section 7(a) of Article VIII of the Constitution of Pennsylvania authorizing and restricting the incurring of certain debt and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," implementing the 2018-2019 Commonwealth budget and instituting future budget implementation:

Further providing for title of act;

in cigarette sales and licensing;

further providing for preemption;

In Treasury Department:

providing for Keystone Scholars Grant Program;

In disposition of abandoned and unclaimed property:

further providing for property held by business associations;

In procedure for the disbursement of money from the State Treasury:

further providing for settlement agreements and enforcement;

In capital facilities:

further providing for applications; providing for entertainment business financial management firms;

In tax credits:

further providing for Department of Community and Economic Development;

In Business in Our Sites Program Account:

further providing for transfers of funds; providing for private dam financial assurance;

In special funds:

further providing for Budget Stabilization Reserve Fund funding and for other grants relating to Pennsylvania Gaming Economic Development and Tourism Fund;

In additional special funds:

further providing for use of Tobacco Settlement Fund, for distributions from Pennsylvania Race Horse Development Fund and for drug and alcohol programs; providing for Natural Gas Infrastructure Development Fund grant agreements; and further providing for use of First Chance Trust Fund;

In general budget implementation:

providing for Independent Fiscal Office revenue estimates; further providing for Attorney General, for Department of Conservation and Natural Resources, for Department of Health, for Department of Labor and Industry, for Department of Revenue and for surcharges; providing for deposit into School Safety and Security Fund and further providing for Multimodal Transportation Fund;

In school district debt refinancing bonds:

further providing for sinking fund charges for school building; providing for reinstatement of item vetoes; repealing provisions relating to 2013-2014 budget implementation and 2013-2014 restrictions on appropriations for funds and accounts; providing for 2018-2019 budget implementation and 2018-2019 restrictions on appropriations for funds and accounts; and making related repeals.

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

Section 1. The General Assembly finds and declares as follows:

(1) The intent of this act is to provide for the implementation of the 2018-2019 Commonwealth budget.

(2) The Constitution of Pennsylvania confers numerous express duties upon the General Assembly, including the passage of a balanced budget for the Commonwealth.

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

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

(5) Section 11 of Article III of the Constitution of Pennsylvania requires the adoption of a general appropriation

act that embraces "nothing but appropriations." While actual items of appropriation can be contained in a General Appropriation Act, the achievement and implementation of a comprehensive budget involves more than subjects of appropriations and dollar amounts. Ultimately, the budget has to be balanced under section 13 of Article VIII of the Constitution of Pennsylvania. This may necessitate changes to sources of funding and enactment of statutes to achieve full compliance with these constitutional provisions.

(6) For the reasons set forth in paragraphs (1), (2), (3), (4) and (5), it is the intent of the General Assembly through this act to provide for the implementation of the 2018-2019 Commonwealth budget.

(7) Every provision of this act relates to the implementation of the operating budget of the Commonwealth for this fiscal year, addressing in various ways the fiscal operations, revenues and potential liabilities of the Commonwealth. To that end, this act is intended to implement the 2018-2019 Commonwealth budget without specifically appropriating public money from the General Fund. This act provides accountability for spending and makes transfers or other changes necessary to impact the availability of revenue in order to meet the requirements of section 13 of Article VIII of the Constitution of Pennsylvania and to implement the act of June 22, 2018 (P.L.1203, No.1A), known as the General Appropriation Act of 2018.

Section 1.1. The title of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, amended October 30, 2017 (P.L.725, No.44), is amended to read:

AN ACT

Relating to the finances of the State government; providing for cancer control, prevention and research, for ambulatory surgical center data collection [and], for the Joint Underwriting Association, **for entertainment business financial management firms, for private dam financial assurance and for reinstatement of item vetoes**; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth, authorizing the Commonwealth to issue tax anticipation notes to defray current expenses, implementing the provisions of section 7(a) of Article VIII of the Constitution of Pennsylvania authorizing and restricting the incurring of certain debt and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof,

every State depository and every debtor or creditor of the Commonwealth.

Section 2. Section 232-A(b) of the act is amended to read:
Section 232-A. Preemption.--* * *

(b) This section shall not apply to **any ordinance or regulation adopted by a city of the first class[.] prior to June 1, 2018, regarding or affecting the sale of tobacco products by dealers licensed under this article. Ordinances and regulations adopted prior to June 1, 2018, shall remain in full force and effect unless repealed by a city of the first class. Nothing in this subsection may be construed to prohibit a city of the first class from enacting or amending an ordinance requiring tobacco products to be maintained behind a counter and under the exclusive control of the retailer or employee of the retailer prior to purchase, provided that the ordinance may not apply to retail stores that derive 75% or more of gross revenue on an annual basis from tobacco products or to an establishment that prohibits minors from entering.**

* * *

Section 3. The act is amended by adding a section to read:

Section 312. Keystone Scholars Grant Program.--(a) The department shall establish a grant program as part of the Tuition Account Guaranteed Savings Program Fund established under section 306 of the Tuition Account Programs and College Savings Bond Act to be known as the Keystone Scholars Grant Program. The purpose of the program shall be to promote access to postsecondary educational opportunities for each eligible child.

(b) The following apply:

(1) No later than ninety days following the birth of an eligible child, the Department of Health shall transmit information and record data to the department necessary to administer the program and establish the eligibility of each child born after December 31, 2018. Information under this subsection shall include, but not be limited to, record data such as the full name and residential address of the child's parent or legal guardian and birth date of the child.

(2) Following receipt of the information under paragraph (1), the department shall notify each parent or guardian of each eligible child about the program.

(3) The department shall provide an opportunity to be excluded from the program.

(4) The department shall ensure the security and confidentiality of the information and record data provided under paragraph (1).

(c) The following apply:

(1) The Keystone Scholars Grant Program Account is established as a separate account within the Tuition Account Guaranteed Savings Program Fund. Money contained in this account shall be for the exclusive purpose of providing scholarship grants to eligible children to pay for qualified higher education expenses associated with the attendance at an eligible educational institution.

(2) The following apply:

(i) Subject to subparagraphs (ii) and (iii), at the end of each fiscal year, assets of the Tuition Account Guaranteed Savings Program Fund that are in excess of ten per centum of the actuarially determined liabilities of the Tuition Account Guaranteed Savings Program Fund shall be allocated to the account.

(ii) Annual allocations under this paragraph may not exceed an amount equal to one hundred dollars (\$100) multiplied by the number of children born in this Commonwealth in the fiscal year.

(iii) An allocation under subparagraph (i) may not be made if the allocation would cause the actuarially determined surplus of the Tuition Account Guaranteed Savings Program to fall below ten per centum of the Tuition Account Guaranteed Savings Program's actuarially determined liabilities.

(iv) The department shall have the authority to invest and reinvest money in the account as provided for under section 307 of the Tuition Account Programs and College Savings Bond Act.

(v) Annually, the State Treasurer shall report to the Governor, the chair and minority chair of the Appropriations Committee of the Senate and the chair and minority chair of the Appropriations Committee of House of Representatives the actuarial status of the Tuition Account Guaranteed Savings Program Fund as required under section 306(b)(2) of the Tuition Account Programs and College Savings Bond Act.

(vi) This paragraph shall expire December 31, 2029.

(3) Money in the account shall be used for the purpose of providing grants for qualified higher education expenses associated with the attendance at an eligible educational institution and for costs associated with the administration of the program. Costs associated with the administration of the program shall be reported to the Governor, the chair and minority chair of the Appropriations Committee of the Senate and the chair and minority chair of the Appropriations Committee of the House of Representatives in the same manner as required under paragraph (2)(v).

(4) To an eligible child for whom a Tuition Account Program Contract has been entered into, and upon application and the submission of documentation necessary to establish the child's eligibility and enrollment as a student at an eligible educational institution, the department shall provide a scholarship grant in the amount of one hundred dollars (\$100), plus such investment earnings attributed to the initial grant amount since the birth date of the eligible child as calculated by the department, for qualified higher education expenses associated with attendance at an eligible educational institution.

(5) The department shall make program account balances available to each parent or guardian of an eligible child through a secured Internet account.

(d) The following apply:

(1) Subject to the availability of money under subsection (e), the State Treasurer may establish an annual match of contributions made by a parent or guardian of an eligible child into an established Guaranteed Savings Plan Account under section 309 of the Tuition Account Programs and College Savings Bond Act.

(2) Subject to the availability of money from contributions made under subsection (e), the State Treasurer may establish financial incentives, such as school attendance, for additional grants for an eligible child with an established Guaranteed Savings Plan Account under section 309 of the Tuition Account Programs and College Savings Bond Act.

(3) Money from the Tuition Account Guaranteed Savings Program Fund may not be used for purposes under clauses (1) and (2).

(e) Notwithstanding subsection (c)(2)(iii), the department may receive contributions from any person or legal entity to the account on behalf of, and make grants to, eligible children

to pay for qualified higher education expenses associated with attendance at an eligible educational institution.

(f) In addition to the duties under section 304 of the Tuition Account Programs and College Savings Bond Act, the board shall consider, study and review the work of the program, advise the department on request and make recommendations for the improvement of the program.

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

"Account" shall mean the Keystone Scholars Grant Program Account established under subsection (c).

"Department" shall mean the Treasury Department of the Commonwealth.

"Eligible child" shall mean an individual born after December 31, 2018, who is:

(1) a resident of this Commonwealth at the time of birth and at the time that the grant for qualified higher education expenses is applied for or received; or

(2) an adoptee in receipt of a valid decree of adoption under 23 Pa.C.S. § 2902 (relating to requirements and form of decree of adoption), whose adopting parent or parents were residents of this Commonwealth at the time the decree of adoption was entered and who is a resident at the time that the grant for qualified higher education expenses is applied for or received.

"Eligible educational institution" shall mean a college, university, vocational or other postsecondary educational institution as defined by section 529 of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 529).

"Program" shall mean the Keystone Scholars Grant Program established under subsection (a).

"Qualified higher education expenses" shall mean expenses, as defined under section 529 of the Internal Revenue Code of 1986.

"Tuition Account Programs and College Savings Bond Act" shall mean the act of April 3, 1992 (P.L.28, No.11), known as the Tuition Account Programs and College Savings Bond Act.

Section 4. Section 1301.6 of the act is amended to read:

Section 1301.6. Property Held by Business Associations.--The following property held or owing by a business association is presumed abandoned and unclaimed:

1. The consideration paid for a gift certificate or gift card which has remained unredeemed for two (2) years or more after its redemption period has expired or after the minimum period specified in section 915(c) of the Consumer Credit Protection Act (Public Law 90-321, 15 U.S.C. § 1693l-1(c)), whichever occurs later, or for three (3) years or more from the date of issuance if no redemption period is specified. The provisions of this clause shall not apply to a qualified gift certificate.

