

AMENDMENTS TO HOUSE BILL NO. 1300

Sponsor: SENATOR PITTMAN

Printer's No. 2107

1 Amend Bill, page 1, lines 1 through 31; pages 2 through 6,
2 lines 1 through 30; page 7, lines 1 through 11; by striking out
3 all of said lines on said pages and inserting
4 Amending the act of April 9, 1929 (P.L.343, No.176), entitled
5 "An act relating to the finances of the State government;
6 providing for cancer control, prevention and research, for
7 ambulatory surgical center data collection, for the Joint
8 Underwriting Association, for entertainment business
9 financial management firms, for private dam financial
10 assurance and for reinstatement of item vetoes; providing for
11 the settlement, assessment, collection, and lien of taxes,
12 bonus, and all other accounts due the Commonwealth, the
13 collection and recovery of fees and other money or property
14 due or belonging to the Commonwealth, or any agency thereof,
15 including escheated property and the proceeds of its sale,
16 the custody and disbursement or other disposition of funds
17 and securities belonging to or in the possession of the
18 Commonwealth, and the settlement of claims against the
19 Commonwealth, the resettlement of accounts and appeals to the
20 courts, refunds of moneys erroneously paid to the
21 Commonwealth, auditing the accounts of the Commonwealth and
22 all agencies thereof, of all public officers collecting
23 moneys payable to the Commonwealth, or any agency thereof,
24 and all receipts of appropriations from the Commonwealth,
25 authorizing the Commonwealth to issue tax anticipation notes
26 to defray current expenses, implementing the provisions of
27 section 7(a) of Article VIII of the Constitution of
28 Pennsylvania authorizing and restricting the incurring of
29 certain debt and imposing penalties; affecting every
30 department, board, commission, and officer of the State
31 government, every political subdivision of the State, and
32 certain officers of such subdivisions, every person,
33 association, and corporation required to pay, assess, or
34 collect taxes, or to make returns or reports under the laws
35 imposing taxes for State purposes, or to pay license fees or
36 other moneys to the Commonwealth, or any agency thereof,
37 every State depository and every debtor or creditor of the

Commonwealth," in emergency COVID-19 response, providing for declined and unclaimed allocations; providing for 911 emergency communication services and for institutions of purely public charity; in Department of Revenue, providing for exclusion from classes of income; providing for indigent defense; in oil and gas wells, further providing for Oil and Gas Lease Fund; in transportation network companies, motor carrier companies and parking authority of a city of the first class, providing for designated municipal agent and authorized salvor for city of the first class; in human services, providing for medical assistance dental services and packages; providing for Attorney General, for Pennsylvania Long-Term Care Council, for Pennsylvania child and dependent care enhancement tax credit program and for additional keystone opportunity expansion zones; in special funds, further providing for funding; in additional special funds and restricted accounts, further providing for establishment of special fund and account, for use of fund and for distributions from Pennsylvania Race Horse Development Fund and repealing provisions relating to Enhanced Revenue Collection Account; in additional special funds and restricted accounts, further providing for definitions, for Sports Tourism and Marketing Account and for transfer of funds and providing for Service and Infrastructure Improvement Fund; in general budget implementation, further providing for executive offices, for Department of Agriculture, for Department of Community and Economic Development, for Department of Conservation and Natural Resources, for Department of Health, for Department of Human Services and for Pennsylvania State Police, providing for Commonwealth Financing Authority, further providing for Federal and Commonwealth use of forest land and for Multimodal Transportation Fund and repealing provisions relating to sales by distilleries; providing for 2023-2024 budget implementation, for 2023-2024 restrictions on appropriations for funds and accounts, for 2023-2024 fund transfers and for prior year appropriations; making repeals; and making an editorial change.

The General Assembly finds and declares as follows:

(1) The intent of this act is to provide for the implementation of the 2023-2024 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

1 State provides for its citizens and appropriates the funds
2 necessary for their operation."

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

11 (5) Section 11 of Article III of the Constitution of
12 Pennsylvania requires the adoption of a general appropriation
13 act that embraces "nothing but appropriations." While actual
14 items of appropriation can be contained in a general
15 appropriation act, the achievement and implementation of a
16 comprehensive budget involves more than subjects of
17 appropriations and dollar amounts. Ultimately, the budget has
18 to be balanced under section 13 of Article VIII of the
19 Constitution of Pennsylvania. This may necessitate changes to
20 sources of funding and enactment of statutes to achieve full
21 compliance with these constitutional provisions.

22 (6) For the reasons under paragraphs (1), (2), (3), (4)
23 and (5), it is the intent of the General Assembly through
24 this act to provide for the implementation of the 2023-2024
25 commonwealth budget.

26 (7) Every provision of this act relates to the
27 implementation of the operating budget of the Commonwealth
28 for this fiscal year, addressing in various ways the fiscal
29 operations, revenues and potential liabilities of the
30 Commonwealth. To that end, this act is intended to implement
31 the 2023-2024 Commonwealth budget without specifically
32 appropriating public money from the General Fund. This act
33 provides accountability for spending and makes transfers or
34 other changes necessary to impact the availability of revenue
35 in order to meet the requirements of section 13 of Article
36 VIII of the Constitution of Pennsylvania and to implement the
37 act of August 3, 2023 (P.L. , No.1A), known as the General
38 Appropriation Act of 2023.

39 Amend Bill, page 7, lines 14 through 30; pages 8 through 259,
40 lines 1 through 30; page 260, lines 1 through 8; by striking out
41 all of said lines on said pages and inserting

42 Section 1. The act of April 9, 1929 (P.L.343, No.176), known
43 as The Fiscal Code, is amended by adding a section to read:

44 Section 148-C. Declined and unclaimed allocations.

45 The following provisions apply to Federal money appropriated
46 or approved by an executive authorization to the Department of
47 Education from the American Rescue Plan Act of 2021 (Public Law
48 117-2, 135 Stat. 4) or the Consolidated Appropriations Act, 2021

1 (Public Law 116-260, 134 Stat. 1182), respectively, for local
2 education agencies:

3 (1) Within 30 days of the effective date of this
4 section, the Department of Education shall notify each local
5 education agency to determine whether the local education
6 agency intends to decline money allocated to the local
7 education agency under the American Rescue Plan Act of 2021
8 or the Consolidated Appropriations Act, 2021, or both, as
9 applicable.

10 (2) The notice shall state the amount of money allocated
11 to the local education agency and direct the local education
12 agency to respond, within 60 days of the notice, as to
13 whether the local education agency intends to decline the
14 allocation.

15 (3) If the local education agency fails to respond as
16 directed in the notice, the Department of Education may deem
17 that the money allocated to the local education agency is
18 unclaimed.

19 (4) The Department of Education shall calculate the
20 amount of money declined and unclaimed by all local education
21 agencies and shall report to the Secretary of the Budget the
22 aggregate amount, the appropriations from which the money was
23 appropriated and the amount that needs to be deducted from
24 each appropriation in order to equal the aggregate amount.

25 (5) After receipt of the report, the Secretary of the
26 Budget shall establish a restricted account and transfer to
27 the restricted account a sum equal to the aggregate amount,
28 not to exceed \$26,000,000, and shall deduct the proper amount
29 from the appropriations identified under paragraph (4). The
30 money of the restricted account is appropriated on a
31 continuing basis to the Department of Education for the
32 purpose specified in paragraph (6).

33 (6) The Department of Education may use money in the
34 restricted account to provide performance monitoring of
35 grant-funded operations and to ensure compliance with
36 achievement and performance goals as required under 2 CFR Pt.
37 200 Subpt. D (relating to post federal award requirements).

38 (7) The Department of Education shall prepare and make a
39 report available on its publicly accessible Internet website.
40 The report shall state the local education agencies that have
41 declined and unclaimed money under this section and the
42 corresponding amounts declined and unclaimed. The report
43 shall be available no later than 30 days after receipt of the
44 responses from local education agencies under paragraph (2).

45 Section 1.1. The act is amended by adding articles to read:

46 ARTICLE I-K

47 911 EMERGENCY COMMUNICATION SERVICES

48 Section 101-K. Definitions.

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

1 "911 communication." Transmission of information to a PSAP
2 for the initial reporting of police, fire, medical or other
3 emergency situation.

4 "911 communications service." As follows:

5 (1) A service that allows the two-way transmission,
6 conveyance or routing of voice, data, audio, video or any
7 information of signals, including cable and Internet protocol
8 services, to a point or between or among points by or through
9 any electronic, radio, satellite, cable, optical, microwave
10 or other medium or method in existence on or after the
11 effective date of this definition, regardless of protocol
12 used for the transmission or conveyance, only if that service
13 is capable of contacting a PSAP by entering or dialing the
14 digits 911 and is subject to applicable Federal or State
15 requirements to provide the 911 dialing capability.

16 (2) The term does not include wireless and Internet-
17 protocol-enabled services that are exempt from Federal
18 Communications Commission regulations for 911 communications
19 service, 911 service and next generation 911 service.

20 "911 system." A system capable of receiving and processing a
21 911 communication throughout a defined geographic area. The term
22 shall include a county or county-based regional 911 system or a
23 PSAP.

24 "Agency." The Pennsylvania Emergency Management Agency.

25 "Call." A two-way communication established using a 911
26 communications service.

27 "Next generation 911 service." 911 service using, in whole
28 or in part, next generation 911 technology.

29 "Next generation 911 technology." Equipment, products or
30 services that enable a PSAP to receive calls for emergency
31 assistance by voice, text, video, Internet protocol or other
32 technology authorized by Federal law, regulation or industry
33 standard. The term includes any new technology with the same or
34 similar functionality.

35 "Public safety answering point" or "PSAP." The agency-
36 approved entity that receives 911 communications from a defined
37 geographic area and processes those calls according to a
38 specific operational policy. The term shall refer to a county or
39 county-based regional 911 system.

40 "Regional." A geographic area that includes more than one
41 county.

42 Section 102-K. Surcharge.

43 (a) Rates.--

44 (1) Before March 1, 2024, the surcharge under 35 Pa.C.S.
45 § 5306.2(a) (relating to uniform 911 surcharge) shall be
46 \$1.65.

47 (2) After February 29, 2024, and before February 1,
48 2026, the surcharge under 35 Pa.C.S. § 5306.2(a) shall be
49 \$1.95.

50 (b) Notification.--Before February 8, 2024, the agency shall
51 transmit notice to the Legislative Reference Bureau for

1 publication of the surcharge increase in the next available
2 issue of the Pennsylvania Bulletin.
3 Section 103-K. Efficiency study.

4 (a) Requirements.--The Legislative Budget and Finance
5 Committee, in conjunction with the Joint State Government
6 Commission and the Local Government Commission, shall study the
7 following and make recommendations with respect to all of the
8 following:

9 (1) Determining any efficiencies that can be gained in
10 the current 911 system or potential efficiencies that can be
11 gained with a different 911 system.

12 (2) Reviewing:

13 (i) operations in other states;

14 (ii) the amount of funding that the other states
15 provide through all funding sources, including the state
16 funding per capita; and

17 (iii) the makeup of the local share.

18 (3) Options for the consolidation of county 911 systems,
19 including the option of regional task forces proposed by the
20 agency.

21 (4) Options to allow 911 system employees to work from
22 home.

23 (5) The use of artificial intelligence and other
24 innovative technology for the operation of a 911 system and
25 988 suicide and crisis lifeline. This paragraph includes
26 recommended standards.

27 (6) The integration of the 988 suicide and crisis
28 lifeline into the 911 system. This paragraph includes
29 protocols to support the effective communication and
30 coordination of responders, law enforcement and fire and
31 ambulance services, during a behavioral health crisis.

32 (7) The integration of Pennsylvania State Police
33 dispatch into the 911 system.

34 (8) Standards and procedures which should be followed
35 when a behavioral health crisis is routed to 988 as an
36 alternative to law enforcement. This paragraph includes
37 consideration of cultural or linguistic barriers and policies
38 established by the National Suicide Prevention Lifeline.

39 (9) The use of automatic alarms and call stacking,
40 including recommended standards.

41 (b) Consultation.--The committee and the commissions under
42 subsection (a) may consult with the agency, the 911 Advisory
43 Board, the County Commissioners Association of Pennsylvania, the
44 Pennsylvania Chapter of National Emergency Number Association
45 and other stakeholders in order to conduct the study under
46 subsection (a).

47 (c) Report.--

48 (1) By December 30, 2024, the Legislative Budget and
49 Finance Committee shall submit a final report with
50 recommendations to the chair and minority chair of the
51 Veterans Affairs and Emergency Preparedness Committee of the

1 Senate and the chair and minority chair of the Veterans
2 Affairs and Emergency Preparedness Committee of the House of
3 Representatives.

4 (2) Within 30 days of submission of the report under
5 paragraph (1), the Legislative Budget and Finance Committee
6 shall transmit a copy of the final report to the Legislative
7 Reference Bureau for publication in the next available issue
8 of the Pennsylvania Bulletin.

9 Section 104-K. Termination.

10 The provisions of 35 Pa.C.S. Ch. 53 (relating to 911
11 emergency communication services) shall expire January 31, 2029.

12 ARTICLE I-L

13 INSTITUTIONS OF PURELY PUBLIC CHARITY

14 Section 101-L. Definitions.

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

18 "Institution." As defined in section 3 of the act of
19 November 26, 1997 (P.L.508, No.55), known as the Institutions of
20 Purely Public Charity Act.

21 Section 102-L. Charity to persons.

22 Notwithstanding section 5(e)(5) of the act of November 26,
23 1997 (P.L.508, No.55), known as the Institutions of Purely
24 Public Charity Act, an institution shall be considered to
25 benefit a substantial and indefinite class of persons who are
26 legitimate subjects of charity if:

27 (1) the institution is a domestic fraternal society,
28 order or association, that operates under a lodge system, the
29 net earnings of which are devoted to religious, charitable,
30 scientific, literary, educational and fraternal purposes and
31 qualifies for an exemption from taxation under 26 U.S.C. §
32 501(c)(8) and (10) (relating to exemption from tax on
33 corporations, certain trusts, etc.) and:

34 (i) the organization has been operating in this
35 Commonwealth for at least 100 years upon the effective
36 date of this subparagraph; and

37 (ii) the organization has not been issued a license
38 under the act of April 12, 1951 (P.L.90, No.21), known as
39 the Liquor Code.

40 (2) the institution is a title-holding organization that
41 qualifies for an exemption from taxation under 26 U.S.C. §
42 501(c)(2) that is wholly owned or controlled by one or more
43 qualifying fraternal organization described under paragraph
44 (1).

