

## AMENDMENTS TO HOUSE BILL NO. 859

Sponsor: SENATOR DiSANTO

Printer's No. 2086

1 Amend Bill, page 1, line 3, by striking out "~~counties~~  
2 DEFINITIONS, FOR"

3 Amend Bill, page 1, lines 4 through 6, by striking out ", FOR  
4 COUNTIES, FOR FUND, FOR" in line 4 and all of lines 5 and 6 and  
5 inserting  
6 and providing for Nonprofit Security Grant Fund.

7 Amend Bill, page 1, lines 9 through 18; pages 2 through 7,  
8 lines 1 through 30; page 8, lines 1 through 4; by striking out  
9 all of said lines on said pages and inserting

10 Section 1. Section 5303(a) of Title 35 of the Pennsylvania  
11 Consolidated Statutes is amended to read:  
12 § 5303. Telecommunications management.

13 (a) Powers and duties of agency.--The agency shall have the  
14 following powers and duties:

15 (1) To adopt rules and regulations as necessary to  
16 enforce this chapter. Rules and regulations proposed under  
17 the authority of this section shall be subject to review by  
18 the General Counsel and the Attorney General in the manner  
19 provided for the review of proposed rules and regulations  
20 pursuant to the act of October 15, 1980 (P.L.950, No.164),  
21 known as the Commonwealth Attorneys Act, and the act of June  
22 25, 1982 (P.L.633, No.181), known as the Regulatory Review  
23 Act.

24 (2) To publish guidelines and application procedures for  
25 the collection and distribution of fees collected under this  
26 chapter.

27 (3) To receive, review and approve or disapprove all 911  
28 system plans in accordance with standards developed in  
29 consultation with the board.

30 (4) To establish, in consultation with the board, a  
31 Statewide 911 plan that sets forth priorities for 911 systems  
32 in this Commonwealth and plans for next generation 911  
33 technology.

1 (5) To designate a State 911 coordinator who shall be an  
2 employee of the agency.

3 (6) To provide administrative and support staff to the  
4 board as necessary.

5 (7) To establish formulas and methods to distribute  
6 money in accordance with section 5306.1 (relating to fund) in  
7 consultation with the board.

8 (8) To establish and publish annually uniform standards  
9 relating to technology, next generation 911 technology,  
10 administration and operation of 911 systems in consultation  
11 with the board.

12 (9) To cooperate with county and regional 911 systems to  
13 develop interconnectivity of 911 systems through the  
14 establishment, enhancement, operation and maintenance of an  
15 Internet protocol network.

16 (10) To establish and publish annually, in consultation  
17 with the board, eligible uses for money received under this  
18 chapter, including next generation 911 technology.

19 (11) To request information and require audits or  
20 reports relating to program compliance from any entity  
21 remitting the surcharge to or receiving disbursements from  
22 the fund.

23 (11.1) To subpoena witnesses, administer oaths, examine  
24 witnesses, take such testimony and compel the production of  
25 such books, records, papers and documents as it may deem  
26 necessary or proper in and pertinent to any proceeding,  
27 investigation or hearing.

28 (12) To require a biennial performance audit of each 911  
29 system's use of money from the fund, including allocations to  
30 capital or operating reserves.

31 (13) To prescribe the applications and forms necessary  
32 to enforce this chapter.

33 (14) [To] No later than December 1 of each year, to  
34 report to the General Assembly [annually] on the revenue and  
35 distributions from the fund for the previous fiscal year and  
36 the compliance with the Commonwealth's 911 priorities. In  
37 addition the report shall include a listing of any 911  
38 systems that have merged or consolidated during the previous  
39 year.

40 (15) To adopt, in consultation with the board, minimum  
41 training, certification and quality assurance standards for  
42 emergency dispatchers, call takers and supervisors.

43 (16) To develop, in consultation with the board, a  
44 comprehensive plan for the implementation of a Statewide  
45 interoperable Internet protocol network using next generation  
46 911 technology that coordinates the delivery of Federal,  
47 State, regional and local emergency services.

48 (17) To enforce this chapter through injunction,  
49 mandamus or other appropriate proceeding.

50 (18) To take other actions necessary to implement and  
51 enforce this chapter.

1 \* \* \*

2 Section 2. Title 35 is amended by adding a chapter to read:

3 CHAPTER 56

4 NONPROFIT SECURITY GRANT FUND

5 Sec.

6 5601. Definitions.

7 5602. Nonprofit Security Grant Fund.

8 5603. Administration.

9 5604. Expiration.

10 § 5601. Definitions.

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

14 "Commission." The Pennsylvania Commission on Crime and  
15 Delinquency.

16 "Eligible applicant." A nonprofit organization.

17 "Eligible project." Security enhancements designed to  
18 protect the safety and security of the users of a facility  
19 located in this Commonwealth that is owned or operated by a  
20 nonprofit organization.

21 "Facility." A building or portion of a building owned or  
22 operated by a nonprofit organization and used to carry out the  
23 organization's mission, including community space, community  
24 centers, day care or adult care facilities.

25 "Fund." The Nonprofit Security Grant Fund established under  
26 section 5602 (relating to Nonprofit Security Grant Fund).

27 "Nonprofit organization." A corporation or other entity  
28 based in this Commonwealth which:

29 (1) is an exempt organization as defined under section  
30 501(c)(3) of the Internal Revenue Code of 1986 (Public Law  
31 99-514, 26 U.S.C. § 501(c)(3)); and

32 (2) principally serves individuals, groups or  
33 institutions that are included within a bias motivation  
34 category for single bias hate crime incidents identified by  
35 the Federal Bureau of Investigation in its 2017 Hate Crime  
36 Statistics publication under the Uniform Crime Reporting  
37 Program.