2. Any certificate of stock or participating right in a business association, for which a certificate has been issued or is issuable but has not been delivered[, whenever the owner thereof has not claimed or indicated an interest in such property within three (3) years after the date prescribed for delivery of the property to the owner.] **three (3) years after the holder has lost contact with the owner, unless the owner has within that three (3) year period:**

(i) increased or decreased the principal;

(ii) accepted payment of principal or income; or

(iii) otherwise indicated an interest in the property or in other property of the owner in the possession, custody or control of the holder.

3. Any sum due as a dividend, profit, distribution, payment or distributive share of principal held or owing by a business association[, whenever the owner has not claimed or indicated an interest in such sum within three (3) years after the date prescribed for payment or delivery.] **three (3) years after the holder has lost contact with the owner, unless the owner has within that three (3) year period:**

(i) increased or decreased the principal;
(ii) accepted payment of principal or income; or
(iii) otherwise indicated an interest in the property or in other property of the owner in the possession, custody or control of the holder.

4. Any sum due as principal or interest on the business association's bonds or debentures, or coupons attached thereto, whenever the owner has not claimed or indicated an interest in such sum within three (3) years after the date prescribed for payment.

5. Any sum or certificate or participating right due by a cooperative to a participating patron, whenever the owner has not claimed or indicated an interest in such property within three (3) years after the date prescribed for payment or delivery.

6. The following apply:

(i) For the purpose of clauses 2 and 3, the date on which the holder has lost contact with the owner is:

(A) the date a second consecutive communication sent by the holder by first class United States mail to the owner is returned to the holder undelivered by the United States Postal Service; or

(B) if the second communication is made later than thirty (30) days after the first communication is returned, the date the first communication is returned undelivered to the holder by the United States Postal Service.

(ii) If the owner does not receive communications from the holder by United States mail, the holder shall attempt to confirm the owner's interest in the property by sending the owner an electronic mail communication not later than two (2) years after the owner's last indication of interest in the property. If the holder receives notification that the electronic mail communication was not received or if the owner does not respond to the electronic mail communication within thirty (30) days after the communication was sent, the holder shall promptly attempt to contact the owner by first class United States mail. If the mail is returned to the holder undelivered by the United States Postal Service, the holder shall be deemed to have lost contact with the owner on the date of the owner's last indication of interest in the property.

7. Notice to owners shall be provided in accordance with section 1301.10a.

Section 5. Section 1507.1(b.1) of the act, amended October 30, 2017 (P.L.725, No.44), is amended to read:

Section 1507.1. Settlement Agreements; Enforcement Actions.--* * *

(b.1) Notwithstanding the act of January 8, 1960 (1959 P.L.2119, No.787), known as the "Air Pollution Control Act," or any other provision of law to the contrary, the sum of \$30,409,055, received from a settlement during the 2017-2018 or 2018-2019 fiscal year, shall be deemed funds of the Commonwealth and shall, upon receipt, be deposited into the

General Fund to be expended in compliance with the Commonwealth's trustee duties under section 27 of Article I of the Constitution of Pennsylvania.

* * *

Section 6. Sections 1601-B.1 of the act is amended to read: Section 1601-B.1. Applications.

Notwithstanding section 318 of the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, a redevelopment assistance capital project may receive funds if the project was itemized in a capital project itemization bill or a capital budget bill that was enacted more than 10 years before the date the project is approved under section 318 of the Capital Facilities Debt Enabling Act, provided that the Office of the Budget received an application or other written form of request for redevelopment assistance capital project grant funding for the project from a prospective applicant during the time period from:

(1) January 9, 2015, through May 18, 2015[.]; or

(2) January 29, 2018, through February 27, 2018.

Section 7. The act is amended by adding an article to read:

ARTICLE XVI-B.2

ENTERTAINMENT BUSINESS FINANCIAL MANAGEMENT FIRMS

Section 1601-B.2. Definitions.

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

"Entertainment business financial management firm." An entity with no employees or operations in the zone organized separately from a qualified business operating in the facility or the zone which is primarily in the business of providing management services to entertainers which may include, but is not limited to, accounting and tax services, royalty management, touring services, domestic and foreign tax planning and compliance, insurance, financial planning services and estate planning services.

"Facility." A facility as defined in section 1902-B of the Tax Reform Code of 1971.

"Master list." A master list as defined in section 1902-B of the Tax Reform Code of 1971.

"Operating organization." An operating organization as defined in section 1902-B of the Tax Reform Code of 1971.

"Qualified business." A qualified business as defined in section 1902-B of the Tax Reform Code of 1971.

"Tax Reform Code of 1971." The act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971.

"Zone." A neighborhood improvement zone as defined in section 1902-B of the Tax Reform Code of 1971.

Section 1602-B.2. Reporting requirements.

For purposes of inclusion on the master list under section 1904-B(a.3)(2) of the Tax Reform Code of 1971, the following shall apply:

(1) If an operating organization is advised that an entertainment business financial management firm has the primary responsibility, under a management contract, for completing reports for a qualified business which is engaged in the active conduct of a trade or business in the facility under section 1904-B(a.3)(2) of the Tax Reform Code of 1971, an operating organization may satisfy the requirements of section 1904-B(a.3)(2) of the Tax Reform Code of 1971 by providing to the contracting authority a copy of the relevant section of the contract between the qualified business and operating organization which documents the name, telephone

number and e-mail address of the individual employed at the entertainment business financial management firm who has primary responsibility for completing reports for a qualified business.

(2) Paragraph (1) shall apply only with respect to qualified businesses who are engaged in the provision of entertainment services or activities in a facility, such as concerts or other performances.

Section 1603-B.2. Applicability.

This article shall apply to tax years beginning on or after January 1, 2018.

Section 8. Sections 1604-H and 1602-K are amended to read:
Section 1604-H. Department of Community and Economic Development.

(a) **Educational tax credits.**--Tax credits awarded under Article XVII-F of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in fiscal year 2015-2016 to a business firm making an approved contribution to a scholarship organization, prekindergarten scholarship organization, opportunity scholarship organization or educational improvement organization may be used in the taxable year in which a completed application was submitted by the business firm or the taxable year in which the contribution was made by the business firm, as determined by the business firm.

(b) **Entertainment Economic Enhancement Program.**--The following apply:

(1) For fiscal year 2018-2019, in accordance with the procedures under Subarticle E of Article XVII-D of the Tax Reform Code of 1971 and notwithstanding section 1777-D(a) of the Tax Reform Code of 1971, the Department of Community and Economic Development shall award tax credits for qualified rehearsal and tour expenses incurred or to be incurred related to 10 tours in the fiscal year. Tax credits awarded under this paragraph may not be considered an advance award of tax credits for the purposes of section 1777-D(b) of the Tax Reform of 1971 and may not reduce the number of tours that the department may award tax credits to in succeeding fiscal years.

(2) In fiscal year 2018-2019, the Department of Community and Economic Development may, in the department's discretion, advance the award of tax credits for qualified rehearsal and tour expenses incurred or to be incurred related to a maximum of two additional tours. Tax credits awarded under this paragraph shall be considered an advance award of tax credits for the purposes of section 1777-D(b) of the Tax Reform code of 1971.

Section 1602-K. Transfers of funds.

The authority shall make all of the following transfers:

(1) \$50,000,000 from the First Industries Program account established under 64 Pa.C.S. § 1542(b) (relating to revolving loan program accounts) to the Business In Our Sites Program account established under 64 Pa.C.S. § 1542(a), subject to the provisions of any pledge to or agreement made by the authority with or for the benefit of obligees of the authority.

(2) \$25,000,000 from the trust account established under 64 Pa.C.S. § 1541 (relating to trust accounts) for the Building Pennsylvania program to the Business In Our Sites Program account established under 64 Pa.C.S. § 1542(a), subject to the provisions of any pledge to or agreement made by the authority with or for the benefit of obligees of the authority.

(3) In fiscal year 2018-2019, \$10,000,000 from the First Industries Program account established under 64 Pa.C.S. § 1542(b) to the Business In Our Sites Program account established under 64 Pa.C.S. § 1542(a), subject to the provisions of any pledge to or agreement made by the authority with or for the benefit of obligees of the authority.

(4) In fiscal year 2018-2019, \$35,000,000 from the trust account established under 64 Pa.C.S. § 1541 for the Building Pennsylvania program to the Business In Our Sites Program account established under 64 Pa.C.S. § 1542(a), subject to the provisions of any pledge to or agreement made by the authority with or for the benefit of obligees of the authority.

Section 9. The act is amended by adding an article to read:

ARTICLE XVI-N

PRIVATE DAM FINANCIAL ASSURANCE

Section 1601-N. Short title.

This article shall be known and may be cited as the Private Dam Financial Assurance Program Act.

Section 1602-N. Definitions.

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

"Common interest community." Includes a cooperative, condominium and planned community where an individual, by virtue of ownership interest in any portion of real estate, is or may become obligated by covenant, easement or agreement imposed upon the owner's interest to pay any amount for real property taxes, insurance, maintenance, repair, improvement, management, administration or regulation of any part of the real estate other than the portion or interest owned solely by the individual.

"Community association." Any person or incorporated community under 68 Pa.C.S. Subpts. B (relating to condominiums), C (relating to cooperatives) and D (relating to planned communities) or common interest community.

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

"Eligible cost." Any cost to be incurred by an owner enrolled in the program for the maintenance, repair, rehabilitation or permanent breach of the owner's dam. The term includes construction activities, engineering fees, demolition, excavation, reclamation and related costs.

"Fund." The Private Dam Financial Assurance Fund established under section 1606-N.

"Owner." A person who owns, controls, operates, maintains or manages a regulated private dam in this Commonwealth.

"Person." Includes a natural person, partnership, association, community association or corporation. The term does not include an agency of the Federal, State, county or municipal government or an interstate government.

"Program." The Private Dam Financial Assurance Program established under section 1603-N.

"Regulated private dam." A privately owned dam subject to the requirements of section 11 of the act of November 26, 1978 (P.L.1375, No.325), known as the Dam Safety and Encroachments Act.

Section 1603-N. Private Dam Financial Assurance Program.

(a) Establishment.--The department, in consultation with the Department of Environmental Protection, is authorized to establish the Private Dam Financial Assurance Program to provide

financial assurance assistance to owners of regulated private dams to meet any proof of financial responsibility requirements promulgated under section 11 of the act of November 26, 1978 (P.L.1375, No.325), known as the Dam Safety and Encroachments Act, and any regulations promulgated under that act.