45 Section 1.2. The act is amended by adding a section to read:

46 Section 202.3. Exclusion from Classes of Income.--

47 Notwithstanding any other provision of law, amounts paid or
48 incurred by an employer of an employee for dependent care
49 assistance provided to the employee that are excludable under 26
50 U.S.C. § 129 (relating to dependent care assistance programs)
51 may not be included in any of the classes of income enumerated

1 under section 303 of the act of March 4, 1971 (P.L.6, No.2),
2 known as the Tax Reform Code of 1971.

3 Section 2. The act is amended by adding an article to read:

4 ARTICLE II-F

5 INDIGENT DEFENSE

6 Section 201-F. Scope of article.

7 This article relates to indigent defense.

8 Section 202-F. Definitions.

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

12 "Commission." The Pennsylvania Commission on Crime and
13 Delinquency.

14 "Indigent defense services." The legal representation
15 provided to indigent adult defendants and juvenile respondents
16 through either a public defender's office, contracted counsel or
17 conflict counsel.

18 Section 203-F. Indigent Defense Advisory Committee.

19 (a) Establishment.--The Indigent Defense Advisory Committee
20 is established within the commission.

21 (b) Composition.--The committee shall consist of a
22 chairperson and the following members to be selected as follows:

23 (1) The executive director of the Interbranch Commission
24 for Gender, Racial and Ethnic Fairness, or a designee, who
25 shall serve as an ex officio and nonvoting member.

26 (2) The executive director of the Public Defender
27 Association of Pennsylvania or a designee.

28 (3) The executive director of the Pennsylvania
29 Commission on Sentencing, or a designee, who shall serve as
30 an ex officio and nonvoting member.

31 (4) The executive director of the Pennsylvania District
32 Attorneys Association, or a designee, who shall serve as an
33 ex officio and nonvoting member.

34 (5) The Commonwealth Victim Advocate, or a designee, who
35 shall serve as an ex officio and nonvoting member.

36 (6) The executive director of the Pennsylvania Chiefs of
37 Police Association, or a designee, who shall serve as an ex
38 officio and nonvoting member.

39 (7) The executive director of the Juvenile Court Judges'
40 Commission, or a designee, who shall serve as an ex officio
41 and nonvoting member.

42 (8) An individual appointed by the President pro tempore
43 of the Senate.

44 (9) An individual appointed by the Minority Leader of
45 the Senate.

46 (10) An individual appointed by the Speaker of the House
47 of Representatives.

48 (11) An individual appointed by the Minority Leader of
49 the House of Representatives.

50 (12) The following members appointed by the Governor:

51 (i) One representative of public defenders appointed

1 from a list of three qualified attorneys recommended by
2 the Defender Association of Philadelphia.

3 (ii) One criminal defense attorney with public
4 defender experience appointed from a list of three
5 qualified individuals recommended by the Pennsylvania
6 Association of Criminal Defense Lawyers.

7 (iii) One attorney with experience defending
8 juveniles in delinquency proceedings, appointed from a
9 list of three qualified individuals recommended by the
10 Juvenile Defenders Association of Pennsylvania.

11 (iv) One member from the law school academic
12 community with a background in public defense or legal
13 services appointed from a list of qualified individuals
14 recommended by each law school in this Commonwealth.

15 (v) One attorney with capital case indigent defense
16 trial, appellate or postconviction experience associated
17 with the Pennsylvania Innocence Project at Temple
18 University Beasley School of Law.

19 (vi) One representative of county government from
20 the second class or second class A counties appointed
21 from a list of three qualified individuals recommended by
22 the County Commissioners Association of Pennsylvania.

23 (vii) One representative of county government from
24 the third, fourth, fifth, sixth, seventh or eighth class
25 counties appointed from a list of three qualified
26 individuals recommended by the County Commissioners
27 Association of Pennsylvania.

28 (viii) One advocate for current and former prison
29 inmates appointed from a list of three individuals
30 recommended by the Pennsylvania Prison Society.

31 (13) Three judges who routinely preside over criminal or
32 juvenile cases and are representative of the geographic and
33 demographic diversity of the Commonwealth, appointed by the
34 Chief Justice of the Pennsylvania Supreme Court.

35 (14) The following members appointed by the Chief
36 Justice of the Pennsylvania Supreme Court:

37 (i) One county chief public defender from a list of
38 three recommendations from the Public Defender
39 Association of Pennsylvania.

40 (ii) One public defender from the second class OR
41 second class A counties from a list of four
42 recommendations from the Public Defender Association of
43 Pennsylvania.

44 (iii) One public defender from the third or fourth
45 class counties from a list of four recommendations from
46 the Public Defender Association of Pennsylvania.

47 (iv) Two public defenders from the fifth, sixth,
48 seventh or eighth class counties from a list of four
49 recommendations from the Public Defender Association of
50 Pennsylvania.

51 (c) Chairperson and vice chairperson.--The chairperson of

1 the committee shall be selected by the Governor from among the
2 voting members of the committee. A vice chairperson shall be
3 designated by the chairperson of the committee from among the
4 voting members of the committee to preside at meetings in the
5 absence of the chairperson.

6 (d) Term.--Members of the committee shall serve a four-year
7 term. Members are eligible for reappointment for no more than
8 two consecutive terms. Members appointed under subsection (b)
9 (1), (2), (3), (4), (5), (6) and (7) shall serve by virtue of
10 the member's office, and the term shall be concurrent with the
11 member's service in the office. Vacancies on the committee shall
12 be filled by the appointing authority within 60 days of the
13 vacancy. For the purposes of this subsection, a vacancy occurs
14 when a member resigns from the committee or no longer holds the
15 employment that originally qualified the member for the
16 appointment.

17 (e) Quorum.--A majority of the voting members of the
18 committee shall constitute a quorum and a quorum shall be
19 required for all actions. A vote of the majority of the voting
20 members of the committee present shall be sufficient for all
21 actions taken by the committee.

22 (f) Meetings.--The committee shall hold its first meeting no
23 later than 60 days from the effective date of this subsection.
24 Except for the first meeting, meetings related to the
25 implementation and operation of the Indigent Defense Grant
26 Program established under subsection (k) and meetings related to
27 committee duties under subsection (i)(13), members appointed
28 under subsection (b)(4), (5) and (6) may not participate in
29 meetings and committee work related to committee duties under
30 subsection (i)(1), (2), (3), (4), (5), (6), (7), (8), (9), (10),
31 (11) and (12), unless requested by a majority of the voting
32 members.

33 (g) Compensation and expenses.--The committee members shall
34 not receive a salary or per diem allowance for serving as board
35 members, but shall be reimbursed for actual and necessary
36 expenses incurred in the performance of duties as members of the
37 committee. Expenses may include reimbursement of travel and
38 living expenses while engaged in committee business.

39 (h) Staff.--Staff support shall be made available to the
40 committee by the executive director of the commission in order
41 to adequately assist the committee in carrying out its duties
42 and responsibilities.

43 (i) Duties and responsibilities.--With the review and
44 approval of the commission, the committee shall have the
45 following duties and responsibilities:

46 (1) Propose minimum standards for the delivery of
47 effective indigent defense services throughout this
48 Commonwealth that are consistent with the requirements of the
49 Constitution of the United States and the Constitution of
50 Pennsylvania.

51 (2) Propose minimum standards for attorneys providing

1 indigent defense services to ensure that the ability,
2 training and experience of the attorneys match the cases
3 assigned to the attorneys.

4 (3) Submit proposed standards to the Pennsylvania
5 Supreme Court for adoption through a manner prescribed by the
6 Supreme Court.

7 (4) Identify, develop or provide appropriate Statewide
8 continuing legal education courses, practical training
9 programs and skill development resources, including
10 preservice training for newly hired public defenders, public
11 defender staff attorneys, assigned counsel and contract
12 public defenders and other counsel who provide indigent
13 defense services.

14 (5) Identify, develop or provide appropriate programs
15 for capital case defense skills training, adult criminal
16 defense training, juvenile delinquency defense training and
17 management and leadership training for chief defenders and
18 public defender office leaders and other counsel who provide
19 indigent defense services.

20 (6) Establish a virtual defender training library
21 consisting of all programs approved by the committee.

22 (7) Adopt standards by which counties shall collect and
23 report, at a minimum, the following to the committee:

24 (i) The caseload and workload of each attorney in
25 the county's public defender office.

26 (ii) The caseload and workload of attorneys who are
27 assigned to represent an indigent defendant as conflict
28 counsel or contract counsel in the county.

29 (iii) The total expenditures and per capita spending
30 for indigent criminal defense services in the county.

31 (8) Adopt standards for the use of case management
32 systems or software by county public defender offices.

33 (9) Develop, in partnership with the Administrative
34 Office of Pennsylvania Courts and the Juvenile Court Judges'
35 Commission, data requests that include, at a minimum, the
36 following:

37 (i) The total number of criminal cases involving a
38 public defender by category of criminal offense and by
39 county.

40 (ii) The total number of criminal cases adjudicated
41 or closed involving a public defender by category of
42 disposition type and by county.

43 (iii) The total number of juvenile delinquency cases
44 involving a public defender by category of offense and by
45 county.

46 (iv) The total number of juvenile delinquency cases
47 adjudicated or closed involving a public defender by
48 category of disposition type and by county.

49 (v) The total number of criminal cases with a court
50 appointed attorney, not a public defender.

51 (vi) The total number of juvenile delinquency cases

1 with a court appointed attorney, not a public defender.

2 (vii) The total number of criminal and juvenile
3 delinquency cases appealed involving a public defender by
4 county.

5 (10) Partner with other departments or agencies for the
6 collection of data related to the delivery of indigent
7 defense services, as may be required by the committee.

8 (11) Analyze the data to identify trends and overall
9 effectiveness of indigent defense services in the State and
10 the impact of the standards adopted on the effectiveness of
11 indigent defense services in the future.

12 (12) Prepare a report which includes, at a minimum, the
13 actions of the committee, details of grants awarded,
14 summaries of data collected with statistics regarding the
15 delivery of indigent defense services and recommendations for
16 improvement of the indigent defense system in this
17 Commonwealth. The report shall be submitted two years from
18 the effective date of this section and biennially thereafter.
19 The report shall be published on the commission's publicly
20 accessible Internet website. A copy of the report shall be
21 submitted to the Governor, the chair and minority chair of
22 the Judiciary Committee of the Senate, the chair and minority
23 chair of the Judiciary Committee of the House of
24 Representatives, the chair and minority chair of the
25 Appropriations Committee of the Senate, the chair and
26 minority chair of the Appropriations Committee of the House
27 of Representatives and the Pennsylvania Supreme Court.

28 (13) Perform functions related to the direct approval
29 and disbursement of grants under the Indigent Defense Grant
30 Program established under subsection (k) in an advisory
31 capacity only.

32 (j) Confidentiality of data.--County-specific data received
33 and collected by the committee shall remain confidential. The
34 committee may release aggregate data at the committee's
35 discretion when preparing and submitting its biennial report.

36 (k) Indigent Defense Grant Program.--The Indigent Defense
37 Grant Program is established in the commission. The following
38 shall apply:

39 (1) Money available to the program shall include
40 appropriations and transfers from the General Fund, special
41 funds, Federal funds and other sources of revenue made
42 available to the program and the commission.

43 (2) Program funding may only be used for the grant and
44 training activities authorized under this section, and no
45 money may be transferred or diverted to any other purpose by
46 administrative action.

47 (3) The committee shall have the opportunity to review
48 and comment on grant applications and shall ensure that grant
49 funding or services provided under the program are
50 geographically dispersed throughout this Commonwealth.

51 (4) Grant money allocated through the program shall be

1 used to supplement and not supplant existing county spending
2 on indigent defense services.

3 (5) Nothing shall preclude a grant recipient from making
4 an application in a subsequent year for the same purpose and
5 amount awarded in a prior year.

6 (6) Grants awarded shall be consistent with the
7 standards established by the committee and the standards
8 adopted by the Pennsylvania Supreme Court.

9 (7) The commission may randomly audit and monitor grant
10 recipients to ensure the appropriate use of grant funds and
11 compliance with the provisions of this section.

12 (8) The commission may use up to 10% of the money
13 appropriated each year for the costs of supporting the
14 committee and administering the program, which may include
15 the costs relating to the employment of personnel, providing
16 technical assistance to grantees and evaluating the impact of
17 initiatives supported by the grants.

18 Section 3. (Reserved).

19 Section 4. (Reserved).

20 Section 5. (Reserved).

21 Section 6. Section 1601.2-E(e)(1)(ii) of the act, amended
22 July 11, 2022 (P.L.540, No.54), is amended to read:

23 Section 1601.2-E. Oil and Gas Lease Fund.

24 * * *

25 (e) Annual transfers.--The following apply:

26 (1) * * *

27 (ii) No amount shall be transferred from the fund to
28 the Marcellus Legacy Fund for distribution to the
29 Environmental Stewardship Fund for the 2019-2020, 2020-
30 2021, 2021-2022 [and], 2022-2023 and 2023-2024 fiscal
31 year.

32 * * *

33 Section 7. The act is amended by adding sections to read:
34 Section 1607-M. Designated municipal agent and authorized
35 salvor for city of the first class.

36 For purposes of 75 Pa.C.S. § 7304.1 (relating to reports and
37 removal of abandoned vehicles within the boundaries of a city of
38 the first class or second class), a designated municipal agency
39 and an authorized salvor for a city of the first class shall
40 mean the Philadelphia Parking Authority.

41 Section 1602.1-T. Medical assistance dental services and
42 packages.

43 (a) Use of money.--From money appropriated for Medical
44 Assistance - Capitation and subject to Federal approval,
45 \$12,000,000 in State funds shall be used by the Department of
46 Human Services to increase the calendar year capitation rates
47 for dental services, beginning January 1, 2025, for the
48 following dental codes: D0120, D0150, D0272, D0274, D1110,
49 D1120, D1206, D1351, D2391, D2392, D7140, D0220, D0230, D1208,
50 D2393, D2751, D4341, D5110, D5120, D5213, D5214, D0330, D2140,
51 D2150, D2331, D2930, D2933, D3220, D3230, D8080 and D9230. The

1 Department of Human Services shall seek Federal matching funds
2 on the \$24,000,000.

3 (b) Uniform percentage increase.--A managed care
4 organization shall implement a uniform percentage increase, as
5 determined by the Department of Human Services, to increase
6 payments for the dental services identified under subsection (a)
7 to dentists who are under contract to provide services to
8 medical assistance recipients and who are participating in the
9 medical assistance program.