38 "Security enhancements." The term includes:

39 (1) Safety and security planning.

40 (2) Purchase of safety and security equipment.

41 (3) Purchase of security-related technology, which may  
42 include, but is not limited to:

43 (i) Metal detectors.

44 (ii) Protective lighting.

45 (iii) Surveillance equipment.

46 (iv) Special emergency communications equipment.

47 (v) Electronic locksets.

48 (vi) Deadbolts.

49 (vii) Trauma kits.

50 (viii) Theft control devices.

51 (4) Safety and security training.

- 1           (5) Threat awareness and response training.  
2           (6) Upgrades to existing structures that enhance safety  
3           and security.  
4           (7) Vulnerability and threat assessments.  
5           (8) Specialty-trained canines.  
6           (9) Any other safety or security-related project that  
7           enhances safety or security of the nonprofit organization.

8 § 5602. Nonprofit Security Grant Fund.

9           (a) Establishment.--The Nonprofit Security Grant Fund is  
10 established as a special fund in the State Treasury.

11           (b) Appropriation.--All money deposited in the fund under  
12 subsection (d) and the interest the money accrues shall be  
13 appropriated to the commission on a continuing basis to award  
14 grants under this chapter.

15           (c) Transfers from General Fund.--Money available to the  
16 fund shall include transfers from the General Fund as provided  
17 under subsection (d).

18           (d) Transfer by Secretary of the Budget.--No later than 30  
19 days after the effective date of this section, the Secretary of  
20 the Budget shall transfer to the fund \$5,000,000 of the  
21 unexpended, unencumbered prior year funds that were originally  
22 appropriated from the General Fund to any executive branch  
23 agency which is subject to the policy, supervision and control  
24 of the Governor. The Secretary of the Budget may only make the  
25 transfer of funds if the transfer will not result in a deficit  
26 in any appropriation from which the funds are transferred. No  
27 less than 10 days prior to the transfer, the Secretary of the  
28 Budget shall send notification of the transfer in writing to the  
29 chairperson and the minority chairperson of the Appropriation  
30 committee of the Senate and the chairperson and the minority  
31 chairperson of the Appropriations Committee of the House of  
32 Representatives.

33           (e) Appropriation by General Assembly.--Beginning with the  
34 2020-2021 fiscal year, the General Assembly may appropriate  
35 money to the fund.

36           (f) Lapse of funds.--All unexpended and unencumbered funds  
37 remaining in the fund as of July 1, 2024, shall lapse and be  
38 transferred to the General Fund.

39 § 5603. Administration.

40           (a) Applications.--An application for a grant under this  
41 chapter shall be submitted by an eligible applicant in the form  
42 and manner prescribed by the commission.

43           (b) Initial application period.--No later than March 1,  
44 2020, the commission shall begin to accept applications from  
45 eligible applicants for grant money available during the fiscal  
46 year. The commission shall provide notice of the application  
47 period on the commission's publicly accessible Internet website

48           (c) Additional application period.--If money is available in  
49 the fund, no later than October 1, 2020, and each October 1  
50 thereafter, the commission shall accept applications from  
51 eligible applicants during the fiscal year. The commission shall

1 provide notice of a new application period on the commission's  
2 publicly accessible Internet website.

3 (d) Review process.--The commission shall review  
4 applications and make awards subject to subsection (e) on a  
5 rolling basis. No later than 90 days after a completed  
6 application is received from an eligible applicant, the  
7 commission, in consultation with the Governor's Office of  
8 Homeland Security and the Pennsylvania State Police, shall  
9 review and approve or deny the application. An eligible  
10 applicant may revise and resubmit a denied application to the  
11 commission.

12 (e) Allocation.--An eligible applicant may not receive more  
13 than the following amounts in any fiscal year:

14 (1) Subject to paragraphs (2), (3) and (4):

15 (i) The minimum grant amount awarded shall be no  
16 less than \$5,000.

17 (ii) The maximum grant amount awarded may not be  
18 more than \$150,000.

19 (2) The commission may not require non-State financial  
20 participation from an eligible applicant for a grant request  
21 that is \$25,000 or less.

22 (3) The commission may award a grant between \$25,001 and  
23 \$75,000 if the eligible applicant provides non-State  
24 financial participation equal to 33% of the requested grant  
25 amount.

26 (4) The commission may award a grant between \$75,001 and  
27 \$150,000 if the eligible applicant provides non-State  
28 financial participation equal to 50% of the requested grant  
29 amount.

30 (f) Limitations.--The following shall apply to grant  
31 applications:

32 (1) The commission may not provide grants in excess of  
33 the amount in the fund.

34 (2) The commission may prorate the grant amount to an  
35 eligible applicant.

36 (g) Eligible projects.--The commission may only award grants  
37 through the fund for eligible projects. Eligible applicants may  
38 only expend grant money received through the fund on eligible  
39 projects.

40 (h) Eligibility for redevelopment assistance capital  
41 project.--An eligible project which receives a grant under this  
42 chapter may be the subject of an award for a redevelopment  
43 assistance capital project under Chapter 3 of the act of  
44 February 9, 1999 (P.L.1, No.1), known as the Capital Facilities  
45 Debt Enabling Act. Nothing in this subsection shall be construed  
46 to modify the eligibility requirements for redevelopment  
47 assistance capital projects under the Capital Facilities Debt  
48 Enabling Act.

49 § 5604. Expiration.

50 This chapter shall expire July 1, 2024.

1 Amend Bill, page 8, line 5, by striking out "5" and inserting  
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