(b) Financial responsibility.--An owner that is enrolled in the program is deemed to have met proof of financial responsibility requirements promulgated under section 11 of the Dam Safety and Encroachments Act for the owner's dam.

(c) Eligibility.--Financial assurance assistance through the program shall be made available to an owner provided that the owner:

(1) Demonstrates compliance with the Dam Safety and Encroachments Act and the regulations promulgated under that act, as determined by the Department of Environmental Protection, including annual inspection reporting, payment of registration fees and compliance with an approved emergency action plan.

(2) Pays a one-time program enrollment fee of \$1,000 per dam to the fund.

(3) Pays an annual fee to the fund in an amount equal to 1% of the bond amount required by the Department of Environmental Protection under proof of financial responsibility requirements promulgated under section 11 of the Dam Safety and Encroachments Act.

(d) Program application.--Owners seeking assurance under this article must submit a complete program application on forms provided by the department. The department shall develop the application form in consultation with the Department of Environmental Protection. The department shall consult with the Department of Environmental Protection to determine owner eligibility under this article.

Section 1604-N. Revolving loan program.

(a) Establishment.--The department, in consultation with the Department of Environmental Protection, is authorized to establish a revolving loan program for private dam owners enrolled in the program to provide assistance.

(b) Loan criteria.--The department, in consultation with the Department of Environmental Protection, shall establish criteria to award loans under the revolving loan program. Participation in the program shall be considered collateral for any loans awarded under this section.

(c) Loan amounts.--A loan amount under the program may not exceed 50% of the eligible costs and may not exceed \$500,000.

(d) Loan application.--Owners seeking program loans must submit a complete loan application to the department. The loan application form shall be provided by the department. The loan application form shall be developed in consultation with the Department of Environmental Protection and shall include all of the following:

(1) The name of the applicant.

(2) A brief description of the project to be funded.

(3) A demonstrated estimate of the eligible costs of the project.

(4) Any other information as the department or Department of Environmental Protection may require.

(e) Repayment.--Loans shall have a repayment period of up to 10 years.

(f) Interest.--Loan interest rates shall be fixed at an interest rate in effect at the time the loan is made and shall be equal to the Five-Year United States Treasury Note on the date the loan is awarded.

(g) Fee.--The department may charge a loan origination fee not to exceed 2.5% of the approved loan amount.

(h) Penalties.--The department, in consultation with the Department of Environmental Protection, shall establish penalties for loan recipients who fail to meet their repayment obligations under the loan terms.

Section 1605-N. Annual report.

The department, in consultation with the Department of Environmental Protection, shall prepare an annual report for the General Assembly concerning activities and expenditures made under this article for the preceding year. The report shall include information concerning all loans made to owners and loan applications denied.

Section 1606-N. Private Dam Financial Assurance Fund.

(a) Establishment of fund.--The Private Dam Financial Assurance Fund is established as a special fund in the State Treasury. The fund shall consist of all payments and fees collected by the department under this article and all money earned from the investment and reinvestment of money in the fund by the State Treasurer. The fund shall be the sole source of money for any and all payments due under or required by this article. The Commonwealth shall have no liability for any cost or expense under this article beyond the amount deposited in the fund, and the Commonwealth's credit is not pledged to meet any cost or expense payable from the fund. Money in the fund shall be paid out upon warrant of the State Treasurer drawn after requisition by the department or the Department of Environmental Protection. Money deposited into the fund and any interest it accrues are appropriated to the department for use in accordance with this article and to the Department of Environmental Protection for costs associated with the entry, correction, repair, operation, maintenance, inspection, monitoring or removal of a dam as necessary in response to:

(1) the failure of an owner enrolled in the program to comply with the act of November 26, 1978 (P.L.1375, No.325), known as the Dam Safety and Encroachments Act, or any regulation, permit or order issued under that act, where the failure of the owner to comply creates an unsafe condition under the Dam Safety and Encroachments Act and the regulations under that act; or

(2) abandonment of the dam by an owner enrolled in the program.

(b) Fund balance and loan program.--At any time that the fund has a balance equal to or greater than \$1,500,000 and the Department of Environmental Protection has not identified the need for an amount in excess of \$1,500,000 to correct the failure of owners to comply with the Dam Safety and Encroachments Act, the department may begin accepting and approving owner loan applications for eligible costs so long as a balance of at least \$1,000,000 remains in the fund.

(c) Supplements to fund.--The fund may be supplemented by appropriations from Federal, State or local government or from any private source.

Section 10. Section 1702-A(b)(1) is amended by adding a subparagraph to read:

Section 1702-A. Funding.

* * *

(b) Transfer of portion of surplus.--

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

* * *

(x) If the Secretary of the Budget certifies that there is a surplus in the General Fund for the 2017-2018 fiscal year, 50% of the surplus shall be deposited by the end of the next succeeding quarter into the Budget Stabilization Reserve Fund.

* * *

Section 11. Section 1774.1-A of the act, amended October 30, 2017 (P.L.725, No.44), is amended to read:
Section 1774.1-A. Other grants.

(a) Water and sewer.--For the specified fiscal years, from funds available to the authority under this act or under 58 Pa.C.S. § 2315(a.1)(4) (relating to Statewide initiatives), that are unrelated to indebtedness incurred for the program, the following apply:

(1) For fiscal year 2013-2014, the sum of \$3,000,000 shall be available for water and sewer projects with a cost of not less than \$50,000 and not more than \$150,000.

(2) For fiscal year 2015-2016 and 2016-2017, the sum of \$22,000,000 shall be available for distribution or reimbursement for water and sewer projects with a cost of not less than \$30,000 and not more than \$500,000.

(3) For fiscal year 2017-2018, the sum of \$15,000,000 shall be available for distribution or reimbursement for water and sewer projects with a cost of not less than \$30,000 and not more than \$500,000. **In determining the grant amount for the purpose of this paragraph, the authority shall not include the matching funds requirement in the calculation of the cost of the project.**

(4) For fiscal year 2018-2019, the sum of \$14,504,399 shall be available for distribution or reimbursement for water and sewer projects with a cost of not less than \$30,000 and not more than \$500,000. **In determining the grant amount for the purpose of this paragraph, the authority shall not include the matching funds requirement in the calculation of the cost of the project.**

(a.1) Additional water and sewer.--In addition to the funds available under subsection (a)(3), for fiscal year 2017-2018, the sum of \$10,000,000 from the trust account established under 64 Pa.C.S. § 1541 (relating to trust accounts) for the Building Pennsylvania Program shall be transferred to the authority for distribution or reimbursement for water and sewer projects with a cost of not less than \$30,000 and not more than \$500,000. **In determining the grant amount for the purpose of this paragraph, the authority shall not include the matching funds requirement in the calculation of the cost of the project.**

(a.2) Additional water and sewer.--In addition to the funds available under subsection (a)(4), for fiscal year 2018-2019, the sum of \$10,000,000 from the First Industries Program account established under 64 Pa.C.S. § 1542(b) (relating to revolving loan program accounts) shall be transferred to the authority for distribution or reimbursement for water and sewer projects with a cost of not less than \$30,000 and not more than \$500,000. **In determining the grant amount for the purpose of this paragraph, the authority shall not include the matching funds requirement in the calculation of the cost of the project.**

(b) Guidelines.--The authority shall adopt guidelines for the approval of applications under this section and shall ensure that grants are made available to all geographic areas of this Commonwealth.

(c) Eligibility.--An application for a water and sewer project under this section may not be deemed ineligible if the

project detailed in the application is for a portion of a larger project, the total cost of which exceeds \$500,000.

(d) Additional eligibility.--For fiscal year 2018-2019, the authority may not require the submission of new applications, but shall consider projects for grant funding submitted during the application period that ended on February 28, 2018.

Section 12. Section 1713-A.1(b) (1) introductory paragraph and (3) of the act are amended and subsection (b) is amended by adding paragraphs to read:

Section 1713-A.1. Use of fund.

* * *

(b) Appropriations.--

(1) Except as otherwise provided in paragraphs (1.1), (1.2), (1.3), (1.4) [and], (1.5) **and (1.6)**, the General Assembly appropriates moneys in the fund in accordance with the following percentages based on the annual payment received in each year:

* * *

(1.6) For fiscal year 2018-2019, the General Assembly appropriates money in the fund in accordance with the following percentages based on the annual payment received each year:

(i) Four and five-tenths percent for tobacco use prevention and cessation programs under Chapter 7 of the Tobacco Settlement Act.

(ii) Twelve and six-tenths percent for health and related research under section 906 of the Tobacco Settlement Act.

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

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

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

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

* * *

(2.1) The following apply:

(i) Except as provided under subparagraph (ii) (A), amounts in the fund received by the Commonwealth as a result of the Attorney General's joinder in the NPM Adjustment Settlement Agreement augments the appropriation from the General Fund for medical assistance Community HealthChoices.

(ii) The following apply:

(A) During the 2018-2019 fiscal year, \$15,400,000 from the amount in the fund received by the Commonwealth as a result of the Attorney General's joinder in the NPM Adjustment Settlement Agreement shall be transferred to a restricted account within the General Fund to be known as the Office of Attorney General Criminal Enforcement Restricted Account.

(B) Money in the restricted account is appropriated to the Office of Attorney General for criminal enforcement and shall not lapse.

(C) As part of the annual budget submission under section 610(a) of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code

of 1929, the Attorney General shall provide information on the status of the restricted account, including information for not less than the prior fiscal year, the current fiscal year and the fiscal year that begins the next succeeding July 1, which shall include for each such fiscal year the actual or estimated expenditures classified by category of use, in reasonable detail, and beginning and ending balances in the restricted account.

(3) All other payments and revenue received in the fund other than the [annual payment] **amounts as provided under this subsection** shall remain in the fund and are available to be appropriated for health-related purposes.

* * *

Section 13. Sections 1723-A.1(2) and (3) and 1733-A.1 of the act, amended October 30, 2017 (P.L.725, No.44), are amended to read:

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

Funds in the fund are appropriated to the department on a continuing basis for the purposes set forth in this subsection and shall be distributed to each active and operating Category 1 licensee conducting live racing as follows:

* * *

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

(i) For fiscal years 2013-2014 and 2014-2015, each week, \$802,682 in the fund shall be transferred to the account. This transfer shall not exceed \$17,659,000 annually.

(i.1) In addition to the transfer under subparagraph (i), for a total of 14 weeks from the effective date of this subparagraph, each week, \$300,000 shall be transferred from the fund, for a total amount of \$4,200,000, to the State Racing Fund to be used exclusively for the enforcement of the act of December 17, 1981 (P.L.435, No.135), known as the Race Horse Industry Reform Act. Moneys transferred pursuant to this subparagraph shall not be transferred subsequently to any other State fund or account for any purpose.