10 (c) Expiration.--This section shall expire June 30, 2026.

11 Section 8. The act is amended by adding articles to read:

12 ARTICLE XVI-U

13 ATTORNEY GENERAL

14 Section 1601-U. Authority of Attorney General and Director of
15 Bureau of Consumer Protection.

16 (a) General rule.--Notwithstanding the provisions of section
17 919(b) of the act of April 9, 1929 (P.L.177, No.175), known as
18 The Administrative Code of 1929, the Attorney General or his
19 duly authorized representative or employee may use documentary
20 material or copies of documentary material produced pursuant to
21 a demand under section 919 of The Administrative Code of 1929,
22 as necessary in the enforcement of any civil laws related to the
23 powers and duties granted to the Attorney General, including:

24 (1) sharing the documentary material with any Federal or
25 State agency or their duly authorized representatives or
26 employees that may be assisting in the investigation of the
27 subject matter of the subpoena; and

28 (2) presentation in a subsequent administrative or
29 judicial proceeding.

30 (b) Responsibility of Attorney General.--It shall be the
31 responsibility of the Attorney General to ensure that no
32 documentary material produced under paragraph (1) shall, unless
33 otherwise ordered by a court for good cause shown, be produced
34 for inspection or copying by, or the contents be disclosed to,
35 any person other than those authorized by this section.

36 ARTICLE XVI-V

37 PENNSYLVANIA LONG-TERM CARE COUNCIL

38 Section 1601-V. Definitions.

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

42 "Council." The Pennsylvania Long-term Care Council
43 established under section 1602-V(a).

44 "Department." The Department of Aging of the Commonwealth.
45 Section 1602-V. Pennsylvania Long-term Care Council.

46 (a) Establishment.--The Pennsylvania Long-term Care Council
47 is established within the department.

48 (b) Membership.--The council shall be composed of and
49 appointed in accordance with the following:

50 (1) The Secretary of Aging.

51 (2) The Secretary of Health.

1 (3) The Secretary of Human Services.
2 (4) The Insurance Commissioner.
3 (5) The Adjutant General.
4 (6) The Secretary of Transportation.
5 (7) The Executive Director of the Pennsylvania Housing
6 Finance Agency.
7 (8) Two members of the Senate, one appointed by the
8 President pro tempore and one appointed by the Minority
9 Leader.
10 (9) Two members of the House of Representatives, one
11 appointed by the Speaker of the House of Representatives and
12 one appointed by the Minority Leader.
13 (10) The following members to be appointed by the
14 Governor, in consultation with the Secretary of Aging:
15 (i) One representative from the Pennsylvania Council
16 on Aging.
17 (ii) One member who represents the local area
18 agencies on aging.
19 (iii) Six members who represent consumer advocacy
20 groups, with at least two being consumers of long-term
21 care services.
22 (iv) One member who represents the elder law section
23 of the Pennsylvania Bar Association.
24 (v) One member who is a licensed insurance producer
25 with at least 10 years' experience in the long-term care
26 insurance market.
27 (vi) Seven members who represent providers
28 throughout the long-term care continuum, with no more
29 than one member representing a single provider group, as
30 follows:
31 (A) One member representing nonprofit skilled
32 nursing facilities.
33 (B) One member representing for-profit skilled
34 nursing facilities.
35 (C) One member representing assisted living
36 residences or personal care homes.
37 (D) One member representing home care or
38 hospice.
39 (E) One member representing older adult daily
40 living centers.
41 (F) One member representing senior community
42 centers.
43 (G) One member representing long-term care
44 managed care.
45 (vii) Two members with caregiver experience, at
46 least one of whom has personal experience as a family
47 caregiver.
48 (viii) Two members who represent the medical
49 community, one of whom must be a physician with at least
50 five years' experience in a long-term care setting and
51 the other of whom must be a nurse with at least five

1 years' experience in a long-term care setting.

2 (ix) Two members who represent an academic research
3 institution.

4 (x) One member who represents the County
5 Commissioners Association of Pennsylvania.

6 (xi) The chair of the State Veterans Commission or a
7 designee.

8 (xii) One member who represents the Office of the
9 State Long-Term Care Ombudsman within the department.

10 (c) Designee.--With the exception of the chairperson,
11 governmental members may appoint a designee to attend and vote
12 at meetings of the council. Each governmental member who
13 appoints a designee shall do so by sending a letter to the
14 chairperson stating the name of that designee.

15 (d) Chairperson.--The Secretary of Aging shall serve as
16 chairperson.

17 (e) Executive director.--The Secretary of Aging shall
18 appoint an executive director of the council.

19 (f) Terms of members.--

20 (1) The terms of those members who serve in accordance
21 with subsection (b) (1), (2), (3), (4), (5), (6) and (7) shall
22 be concurrent with their service in the office from which
23 they derive their membership.

24 (2) Members appointed in accordance with subsection (b)
25 (8) and (9) shall serve terms conterminous with their
26 respective appointing authorities.

27 (3) Of the members appointed by the Governor, no less
28 than one-third of the members shall be appointed to serve a
29 two-year initial term, no less than one-third of the members
30 shall be appointed to serve a three-year initial term, and
31 the remaining members shall serve a four-year term. Members
32 of the council shall serve for terms of four years after
33 completion of the initial terms as designated in this
34 section.

35 (4) Members shall be eligible for reappointment but
36 shall serve no more than two consecutive full terms. Members
37 shall serve until their successors are appointed and
38 qualified, provided they represent the interests of the
39 membership class for which they were appointed.

40 (g) Vacancies.--Any vacancy on the council shall be filled
41 by the original appointing authority. An individual appointed to
42 fill a vacancy shall serve the balance of the previous member's
43 term.

44 (h) Removal.--In addition to the provisions of subsection
45 (f) (1) and (2), members may be removed from the board for the
46 following reasons:

47 (1) A member who fails to attend three consecutive
48 meetings shall forfeit his or her seat unless the
49 chairperson, upon written request from the member, finds that
50 the member should be excused from a meeting.

51 (2) A member shall forfeit his or her seat if he or she

1 no longer represents the interests of the membership class
2 for which he or she was appointed. Specifically, a member
3 meeting this threshold shall no longer be employed or
4 associated with the interests of the respective qualification
5 for which he or she was appointed.

6 (i) Expenses.--Members may not receive compensation or
7 remuneration for their service as council members or as
8 committee members. Nongovernmental council members shall be
9 entitled to reimbursement for travel and related actual expenses
10 accrued in the performance of their duties as members, in
11 accordance with Commonwealth travel policy. Committee members
12 who are not members of the council may not receive
13 reimbursement.

14 Section 1603-V. Powers and duties of council.

15 (a) General rule.--The council shall have the following
16 powers and duties:

17 (1) To consult with various departments and agencies and
18 to make recommendations on regulations, licensure, financing
19 or any other responsibilities of those departments or
20 agencies relating to long-term care.

21 (2) To perform such other duties as the Governor may
22 assign relating to long-term care.

23 (3) To approve reports produced by any committee
24 established under section 1604-V before release to the public
25 or the General Assembly.

26 (4) To develop and adopt rules for conducting council
27 meetings, including, but not limited to, the procedure for
28 formally adopting the approval of committee reports before
29 release to the public.

30 (5) To develop and adopt rules for conducting committee
31 meetings. This power includes, but is not limited to,
32 determining the scope of responsibilities for each committee,
33 the number of members for each committee and the procedure
34 for formally adopting the approval of committee reports
35 before release to the council.

36 (6) To assign topics for research and study to each
37 committee. Nothing in this paragraph shall be construed to
38 prohibit a committee from proposing topics for consideration
39 to the council.

40 (b) Scope.--All the powers and duties enumerated in this
41 section shall be performed in a manner that addresses all areas
42 of long-term care, including, but not limited to, institutional
43 care and home-based and community-based services.

44 Section 1604-V. Council committees.

45 (a) Establishment.--The council shall establish committees
46 which may research and study the following areas:

47 (1) Regulatory review and access to quality care.

48 (2) Community access and public education.

49 (3) Long-term care services models and delivery.

50 (4) Work force.

51 (5) Housing.

1 (6) Behavioral health issues of senior citizens who are
2 at least 60 years of age.

3 (b) Composition.--The council chairperson shall appoint
4 committee members, who may include those who are not members of
5 the council and who have expertise pertaining to the specific
6 topics and tasks assigned.

7 (c) Chairpersons and vice chairpersons.--The chairperson of
8 the council shall appoint council members to serve as
9 chairperson and, as needed, vice chairperson for each committee.

10 (d) Duties.--The council committees shall have the following
11 powers and duties:

12 (1) To study and report on the topics assigned by the
13 council.

14 (2) To facilitate the creation of the reports and, with
15 the permission of the council, invite individuals to assist
16 in preparation of reports for the council.

17 (3) To approve reports and recommendations for
18 submission to the council. Only members appointed to each
19 committee may participate in approving reports and
20 recommendations to the council.

21 (e) Construction.--Nothing in this section shall be
22 construed to prohibit the chairperson, with concurrence by the
23 council, from establishing additional committees or ad hoc work
24 groups to assist the council or committees.

25 ARTICLE XVI-W

26 PENNSYLVANIA CHILD AND DEPENDENT

27 CARE ENHANCEMENT TAX CREDIT PROGRAM

28 Section 1601-W. Scope of article.

29 This article relates to the Pennsylvania Child and Dependent
30 Care Enhancement Tax Credit Program.

31 Section 1602-W. Definitions.

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

35 "Applicable percent." As defined in section 21(a)(2) of the
36 Internal Revenue Code of 1986 in effect for the taxable year
37 beginning after December 31, 2021, and ending before January 1,
38 2023.

39 "Department." The Department of Revenue of the Commonwealth.

40 "Employment-related expenses." As defined in section 21(b)
41 (2) of the Internal Revenue Code of 1986.

42 "Internal Revenue Code of 1986." The Internal Revenue Code
43 of 1986 (Public Law 99-514, 26 U.S.C. § 1 et seq.).

44 "Qualifying individual." As defined in section 21(b)(1) of
45 the Internal Revenue Code of 1986.

46 "Resident individual." An individual who meets any of the
47 following criteria:

48 (1) Is domiciled in this Commonwealth, unless the
49 individual maintains no permanent place of abode in this
50 Commonwealth and does maintain a permanent place of abode
51 elsewhere and spends in the aggregate no more than 30 days of

1 the taxable year in this Commonwealth.

2 (2) Is not domiciled in this Commonwealth, but maintains
3 a permanent place of abode in this Commonwealth and spends in
4 the aggregate more than 183 days of the taxable year in this
5 Commonwealth.

6 "Section 21 of the Internal Revenue Code of 1986." Section
7 21 of the Internal Revenue Code of 1986 (Public Law 99-514, 26
8 U.S.C. § 21).

9 "Tax credit." The Pennsylvania child and dependent care
10 enhancement tax credit provided for under this article.

11 "Tax liability." The liability for taxes imposed under
12 Article III of the Tax Reform Code of 1971, excluding any tax
13 withheld by an employer under Article III of the Tax Reform Code
14 of 1971.

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

17 "Taxable year." As defined in section 301 of the Tax Reform
18 Code of 1971.

19 "Taxpayer." A resident individual subject to the tax imposed
20 under Article III of the Tax Reform Code of 1971.

21 Section 1603-W. Credit for child and dependent care employment-
22 related expenses.

23 (a) Tax credit.--For taxable years beginning after December
24 31, 2021, a taxpayer who receives a credit under section 21 of
25 the Internal Revenue Code of 1986 may claim a tax credit against
26 the taxpayer's tax liability.

27 (b) Amount of tax credit.--The amount of the tax credit
28 under subsection (a) for the taxable year beginning after
29 December 31, 2021, and ending before January 1, 2023, shall be
30 equal to 30% of:

31 (1) the actual amount of employment-related expenses
32 incurred by the taxpayer and claimed for the Federal tax
33 credit under section 21 of the Internal Revenue Code of 1986
34 during the prior taxable year, or the following, as
35 applicable, whichever is less:

36 (i) \$3,000 for one qualifying individual with
37 respect to the taxpayer; or

38 (ii) \$6,000 for two or more qualifying individuals
39 with respect to the taxpayer; multiplied by

40 (2) the applicable percent, with respect to the
41 taxpayer, in effect for the taxable year beginning after
42 December 31, 2021, and ending before January 1, 2023.

43 (c) Amount of tax credit in subsequent taxable years.--The
44 amount of the tax credit under subsection (a) for taxable years
45 beginning after December 31, 2022, and for each taxable year
46 thereafter, shall be equal to 100% of:

47 (1) the actual amount of employment-related expenses
48 incurred by the taxpayer and claimed for the Federal tax
49 credit under section 21 of the Internal Revenue Code of 1986
50 during the prior taxable year, or the following, as
51 applicable, whichever is less:

1 (i) \$3,000 for one qualifying individual with
2 respect to the taxpayer; or
3 (ii) \$6,000 for two or more qualifying individuals
4 with respect to the taxpayer; multiplied by
5 (2) the applicable percent, with respect to the
6 taxpayer, in effect for the taxable year beginning after
7 December 31, 2021, and ending before January 1, 2023.

8 (d) Claim of tax credit.--A taxpayer shall claim a tax
9 credit under this section on a return filed under section 330 of
10 the Tax Reform Code of 1971.

11 (e) Applicability of tax credit.--The tax credit under this
12 section shall be applied against the taxpayer's tax liability.
13 If the tax credit exceeds the taxpayer's tax liability, the
14 department may issue a refund under the procedures specified in
15 section 346 of the Tax Reform Code of 1971.

16 Section 1604-W. Prohibitions.

17 The following apply:

18 (1) A taxpayer is not entitled to carry over, carry back
19 or sell, assign or transfer a tax credit under this article.

20 (2) A taxpayer may not claim a tax credit for the same
21 employment-related expenses used to claim a tax credit on a
22 return filed by another taxpayer.

23 Section 1605-W. Application of Internal Revenue Code of 1986.

24 The provisions of section 21 of the Internal Revenue Code of
25 1986 in effect as of July 8, 2022, and any Federal regulations
26 promulgated regarding those provisions shall apply to the
27 department's interpretation and administration of the tax credit
28 provided for under this article.

29 Section 1605.1-W. Administration of article.

30 The department may jointly administer this article with the
31 Tax Reform Code of 1971, including joint reporting of
32 information, forms, returns, statements, documents or other
33 information submitted to the department.

34 Section 1606-W. Departmental duties.

35 The department shall publish guidelines and may promulgate
36 regulations necessary for the implementation and administration
37 of this article.

