AMENDMENTS TO SENATE BILL NO. 327
Sponsor: SENATOR SCARNATI

Printer's No. 1655

1 Amend Bill, page 1, line 28, by inserting after "TOLLING"
2 and for COVID-19 county emergency mitigation plan for
3 businesses
4 Amend Bill, page 4, line 3, by striking out the comma after
5 "agency" and inserting
6 or
7 Amend Bill, page 4, lines 3 and 4, by striking out "or other
8 State-authorized entity"
9 Amend Bill, page 4, line 6, by striking out the comma after
10 "agencies" and inserting
11 and
12 Amend Bill, page 4, lines 6 and 7, by striking out "or other
13 State-authorized entities"
14 Amend Bill, page 4, line 8, by striking out "June" and
15 inserting
16 September
17 Amend Bill, page 4, line 12, by inserting after
18 "authorities."
19 Each agency identified under this section shall provide to
20 the Treasury Department, within 30 days following the effective
21 date of this section, information as may be requested by the
22 Treasury Department, including the following, related to all
23 outstanding debt obligations of the agency:
24 (1) Total outstanding amount of all obligations.
25 (2) Most recent audited financial statement of the
26 agency.
27 (3) Description of each obligation, identifying senior
or subordinate debt and Federal tax treatment.
(4) Account of all security pledged for each obligation.
(5) Most recent rating associated with each debt
obligation, including rate covenant and maturity date.
(6) List of all additional associated agency obligations
or covenants.
(7) Annual debt service cost, debt service fund and debt
service reserve fund for each debt obligation.
(8) Risk factors and disclosure statements associated
with each debt obligation.
(9) Pending litigation that may financially impact the debt
obligations of the agency.
Amend Bill, page 14, line 13, by striking out "an article"
and inserting
articles
Amend Bill, page 18, by inserting between lines 25 and 26
ARTICLE XXVIII-H
COVID-19 COUNTY EMERGENCY MITIGATION
PLAN FOR BUSINESSES
Section 2801-H. COVID-19 County Emergency Mitigation Plan for
Businesses.
(a) Mitigation plan.--Notwithstanding 35 Pa.C.S. § 7301
(relating to general authority of Governor), sections 2102 and
2106 of the act of April 9, 1929 (P.L.177, No.175), known as The
Administrative Code of 1929, section 8(a) of the act of April
27, 1905 (P.L.312, No.218), entitled "An act creating a
Department of Health, and defining its powers and duties," and
section 5 of the act of April 23, 1956 (1955 P.L.1510, No.500),
known as the Disease Prevention and Control Law of 1955, the
governing body of a county, in consultation with its county
emergency management agency, county health department, county
health officer or any other appropriate health or emergency
management official, may develop and implement a countywide plan
to mitigate the spread of COVID-19 for businesses in accordance
with subsection (b). The countywide mitigation plan, including
any modifications to the countywide mitigation plan authorized
under subsection (e), shall be published on the county's
publicly accessible Internet website.
(b) Development.--The countywide mitigation plan shall
provide as follows:
(1) All businesses identified as "essential critical
infrastructure" in an advisory memorandum on identification
of essential critical infrastructure workers during COVID-19
response, as published by the United States Cybersecurity and
Infrastructure Security agency (CISA), and which operate
using recommended guidance for mitigating exposure to COVID-
19 from the Centers for Disease Control and Prevention and
the order of the Secretary of Health directing public health safety measures for businesses permitted to maintain in-person operations shall be permitted to operate within the county.

(2) For a business not included in an advisory memorandum on identification of essential critical infrastructure workers during COVID-19 response, as published by CISA, the business shall be permitted to operate within a county if the business:

(i) complies with recommended guidance for mitigating exposure to COVID-19 from the Centers for Disease Control and Prevention and the order of the Secretary of Health directing public health safety measures for businesses permitted to maintain in-person operations; and

(ii) has not been designated in the countywide mitigation plan as a disallowed industry.

(3) Any business authorized to operate by the Governor shall be authorized to operate under a countywide mitigation plan.

(c) Compliance.—Notwithstanding the orders issued by the Governor and the Secretary of Health relating to the closure of nonlife-sustaining businesses on March 19, 2020, as may be amended or superseded by subsequent business operation executive orders, and the Statewide stay-at-home order issued by the Governor and the Secretary of Health on April 1, 2020, as may be amended or superseded by subsequent executive orders, a business that complies with the requirements of the county mitigation plan may operate within the county and individuals may leave their residence for the purpose of performing work for the business or patronizing the business.

(d) Limitation.—Nothing in this section shall be construed to:

(1) require a county to rescind a local declaration of emergency relating to COVID-19; or

(2) revoke, rescind or overrule the proclamation of disaster emergency issued by the Governor on March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020), and any renewal of the state of disaster emergency.

(e) Modification.—At any time, the governing body of a county may take an action to modify the countywide mitigation plan to expand or restrict the industries authorized to operate in the county or rescind the countywide mitigation plan entirely. Advance notice of an action to modify or rescind a countywide mitigation plan shall be published on the county’s publicly accessible Internet website no later than two days before the implementation of the action.

(f) 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:

"Business." Any corporation, partnership, limited liability
company, limited liability partnership, business trust, sole proprietor or any other individual or entity doing business and operating within a physical location in this Commonwealth, regardless of whether the physical location is open to the public.

"County." A county or home rule charter county of any classification.

"COVID-19." The novel coronavirus as identified in the declaration of disaster emergency issued by the Governor on March 6, 2020, published at 50 Pa.B 1644 (March 21, 2020).

"Disallowed industry." An industry that has been prohibited under the county mitigation plan. The term shall not include an industry that includes a business that is authorized to operate pursuant to any of the following:

(1) A business identified as "essential critical infrastructure" in an advisory memorandum on identification of essential critical infrastructure workers during COVID-19 response, published by CISA.

(2) A business authorized to operate by the Governor.

"Governing body." The Board of County Commissioners or the county executive or other person exercising the functions of the county executive in a county without a board of county commissioners.

"Industry." A particular form or branch of economic or commercial activity.