(i.2) For fiscal year 2015-2016, beginning on the effective date of this subparagraph, the sum of \$25,759,000 in the fund shall be transferred to the account in equal weekly amounts sufficient to complete the transfer by June 30, 2016.

(i.3) For fiscal year 2016-2017, the sum of \$19,659,000 in the fund shall be transferred to the account in 22 equal weekly amounts beginning on the effective date of this subparagraph.

(i.4) For fiscal year 2017-2018, the sum of \$19,659,000 in the fund shall be transferred to the account in 22 equal weekly amounts beginning on the effective date of this subparagraph.

(i.5) For fiscal year 2018-2019, the sum of \$19,659,000 in the fund shall be transferred to the account in 22 equal weekly amounts beginning on the effective date of this subparagraph.

(ii) Each week, the money remaining in the fund after any transfer under subparagraphs (i), (i.1), (i.2), (i.3) [and], (i.4) **and (i.5)** shall be distributed to each active and operating Category 1 licensee conducting live racing in accordance with the following formula:

(A) Divide:

(I) the total daily assessments paid, by each active and operating Category 1 licensee conducting live racing, into the fund for that week; by

(II) the total daily assessments paid, by all active and operating Category 1 licensees conducting live racing, into the fund for that week.

(B) Multiply the quotient under clause (A) by the amount to be distributed under this subparagraph.

(iii) The distribution under subparagraph (ii) shall be allocated as follows:

(A) The greater of 4% of the amount to be distributed under subparagraph (ii) or \$220,000 shall be used to fund health and pension benefits for the members of the horsemen's organizations representing the owners and trainers at the racetrack at which the licensed racing entity operates for the benefit of the organization's members, their families, employees and others in accordance with the rules and eligibility requirements of the organization, as approved by the commission. This amount shall be deposited within five business days of the end of each week into a separate account to be established by each respective horsemen's organization at a banking institution of its choice. Of this amount, a minimum of \$250,000 shall be paid annually by the horsemen's organization to the thoroughbred jockeys or standardbred drivers organization at the racetrack at which the licensed racing entity operates for health insurance, life insurance or other benefits to active and disabled thoroughbred jockeys or standardbred drivers in accordance with the rules and eligibility requirements of that organization. The total distribution under this clause in any fiscal year shall not exceed \$11,400,000.

(B) Of the money remaining to be distributed under subparagraph (ii) after application of clause (A), the following disbursements shall be made:

(I) Eighty-three and one-third percent of the money to be distributed under this clause shall be deposited on a weekly basis into a separate, interest-bearing purse account to be established by and for the benefit of the horsemen. The earned interest on the account shall be credited to the purse account. Licensees shall combine these funds with revenues from existing purse agreements to fund purses for live races consistent with those agreements with the advice and consent of the horsemen.

(II) For thoroughbred tracks, 16 and 2/3% of the money to be distributed under this clause shall be deposited on a weekly basis into the Pennsylvania Breeding Fund. For standardbred tracks, 8 and 1/3% of the money to be distributed under this clause shall be deposited on a weekly basis into the Pennsylvania Sire Stakes Fund; and 8 and 1/3% of the money to be distributed under this clause shall be deposited on a weekly basis into a restricted account in the State Racing Fund to be known as the Pennsylvania

Standardbred Breeders Development Fund. The commission shall, in consultation with the Secretary of Agriculture, promulgate regulations adopting a standardbred breeders program that will include the administration of the Pennsylvania Stallion Award, the Pennsylvania Bred Award and the Pennsylvania Sired and Bred Award.

(3) The following shall apply:

(i) For fiscal year 2016-2017, the department shall transfer \$8,555,255 from the fund to the State Racing Fund pursuant to section 2874-D of The Administrative Code of 1929.

(ii) For fiscal year 2017-2018, the department shall transfer \$10,066,000 from the fund to the State Racing Fund pursuant to 3 Pa.C.S. § 9374 (relating to costs of enforcement of medication rules or regulations).

(iii) For fiscal year 2018-2019, the department shall transfer \$10,066,000 from the fund to the State Racing Fund pursuant to 3 Pa.C.S. § 9374.

Section 1733-A.1. Drug and Alcohol Programs.

For fiscal year 2015-2016, fiscal year 2016-2017 [and], fiscal year 2017-2018 **and fiscal year 2018-2019**, \$2,500,000 from the sale of liquor and alcohol shall be transferred to the Department of Drug and Alcohol Programs for the purposes set forth in section 802(c) of the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code.

Section 14. The act is amended by adding a section to read:
Section 1747-A.1. Grant agreements.

For grants awarded under this subarticle on or after January 23, 2018, the authority may not rescind an executed grant agreement without a qualified majority vote of the board of the authority as stipulated under 64 Pa.C.S. § 1512(d)(1) (relating to board).

Section 15. Section 1754-A.1(c) of the act, added October 30, 2017 (P.L.725, No.44), is amended to read:

Section 1754-A.1. Use of fund.

* * *

(c) Authorization.--The commission may allocate revenues from the fund for **any of** the following purposes:

(1) Establishing and operating a scholarship program for students in those regions of this Commonwealth which have statistically higher high school dropout rates, incarceration rates or high crime rates as determined by the commission.

(2) Providing grants to programs that benefit children in those regions of this Commonwealth which have statistically higher high school dropout rates, incarceration rates or high crime rates as determined by the commission.

(3) In determining preference for student scholarships or programs that benefit children, the commission shall consider factors including the victimization of the student or child, the risk factors as identified by the statement of policy required under subsection (e) and the impact of crime on the student or child.

* * *

Section 16. The act is amended by adding a section to read:
Section 1704-E. Independent Fiscal Office revenue estimates.

(a) Initial revenue estimate.--By May 20 of each year, the office shall submit to the General Assembly an initial revenue estimate for the next fiscal year.

(b) Official revenue estimate.--The following apply:

(1) By June 20 of each year, the office shall submit an official revenue estimate for the next fiscal year.

(2) A revenue estimate submitted under this section shall be considered by the Governor and the General Assembly as the amount of revenue which may be considered for the general appropriation act for the ensuing fiscal year unless the Governor or the General Assembly determines that revenues are greater than or less than the estimate provided under this section. The office may amend the revenue estimate under this section if changes in law affecting revenues and receipts are enacted or proposed to be enacted with the annual State budget or unless significant changes in economic assumptions occur prior to June 30. The office shall submit the amended revenue estimate to the General Assembly within 10 days of the change.

(3) The office shall publish the methodology used to develop revenue estimates.

(c) Information.--The office shall provide the chairperson and minority chairperson of the Appropriations Committee of the Senate, the chairperson and minority chairperson of the Appropriations Committee of the House of Representatives and the Secretary of the Budget with all data, assumptions or econometric models used to develop revenue estimates under subsections (a) and (b).

(d) Required information.--

(1) A revenue estimate submitted by the office under subsection (b) shall include:

(i) Projected revenue collections by specific tax or revenue source, including Federal funds, the General Fund, the State Lottery Fund and the Motor License Fund.

(ii) All data, assumptions and econometric models used to develop a revenue estimate.

(iii) Any projected revenue surplus or deficit for the current fiscal year.

(2) A revenue estimate shall be based on existing law and tax policy and existing or emerging State or national economic trends.

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

"Office." The Independent Fiscal Office.

Section 17. Sections 1720-E, 1725-E, 1727-E and 1730-E of the act are amended to read:

Section 1720-E. Department of Conservation and Natural Resources [(Reserved)].

The following shall apply to appropriations for the Department of Conservation and Natural Resources:

(1) The department shall, in consultation with the Department of Transportation, develop, open and maintain an ATV trail connecting the Whiskey Springs ATV trail to the Blood Skillet ATV trail by utilizing existing State roads and State forest roads by April 1, 2020.

(2) The department shall, in consultation with the Department of Transportation, implement the full Northcentral Pennsylvania ATV initiative and create a network of ATV trails connecting Clinton County to the New York State border by utilizing existing State roads and State forest roads by April 1, 2024.

Section 1725-E. Department of Health [(Reserved)].

(a) Issuance of certificates of death.--For the issuance of certificates of death by a local registrar under section 609-A(a)(6)(ii) of the act of April 9, 1929 (P.L.177, No.175),

known as The Administrative Code of 1929, the following shall apply:

(1) A local registrar shall issue certificates of death from original certificates of death in its possession upon completion of a period of instruction on the preparation of certificates by representatives of the Division of Vital Records.

(2) Each fee received by the local registrar under section 609-A(a)(6)(ii) of The Administrative Code of 1929 shall be distributed, retained or transmitted to the Department of Health as follows:

(i) The following apply:

(A) Except as provided under clause (B), \$3 shall be retained by the local registrar.

(B) If the limitation under section 304(c)(1) of the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, has been reached, \$3 shall be transmitted to the Department of Health for deposit in the General Fund.

(ii) Sixteen dollars shall be transmitted to the Department of Health for deposit in the Vital Statistics Improvement Account.

(iii) One dollar shall be transmitted to the Department of Health for distribution to the county coroner or medical examiner as provided for under section 206 of the Vital Statistics Law of 1953.

(b) (Reserved).

Section 1727-E. Department of Labor and Industry.

(a) **Reed Act.**--For the "Reed Act-Unemployment Insurance" and "Reed Act-Employment Services and Unemployment Insurance" appropriations, the total amount which may be obligated shall not exceed the limitations under section 903 of the Social Security Act (49 Stat. 620, 42 U.S.C. § 1103).

(b) **Bureau of Occupational and Industrial Safety.**--Money collected by the Department of Labor and Industry under section 613-A(a) of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, for the 2018-2019 fiscal year and each fiscal year thereafter shall be distributed as follows:

(1) the amount of \$7,000,000 shall augment an appropriation made for the Bureau of Occupational and Industrial Safety in the general appropriation act; and

(2) any amount in excess of the amount under paragraph (1) shall be deposited in the General Fund.

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

Section 1730-E. Department of Revenue [(Reserved)].

(a) **Income.**--For the purposes of section 1303 of the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, the definition of "income" shall exclude, for a person who receives pension benefits as a beneficiary through the Federal Civil Service Retirement System that accrued during a period of employment for which the beneficiary was not

required to make contributions under the Social Security Act (49 Stat. 620, 42 U.S.C. § 301 et seq.), an amount determined by the Department of Revenue which shall equal 50% of the average retired worker Social Security payment for the previous calendar year for which the data is available from the Social Security Administration and published on the Social Security Administration's Internet website.