38 Section 1607-W. Report to General Assembly.

39 (a) Annual report.--No later than March 1, 2024, and each
40 March 1 thereafter, the department shall submit a report to the
41 General Assembly indicating the effectiveness of the tax credit
42 under this article.

43 (b) Information required.--The report required under
44 subsection (a) shall include, but not be limited to, the
45 following information:

46 (1) The number of tax credits approved under this
47 article.

48 (2) The amount of tax credits approved under this
49 article.

50 (3) The amount of tax credits claimed under this
51 article.

1 (4) The amount of tax credits refunded under this
2 article.

3 ARTICLE XVI-X

4 ADDITIONAL KEYSTONE OPPORTUNITY EXPANSION ZONES

5 SUBARTICLE A

6 PRELIMINARY PROVISIONS

7 Section 1601-X. Scope of article.

8 This article relates to additional keystone opportunity
9 expansion zones.

10 Section 1602-X. Definitions.

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

14 "Affiliate." A person who directly or indirectly:

15 (1) owns or controls another person;

16 (2) is owned or controlled by another person; or

17 (3) is under common ownership or control with another
18 person.

19 "Business." As defined in section 103 of the KOZ Act.

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

22 "Keystone opportunity expansion zone." As defined in section
23 103 of the KOZ Act.

24 "KOZ Act." The act of October 6, 1998 (P.L.705, No.92),
25 known as the Keystone Opportunity Zone, Keystone Opportunity
26 Expansion Zone and Keystone Opportunity Improvement Zone Act.

27 "Person." As defined in section 103 of the KOZ Act.

28 "Political subdivision." As defined in section 103 of the
29 KOZ Act.

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

32 "Unoccupied parcel." As defined in section 103 of the KOZ
33 Act.

34 SUBARTICLE B

35 ADDITIONAL ZONE FOR DETERIORATED,

36 UNDERUTILIZED OR UNOCCUPIED PARCELS

37 Section 1611-X. Additional keystone opportunity expansion zone
38 for deteriorated, underutilized or unoccupied
39 parcels.

40 (a) Designation.--In addition to any designation under
41 Article XIX-D of the Tax Reform Code of 1971, or Chapter 3 of
42 the KOZ Act, the department may designate one additional
43 keystone opportunity expansion zone that includes an area in a
44 county that has a population of at least 80,000 but less than
45 83,000 based on the 2020 Federal decennial census.

46 (b) Criteria.--Notwithstanding the Tax Reform Code of 1971
47 and the KOZ Act, the additional keystone opportunity expansion
48 zone authorized under subsection (a):

49 (1) May not be less than 300 acres in size.

50 (2) Shall employ a micro-grid power source utilizing
51 renewable and nonrenewable energy sources, including, but not

1 limited to, solar, wind, natural gas or biomass.

2 (3) Shall be comprised of one or more parcels that are
3 deteriorated, underutilized or unoccupied parcels on the
4 effective date of this paragraph.

5 (c) Exemptions and deductions.--

6 (1) A business or affiliate of a business located within
7 an additional keystone opportunity expansion zone authorized
8 under subsection (a) shall be entitled to all tax exemptions,
9 deductions, abatements or credits under Chapters 5 and 7 of
10 the KOZ Act, except for exemptions for sales and use taxes
11 under section 511(a) or 705(a) of the KOZ Act, for a period
12 of 10 years from the date manufacturing commences in the
13 keystone opportunity expansion zone.

14 (2) Exemptions for sales and use taxes under section
15 511(a) or 705(a) of the KOZ Act shall commence upon
16 designation of the keystone opportunity expansion zone by the
17 department and shall continue for 10 years.

18 (d) Applications.--

19 (1) In order to receive a designation under subsection
20 (a), the department must receive an application from a
21 political subdivision or the political subdivision's designee
22 no later than October 1, 2026. The application shall contain
23 the information required under section 302(a) of the KOZ Act.

24 (2) The department, in consultation with the Department
25 of Revenue, shall review the application and, if approved,
26 issue a certification of all tax exemptions, deductions,
27 abatements or credits under the KOZ Act consistent with
28 subsection (c) within three months of receipt of the
29 application.

30 (3) The department shall act on an application for a
31 designation under subsection (a) no later than December 31,
32 2026.

33 (e) Disapproval.--If the department does not approve of a
34 designation under subsection (a), the department shall hold a
35 public hearing in the municipality for which the application was
36 made within 30 days of the disapproval. The Secretary of
37 Community and Economic Development or a designee shall provide
38 the following information at the public hearing:

39 (1) The reason for the disapproval.

40 (2) The estimated number of new jobs that would have
41 been created in the parcel.

42 (3) The estimated dollar amount of new investment that
43 would have been made in the parcel.

44 (4) An alternative economic development plan developed
45 by the department that would, if implemented, provide an
46 equivalent amount of investment in the municipality for which
47 the application was made.

48 (f) Transparency.--The department shall conduct the public
49 hearing required under subsection (e) in accordance with
50 applicable provisions of 65 Pa.C.S. Ch. 7 (relating to open
51 meetings).

SUBARTICLE C
ADDITIONAL ZONE FOR PARCELS IMPACTED BY
CURRENT OR FORMER MINING OPERATIONS
Section 1621-X. Additional keystone opportunity expansion zone
for parcels impacted by current or former mining
operations.

(a) Designation.--In addition to a designation under Article
XIX-D of the Tax Reform Code of 1971, or Chapter 3 of the KOZ
Act, the department may designate one additional keystone
opportunity expansion zone that includes an area in a county
that has a population of at least 200,000 but less than 215,000
based on the 2020 Federal decennial census and an area in a
county that has a population of at least 1,000,000 but less than
1,300,000 based on the 2020 Federal decennial census.

(b) Criteria.--Notwithstanding the Tax Reform Code of 1971
and the KOZ Act, the additional keystone opportunity expansion
zone under subsection (a):

(1) May not be less than 300 acres in size.

(2) Shall be comprised of parcels of land where not less
than 50% of the total acreage:

(i) Is currently being used for mining operations or
activities.

(ii) Was formerly used for mining operations or
activities.

(3) Shall be utilized for activities related to the
production, generation or storage of renewable energy.

(4) Shall be occupied by a qualified business that makes
a capital investment of at least \$100,000,000 in the
additional keystone opportunity expansion zone within five
years of the designation under subsection (a).

(c) Authorization.--

(1) A business or affiliate of a business located within
an additional keystone opportunity expansion zone authorized
under subsection (a) shall be entitled to all tax exemptions,
deductions, abatements or credits under Chapter 5 of the KOZ
Act, except for exemptions for sales and use taxes under
section 511(a) of the KOZ Act, for a period of 15 years from
the time production or generation of renewable energy is
commenced.

(2) Exemptions for sales and use taxes under section
511(a) of the KOZ Act shall commence upon designation of the
keystone opportunity expansion zone by the department and
shall continue for 15 years.

(d) Application.--

(1) In order to receive a designation under subsection
(a), the department must receive an application from an
economic development authority or an economic development
authority's designee no later than October 1, 2027. The
application must contain the information required under
section 302(a)(1) and (2)(i) and (ix) of the KOZ Act. A
single application shall be permitted for two adjacent

1 counties when abatement is for State tax purposes and not
2 local taxes.

3 (2) The department, in consultation with the Department
4 of Revenue, shall review the application and, if approved,
5 issue a certification of all tax exemptions, deductions,
6 abatements or credits under Chapter 5 of the KOZ Act
7 consistent with subsection (c) within three months of receipt
8 of the application.

9 (3) The department shall act on an application for a
10 designation under subsection (a) no later than December 31,
11 2027.

12 (e) Disapproval.--If the department does not approve of a
13 designation under subsection (a), the department shall hold a
14 public hearing in the municipality for which the application was
15 made within 30 days of the disapproval. The Secretary of
16 Community and Economic Development or a designee, shall provide
17 the following information at the public hearing:

18 (1) The reason for the disapproval.

19 (2) The estimated number of new jobs that would have
20 been created in the parcel.

21 (3) The estimated dollar amount of new investment that
22 would have been made in the parcel.

23 (4) An alternative economic development plan developed
24 by the department that would, if implemented, provide an
25 equivalent amount of investment in the municipality for which
26 the application was made.

27 (f) Transparency.--The department shall conduct the public
28 hearing required under subsection (e) in accordance with
29 applicable provisions of 65 Pa.C.S. Ch. 7 (relating to open
30 meetings).

31 (g) Applicability.--

32 (1) The exemptions, deductions, abatements or credits
33 authorized under Chapter 7 of the KOZ Act shall not apply to
34 this section.

35 (2) The department may not require that the political
36 subdivision in which the additional keystone opportunity
37 expansion zone under this section is located approve an
38 application submitted under subsection (d).

39 (3) The provisions of section 902 of the KOZ Act shall
40 apply to an additional keystone opportunity expansion zone
41 approved under this section.

42 Section 9. Section 1702-A of the act is amended by adding a
43 subsection to read:

44 Section 1702-A. Funding.

45 * * *

46 (d) Definition.--As used in this section, the term "surplus"
47 means a fiscal operating result that occurs in a fund at the end
48 of a fiscal year, by which expenditures, including tax refunds,
49 are less than the fund's beginning balance, revenues and
50 receipts and lapses during the same period.

51 Section 10. (Reserved).

1 Section 11. Sections 1712-A.1(a)(2)(ii) and 1713-A.1(b)(1.8)
2 of the act, amended July 11, 2022 (P.L.540, No.54), are amended
3 to read:

4 Section 1712-A.1. Establishment of special fund and account.

5 (a) Tobacco Settlement Fund.--

6 * * *

7 (2) The following shall be deposited into the Tobacco
8 Settlement Fund:

9 * * *

10 (ii) For fiscal years 2019-2020, 2020-2021, 2021-
11 2022 [and], 2022-2023 and 2023-2024, an amount equal to
12 the annual debt service due in the fiscal year as
13 certified by the Secretary of the Budget pursuant to
14 section 2804 of the Tax Reform Code of 1971, as published
15 in the Pennsylvania Bulletin on March 3, 2018, at 48
16 Pa.B. 1406, shall be transferred to the fund from the
17 taxes collected under Article XII of the Tax Reform Code
18 of 1971 by April 30 following the beginning of the fiscal
19 year. A deposit under this paragraph shall occur prior to
20 the deposits and transfers under section 1296 of the Tax
21 Reform Code of 1971.

22 * * *

23 Section 1713-A.1. Use of fund.

24 * * *

25 (b) Appropriations.--The following shall apply:

26 * * *

27 (1.8) For fiscal years 2021-2022 [and], 2022-2023 and
28 2023-2024, the General Assembly shall appropriate money in
29 the fund in accordance with the following percentages based
30 on the sum of the portion of the annual payment deposited and
31 the amount deposited under section 1712-A.1(a)(2)(ii) in the
32 fiscal year:

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

36 (ii) Twelve and six-tenths percent to be allocated
37 as follows:

38 (A) Seventy percent to fund research under
39 section 908 of the Tobacco Settlement Act.

40 (B) Thirty percent as follows:

41 (I) One million dollars for spinal cord
42 injury research programs under section 909.1 of
43 the Tobacco Settlement Act.

44 (II) From the amount remaining after the
45 amount under subclause (I) has been determined
46 and notwithstanding any provisions of Chapter 9
47 of the Tobacco Settlement Act to the contrary:

48 (a) Seventy-five percent for pediatric
49 cancer research institutions within this
50 Commonwealth that are equipped and actively
51 conducting pediatric cancer research

1 designated by the Secretary of Health to be
2 eligible to receive contributions. No more
3 than \$2,500,000 in a fiscal year shall be
4 made available to any one pediatric cancer
5 research institution.

6 (b) Twenty-five percent for capital and
7 equipment grants [to be allocated by the
8 Department of Health] to an entity or
9 entities engaging in biotechnology research,
10 including an entity or entities engaging in
11 regenerative medicine research, regenerative
12 medicine medical technology research,
13 hepatitis and viral research, drug research
14 and clinical trials related to cancer,
15 research relating to pulmonary embolism and
16 deep vein thrombosis, genetic and molecular
17 research for disease identification and
18 eradication, vaccine immune response
19 diagnostics, nanotechnology research and the
20 commercialization of applied research[.], as
21 designated by the Secretary of Health.

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

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

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

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

33 * * *

34 Section 12. Section 1723-A.1(a)(2)(i.8) of the act is
35 amended by adding a clause and paragraph (3) is amended by
36 adding a subparagraph to read:

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

39 (a) Distributions.--Funds in the fund are appropriated to
40 the department on a continuing basis for the purposes set forth
41 in this subsection and shall be distributed to each active and
42 operating Category 1 licensee conducting live racing as follows:

43 * * *

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

46 * * *

47 (i.8) The following apply:

48 * * *

49 (C) For fiscal year 2023-2024, the sum of
50 \$9,309,000 in the fund shall be transferred to the
51 account in equal weekly amounts sufficient to

complete the total transfer by June 30, 2024.

* * *

(3) The following shall apply:

* * *

(viii) For fiscal year 2023-2024, the department shall transfer \$10,066,000 from the fund to the State Racing Fund under subsection (b).

* * *

Section 13. Subarticle G of Article XVII-A.1 of the act is repealed:

[SUBARTICLE G

ENHANCED REVENUE COLLECTION ACCOUNT

Section 1761-A.1. Definitions.

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

"Account." The Enhanced Revenue Collection Account continued under section 1762-A.1.

"Department." The Department of Revenue of the Commonwealth. Section 1762-A.1. Enhanced Revenue Collection Account.

The Enhanced Revenue Collection Account is continued as a restricted account within the General Fund. Revenues collected and the amount of refunds avoided as a result of expanded tax return reviews and tax collection activities by the department shall be deposited into the account.

Section 1763-A.1. Use of account.

(a) Appropriation.--The General Assembly may appropriate money in the account to the department to fund the costs associated with expanded tax return reviews and tax collection activities.

(b) Return.--Except for amounts appropriated under subsection (a), 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.

Section 1764-A.1. Report.

The department shall issue a report to the Governor, 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 by June 5, 2020, and each June 1 thereafter, with the following information:

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

(2) 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.]

Section 14. Subarticle C heading of Article XVII-A.2 of the act, added July 11, 2022 (P.L.540, No.54), is amended to read:

SUBARTICLE C

SPORTS [TOURISM AND MARKETING], MARKETING AND TOURISM ACCOUNT

Section 15. The definition of "eligible applicant" in section 1721-A.2 of the act, added July 11, 2022 (P.L.540, No.54), is amended and the section is amended by adding definitions to read:

Section 1721-A.2. Definitions.

