

AMENDMENTS TO SENATE BILL NO. 835

Sponsor: SENATOR PHILLIPS-HILL

Printer's No. 1144

1 Amend Bill, page 1, lines 3 and 4, by striking out

2 "Department of" in line 3 and all of line 4 and inserting

3 Commonwealth Financing Authority; establishing the Unserved
4 High-speed Broadband Funding Program Account; making an
5 appropriation; and making a related repeal.

6 Amend Bill, page 2, lines 15 and 16, by striking out all of
7 said lines and inserting

8 "Account." The Unserved High-speed Broadband Funding Program
9 Account established under section 7(c).

10 "Authority." The Commonwealth Financing Authority.

11 "Board." The board of directors of the authority.

12 Amend Bill, page 3, line 10, by striking out "(a) Program
13 established.--"

14 Amend Bill, page 3, lines 11 through 13, by striking out
15 "department, in" in line 11, all of line 12 and "Initiatives,"
16 in line 13 and inserting

17 authority

18 Amend Bill, page 3, lines 16 and 17, by striking out all of
19 said lines

20 Amend Bill, page 3, lines 20 and 21, by striking out

21 "department, in consultation with the Governor's Office of
22 Broadband Initiatives," and inserting

23 authority

24 Amend Bill, page 3, line 22, by striking out "department" and
25 inserting

1 authority

2 Amend Bill, page 4, line 15, by striking out "department" and
3 inserting

4 authority

5 Amend Bill, page 4, lines 21 through 23, by striking out all
6 of lines 21 and 22 and "Initiatives" in line 23 and inserting

7 the authority

8 Amend Bill, page 5, line 30, by striking out "department" and
9 inserting

10 authority

11 Amend Bill, page 6, line 2, by striking out "department" and
12 inserting

13 authority

14 Amend Bill, page 6, line 3, by striking out "department's"
15 and inserting

16 authority's

17 Amend Bill, page 6, line 5, by striking out "department" and
18 inserting

19 authority

20 Amend Bill, page 6, line 6, by striking out "department's"
21 and inserting

22 authority's publicly accessible

23 Amend Bill, page 6, line 11, by striking out "department" and
24 inserting

25 authority

26 Amend Bill, page 6, lines 20 and 21, by striking out
27 "department, in consultation with the Governor's Office of
28 Broadband Initiatives," and inserting

29 authority

30 Amend Bill, page 6, line 24, by striking out "department" and
31 inserting

1 authority

2 Amend Bill, page 6, line 28, by striking out "department" and
3 inserting

4 authority

5 Amend Bill, page 7, lines 25 and 26, by striking out
6 "department, in consultation" in line 25 and all of line 26 and
7 inserting

8 authority

9 Amend Bill, page 7, line 30, by striking out "department" and
10 inserting

11 authority

12 Amend Bill, page 8, lines 9 through 15, by striking out all
13 of said lines and inserting

14 (a) Requirements.--The following apply:

15 (1) The requirements for the administration of the
16 program shall be as follows:

17 (i) An application for a grant under this section
18 must be received by a deadline established by the
19 authority under section 6.

20 (ii) The authority shall execute a grant agreement
21 between the board and a grant recipient before the
22 payment of a grant award.

23 (iii) A grant recipient shall maintain full and
24 accurate records for the project.

25 (iv) A grant recipient shall submit to the authority
26 copies of all canceled checks or other records verifying
27 expenditures of grant money.

28 (v) A grant recipient shall submit to the authority
29 a final report of the project, including any information
30 as required by the board.

31 (2) The authority may establish additional requirements
32 for the program as the authority deems necessary to
33 administer the program.

34 (b) Restrictions and limitations.--The following apply:

35 (1) A grant recipient may not commence work on a project
36 before receiving authority approval of the grant under
37 section 6. Commencement of work prior to receiving authority
38 approval will result in a project application being
39 ineligible for funding consideration.

40 (2) A grant recipient may not make a substantial change
41 to an approved project without first obtaining authority
42 consent in writing.

1 (3) Any unused portion of a grant award shall be
2 returned to the authority.

3 (4) Grant money may only be used for new projects
4 approved by the board.

5 (5) Grant money may not be used for any of the
6 following:

7 (i) Paying fees for securing financing.

8 (ii) Paying interest on borrowed money.

9 (iii) Refinancing existing debt.

10 (iv) Paying for lobbying services.

11 (v) Paying fines.

12 (vi) Application preparation fees.

13 (6) The authority may establish additional restrictions
14 and limitations as the authority deems necessary to
15 administer the program.

16 (c) Account.--The authority shall establish the Unserved
17 High-Speed Broadband Funding Program Account. The following
18 shall apply:

19 (1) The purpose of the account is to award grants under
20 this act.

21 (2) The following shall be sources of funding for the
22 account:

23 (i) Appropriations, including Federal money.

24 (ii) Return on the money in the account.

25 (3) Money in the account is continuously appropriated to
26 the account. This appropriation shall not lapse at the end of
27 a fiscal year.

28 (d) Guidelines.--Within 180 days of the effective date of
29 this section, the board shall adopt guidelines to implement this
30 section. The guidelines shall include provisions for submission,
31 review and approval of applications, award of grants and
32 administration of projects funded under the program, including a
33 provision for reasonable oversight and reporting to ensure that
34 project grant awards are used as intended.

35 Amend Bill, page 8, line 16, by striking out "(b)" and
36 inserting

37 (e)

38 Amend Bill, page 8, line 16, by striking out "department" and
39 inserting

40 authority

41 Amend Bill, page 8, line 22, by striking out "(c)" and
42 inserting

43 (f)

44 Amend Bill, page 8, line 23, by striking out "department" and

1 inserting

2 authority

3 Amend Bill, page 9, by inserting between lines 2 and 3

4 Section 9. Appropriation.

5 The sum of \$5,000,000 is hereby appropriated to the authority
6 from the General Fund for the 2020-2021 fiscal year for purposes
7 of the program.

8 Section 10. Prohibition and repeals.

9 (a) Prohibition.--The Department of Revenue may not award a
10 tax credit under Article XVIII-E of the act of March 4, 1971
11 (P.L.6, No.2), known as the Tax Reform Code of 1971, after June
12 30, 2020.

13 (b) Repeals.--Repeals are as follows:

14 (1) The General Assembly declares that the repeal under
15 paragraph (2) is necessary to effectuate this act.

16 (2) Sections 1804-E and 1805-E of the act of March 4,
17 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, are
18 repealed.

19 Amend Bill, page 9, line 3, by striking out "9" and inserting

20 11