(b) **Applicability.**--The provisions of subsection (a) shall apply to property tax or rent rebate claims for tax or rent due and payable in calendar year 2018 and each calendar year thereafter.

Section 18. Section 1795.1-E of the act, amended October 30, 2017 (P.L.725, No.44), is amended to read:
Section 1795.1-E. Surcharges.

(a) **Legislative finding.**--Due to reductions in revenue available to the Commonwealth, it is necessary to increase certain fees or surcharges to adequately fund the Unified Judicial System.

(b) **Imposition.**--

(1) In addition to the fee under section 2802-E(a)(1) of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, an additional surcharge of \$10 shall be charged and collected by a division of the Unified Judicial System. The provisions of section 2802-E(b) of The Administrative Code of 1929 shall not apply to this subsection.

(2) In addition to the fee under 42 Pa.C.S. § 3733(a.1)(1) and (2)(iii) (relating to deposits into account), an additional surcharge of \$2 shall be charged and collected by a division of the Unified Judicial System[.] **and deposited into the Access to Justice Account under 42 Pa.C.S. § 4904 (relating to establishment of Access to Justice Account).**

(3) This subsection shall expire December 31, 2020.

Section 19. The act is amended by adding a section to read:
Section 1795.2-E. Deposit into School Safety and Security Fund.

(a) **General rule.**--Notwithstanding any provision of 42 Pa.C.S. § 3733(a) (relating to deposits into account) to the contrary, each fiscal year the first \$15,000,000 of all fines, fees and costs collected by any division of the Unified Judicial System that are in excess of the amount collected from those sources in the fiscal year 1986-1987 shall be deposited into the School Safety and Security Fund.

(b) **Nonapplicability.**--Subsection (a) shall not apply to the additional fee imposed under 42 Pa.C.S. § 3733(a.1) and any fines, fees or costs that are allocated by law or otherwise directed to:

- (1) The Pennsylvania Fish and Boat Commission.
- (2) The Pennsylvania Game Commission.
- (3) Counties and municipalities.
- (4) The Crime Victim's Compensation Board.
- (5) The Pennsylvania Commission on Crime and Delinquency for victim-witness services grants under former section 477.15(c) of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.
- (6) Rape crisis centers.
- (7) The Emergency Medical Services Operating Fund.
- (8) Domestic violence shelters.
- (9) The Child Passenger Restraint Fund.

Section 20. Section 1798.3-E of the act, added October 30, 2017 (P.L.725, No.44), is amended to read:
Section 1798.3-E. Multimodal Transportation Fund.

(a) Department of Transportation.--

(1) From funds available to the Department of Transportation under 74 Pa.C.S. § 2104(a)(2) (relating to use of money in fund), the local match under 74 Pa.C.S. § 2106 (relating to local match) may be waived by the Secretary of Transportation for good cause if the applicant for assistance is a municipality.

(2) From funds available to the Department of Transportation under 74 Pa.C.S. § 2104(a)(2), the local match under 74 Pa.C.S. § 2106 may be waived by the Secretary of Transportation for good cause if the applicant for assistance is a port authority.

(b) Commonwealth Financing Authority.--Notwithstanding the provisions of 74 Pa.C.S. § 2106, a municipality **or port authority** receiving financial assistance under 74 Pa.C.S. § 2104(a)(4) may not be required to provide a local match.

(c) [Definition.--As used in this section, the term "municipality" shall mean a county, city, borough, incorporated town or township.] **Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:**

"Municipality." A county, city, borough, incorporated town or township.

"Port authority." A port authority as established under the act of July 10, 1989 (P.L.291, No.50), known as the Philadelphia Regional Port Authority Act.

(d) Expiration.--This section shall expire December 31, [2018] **2019**.

Section 21. Section 1706-E.2 of the act is amended by adding a paragraph to read:

Section 1706-E.2. Sinking fund charges for school building projects.

The following shall apply:

* * *

(1.1) All school districts that submitted applications between July 1, 2017, and November 6, 2017, and that vote to proceed with construction and awarded bids on their construction contracts no later than July 1, 2021, shall, as permitted by law, be awarded a one-time capital grant, if available, for the approved project in lieu of approved reimbursement payments or, if not available, shall receive payments in the form of reimbursements.

* * *

Section 22. The act is amended by adding an article to read:

ARTICLE XVII-E.5

REINSTATEMENT OF ITEM VETOES

Section 1701-E.5. Legislative Department appropriations.

(a) Amounts available.--By August 1, 2018, the Secretary of the Budget shall notify the State Treasurer of amounts available in appropriations to the Senate, the House of Representatives and the State Government Support Agencies for line item appropriation vetoes that were executed on July 10, 2014, in the act of July 10, 2014 (P.L.3051, No.1A), known as the General Appropriation Act of 2014, and subsequently determined through judicial review to have been erroneously effected:

(1) To the Senate, \$31,340,000.

(2) To the House of Representatives, \$20,120,000.

(3) To the State Government Support Agencies,
\$13,640,000.

(b) Contents of notification.--The notification under subsection (a) shall include the agency, the line item appropriation name, the amount to be made available and the resulting balance in the line item appropriation.

(c) Action by State Treasurer.--No later than August 3, 2018, the State Treasurer shall apply each amount under subsection (a) to the respective line item appropriation for fiscal year 2014-2015, and the amount applied shall be available immediately for expenditure.

(d) Action by Senate.--Following application of the amount under subsection (a) to the Senate's line item appropriation, by September 1, 2018, the Chief Clerk of the Senate shall authorize and direct the State Treasurer to transfer the sum of \$15,000,000 to the School Safety and Security Fund in the State Treasury. The remainder of the amount under subsection (a) shall be lapsed to the General Fund no later than September 1, 2018.

(e) Action by House of Representatives.--Following application of the amount under subsection (a) to the House of Representatives' line item appropriation, by September 1, 2018, the Chief Clerk of the House of Representatives, upon the approval of the Majority Leader and the Minority Leader of the House of Representatives, shall authorize and direct the State Treasurer to transfer the sum of \$15,000,000 to the School Safety and Security Fund in the State Treasury. The remainder of the amount under subsection (a) shall be lapsed to the General Fund no later than September 1, 2018.

(f) Action by government support agencies.--Following application of the amount under subsection (a) to the government support agencies line item appropriations, the restored amounts shall be lapsed to the General Fund no later than September 1, 2018.

Section 23. Repeals are as follows:

(1) The General Assembly finds and declares as follows:

(i) Each year, articles on budget implementation are added to the act.

(ii) These articles are temporary in nature but are placed permanently into the act, utilizing article numbers and section numbers.

(iii) Reusing article numbers and section numbers will keep the text of the act more concise.

(iv) The repeals under paragraph (2) are necessary to effectuate subparagraph (iii).

(2) Articles XVII-H and XVII-I of the act, added July 18, 2013 (P.L.574, No.71), are repealed.

Section 24. The act is amended by adding articles to read:

ARTICLE XVII-H

2018-2019 BUDGET IMPLEMENTATION

SUBARTICLE A

PRELIMINARY PROVISIONS

Section 1701-H. Applicability.

Except as specifically provided in this article, this article applies to the General Appropriation Act of 2018 and all other appropriation acts of 2018.

Section 1702-H. Definitions.

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

"CCDFBG." Child Care and Development Fund Block Grant.

"General Appropriation Act of 2018." The act of June 22, 2018 (P.L.1203, No.1A), known as the General Appropriation Act of 2018.

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

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

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

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

Section 1703-H. Department of Criminal Justice.

For the purposes of the General Appropriation Act of 2018, a reference to the Department of Criminal Justice shall be deemed to be a reference to the Department of Corrections or the Pennsylvania Board of Probation and Parole, or both, as applicable.

SUBARTICLE B EXECUTIVE DEPARTMENTS

Section 1711-H. Governor (Reserved).

Section 1712-H. Executive offices.

(a) Appropriations to Executive Offices.--The following apply to appropriations for the Executive Offices:

(1) A portion of the appropriation for the Office of Administration may be distributed upon approval of the secretary to other State agencies to pay for human resources services provided to the agency.

(2) A portion of the appropriation for Commonwealth Technology Services may be distributed upon approval of the secretary to other State agencies to pay for information technology services provided to the agency.

(3) The secretary shall provide notice 10 days prior to a distribution under this subsection to the chairperson and the minority chairperson of the Appropriations Committee of the Senate and the chairperson and minority chairperson of the Appropriations Committee of the House of Representatives.

(b) Appropriations to Pennsylvania Commission on Crime and Delinquency.--The following apply to appropriations for the Pennsylvania Commission on Crime and Delinquency:

(1) Money appropriated for intermediate punishment treatment programs shall be distributed competitively to counties for offenders sentenced to intermediate punishment programs. The portion of money for drug and alcohol and mental health treatment programs shall be based on national statistics that identify the percentage of incarcerated individuals that are in need of treatment for substance issues but in no case shall be less than 80% of the amount appropriated.

(2) The following apply:

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

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

(iii) From the amount appropriated, \$200,000 shall be used for an innovative police data sharing pointer index system that will allow participating law enforcement agencies access to incident report data.

(iv) From the amount appropriated, \$200,000 shall be used for a diversion program for first-time nonviolent

offenders facing prison sentences. The diversion program must include education and employment services, case management and mentoring.

(3) From money appropriated for violence and delinquency prevention programs, no less than the amount used in the 2014-2015 fiscal year shall be used for programs in a city of the second class, and no less than the amount used in the 2014-2015 fiscal year shall be used for blueprint mentoring programs that address reducing youth violence in cities of the first, second and third class.

Section 1713-H. Lieutenant Governor (Reserved).

Section 1714-H. Attorney General.

From money appropriated for general government operations, the Office of Attorney General may establish the Commonwealth Investigator Training Program for individuals who are not eligible for certification under 53 Pa.C.S. Ch. 21 Subch. D (relating to municipal police education and training).

Section 1715-H. Auditor General.

From money appropriated for special financial audits, \$500,000 shall be used for the financial auditing of entities that receive funds through contracts with the Department of Human Services from money appropriated for Medical Assistance-Capitation, Medical Assistance Community HealthChoices, Medical Assistance-Long-term Care, Mental Health Services or the Intellectual Disabilities-Community Waiver Program.

Section 1716-H. Treasury Department (Reserved).

Section 1717-H. Department of Aging (Reserved).

Section 1718-H. Department of Agriculture.

The following apply to appropriations for the Department of Agriculture:

(1) From money appropriated for general government operations, no less than the amount transferred in the 2014-2015 fiscal year shall be transferred to the Dog Law Restricted Account.

(2) From money appropriated for general government operations, at least \$250,000 shall be used for the Commission of Agricultural Education Excellence to assist in development and implementation of agricultural education programming.