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

"Account." The Sports, Marketing and Tourism Account established under section 1722-A.2(a).

* * *

"Eligible applicant." Any of the following:

(1) A municipality, a local authority, a nonprofit organization or a legal entity that is participating or plans to participate in a competitive selection process conducted by a site selection organization not located in this Commonwealth for the purpose of securing a single year or multiyear commitment from the site selection organization to conduct the sporting event at one or more locations in this Commonwealth.

(2) A nonprofit entity that has been designated to manage and organize an international sporting event.

* * *

"International sporting event." A sporting event in the city of the first class as well as other cities in North America that:

(1) is no less than 25 days in length;

(2) has no less than five competition days in this Commonwealth; and

(3) will attract international teams from no fewer than 40 countries.

* * *

Section 16. Sections 1722-A.2 heading, (a), (b), (c)(2), (d) and (e)(2) and 1723-A.2 of the act, added July 11, 2022 (P.L.540, No.54), are amended to read:

Section 1722-A.2. Sports [Tourism and], Marketing and Tourism Account.

(a) Establishment.--The Sports [Tourism and], Marketing and Tourism Account is established in the Pennsylvania Gaming Economic Development and Tourism Fund as a restricted account. The purpose of the [Sports Tourism and Marketing Account] account shall be to attract high-quality, amateur and professional sporting and esports events to this Commonwealth for the purposes of advancing and promoting year-round tourism, economic impact and quality of life through sport and to promote business, tourism and tourism activities within this Commonwealth.

(b) Administration and distribution.--The [Sports Tourism and Marketing Account] account shall be administered by the

1 department.

2 (c) Duties of department.--The department shall:

3 * * *

4 (2) Establish procedures for eligible applicants to
5 apply for financial assistance from the [Sports Tourism and
6 Marketing Account.] account. Nothing in this article shall be
7 construed to prohibit an eligible applicant from receiving an
8 award for each separate high-quality amateur or professional
9 sporting and esporting event for which the applicant has
10 submitted an application.

11 * * *

12 (d) Use of funds.--

13 (1) The department may award financial assistance in the
14 form of a single year or multiyear award for any of the
15 following:

16 [(1)] (i) The costs relating to the preparations
17 necessary for conducting the event.

18 [(2)] (ii) The costs of conducting the event at the
19 venue, including costs of an improvement or renovation to
20 an existing facility at the venue. The financial
21 assistance under this section shall be limited to 20% of
22 the total cost of an improvement or renovation to an
23 existing facility, except if the facility is publicly
24 owned.

25 [(3)] (iii) Promotion, marketing and programming
26 costs associated with the event.

27 [(4)] (iv) Paid advertising and media buys within
28 this Commonwealth related to the event.

29 [(5)] (v) Production and technical expenses related
30 to the event.

31 [(6)] (vi) Site fees and costs, such as labor,
32 rentals, insurance, security and maintenance.

33 [(7)] (vii) Machinery and equipment purchases
34 associated with the conduct of the event.

35 [(8)] (viii) Public infrastructure upgrades or
36 public safety improvements that will directly or
37 indirectly benefit the conduct of the event.

38 [(9)] (ix) Costs related to land acquisition
39 directly related to the conduct of the event. The
40 financial assistance under this section shall be limited
41 to 20% of the total acquisition cost, except if the venue
42 at which the event will be conducted is publicly owned.

43 [(10)] (x) On-site hospitality during the conduct of
44 the event.

45 (2) The department may use up to \$10,000,000 in the form
46 of single or multiyear awards to an eligible applicant for
47 costs related to the preparation necessary for conducting an
48 international sporting event, including costs associated with
49 the event venue, promotion, advertising, site rentals,
50 infrastructure upgrades, on-site hospitality, community
51 engagement programming across this Commonwealth and public

safety planning and improvements.

(3) The department may use up to \$15,000,000 for activities related to a Statewide marketing strategy.

(e) Prohibitions.--

* * *

(2) Paragraph (1) shall not prohibit a disbursement from the [Sports Tourism and Marketing Account] account for the construction of temporary structures within an arena, stadium or indoor or outdoor venue where the sporting event will be conducted that are necessary for the conduct of an event or temporary maintenance of a facility that is necessary for the preparation for or conduct of an event.

Section 1723-A.2. Transfer of funds.

(a) Annual funding.--Notwithstanding 4 Pa.C.S. § 13C62(b)(3) (relating to sports wagering tax), for fiscal year 2022-2023 and each fiscal year thereafter, an amount equal to 5% of the tax revenue generated by the tax imposed under 4 Pa.C.S. § 13C62 or \$2,500,000, whichever is greater, shall be transferred to the [Sports Tourism and Marketing Account] account for use by the department in accordance with this subarticle. The amount transferred under this section may not exceed \$5,000,000.

(b) Fiscal year 2023-2024.--Notwithstanding 4 Pa.C.S. § 1407 (relating to Pennsylvania Gaming Economic Development and Tourism Fund) or any other provision of law, the sum of \$25,000,000 shall be transferred from the Pennsylvania Gaming Economic Development and Tourism Fund to the account for use by the department in accordance with this subarticle.

Section 17. Article XVII-A.2 of the act is amended by adding a subarticle to read:

SUBARTICLE E

SERVICE AND INFRASTRUCTURE IMPROVEMENT FUND

Section 1741-A.2. Definitions.

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

"Department." The Department of Labor and Industry of the Commonwealth.

"Fund." The Service and Infrastructure Improvement Fund established under section 301.9 of the Unemployment Compensation Law.

"Secretary." The Secretary of the Department of Labor and Industry of the Commonwealth.

"Unemployment Compensation Fund." The Unemployment Compensation Fund established under section 601 of the Unemployment Compensation Law.

"Unemployment Compensation Law." The act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law.

Section 1742-A.2. Deposits.

(a) Deposits.--From the contributions paid under section 301.4 of the Unemployment Compensation Law, for the fiscal year

beginning July 1, 2023, the amount to be deposited into the fund under this subsection shall be \$65,000,000.

(b) Contributions.--The department may deposit contributions authorized in subsection (a) before depositing contributions into the Unemployment Compensation Fund in accordance with section 301.4(e)(3) of the Unemployment Compensation Law. Section 1743-A.2. Fund transfers.

Notwithstanding section 301.9(e) of the Unemployment Compensation Law, any money in the fund that is not expended or obligated as of December 31, 2023, shall not be transferred to the Unemployment Compensation Fund.

Section 1744-A.2. Reporting.

Notwithstanding the provisions of section 301.9(g) of the Unemployment Compensation Law, the department shall continue to provide the annual report outlined in section 301.9(g) of the Unemployment Compensation Law to the Governor and General Assembly in each year that money remains in the fund.

Section 18. Sections 1712-E(a) and 1718-E(a) of the act are amended by adding paragraphs to read:

Section 1712-E. Executive Offices.

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

* * *

(3) Money appropriated for violence intervention and prevention shall be used solely to provide grants and technical assistance to community-based organizations, institutions of higher education, municipalities, district attorneys and other entities in accordance with section 1306-B(b) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, and notwithstanding section 1306-B(h)(7) of the Public School Code of 1949 for programs eligible under section 1306-B(j)(22) of the Public School Code of 1949.

(4) Notwithstanding any other provision of law, the deposit of costs under section 1101(b)(4) of the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, into the local victim services fund established in each county under section 1101 of the Crime Victims Act shall apply to all costs regardless of the date of the offense or when the offender was placed on probation, parole, accelerated rehabilitative disposition, probation without verdict or intermediate punishment.

(5) Notwithstanding any other provision of law, the deposit of all the fees under section 1102(c) of the Crime Victims Act into the County Supervision Fee Restricted Receipts Account established in each county under section 1102 of the Crime Victims Act shall apply to all supervision fees regardless of the date on which the offender was placed on probation, parole, accelerated rehabilitative disposition, probation without verdict or intermediate punishment.

* * *

1 Section 1718-E. Department of Agriculture.

2 (a) Appropriations.--The following shall apply to
3 appropriations for the Department of Agriculture:

4 * * *

5 (3) No money appropriated from the Motor License Fund
6 for maintenance and improvement of dirt, gravel and low-
7 volume State and municipal roads under 75 Pa.C.S. § 9106
8 (relating to dirt, gravel and low-volume road maintenance)
9 may be used on land owned or otherwise under the control of
10 the Pennsylvania Game Commission.

11 * * *

12 Section 19. (Reserved).

13 Section 20. Section 1719-E of the act is amended by adding
14 subsections to read:

15 Section 1719-E. Department of Community and Economic
16 Development.

17 * * *

18 (a.2) (Reserved).

19 (a.3) Designation.--Notwithstanding the provisions of the
20 Keystone Opportunity Zone, Keystone Opportunity Expansion Zone
21 and Keystone Opportunity Improvement Zone Act, a business
22 operating within any portion of any real property designated as
23 a Keystone Opportunity Zone, Keystone Opportunity Expansion Zone
24 or Keystone Opportunity Improvement Zone under the Keystone
25 Opportunity Zone, Keystone Opportunity Expansion Zone and
26 Keystone Opportunity Improvement Zone Act which would otherwise
27 qualify as a "qualified business" as defined in the Keystone
28 Opportunity Zone, Keystone Opportunity Expansion Zone and
29 Keystone Opportunity Improvement Zone Act, and any owner of any
30 portion of the real property shall, for a time period not to
31 expire until the actual expiration of all of the Keystone
32 Opportunity Zone, Keystone Opportunity Expansion Zone and
33 Keystone Opportunity Improvement Zone designations of any
34 portion of the entire real property, be entitled to the same
35 State tax benefits and relief afforded to such parties as if the
36 real property in question were entirely designated as a Keystone
37 Opportunity Zone, Keystone Opportunity Expansion Zone and
38 Keystone Opportunity Improvement Zone. The real property must:

39 (1) be located within a city and county of the first
40 class;

41 (2) be at least 1,200 acres in the aggregate, regardless
42 of being comprised of different real estate tax parcels;

43 (3) be entirely owned by one entity; and

44 (4) have over 50% of its acreage designated as a
45 Keystone Opportunity Zone, Keystone Opportunity Expansion
46 Zone or Keystone Opportunity Improvement Zone.

47 * * *

48 (c.1) Additional keystone opportunity expansion zones.--

49 (1) Subject to the criteria specified in section 1921-D
50 (b) of the act of March 4, 1971 (P.L.6, No.2), known as the
51 Tax Reform Code of 1971, within a county described in section

1 1921-D(a)(2) of the Tax Reform Code of 1971, the department
2 may designate additional keystone opportunity expansion zones
3 under Part III of Article XIX-D of the Tax Reform Code of
4 1971 not to exceed 200 acres, of which an area not exceeding
5 80 acres shall be situated in a borough of that county with a
6 population of between 315 and 325, based on the 2010 Federal
7 decennial census.

8 (2) In order to receive a designation under this
9 subsection, the department must receive an application from a
10 political subdivision or its designee no later than October
11 1, 2025. The application must contain the information
12 required under section 302(a)(1), (2)(i) and (ix), (5) and
13 (6) of the Keystone Opportunity Zone, Keystone Opportunity
14 Expansion Zone and Keystone Opportunity Improvement Zone Act.

15 (3) The department, in consultation with the Department
16 of Revenue, shall review the application and, if approved,
17 issue a certification of all tax exemptions, deductions,
18 abateements or credits under the Tax Reform Code of 1971 for
19 the zone within three months of receipt of the application.

20 (4) The department shall act on an application for a
21 designation under section 302(a)(1) of the Keystone
22 Opportunity Zone, Keystone Opportunity Expansion Zone and
23 Keystone Opportunity Improvement Zone Act by December 31,
24 2025.

25 (5) The department may make designations under section
26 1921-D of the Tax Reform Code of 1971 and this subsection on
27 a rolling basis during the application period.

28 (6) If the department does not approve of a designation
29 as an additional keystone opportunity expansion zone of a
30 parcel under this subsection, the department shall hold a
31 public hearing in the municipality for which the application
32 was made within 30 days of the disapproval. The Secretary of
33 Community and Economic Development, or a designee, shall
34 provide the information described under section 1921-D(e) of
35 the Tax Reform Code of 1971 at the public hearing.

36 Section 21. Section 1720-E(b)(9) of the act is amended, the
37 subsection is amended by adding a paragraph and the section is
38 amended by adding a subsection to read:

39 Section 1720-E. Department of Conservation and Natural
40 Resources.

41 * * *

42 (b) Regional ATV pilot program for department lands.--

43 * * *

44 (5.1) The department shall provide access to the
45 department ATV pilot area for at least the 2024 and 2025
46 summer ATV riding season from the Friday before Memorial Day
47 through the last full weekend in September, in addition to an
48 extended season to be determined by the department based on
49 local conditions.

50 * * *

51 (9) The department shall monitor the use, enforcement,

1 maintenance needs and any associated impacts to State Forest
2 land resources, value and forest users resulting from the
3 department ATV pilot area. On or before December 31, 2023,
4 and every three years thereafter, the department shall submit
5 a report to the General Assembly on the department ATV pilot
6 area.

7 * * *

8 (c) Pennsylvania Game Commission lands.--Money appropriated
9 from the Motor License Fund for the maintenance and mitigation
10 of dust and sediment pollution from parks and forestry roads
11 under 75 Pa.C.S. § 9106 (relating to dirt, gravel and low-volume
12 road maintenance) may not be used on lands owned or otherwise
13 under the control of the Pennsylvania Game Commission.

14 Section 22. Section 1725-E(d) of the act, added July 11,
15 2022 (P.L.540, No.54), is amended to read:
16 Section 1725-E. Department of Health.

17 * * *

18 [(d) Repayment by Rural Health Redesign Center Authority.--
19 No later than 15 days after the effective date of this
20 subsection, the Secretary of Health and the Chair of the Rural
21 Health Redesign Center Authority shall enter into an agreement
22 to amend the Intergovernmental Agreement dated June 1, 2020, in
23 accordance with the following:

24 (1) The Rural Health Redesign Center Authority shall
25 repay the entire balance owed to the Department of Health no
26 later than June 30, 2024.

27 (2) The Rural Health Redesign Center Authority shall not
28 be required to make partial repayments prior to June 30,
29 2024.]

30 Section 23. Sections 1729-E(a) and 1733-E of the act are
31 amended by adding paragraphs to read:

32 Section 1729-E. Department of Human Services.

33 (a) Appropriations.--The following shall apply to
34 appropriations for the Department of Human Services:

35 * * *

36 (8) From money appropriated for child-care services, no
37 less than \$25,000,000 shall be allocated to apply an income
38 limit for subsidized child care during redetermination of
39 eligibility to no more than 300% of the Federal poverty
40 income guidelines or 85% of the State median income,
41 whichever is lower. Notwithstanding any other provision of
42 law, the department shall determine copayment amounts for
43 family incomes above 235% of the Federal poverty income
44 guidelines in order to support economic self-sufficiency. The
45 department shall transmit notice of the copayment schedule to
46 the Legislative Reference Bureau for publication in the next
47 available issue of the Pennsylvania Bulletin.

48 * * *

49 Section 1733-E. Pennsylvania State Police.

50 The following shall apply to appropriations for the
51 Pennsylvania State Police:

1 * * *

2 (3) For fiscal years beginning 2023-2024,
3 notwithstanding section 205 of the act of April 9, 1929
4 (P.L.177, No.175), known as The Administrative Code of 1929,
5 the Pennsylvania State Police shall consist of a number of
6 officers and enlisted members and shall be organized in a
7 manner as the Commissioner of the Pennsylvania State Police,
8 with the approval of the Governor, shall determine. The
9 number of officers and enlisted members beginning in fiscal
10 year 2023-2024 shall not exceed in the aggregate at any time
11 4,410 individuals. Pennsylvania State Police officers and
12 enlisted members assigned to duty with the Pennsylvania
13 Turnpike Commission, Delaware River Joint Toll Bridge
14 Commission, gaming enforcement and liquor control enforcement
15 shall not be counted in determining the total number of
16 officers and enlisted members in the Pennsylvania State
17 Police under this paragraph.

18 Section 24. The act is amended by adding a section to read:
19 Section 1753.2-E. Commonwealth Financing Authority.

20 (a) Establishment.--The Public School Facility Improvement
21 Grant Program is established within the authority to support
22 school entity improvement projects. The authority shall
23 administer and act as the fiscal agent for the program and shall
24 be responsible for receiving and approving all grant
25 applications and awarding grants.

26 (b) Eligibility.--The following improvement projects shall
27 be eligible for grants under this section:

- 28 (1) Roof repairs and roof replacement.
- 29 (2) Heating, ventilation and air conditioning equipment.
- 30 (3) Boilers and controls.
- 31 (4) Plumbing systems.
- 32 (5) Energy saving projects.
- 33 (6) Health and safety upgrades, including lead and
34 asbestos abatement or remediation and the purchase and
35 maintenance of automated external defibrillators.
- 36 (7) Emergencies.
- 37 (8) Accessibility projects in accordance with standards
38 under 42 U.S.C. Ch. 126 (relating to equal opportunity for
39 individuals with disabilities).
- 40 (9) Internet connectivity, not including purchasing
41 educational technology hardware or software.
- 42 (10) Demolition projects.
- 43 (11) Window repairs and window replacement.
- 44 (12) Other projects approved by the authority.

45 (c) Application process.--

46 (1) The authority shall develop a process through which
47 school entities may submit applications for grant awards and
48 post the application on its publicly accessible Internet
49 website.

50 (2) An application for an improvement project shall
51 either:

1 (i) fall under a single eligibility type identified
2 in subsection (b) and involve one or more school
3 buildings; or

4 (ii) encompass one or more eligibility types
5 identified in subsection (b) and be confined to one
6 school building.

7 (3) A qualifying application shall have costs related to
8 the eligible improvement project of at least \$500,000. The
9 authority may waive this paragraph for the purchase of
10 automated external defibrillators under subsection (b)(6).

11 (4) A qualifying application shall include an indication
12 that the school entity received three qualified bids or
13 estimates for the improvement project.

14 (5) There shall be no limitation on the number of
15 applications for different improvement projects a school
16 entity may submit in a fiscal year.

17 (d) Funding rubric.--The authority, in consultation with the
18 department, shall develop a rubric to prioritize grant awards
19 under this section. The rubric shall consider all of the
20 following:

21 (1) School entity wealth.

22 (2) Building conditions, including the age of the
23 building.

24 (3) Emergencies.

25 (4) Health, safety and security.

26 (e) Local match required.--

27 (1) A school entity shall provide a 25% match for each
28 grant awarded.

29 (2) No matching funds shall be required for a project
30 that is determined by the authority to be an emergency.

31 (3) The authority may waive or reduce the match
32 requirement for a school district that is in either financial
33 watch or financial recovery status under Article VI-A of the
34 act of March 10, 1949 (P.L.30, No.14), known as the Public
35 School Code of 1949.

36 (f) Limitations.--

37 (1) No grant award for an improvement project may exceed
38 \$5,000,000.

39 (2) No school entity may receive an annual allocation of
40 grants that exceeds 20% of the funds available under the
41 program.

42 (3) The total allocation to area career and technical
43 schools shall not exceed 20% of the funds allocated by the
44 authority under the program in a fiscal year.

45 (4) Subject to paragraph (2), there is no limitation on
46 a school entity receiving multiple awards under the program
47 in a single fiscal year.

48 (g) Review of improvement projects.--The department shall
49 provide the authority with technical assistance in reviewing
50 applications upon request of the authority.

51 (h) Funding.--

1 (1) No later than 60 days after the effective date of
2 this paragraph, the Secretary of the Budget shall transfer to
3 the authority \$100,000,000 appropriated under the act of
4 August 3, 2023 (P.L. , No.1A), known as the General
5 Appropriation Act of 2023, to the Department of Education for
6 a Level-Up Supplement.

7 (2) Except in the case of an emergency improvement
8 project, the authority shall conduct a single vote to approve
9 or disapprove the recommended slate of improvement projects.

10 (3) The authority shall ensure a geographic distribution
11 of grants in the recommended slate of improvement projects.

12 (i) Grant awards.--

13 (1) Grant money may only be awarded for new projects
14 approved by the authority.

15 (2) Grant money may not be used for any of the
16 following:

17 (i) Paying fees for securing financing.

18 (ii) Paying interest on borrowed money.

19 (iii) Refinancing existing debt.

20 (iv) Paying for lobbying services.

21 (v) Paying fines.

22 (vi) Application preparation fees.

23 (3) The authority shall execute a grant agreement
24 between the authority and a grant recipient before the
25 payment of a grant award.

26 (4) A grant recipient may not make a substantial change
27 to an approved improvement project without first obtaining
28 authority consent in writing.

29 (5) A grant recipient shall maintain full and accurate
30 records for the improvement project.

31 (6) A grant recipient shall submit to the authority
32 copies of all canceled checks or other records verifying
33 expenditures of grant money.

34 (7) Any unused portion of a grant award shall be
35 returned to the authority.

36 (8) A grant recipient shall submit to the authority a
37 final report of the eligible improvement project, including
38 any information as required by the authority.

39 (9) The authority may establish additional restrictions
40 and limitations as the authority deems necessary to
41 administer the program.

42 (j) Guidelines.--Within 60 days of the effective date of
43 this subsection, the authority, in consultation with the
44 department, shall adopt guidelines to implement this section.
45 The guidelines shall include provisions for submission, review
46 and approval of applications, award of grants and administration
47 of improvement projects funded under the program, including a
48 provision for reasonable oversight and reporting to ensure that
49 improvement project grant awards are used as intended.

50 (k) Quorum.--A vote of the authority to develop a rubric
51 under subsection (d), adopt guidelines under subsection (j) and

1 to approve projects under this section shall be made in
2 accordance with 64 Pa.C.S. § 1512(d)(1) (relating to the board).

3 (l) (Reserved).

4 (m) Transmission of information to General Assembly.--The
5 authority shall annually transmit grant award information to the
6 chairperson and minority chairperson of the Appropriations
7 Committee of the Senate and the chairperson and minority
8 chairperson of the Appropriations Committee of the House of
9 Representatives, including grant amounts.

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

13 "Authority." The Commonwealth Financing Authority.

14 "Department." The Department of Education of the
15 Commonwealth.

16 "Emergency." A deficiency in a school building that
17 prohibits the school building or a portion of the building from
18 being occupied.

19 "School entity." A school district or area career and
20 technical school.

21 Section 25. (Reserved).

22 Section 26. (Reserved).

23 Section 27. (Reserved).

24 Section 28. Section 1798.1-E of the act is amended to read:
25 Section 1798.1-E. Federal and Commonwealth use of forest land.

26 (a) Scope.--This section applies to the following:

27 (1) Real property acquired for forest reserves by any of
28 the following:

29 (i) [the] The Federal Government[; or].

30 (ii) [the] The Commonwealth.

31 (2) Tax-exempt real property acquired by the Federal
32 Government or by the Commonwealth for the purpose of
33 preserving, perpetuating and maintaining any portion of the
34 original forests of this Commonwealth as public places and
35 parks.

36 (3) Real property:

37 (i) which is acquired for the purpose of
38 conservation of water or the prevention of flood
39 conditions; and

40 (ii) upon which there is an imposed tax payable by
41 the Commonwealth.

42 (b) Charge.--

43 (1) For land owned by the Department of Conservation and
44 Natural Resources, subject to subsection (c), real property
45 under subsection (a) shall be subject to an annual charge of
46 all of the following:

47 (i) [\$2] Two dollars and forty cents per acre for
48 the benefit of each county where the real property is
49 located[;]. One dollar and twenty cents shall be paid by
50 the Department of Conservation and Natural Resources and
51 \$1.20 shall be paid from money available under 4 Pa.C.S.

1 \$ 1403 (relating to establishment of State Gaming Fund
2 and net slot machine revenue distribution).

3 (ii) [\$2] Two dollars and forty cents per acre for
4 the benefit of the schools in each school district where
5 the real property is located[; and]. One dollar and
6 twenty cents shall be paid by the Department of
7 Conservation and Natural Resources and \$1.20 shall be
8 paid from money available under 4 Pa.C.S. § 1403.

9 (iii) [\$2] Two dollars and forty cents per acre for
10 the benefit of the township where the real property is
11 located. One dollar and twenty cents shall be paid by the
12 Department of Conservation and Natural Resources and
13 \$1.20 shall be paid from money available under 4 Pa.C.S.
14 § 1403.

15 (2) For land owned by the Pennsylvania Game Commission
16 or the Pennsylvania Fish and Boat Commission, real property
17 under subsection (a) shall be subject to an annual charge of
18 all of the following:

19 (i) [\$1.20] Two dollars and forty cents per acre for
20 the benefit of each county where the real property is
21 located[;]. Forty cents shall be paid by the Commonwealth
22 agency which owns the property and \$2 shall be paid from
23 money available under 4 Pa.C.S. § 1403.

24 (ii) [\$1.20] Two dollars and forty cents per acre
25 for the benefit of the schools in each school district
26 where the real property is located[; and]. Forty cents
27 shall be paid by the Commonwealth agency which owns the
28 property and \$2 shall be paid from money available under
29 4 Pa.C.S. § 1403.

30 (iii) [\$1.20] Two dollars and forty cents per acre
31 for the benefit of the township where the real property
32 is located. Forty cents shall be paid by the Commonwealth
33 agency which owns the property and \$2 shall be paid from
34 money available under 4 Pa.C.S. § 1403.

35 (3) [Subject to subsection (f), the] The charge under
36 paragraph (1) shall be payable by the Commonwealth before
37 September 2.

38 (c) Duration.--

39 (1) Except as set forth in paragraph (2), the annual
40 charge payable by the Commonwealth on real property under
41 subsection (a)(1)(i) shall continue only until the receipt of
42 money by treasurers and township supervisors of the political
43 subdivisions under subsection (b)(1), in accordance with the
44 act of April 27, 1925 (P.L.324, No.185), entitled "An act for
45 the distribution by the Commonwealth and counties to
46 townships and school districts of moneys received from the
47 United States from Forest Reserves within the Commonwealth,"
48 equals or exceeds the amount paid by the Commonwealth in lieu
49 of taxes.

50 (2) Paragraph (1) [does] shall not apply to the
51 following:

1 (i) [the] The annual charge per acre for the benefit
2 of the county where real property under subsection (a)(1)
3 (i) is located for calendar years 1953, 1954, 1955 and
4 1956[; and].

5 (ii) The amount of \$0.025 of the annual charge per
6 acre for the benefit of the county where the real
7 property under subsection (a)(1)(i) is located for each
8 year after 1956.

9 (3) The Commonwealth shall annually pay the charges
10 exempted under paragraph (2).

11 (d) Certification.--Upon application of the treasurer or
12 township supervisor, the Secretary of Conservation and Natural
13 Resources shall certify to the respective counties, school
14 districts and townships where real property under subsection (a)
15 is located and to the State Treasurer:

16 (1) the number of acres owned by the Federal Government
17 and by the Commonwealth in the political subdivision; and

18 (2) the charge against the real property.

19 (e) Payment.--The State Treasurer shall pay to political
20 subdivisions under subsection (d) the amount due under
21 subsection (b) upon:

22 (1) requisition of the Secretary of Conservation and
23 Natural Resources; and

24 (2) application by the appropriate treasurer or township
25 supervisors.

26 [(f) Source of payment.--For real property owned by the
27 Department of Conservation and Natural Resources, the
28 Pennsylvania Game Commission or the Pennsylvania Fish and Boat
29 Commission, of the charge per acre under subsection (b):

30 (1) \$2.40 shall be paid from money available under 4
31 Pa.C.S. § 1403 (relating to establishment of State Gaming
32 Fund and net slot machine revenue distribution); and

33 (2) the remainder shall be paid by the Commonwealth
34 agency which owns the property.]

35 Section 29. Section 1798.3-E(d) of the act, amended July 11,
36 2022 (P.L.540, No.54), is amended to read:

37 Section 1798.3-E. Multimodal Transportation Fund.

38 * * *

39 (d) Expiration.--This section shall expire December 31,
40 [2023] 2024.

41 Section 30. Sections 1799.5-E of the act is repealed:
42 [Section 1799.5-E. Sales by distilleries.

43 (a) General rule.--Notwithstanding any provision of the act
44 of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, to
45 the contrary, the holder of a distillery or limited distillery
46 license may sell liquor to the board and to persons not licensed
47 by the board. A distillery or limited distillery license holder
48 may also directly sell liquor to any license or permit holder
49 that is otherwise authorized to sell liquor. However, aggregate
50 sales to the license and permit holders may not exceed 50,000
51 gallons during a calendar year. A license or permit holder that

1 wishes to acquire liquor produced by a distillery or limited
2 distillery license holder after the producer has reached its
3 aggregate 50,000-gallon limit may still acquire the product if
4 it is available from the board. If a person holds more than one
5 distillery or limited distillery license, either directly or
6 through a wholly owned subsidiary, the sales from all such
7 licenses shall be considered when determining whether the
8 50,000-gallon limit has been reached.