(3) From money appropriated for agricultural research, the following apply:

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

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

(iii) No less than \$500,000 shall be used for research at an organic research institute located in a county of the third class.

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

(5) In addition to the uses provided in section 7.3 of the act of June 18, 1982 (P.L.549, No.159), entitled "An act providing for the administration of certain Commonwealth farmland within the Department of Agriculture," the department may use up to a total of \$165,000 in the Agricultural Conservation Easement Purchase Fund under

section 7.1 of the act of June 18, 1982 (P.L.549, No.159), entitled "An act providing for the administration of certain Commonwealth farmland within the Department of Agriculture," to issue grants not to exceed \$3,000 each for succession planning to ensure that agricultural operations continue on land subject to agricultural conservation easements. The department, in consultation with the State Agricultural Land Preservation Board, shall establish eligibility criteria for awarding grants under this paragraph.

Section 1719-H. Department of Community and Economic Development.

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

(1) From money appropriated for general government operations:

(i) At least \$150,000 shall be used to support an engineering study related to infrastructure investment and marketing for an industrial development area in a county of the sixth class with a population of at least 45,950, but not more than 46,500, under the most recent Federal decennial census.

(ii) At least \$600,000 shall be used to support a manufacturing technology development effort in a county of the fourth class with a population of at least 143,679, but not more than 144,200, under the most recent Federal decennial census.

(2) From money appropriated for marketing to attract tourists:

(i) \$4,067,000 to fund the activities of the tourism office within the department; and

(ii) the remaining amount includes an allocation to plan and market a biennial arts and cultural activity that generates Statewide and regional economic impact, allocations to promote annual arts and cultural activities and an allocation of \$500,000 for an annual Statewide competition serving approximately 2,000 athletes with intellectual disabilities from across this Commonwealth to be held in a county of the fourth class.

(3) From money appropriated for Keystone Communities:

(i) \$6,357,000 shall be used to fund the Main Street Program, Elm Street Program, Enterprise Zone Program and accessible housing. The allocation for the Main Street Program, Elm Street Program, Enterprise Zone Program and accessible housing shall be distributed in the same proportion as amounts allocated in fiscal year 2012-2013.

(ii) \$500,000 shall be used for an antiviolence task force, in consultation with the Office of Attorney General, in a county of the second class A that is also a home rule county.

(iii) The remaining money shall be used for projects supporting economic growth, community development and municipal assistance throughout this Commonwealth.

(4) Funds appropriated for local municipal relief shall include an allocation to provide State assistance to individuals, persons or political subdivisions directly affected by natural or man-made disasters, public safety emergencies, other situations that pose a public safety danger or other situations at the discretion of the department. State assistance may be limited to grants for projects that do not qualify for Federal assistance to help repair damages to primary residences, personal property and public facilities and structures. Grants shall be made

available for reimbursement in a disaster emergency area only when a Presidential disaster declaration does not cover the area or when the department determines that a public safety emergency has occurred.

Section 1720-H. Department of Conservation and Natural Resources (Reserved).

Section 1721-H. Department of Corrections.

From the appropriation to the Department of Criminal Justice for general government operations under the General Appropriation Act of 2018, at least \$1,500,000 shall be used by the Department of Corrections for nonnarcotic medication substance use disorder treatment, which may include the establishment and administration of a nonnarcotic medication assisted substance abuse treatment grant program.

Section 1721.1-H. Department of Drug and Alcohol Programs (Reserved).

Section 1722-H. Department of Education.

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

(1) From an appropriation for adult and family literacy programs, summer reading programs and the adult high school diplomas program, no less than the amount allocated in the 2014-2015 fiscal year shall be allocated for an after-school learning program servicing low-income students located in a county of the sixth class with a population of at least 60,000, but not more than 70,000, under the most recent Federal decennial census.

(2) From money appropriated for career and technical education:

(i) \$10,000,000 shall be distributed as provided under sections 2502.6 and 2502.8 of the Public School Code of 1949.

(ii) \$20,000,000 shall be distributed as grants upon recommendation of the Pennsylvania Workforce Development Board to support emerging work force needs throughout elementary and secondary education.

(3) From money appropriated for Pennsylvania Charter Schools for the Deaf and Blind, \$445,000 shall be distributed pro rata based on each school's increased share of required contributions for public school employees' retirement.

(4) The following shall apply:

(i) Notwithstanding any other provision of law, funds set aside under section 2509.8 of the Public School Code of 1949 shall include an allocation for an approved private school which received a payment under section 1722-L(6).

(ii) The allocation under this paragraph shall be in an amount equal to the amount allocated to an approved private school under section 1722-L(6) for the 2015-2016 fiscal year.

(iii) The allocation under this paragraph shall be in addition to an allocation from an appropriation for approved private schools.

(iv) For the purposes of the formula for approved private schools under section 1376 of the Public School Code of 1949 for the 2019-2020 fiscal year, a payment made under this paragraph shall be considered part of the base allocation in section 1376(a.2) of the Public School Code of 1949.

(5) Notwithstanding any other provision of law, money from the set-aside under section 2509.8 of the Public School Code of 1949 shall be allocated to each approved private

school with a day tuition rate determined to be less than \$32,000 during the 2010-2011 school year. The allocation shall be no less than the amount allocated in the 2015-2016 fiscal year.

(6) From money appropriated for regional community college services, all of the following shall apply:

(i) \$900,000 shall be distributed to a community college in a county of the fourth class with a population of at least 175,000, but not more than 190,000, under the most recent Federal decennial census.

(ii) \$5,203,000 shall be distributed to a college established under Article XIX-G of the Public School Code of 1949.

(iii) \$350,000 shall be distributed for a county of the sixth class with a population of at least 75,000, but not more than 85,000, under the most recent Federal decennial census to establish a program that targets postsecondary students.

(7) From the appropriation for trauma-informed education program, \$500,000 shall be allocated to a nonprofit organization located in a city of the third class having a population of at least 117,000, but no more than 120,000, under the 2010 Federal decennial census, for an educational program designed for children, especially at-risk youth, that teaches coping skills to assist with social, economic and environmental factors in their community.

(8) Notwithstanding any other provision of law, money appropriated for community education councils shall be distributed to each entity that received a distribution in the 2017-2018 fiscal year. Each entity shall receive a distribution equal to the amount received in the 2017-2018 fiscal year.

(9) Notwithstanding section 1724-A of the Public School Code of 1949 or 24 Pa.C.S. § 8329 (relating to payments on account of social security deductions from appropriations), no payments shall be made to charter schools, regional charter schools or cyber charter schools authorized under Article XVII-A of the Public School Code of 1949 from money appropriated for school employees' Social Security.

(10) Notwithstanding section 1724-A of the Public School Code of 1949 or 24 Pa.C.S. §§ 8326 (relating to contributions by the Commonwealth) and 8535 (relating to payments to school entities by Commonwealth), no payments shall be made to charter schools, regional charter schools or cyber charter schools authorized under Article XVII-A of the Public School Code of 1949 from money appropriated for payment of required contributions for public school employees' retirement.

Section 1723-H. Department of Environmental Protection
(Reserved).

Section 1724-H. Department of General Services.

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

Section 1725-H. Department of Health.

The following apply to appropriations for the Department of Health:

(1) From money appropriated for general government operations, sufficient money shall be included for the coordination of donated dental services and \$100,000 is included for outreach for Charcot-Marie-Tooth syndrome.

(2) From money appropriated for adult cystic fibrosis and other chronic respiratory illnesses, no less than the amount used in the 2014-2015 fiscal year shall be used for a program promoting cystic fibrosis research in a county of the second class, and no less than the amount used in the 2014-2015 fiscal year shall be used for research related to childhood cystic fibrosis in a city of the first class with a hospital that is nationally accredited as a cystic fibrosis treatment center and specializes in the treatment of children.

(3) Money appropriated for lupus programs shall be distributed in the same proportion as distributed in fiscal year 2014-2015.

(4) Money appropriated for biotechnology research shall include allocations for regenerative medicine research, for regenerative medicine medical technology, for hepatitis and viral research, for drug research and clinical trials related to cancer, for genetic and molecular research for disease identification and eradication, for nanotechnology and for the commercialization of applied research.

(5) From the appropriation for leukemia and lymphoma, \$200,000 shall be allocated to a branch of an eastern Pennsylvania chapter of a nonprofit organization, where the branch is located within a city of the third class that is located in two counties of the third class, dedicated to understanding, preventing, diagnosing and treating blood cancer and caring for patients diagnosed with blood cancer.
Section 1726-H. Insurance Department (Reserved).
Section 1727-H. Department of Labor and Industry.

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

(1) From money appropriated to the Department of Labor and Industry for Industry Partnerships:

(i) No less than the amount allocated in the 2014-2015 fiscal year shall be allocated for a work force development program that links veterans with employment in a home rule county that was formerly a county of the second class A.

(ii) \$3,000,000 shall be distributed as grants upon recommendation from the Pennsylvania Workforce Development Board to support current and emerging work force needs.

(2) Money appropriated to the Department of Labor and Industry for apprenticeships shall be distributed as grants upon recommendation of the Pennsylvania Workforce Development Board to support current and emerging work force needs.
Section 1728-H. Department of Military and Veterans Affairs.

From the appropriation to the Department of Military and Veterans Affairs for behavioral health support for veterans, \$750,000 shall be used for programs providing treatment for posttraumatic stress disorder for veterans.
Section 1729-H. Department of Human Services.

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

(1) The following apply:

(i) The department, upon approval of the secretary, may transfer Federal money appropriated for TANFBG Child Care Assistance to the CCDFBG Child Care Services appropriation to provide child-care services to additional low-income families if the transfer of money will not result in a deficit in the appropriation. The secretary shall provide notice 10 days prior to a

transfer under this subparagraph to the chairperson and minority chairperson of the Appropriations Committee of the Senate and the chairperson and minority chairperson of the Appropriations Committee of the House of Representatives.

(ii) The department, upon approval of the secretary, may transfer Federal money appropriated for CCDFBG Child Care Assistance to the CCDFBG Child Care Services appropriation to provide child-care services to additional low-income families, provided that the transfer of money will not result in a deficit in the appropriation. The secretary shall provide notice 10 days prior to a transfer under this subparagraph to the chairperson and minority chairperson of the Appropriations Committee of the Senate and the chairperson and minority chairperson of the Appropriations Committee of the House of Representatives.

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

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

(ii) The expansion of the existing web portals, including services and resources for military veterans and their families, including comprehensive referral services for transitional, temporary and permanent housing, job placement and career counseling and other services for military veterans returning to civilian life.