9 (b) Definition.--As used in this section, the term "board"
10 means the Pennsylvania Liquor Control Board.]

11 Section 31. (Reserved).

12 Section 32. The act is amended by adding articles to read:

13 ARTICLE XVII-F.3

14 2023-2024 BUDGET IMPLEMENTATION

15 SUBARTICLE A

16 PRELIMINARY PROVISIONS

17 Section 1701-F.3. Applicability.

18 Except as specifically provided in this article, this article
19 applies to the General Appropriation Act of 2023 and all other
20 appropriation acts of 2023.

21 Section 1702-F.3. Definitions.

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

25 "General Appropriation Act of 2023." The act of August 3,
26 2023 (P.L. , No.1A), known as the General Appropriation Act of
27 2023.

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

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

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

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

36 Section 1703-F.3. (Reserved).

37 Section 1704-F.3. (Reserved).

38 SUBARTICLE B

39 EXECUTIVE DEPARTMENTS

40 Section 1711-F.3. Governor (Reserved).

41 Section 1712-F.3. Executive offices.

42 The following apply to appropriations for the executive
43 offices:

44 (1) The following apply to money appropriated for the
45 Pennsylvania Commission on Crime and Delinquency:

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

51 (ii) No less than the amount used in the 2014-2015

1 fiscal year shall be used for a residential treatment
2 community facility for at-risk youth located in a county
3 of the fifth class.

4 (iii) From the amount appropriated, \$400,000 shall
5 be used for an innovative police data sharing pointer
6 index system that will allow participating law
7 enforcement agencies access to incident report data.

8 (iv) From the amount appropriated, \$600,000 shall be
9 used for a diversion program for first-time nonviolent
10 offenders facing prison sentences. The diversion program
11 must include education and employment services, case
12 management and mentoring.

13 (v) No less than \$3,000,000 shall be available as a
14 pilot program to offset costs incurred by a city of the
15 first class and a county of the second class A that is
16 also a home rule county in connection with hiring
17 additional assistant district attorneys designated as a
18 Special United States Attorney by a United States
19 Attorney's office through participation in the Project
20 Safe Neighborhoods program and who will exclusively
21 prosecute crimes under 18 U.S.C. § 922(g) (relating to
22 unlawful acts).

23 (vi) \$500,000 shall be used to support a Statewide
24 child predator unit.

25 (vii) \$500,000 shall be used for training and
26 equipment needs to support improvements in the
27 identification, investigation and prosecution of 18
28 Pa.C.S. § 6312 (relating to sexual abuse of children).

29 (viii) No less than \$1,750,000 shall be used for
30 nonnarcotic medication substance use disorder treatment
31 for eligible offenders, which shall include the
32 establishment and administration of a nonnarcotic
33 medication assisted substance grant program to provide
34 annual grants to county corrections institutions. As used
35 in this subparagraph, the term "eligible offender" means
36 a defendant or inmate convicted of a criminal offense who
37 will be committed to the custody of the county and who
38 meets the clinical criteria for an opioid or alcohol use
39 disorder as determined by a physician.

40 (ix) No less than \$2,000,000 shall be distributed to
41 a nonprofit organization specified in 61 Pa.C.S. § 3512
42 (relating to definitions) to monitor conditions in State
43 and county correctional institutions, including through
44 independent data collection and analysis of conditions,
45 and to assist incarcerated individuals with concerns
46 related to their health, safety and dignity.

47 (x) (Reserved).

48 (2) From money appropriated for violence and delinquency
49 prevention programs:

50 (i) no less than the amount used in the 2014-2015
51 fiscal year shall be used for programs in a city of the

1 second class; and

2 (ii) no less than the amount used in the 2014-2015
3 fiscal year shall be used for blueprint mentoring
4 programs that address reducing youth violence in cities
5 of the first, second and third class with programs in
6 cities of the second class and third class also receiving
7 a proportional share of \$350,000.

8 (3) (Reserved).

9 (4) Money appropriated for county intermediate
10 punishment shall be distributed to counties for county adult
11 probation supervision and drug and alcohol and mental health
12 treatment programs for offenders sentenced to restrictive
13 conditions of probation imposed under 42 Pa.C.S. § 9763(c) or
14 (d) (relating to conditions of probation) and are certified
15 in accordance with 42 Pa.C.S. § 2154.1(b) (relating to
16 adoption of guidelines for restrictive conditions). The
17 portion of money for drug and alcohol and mental health
18 treatment programs shall be based on national statistics that
19 identify the percentage of incarcerated individuals that are
20 in need of treatment for substance issues but in no case
21 shall be less than 80% of the amount appropriated.

22 Section 1712.1-F.3. Office of the Budget.

23 The following shall apply to the Office of the Budget:

24 (1) No later than 60 days after the effective date of
25 this paragraph, the Secretary of the Budget shall transfer to
26 the School Environmental Repairs Program Restricted Account
27 \$75,000,000 from money appropriated to agencies under the
28 Governor's jurisdiction for general government operations for
29 fiscal years 2019-2020, 2020-2021, 2021-2022 and 2022-2023,
30 which remained unexpended. The transfers under this paragraph
31 shall be as follows:

32 (i) No less than \$60,000,000 from the Department of
33 Revenue.

34 (ii) The remaining \$15,000,000 shall be determined
35 by the Secretary of the Budget.

36 (2) Upon transfer under paragraph (1), the Secretary of
37 the Budget shall provide a list of appropriations and amounts
38 transferred to the chairperson and minority chairperson of
39 the Appropriations Committee of the Senate and the
40 chairperson and minority chairperson of the Appropriations
41 Committee of the House of Representatives.

42 Section 1713-F.3. Lieutenant Governor (Reserved).

43 Section 1714-F.3. Attorney General.

44 The following apply to appropriations to the Attorney
45 General:

46 (1) The sum of \$8,431,000 shall be distributed between
47 the Attorney General and the district attorney's office in a
48 city of the first class for costs associated with the
49 operation of the joint local-State firearm task force in the
50 city of the first class. No more than 20% may be allocated
51 for the district attorney's office in a city of the first

1 class.

2 (2) The sum of \$3,110,308 shall be distributed to the
3 Attorney General for costs associated with a joint local-
4 State firearm task force in a city of the first class.

5 (2.1) The sum of \$1,537,952 shall be used to cover the
6 costs associated with establishing and operating a joint
7 local-State firearm task force in a county of the second
8 class.

9 (2.2) The sum of \$889,692 shall be distributed to the
10 Attorney General for operating and property costs related to
11 the Joint Task Force as needed.

12 (3) The Attorney General may expend up to \$4,000,000 in
13 total from the following restricted accounts for general
14 government operations:

15 (i) The Criminal Enforcement Restricted Account
16 established under section 1713-A.1.

17 (ii) The Collection Administration Account
18 established under section 922.1 of the act of April 9,
19 1929 (P.L.177, No.175), known as The Administrative Code
20 of 1929.

21 (iii) The restricted account established under
22 section 1795.1-E(c)(3)(iii).

23 (iv) The Straw Purchase Prevention Education Fund
24 established under 18 Pa.C.S. § 6186 (relating to Straw
25 Purchase Prevention Education Fund).

26 (v) The restricted account established under section
27 4 of the act of December 4, 1996 (P.L.911, No.147), known
28 as the Telemarketer Registration Act.

29 (vi) The restricted account known as the Public
30 Protection Law Enforcement Restricted Account.

31 Section 1715-F.3. Auditor General (Reserved).

32 Section 1716-F.3. Treasury Department (Reserved).

33 Section 1717-F.3. Department of Aging (Reserved).

34 Section 1718-F.3. Department of Agriculture.

35 The following apply to appropriations for the Department of
36 Agriculture:

37 (1) From money appropriated for general government
38 operations, the following apply:

39 (i) (Reserved).

40 (ii) No less than \$250,000 shall be used for the
41 Commission for Agricultural Education Excellence to
42 assist in the development and implementation of
43 agricultural education programming.

44 (2) From money appropriated for agricultural
45 preparedness and response, the following shall apply:

46 (i) No less than \$25,000,000 shall be used for the
47 following costs associated with preparing for and
48 responding to an outbreak of highly pathogenic avian
49 influenza:

50 (A) Grants to assist with income losses and
51 costs associated with workforce payroll and benefits,

mortgage interest and rent payments, utility payments, costs of delayed repopulating and reopening facilities and other losses or costs associated with response not otherwise eligible for or covered by Federal funding, insurance, contracts or other funding sources.

(B) The establishment and operations of a highly pathogenic avian influenza rapid response team. The amount utilized under this clause may not exceed \$2,000,000.

(ii) No less than \$6,000,000 shall be used for costs incurred by the Pennsylvania Animal Diagnostic Laboratory System in preparing for and responding to an outbreak of highly pathogenic avian influenza.

(3) (Reserved).

(4) 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.

(5) 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.

(6) Money appropriated for the Animal Health and Diagnostic Commission shall be equally distributed to the animal diagnostic laboratory system laboratories located at a land-grant university and at a school of veterinary medicine located within this Commonwealth.

Section 1719-F.3. 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, no less than \$1,900,000 shall be used to support a manufacturing technology development effort, to assist Pennsylvania small businesses with enhanced cyber security and to test coal ash refuse extraction of rare earth metals for domestic chip manufacturing in a county of the fourth class with a population of at least 130,000, but not more than 135,000, under the most recent Federal decennial census.

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

(i) \$4,145,000 to fund the activities of the tourism office within the department; and

(ii) the remaining money includes an allocation to be used to plan, market and conduct a series of arts and

1 cultural activities that generate Statewide and regional
2 economic impact, and \$1,000,000 shall be used for
3 regional athletic competitions, activities and costs
4 relating to an annual Statewide competition serving
5 approximately 2,000 athletes with intellectual
6 disabilities from across this Commonwealth to be held in
7 a county of the fourth class.

8 (3) From money appropriated for Pennsylvania First, no
9 less than \$8,000,000 shall be used to fund the Workforce and
10 Economic Development Network of Pennsylvania (WEDnetPA) for
11 workforce training grants provided through an alliance of
12 educational providers, including, but not limited to, State
13 System of Higher Education universities, the Pennsylvania
14 College of Technology and community colleges located in this
15 Commonwealth.

16 (4) From money appropriated for keystone communities:

17 (i) \$6,405,000 shall be used to fund the Main Street
18 Program, Elm Street Program, Enterprise Zone Program and
19 accessible housing. The allocation for the Main Street
20 Program, Elm Street Program, Enterprise Zone Program and
21 accessible housing shall be distributed in the same
22 proportion as amounts allocated in fiscal year 2012-2013.

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

26 (5) (Reserved).

27 (6) Notwithstanding section 4(1) of the act of October
28 11, 1984 (P.L.906, No.179), known as the Community
29 Development Block Grant Entitlement Program for Nonurban
30 Counties and Certain Other Municipalities, the Commonwealth
31 may use up to 3% of the money received pursuant to the
32 Housing and Community Development Act of 1974 (Public Law 93-
33 383, 88 Stat. 633) for administrative costs.

34 (7) Money appropriated for local municipal relief shall
35 include an allocation to provide State assistance to
36 individuals, persons or political subdivisions directly
37 affected by natural or manmade disasters, public safety
38 emergencies, other situations that pose a public safety
39 danger or other situations at the discretion of the
40 department. State assistance may be limited to grants for
41 projects that do not qualify for Federal assistance to help
42 repair damages to primary residences, personal property and
43 public facilities and structures. Grants shall be made
44 available for reimbursement in a disaster emergency area only
45 when a presidential disaster declaration does not cover the
46 area or when the Department of Community and Economic
47 Development determines that a public safety emergency has
48 occurred.

49 (8) (Reserved).

50 (9) Money appropriated for hospital and health system
51 emergency relief shall include an allocation to provide State

1 assistance to hospital and health care systems that
2 experience unexpected financial impact situations.

3 (10) Money appropriated for community and economic
4 assistance shall include an allocation to provide State
5 assistance in the form of grants to assist in community and
6 economic development, including projects in the public
7 interest.

8 (11) From money appropriated to the Department of
9 Community and Economic Development, the Department of
10 Community and Economic Development shall pay one-third of the
11 costs for the Commission on Education and Economic
12 Competitiveness to implement a contract for a nonprofit
13 entity that has experience in the creation of long-term
14 education planning efforts as required under section 123.1(g)
15 of the Public School Code of 1949. The procurement of a
16 nonprofit entity under section 123.1(g) of the Public School
17 Code of 1949 shall not be subject to the requirements of 62
18 Pa.C.S. (relating to procurement). Notwithstanding section
19 123.1(g) of the Public School Code of 1949, the Commission on
20 Education and Economic Competitiveness, by majority vote,
21 shall choose the nonprofit entity under section 123.1(g) of
22 the Public School Code of 1949.

23 (12) Money appropriated for workforce development shall
24 be distributed in the same proportion as distributed in
25 fiscal year 2022-2023.

26 Section 1720-F.3. Department of Conservation and Natural
27 Resources.

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

30 (1) (Reserved).

31 (2) Money appropriated for parks, forests and recreation
32 projects shall be used for grants for projects to enhance
33 parks, forests and recreation activities.

34 Section 1721-F.3. Department of Corrections (Reserved).

35 Section 1722-F.3. Department of Drug and Alcohol Programs
36 (Reserved).

37 Section 1723-F.3. Department of Education.

38 The following apply to appropriations to the Department of
39 Education:

40 (1) (Reserved).

41 (2) From an appropriation for adult and family literacy
42 programs, summer reading programs and the adult high school
43 diplomas program. The following apply:

44 (i) no less than the amount allocated in the 2014-
45 2015 fiscal year shall be allocated for an after-school
46 learning program servicing low-income students located in
47 a county of the sixth class with a population, based on
48 the most recent Federal decennial census, of at least
49 64,730, but not more than 65,558; and

50 (ii) no less than the amount allocated in the 2016-
51 2017 fiscal year shall be used for an after-school

1 learning program servicing low-income students located in
2 a county of the third class with a population, based on
3 the most recent Federal decennial census, of at least
4 320,000, but not more than 330,000.

5 (iii) From money appropriated for adult and family
6 literacy, at least \$1,050,000 shall be used to develop
7 and administer a program to subsidize the cost of high
8 school equivalency testing that leads to a Commonwealth
9 secondary school diploma credential for individuals who
10 meet requirements established by the department.