(3) The following shall apply:

(i) Payments to hospitals for Community Access Fund grants shall be distributed under the formulas utilized for these grants in fiscal year 2014-2015. If the total funding available under this subparagraph is less than that available in fiscal year 2014-2015, payments shall be made on a pro rata basis.

(ii) Amounts allocated from money appropriated for fee-for-service used for the Select Plan for Women's Preventative Health Services shall be used for women's medical services, including noninvasive contraception supplies.

(iii) Notwithstanding any other law, money appropriated for medical assistance payments for fee-for-service care, exclusive of inpatient services provided through capitation plans, shall include sufficient money for two separate All Patient Refined Diagnostic Related Group payments for inpatient acute care general hospital stays for:

(A) normal newborn care; and

(B) mothers' obstetrical delivery.

(iv) From money appropriated for medical assistance fee-for-service care the following apply:

(A) No less than the amount used in the 2017-2018 fiscal year shall be used for cleft palates and other craniofacial anomalies.

(B) At least \$800,000 shall be distributed to a hospital for clinical ophthalmologic services located in a city of the first class.

(C) No less than the amount distributed in the 2014-2015 fiscal year shall be distributed for improvements to an acute care hospital located in a city of the first class.

(D) At least \$5,000,000 shall be distributed to a hospital in a city of the third class in a home rule county that was formerly a county of the second class A.

(E) At least \$2,000,000 shall be distributed to a university located in a city of the first class to expand research and treatment protocols for combating opioid addiction.

(F) At least \$250,000 shall be allocated to an acute care hospital located in a first class township in a county of the third class for medical technology equipment upgrades.

(iv.1) From money appropriated for medical assistance fee-for-service care, sufficient funds are included to provide rates for ambulance transportation at the following amounts, beginning on January 1, 2019:

(A) For basic life support, not less than \$180 per loaded trip.

(B) For advanced life support, not less than \$300 per loaded trip.

(C) For air ambulance transport, not less than \$3,325.53 per loaded trip.

(D) For ground mileage, not less than \$2 per mile for each loaded mile beyond 20 loaded miles.

(E) For air mileage, not less than \$22.45 per mile for each loaded mile beyond 20 loaded miles.

(v) From money appropriated for medical assistance capitation, no less than the amount used in the 2014-2015 fiscal year shall be used for prevention and treatment of depression and its complications in older Pennsylvanians in a county of the second class.

(v.1) From money appropriated for medical assistance capitation, sufficient funds are included to provide rates for ambulance transportation at the following amounts, beginning on January 1, 2019:

(A) For basic life support, not less than \$180 per loaded trip.

(B) For advanced life support, not less than \$300 per loaded trip.

(C) For air ambulance transport, not less than \$3,325.53 per loaded trip.

(D) For ground mileage, not less than \$2 per mile for each loaded mile beyond 20 loaded miles.

(E) For air mileage, not less than \$22.45 per mile for each loaded mile beyond 20 loaded miles.

(vi) From money appropriated for medical assistance long-term care, no less than the amount distributed in the 2014-2015 fiscal year shall be distributed to a county nursing home located in a home rule county that was formerly a county of the second class A with more than 725 beds and a Medicaid acuity at 0.79 as of August 1, 2015, \$1,000,000 shall be distributed to a nonpublic nursing home located in a county of the first class with more than 395 beds and a Medicaid acuity at 1.14

as of August 1, 2017, to ensure access to necessary nursing care in that county and \$5,000,000 shall be distributed to a nonpublic nursing home located in a county of the eighth class with more than 119 beds and a Medicaid acuity of 1.02 as of August 1, 2017, to ensure access to necessary nursing home care in that county.

(vii) From money appropriated for medical assistance long-term care, no less than \$850,000 shall be allocated to a special rehabilitation facility in Peer Group Number 13 in a city of the third class with a population between 115,000 and 120,000 based upon 2010 census data, and an additional \$750,000 shall be paid in equal payments to nursing facilities that qualified for supplemental ventilator care and tracheostomy care payments in fiscal year 2014-2015 with a percentage of medical assistance recipient residents who required medically necessary ventilator care or tracheostomy care greater than 90%.

(vii.1) From money appropriated for medical assistance long-term care, sufficient funds are included to provide for a 1% rate increase, beginning on January 1, 2019.

(viii) Federal or State money appropriated under the General Appropriation Act of 2018 in accordance with Article VIII-H of the Human Services Code, not used to make payments to hospitals qualifying as Level III trauma centers or seeking accreditation as Level III trauma centers shall be used to make payments to hospitals qualifying as Levels I and II trauma centers.

(ix) Qualifying academic medical centers that received money for fiscal year 2017-2018 shall not receive any less than the State appropriation made available to those academic medical centers during fiscal year 2017-2018.

(x) Qualifying physician practice plans that received funds for fiscal year 2017-2018 shall not receive any less than the State appropriation made available to those physician practice plans during fiscal year 2017-2018.

(xi) Money appropriated for medical assistance transportation shall only be utilized as a payment of last resort for transportation for eligible medical assistance recipients.

(4) The following apply:

(i) Money appropriated for breast cancer screening may be used for women's medical services, including noninvasive contraception supplies.

(ii) (Reserved).

(5) The following apply:

(i) Money appropriated for women's service programs grants to nonprofit agencies whose primary function is to promote childbirth and provide alternatives to abortion shall be expended to provide services to women until childbirth and for up to 12 months thereafter, including food, shelter, clothing, health care, counseling, adoption services, parenting classes, assistance for postdelivery stress and other supportive programs and services and for related outreach programs. Agencies may subcontract with other nonprofit entities that operate projects designed specifically to provide all or a portion of these services. Projects receiving

money referred to in this subparagraph shall not promote, refer for or perform abortions or engage in any counseling which is inconsistent with the appropriation referred to in this subparagraph and shall be physically and financially separate from any component of any legal entity engaging in such activities.

(ii) Federal funds appropriated for TANFEBG Alternatives to Abortion shall be utilized solely for services to women whose gross family income is below 185% of the Federal poverty guidelines.

(6) From money appropriated for autism intervention and services:

(i) no less than the amount distributed in the 2014-2015 fiscal year shall be distributed to a behavioral health facility located in a county of the fifth class with a population between 130,000 and 135,000 under the 2010 Federal decennial census and shall be distributed to a health system that operates both a general acute care hospital and a behavioral health facility that has a center for autism and developmental disabilities located in a county of the fifth class with a population between 130,000 and 135,000 under the 2010 Federal decennial census;

(ii) \$260,000 shall be allocated to an institution of higher education that provides autism education and diagnostic curriculum located in a city of the first class that operates a center for autism in a county of the second class A;

(iii) \$260,000 shall be allocated to an institution of higher education that provides autism education and diagnostic curriculum and is located in a county of the second class;

(iv) no less than the amount distributed in the 2014-2015 fiscal year shall be allocated for programs to promote the health and fitness of persons with developmental disabilities located in a city of the first class;

(v) \$500,000 shall be allocated for the expansion of an adult autism program in a county of the third class; and

(vi) \$500,000 shall be allocated for an entity that provides alternative educational services to individuals with autism and developmental disabilities in a county of the third class with a population of at least 519,000, but not more than 519,500, under the 2010 Federal decennial census.

(7) Money appropriated for community-based family centers may not be considered as part of the base for calculation of the county child welfare needs-based budget for a fiscal year.

(8) From money appropriated for community-based family centers, no less than \$235,000 shall be allocated to a program for early literacy and school readiness which is labeled as a promising approach under the Maternal, Infant and Early Childhood Home Visiting Program and has submitted data to the United States Department of Health and Human Services to be qualified as an evidence-based home visiting model.

(9) From the appropriation for 2-1-1 Communications, \$750,000 shall be allocated for a Statewide 2-1-1 System Grant Program.

(10) The appropriation for blind and visual services includes an allocation for a Statewide professional services provider association for the blind to provide training and supportive services for individuals who are blind and preschool vision screenings and eye safety education and an allocation to provide specialized services and prevention of blindness services in cities of the first class. Allocations shall be made in the amounts used for those purposes in fiscal year 2014-2015.

(11) To supplement the money appropriated to the department for medical assistance for workers with disabilities, in addition to the monthly premium established under section 1503(b)(1) of the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act, the department may adjust the percentage of the premium upon approval of the Centers for Medicare and Medicaid Services as authorized under Federal requirements. Failure to make payments in accordance with this paragraph or section 1503(b)(1) of the Tobacco Settlement Act shall result in the termination of medical assistance coverage.

(12) The provisions of 8 U.S.C. §§ 1611 (relating to aliens who are not qualified aliens ineligible for Federal public benefits), 1612 (relating to limited eligibility of qualified aliens for certain Federal programs) and 1642 (relating to verification of eligibility for Federal public benefits) shall apply to payments and providers.

Section 1730-H. Department of Revenue.

The following apply to appropriations for the Department of Revenue:

(1) The Enhanced Revenue Collection Account shall continue as a restricted account within the General Fund through fiscal year 2019-2020. Revenues collected and the amount of refunds avoided as a result of expanded tax return reviews and tax collection activities shall be deposited into the restricted account. The following shall apply:

(i) Of the money transferred under this paragraph in the account, for fiscal years 2018-2019 and 2019-2020, up to \$30,000,000 is appropriated to the department to fund the costs associated with expanded tax return reviews and tax collection activities. The balance of the money in the account shall be returned proportionately to the General Fund revenue or refund accounts that were the source of the money no later than the 28th day of each month of the fiscal year.

(ii) The department shall issue a report to the Governor, the chairperson and the minority chairperson of the Appropriations Committee of the Senate and the chairperson and minority chairperson of the Appropriations Committee of the House of Representatives by June 1, 2019, and by each June 1 thereafter, with the following information:

(A) A detailed breakdown of the department's administrative costs in implementing expanded tax return reviews and tax collection activities.

(B) The amount of revenue collected and the amount of refunds avoided as a result of the expanded tax return reviews and tax collection activities, including the type of tax generating the revenue and avoided refunds.

(2) (Reserved).

Section 1731-H. Department of State (Reserved).

Section 1732-H. Department of Transportation (Reserved).
Section 1733-H. Pennsylvania State Police (Reserved).
Section 1734-H. State Civil Service Commission (Reserved).
Section 1735-H. Pennsylvania Emergency Management Agency.

The following shall apply to appropriations for the Pennsylvania Emergency Management Agency:

(1) Money appropriated for search and rescue programs shall be used to support programs related to training working service dogs focusing on rescue and public safety.

(2) (Reserved).

Section 1736-H. Pennsylvania Fish and Boat Commission (Reserved).

Section 1737-H. State System of Higher Education (Reserved).

Section 1737.1-H. State-related institutions (Reserved).

Section 1738-H. Pennsylvania Higher Education Assistance Agency.

The following shall apply to appropriations for the Pennsylvania Higher Education Assistance Agency:

(1) The Pennsylvania Higher Education Assistance Agency shall enter into an agreement with the Department of Health to transfer up to \$4,550,000 from the Higher Education Assistance Fund to the Department of Health for the purposes set forth in Chapter 13 of the act of December 2, 1992 (P.L.741, No.113), known as the Children's Health Care Act.

(2) The Pennsylvania Higher Education Assistance Agency shall allocate \$500,000 from the Higher Education Assistance Fund for the Cheyney University Keystone Academy.

(3) From funds appropriated for payment of education assistance grants, the amount of \$500,000 shall be allocated to a State-owned university located in Tioga County for merit scholarships.

Section 1739-H. Pennsylvania Historical and Museum Commission (Reserved).

Section 1740-H. Pennsylvania Infrastructure Investment Authority (Reserved).

Section 1741-H. Environmental Hearing Board (Reserved).

Section 1742-H. Pennsylvania Board of Probation and Parole (Reserved).

Section 1743-H. (Reserved).

Section 1744-H. (Reserved).

Section 1745-H. (Reserved).

Section 1746-H. (Reserved).

Section 1747-H. (Reserved).

Section 1748-H. Commonwealth Financing Authority (Reserved).

Section 1749-H. Thaddeus Stevens College of Technology (Reserved).

Section 1750-H. Pennsylvania Housing Finance Agency (Reserved).

Section 1751-H. LIHEABG (Reserved).

SUBARTICLE C

STATE GOVERNMENT SUPPORT AGENCIES

Section 1761-H. Health Care Cost Containment Council (Reserved).

Section 1762-H. State Ethics Commission (Reserved).

Section 1763-H. Legislative Reference Bureau (Reserved).

Section 1764-H. Legislative Budget and Finance Committee (Reserved).

Section 1765-H. Legislative Data Processing Committee (Reserved).

Section 1766-H. Joint State Government Commission (Reserved).

Section 1767-H. Joint Legislative Air and Water Pollution Control and Conservation Committee (Reserved).

Section 1768-H. Legislative Audit Advisory Commission
(Reserved).
Section 1769-H. Independent Regulatory Review Commission
(Reserved).
Section 1770-H. Capitol Preservation Committee (Reserved).
Section 1771-H. Pennsylvania Commission on Sentencing
(Reserved).
Section 1772-H. Center for Rural Pennsylvania (Reserved).
Section 1773-H. Commonwealth Mail Processing Center (Reserved).
Section 1774-H. Transfers (Reserved).
Section 1775-H. Independent Fiscal Office.

During the 2018-2019 fiscal year, the Independent Fiscal Office shall not be required to conduct a study assessing the legal implications and fiscal impact of mandating notice requirements for remote sellers.

SUBARTICLE D JUDICIAL DEPARTMENT

Section 1781-H. Supreme Court (Reserved).
Section 1782-H. Superior Court (Reserved).
Section 1783-H. Commonwealth Court (Reserved).
Section 1784-H. Courts of common pleas (Reserved).
Section 1785-H. Community courts; magisterial district judges
(Reserved).
Section 1786-H. Philadelphia Traffic Court (Reserved).
Section 1787-H. Philadelphia Municipal Court (Reserved).
Section 1788-H. Judicial Conduct Board (Reserved).
Section 1789-H. Court of Judicial Discipline (Reserved).
Section 1790-H. Juror cost reimbursement (Reserved).
Section 1791-H. County court reimbursement (Reserved).
Section 1792-H. Senior judges (Reserved).
Section 1793-H. Transfer of money by Supreme Court (Reserved).

SUBARTICLE E GENERAL ASSEMBLY (Reserved)

ARTICLE XVII-I 2018-2019 RESTRICTIONS ON APPROPRIATIONS FOR FUNDS AND ACCOUNTS

Section 1701-I. Applicability.

Except as specifically provided in this article, this article applies to the act of June 22, 2018 (P.L.1203, No.1A), known as the General Appropriation Act of 2018, and all other appropriation acts of 2018.

Section 1702-I. State Lottery Fund.

The following apply:

(1) Money appropriated for PENNCARE shall not be utilized for administrative costs by the Department of Aging.

(2) (Reserved).

Section 1703-I. Tobacco Settlement Fund (Reserved).

Section 1704-I. Judicial Computer System Augmentation Account
(Reserved).

Section 1705-I. Emergency Medical Services Operating Fund
(Reserved).

Section 1706-I. The State Stores Fund (Reserved).

Section 1707-I. Motor License Fund (Reserved).

Section 1708-I. Aviation Restricted Account (Reserved).

Section 1709-I. Hazardous Material Response Fund (Reserved).

Section 1710-I. Milk Marketing Fund (Reserved).

Section 1711-I. HOME Investment Trust Fund (Reserved).

Section 1712-I. Tuition Account Guaranteed Savings Program
Fund (Reserved).

Section 1713-I. Banking Fund (Reserved).

Section 1714-I. Firearm Records Check Fund (Reserved).

Section 1715-I. Ben Franklin Technology Development Authority Fund (Reserved).
Section 1716-I. Oil and Gas Lease Fund (Reserved).
Section 1717-I. Home Improvement Account (Reserved).
Section 1718-I. Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund (Reserved).
Section 1719-I. Insurance Regulation and Oversight Fund (Reserved).
Section 1720-I. Pennsylvania Race Horse Development Restricted Receipts Account (Reserved).
Section 1721-I. Justice Reinvestment Fund (Reserved).
Section 1722-I. Multimodal Transportation Fund (Reserved).
Section 1723-I. State Racing Fund (Reserved).
Section 1724-I. ABLE Savings Program Fund (Reserved).
Section 1725-I. Restricted receipt accounts.

(a) General provisions.--The secretary may create restricted receipt accounts for the purpose of administering Federal grants only for the purposes designated in this section.

(b) Department of Community and Economic Development.--The following restricted receipt accounts may be established for the Department of Community and Economic Development:

- (1) ARC Housing Revolving Loan Program.
- (2) (Reserved).

(c) Department of Conservation and Natural Resources.--The following restricted receipt accounts may be established for the Department of Conservation and Natural Resources:

- (1) Federal Aid to Volunteer Fire Companies.
- (2) Land and Water Conservation Fund Act of 1965 (Public Law 88-578, 16 U.S.C. § 4601-4 et seq.).
- (3) National Forest Reserve Allotment.

(d) Department of Education.--The following restricted receipt accounts may be established for the Department of Education:

- (1) Education of the Disabled - Part C.
- (2) LSTA - Library Grants.
- (3) The Pennsylvania State University Federal Aid.
- (4) Emergency Immigration Education Assistance.
- (5) Education of the Disabled - Part D.
- (6) Homeless Adult Assistance Program.
- (7) Severely Handicapped.
- (8) Medical Assistance Reimbursements to Local Education Agencies.

(e) Department of Environmental Protection.--The following restricted receipt accounts may be established for the Department of Environmental Protection:

- (1) Federal Water Resources Planning Act.
- (2) Flood Control Payments.
- (3) Soil and Water Conservation Act - Inventory of Programs.

(f) Department of Drug and Alcohol Programs.--The following restricted receipt accounts may be established for the Department of Drug and Alcohol Programs:

- (1) Share Loan Program.
- (2) (Reserved).

(g) Department of Transportation.--The following restricted receipt accounts may be established for the Department of Transportation:

- (1) Capital Assistance Elderly and Handicapped Programs.
- (2) Railroad Rehabilitation and Improvement Assistance.
- (3) Ridesharing/Van Pool Program - Acquisition.

(h) Pennsylvania Emergency Management Agency.--The following restricted receipt accounts may be established for the Pennsylvania Emergency Management Agency:

(1) Receipts from Federal Government - Disaster Relief - Disaster Relief Assistance to State and Political Subdivisions.

(2) (Reserved).

(i) Pennsylvania Historical and Museum Commission.--The following restricted receipt accounts may be established for the Pennsylvania Historical and Museum Commission:

(1) Federal Grant - National Historic Preservation Act.

(2) (Reserved).

(j) Executive offices.--The following restricted receipt accounts may be established for the executive offices:

(1) Retired Employees Medicare Part D.

(2) Justice Assistance.

(3) Juvenile Accountability Incentive.

(4) Early Retiree Reinsurance Program.

Section 1726-I. Fund transfers.

(a) Transfer to retirement system accounts.--From the funds received under the authority of Article III of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, the sum of \$4,901,000 shall be transferred to the account established under section 1799.7-E and the sum of \$5,200,000 shall be transferred to the account established under section 1799.8-E.

(b) Transfer to School Safety and Security Fund.--No later than September 1, 2018, the sum of \$15,000,000 shall be transferred to the School Safety and Security Fund in the State Treasury from funds received under the authority of Article III of the Tax Reform Code of 1971.

(c) Transfer to Commonwealth Financing Authority.--

(1) From the First Industries Program account established under 64 Pa.C.S. § 1542 (relating to revolving loan program accounts), the sum of \$5,000,000 shall be transferred to an account to be established in the Commonwealth Financing Authority for research and development, organic transition, value-added processing and marketing grants in support of Pennsylvania's dairy industry.

(2) Guidelines.--The authority shall adopt guidelines for the approval of applications under this subsection and shall ensure that grants are made available to all geographic areas of this Commonwealth.

Section 25. Repeals are as follows:

(1) The General Assembly declares that the repeal under paragraph (2) is necessary to effectuate the addition of section 1704-E of the act.

(2) Section 605-B(a), (b) and (d) of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, are repealed.

(3) The General Assembly declares that the repeals under paragraph (4) are necessary to effectuate the amendment of section 1725-E of the act.

(4) The following provisions are repealed:

(i) Sections 206(b) and 304(b) of the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953.

(ii) Section 206(c)(1) of the Vital Statistics Law of 1953 is repealed insofar as it is inconsistent with the provisions of section 1725-E of the act.

(5) The General Assembly declares that the repeal under paragraph (6) is necessary to effectuate the amendment of section 1727-E of the act.

(6) Section 613-A(b) of The Administrative Code of 1929 is repealed.

(7) The General Assembly declares that the repeal under paragraph (8) is necessary to effectuate the addition of section 1775-H of the act.

(8) Section 278(c) of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971 is repealed. Section 26. This act shall take effect as follows:

(1) The amendment of section 1725-E of the act shall take effect in 60 days.

(2) The remainder of this act shall take effect immediately.

APPROVED--The 22nd day of June, A.D. 2018.

TOM WOLF