11 (3) Notwithstanding any other provision of law, the
12 appropriation for pupil transportation may not be redirected
13 for any purpose.

14 (4) For money appropriated for Pennsylvania Chartered
15 Schools for Deaf and Blind Children, the following apply:

16 (i) Upon distribution of the final tuition payment
17 for the fiscal year, the balance of the appropriation,
18 excluding amounts under subparagraph (ii), shall be used
19 to pay the schools' increased share of required
20 contributions for public school employees' retirement and
21 shall be distributed pro rata based on each school's
22 contributions for the prior fiscal year.

23 (ii) \$1,000,000 is included for capital-related
24 costs and deferred maintenance to be divided equally
25 between each school.

26 (5) Notwithstanding any other provision of law, the
27 amount of money set aside under section 2509.8 of the Public
28 School Code of 1949, shall be allocated to each approved
29 private school with a day tuition rate determined to be less
30 than \$32,000 during the 2010-2011 school year. The allocation
31 shall be no less than the amount allocated in the 2015-2016
32 fiscal year.

33 (6) Money appropriated for regional community college
34 services shall be distributed to each entity that received
35 funding in fiscal year 2022-2023 in an amount equal to the
36 amount received in that fiscal year.

37 (7) Notwithstanding any other provision of law, money
38 appropriated for community education councils shall be
39 distributed in a manner that each community education council
40 which received funding in fiscal year 2022-2023 shall receive
41 an amount equal to the amount received in that fiscal year.

42 (7.1) From money appropriated for Parent Pathways, the
43 Department of Education shall expand the Parent Pathways
44 Learning Network Pilot Program to assist parenting students
45 in pursuing postsecondary pathways to postsecondary degree or
46 certificate completion. The Department of Education shall
47 provide financial and technical assistance to postsecondary
48 institutions to remove barriers to postsecondary degree or
49 certificate completion and increase access to family-
50 sustaining wages and in-demand occupations.

51 (8) From funds appropriated for career and technical

1 education, \$2,000,000 shall be used to establish a State
2 Level Industry in the School Program to bring trade and
3 industry professionals into the classroom. Notwithstanding
4 the provisions specified in section 2502.8(f) of the Public
5 School Code of 1949, payments on account of pupils enrolled
6 in career and technical curriculums may be proportionately
7 reduced by up to \$2,000,000.

8 (9) (Reserved).

9 (10) (Reserved).

10 (11) (Reserved).

11 (12) (Reserved).

12 (13) (Reserved).

13 (14) (Reserved).

14 (15) (Reserved).

15 (16) (Reserved).

16 (17) (Reserved).

17 (18) (Reserved).

18 (19) (Reserved).

19 (20) (Reserved).

20 (21) (Reserved).

21 (22) From money appropriated to the Department of
22 Education, the Department of Education shall pay one-third of
23 the costs for the Commission on Education and Economic
24 Competitiveness to implement a contract for a nonprofit
25 entity that has experience in the creation of long-term
26 education planning efforts as required under section 123.1(g)
27 of the Public School Code of 1949. The procurement of a
28 nonprofit entity under section 123.1(g) of the Public School
29 Code of 1949 shall not be subject to the requirements of 62
30 Pa.C.S. (relating to procurement). Notwithstanding section
31 123.1(g) of the Public School Code of 1949, the Commission on
32 Education and Economic Competitiveness, by majority vote,
33 shall choose the nonprofit entity under section 123.1(g) of
34 the Public School Code of 1949.

35 (23) (Reserved).

36 (24) Money appropriated for job training and education
37 programs shall be used for grants for job training, dual
38 enrollment and educational programs.

39 (25) Money appropriated for mobile science and
40 mathematics education programs shall be used for grants to
41 support mobile science and mathematics education programs.

42 Section 1724-F.3. Department of Environmental Protection
43 (Reserved).

44 Section 1725-F.3. Department of General Services.

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

49 Section 1726-F.3. Department of Health.

50 The following apply to appropriations for the Department of
51 Health:

1 (1) From money appropriated for general government
2 operations, sufficient money is included for the coordination
3 of donated dental services.
4 (2) (Reserved).
5 (3) From money appropriated for primary health care
6 practitioner, the following apply:
7 (i) No less than \$3,451,000 shall be used for
8 Primary Care Loan Repayment Grant Awards.
9 (ii) No less than \$1,500,000 shall be used for the
10 Pennsylvania Academy of Family Physicians Family Medicine
11 Residency Expansion Program.
12 (iii) No less than \$1,300,000 shall be used for the
13 Pennsylvania Academy of Family Physicians Family Medicine
14 Residency Community Health Impact Grant Program.
15 (iv) Grantees other than as provided under
16 subparagraphs (i), (ii) and (iii) that received amounts
17 in the 2022-2023 fiscal year shall receive the amount
18 each grantee received in the 2022-2023 fiscal year.
19 (4) Money appropriated for services for children with
20 special needs shall be distributed to grantees in the same
21 proportion as distributed in fiscal year 2019-2020.
22 (5) From money appropriated for adult cystic fibrosis
23 and other chronic respiratory illnesses, the following apply:
24 (i) No less than \$212,000 shall be used for a
25 program promoting cystic fibrosis research in a county of
26 the second class.
27 (ii) No less than \$106,000 shall be used for
28 research related to childhood cystic fibrosis in a city
29 of the first class with a hospital that is nationally
30 accredited as a cystic fibrosis treatment center and
31 specializes in the treatment of children.
32 (iii) Any money not used under subparagraph (i) or
33 (ii) shall be distributed to grantees in the same
34 proportion as distributed in fiscal year 2019-2020.
35 (6) Money appropriated for diagnosis and treatment for
36 Cooley's anemia shall be distributed to grantees in the same
37 proportion as distributed in fiscal year 2019-2020.
38 (7) Money appropriated for hemophilia services shall be
39 distributed to grantees in the same proportion as distributed
40 in fiscal year 2019-2020.
41 (8) Money appropriated for lupus programs shall be
42 distributed proportionately to each entity that received
43 funding in fiscal year 2018-2019.
44 (9) From money appropriated for sickle cell anemia
45 services, including camps for children with sickle cell
46 anemia, the following shall apply:
47 (i) Grantees which received amounts in fiscal year
48 2019-2020 shall receive an amount which is in the same
49 proportion as distributed in fiscal year 2019-2020.
50 (ii) \$75,000 shall be distributed to a qualifying
51 academic medical center located in a county of the third

class with a population between 280,000 and 300,000 under the most recent Federal decennial census for expanded care of adult sickle cell disease.

(10) Money appropriated for Lyme disease includes \$1,000,000 for costs related to free tick testing for residents, including outreach and marketing and \$1,000,000 for tick mitigation, both performed in conjunction with a university that is part of the State System of Higher Education.

(11) 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 vaccine immune response diagnostics, for nanotechnology and for the commercialization of applied research.

Section 1727-F.3. Insurance Department (Reserved).

Section 1728-F.3. Department of Labor and Industry.

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

(1) From money appropriated for Industry Partnerships, no less than the amount allocated in the 2014-2015 fiscal year shall be used 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.

(2) From money appropriated to the Department of Labor and Industry, the Department of Labor and Industry shall pay one-third of the costs for the Commission on Education and Economic Competitiveness to implement a contract for a nonprofit entity that has experience in the creation of long-term education planning efforts as required under section 123.1(g) of the Public School Code of 1949. The procurement of a nonprofit entity under section 123.1(g) of the Public School Code of 1949 shall not be subject to the requirements of 62 Pa.C.S. (relating to procurement). Notwithstanding section 123.1(g) of the Public School Code of 1949, the Commission on Education and Economic Competitiveness, by majority vote, shall choose the nonprofit entity under section 123.1(g) of the Public School Code of 1949.

Section 1729-F.3. Department of Military and Veterans Affairs (Reserved).

Section 1730-F.3. Department of Human Services.

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

(1) 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,

1 prevention and support for individuals with mental health
2 or substance abuse issues, county mental health offices,
3 providers and others that provide mental and behavioral
4 health treatment and related services.

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

12 (2) Notwithstanding any other provision of law, from the
13 money appropriated for mental health services, \$20,000,000
14 shall be used for county mental health services in addition
15 to the county funding provided under the act of October 20,
16 1966 (3rd Sp.Sess., P.L.96, No.6), known as the Mental Health
17 and Intellectual Disability Act of 1966, and the Human
18 Services Block Grant Program under Article XIV-B of the Human
19 Services Code. The following apply:

20 (i) Money shall be distributed to each county and
21 county local collaborative arrangement on a pro rata
22 basis based upon fiscal year 2022-2023 mental health
23 community base funded services allocations.

24 (ii) County mental health services shall be provided
25 and reported in accordance with the reporting and
26 monitoring requirements of the Department of Human
27 Services.

28 (iii) Money received under this paragraph may not be
29 included in the calculation of the allocation of funds
30 under the Human Services Block Grant Program.

31 (3) Subject to the availability of Federal money and
32 eligibility under Federal TANFBG rules, grantees who operated
33 within the PA WorkWear program in the prior fiscal year and
34 who remain in operation shall be offered a grant for the
35 fiscal year to continue service delivery under substantially
36 similar terms as previous PA WorkWear grants unless both
37 parties agree to alternate terms. Nothing in this paragraph
38 shall prohibit the Department of Human Services from offering
39 a grant to a prospective PA WorkWear provider to replace a
40 prior grantee who chooses not to continue to operate in the
41 program.

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

47 (4.1) From money appropriated for Medical Assistance -
48 Capitation, \$12,000,000 shall be used for the purpose of
49 making one-time payments to dentists enrolled in the Medical
50 Assistance Program, determined as follows:

51 (i) Divide:

1 (A) The number of claims from an enrolled
2 dentist's managed care organization utilization from
3 calendar year 2022 of the following dental codes:
4 D0120, D0150, D0272, D0274, D1110, D1120, D1206,
5 D1351, D2391, D2392, D7140, D0220, D0230, D1208,
6 D2393, D2751, D4341, D5110, D5120, D5213, D5214,
7 D0330, D2140, D2150, D2331, D2930, D2933, D3220,
8 D3230, D8080 AND D9230; by

9 (B) The total claims from all enrolled dentists'
10 managed care organization utilization from calendar
11 year 2022 of the following dental codes: D0120,
12 D0150, D0272, D0274, D1110, D1120, D1206, D1351,
13 D2391, D2392, D7140, D0220, D0230, D1208, D2393,
14 D2751, D4341, D5110, D5120, D5213, D5214, D0330,
15 D2140, D2150, D2331, D2930, D2933, D3220, D3230,
16 D8080 AND D9230.

17 (ii) Multiply:

18 (A) The quotient under subparagraph (i); by

19 (B) \$12,000,000.

20 (5) The following shall apply to amounts appropriated
21 for medical assistance fee-for-service:

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

28 (ii) Amounts allocated from money appropriated for
29 fee-for-service used for the SelectPlan for women's
30 preventative health services shall be used for women's
31 medical services, including noninvasive contraception
32 supplies.

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

40 (A) normal newborn care; and

41 (B) mothers' obstetrical delivery.

42 (iv) No less than \$330,000 shall be used for cleft
43 palates and other craniofacial anomalies.

44 (v) No less than \$800,000 shall be distributed to a
45 hospital for clinical ophthalmologic services located in
46 a city of the first class.

47 (vi) (Reserved).

48 (vii) No less than \$5,000,000 shall be distributed
49 to a hospital in a city of the third class in a home rule
50 county that was formerly a county of the second class A,
51 provided that services and specialties available on the

1 effective date of this paragraph must remain available
2 until July 1, 2024, and compliance with any other
3 requirements imposed by the Department of Human Services.
4 The Department of Human Services may recoup funds from
5 any hospital failing to meet the conditions under this
6 paragraph.

7 (viii) No less than \$2,000,000 shall be distributed
8 to a university located in a city of the first class to
9 research the impact of trauma-informed programs on
10 community violence prevention and health disparities.

11 (ix) No less than \$3,000,000 shall be distributed to
12 an enrolled outpatient therapy service provider located
13 in a city of the second class in a county of the second
14 class that provides behavioral health and medical
15 rehabilitation pediatric outpatient services.

16 (x) No less than \$1,250,000 shall be distributed to
17 a cancer treatment center in a township of the second
18 class with a population between 16,000 and 25,000
19 according to the most recent Federal decennial census in
20 a county of the third class with a population between
21 350,000 and 370,000 according to the most recent Federal
22 decennial census.

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

34 (7) Qualifying physician practice plans that received
35 money for fiscal year 2017-2018 shall not receive less than
36 the State appropriation made available to those physician
37 practice plans during fiscal year 2017-2018.

38 (8) Federal or State money appropriated under the
39 General Appropriation Act of 2023 in accordance with 35
40 Pa.C.S. § 8107.3 (relating to funding) not used to make
41 payments to hospitals qualifying as Level III trauma centers
42 or seeking accreditation as Level III trauma centers shall be
43 used to make payments to hospitals qualifying as Levels I and
44 II trauma centers.

45 (9) Qualifying academic medical centers that received
46 money for fiscal year 2017-2018 shall receive the same amount
47 from the State appropriation made available to those academic
48 medical centers during fiscal year 2017-2018.

49 (10) Money appropriated for medical assistance
50 transportation shall only be utilized as a payment of last
51 resort for transportation for eligible medical assistance

1 recipients.

2 (11) (Reserved).

3 (12) From money appropriated for medical assistance
4 long-term living:

5 (i) No less than the amount distributed in the 2014-
6 2015 fiscal year shall be distributed to a county nursing
7 home located in a home rule county that was formerly a
8 county of the second class A with more than 725 beds and
9 a Medicaid acuity at 0.79 as of August 1, 2015.

10 (ii) No less than the amount used in the 2020-2021
11 fiscal year shall be distributed to a nonpublic nursing
12 home located in a county of the first class with more
13 than 395 beds and a Medicaid acuity at 1.06 as of August
14 1, 2022, to ensure access to necessary nursing care in
15 that county.

16 (iii) \$5,000,000 shall be distributed to a nonpublic
17 nursing home located in a county of the eighth class with
18 more than 119 beds and a Medicaid acuity at 1.11 as of
19 August 1, 2022, to ensure access to necessary nursing
20 home care in that county.

21 (iv) An additional \$500,000 shall be paid in equal
22 payments to nursing facilities which remain open as of
23 the effective date of this section that qualified for
24 supplemental ventilator care and tracheostomy care
25 payments in fiscal year 2014-2015 with a percentage of
26 medical assistance recipient residents who required
27 medically necessary ventilator care or tracheostomy care
28 greater than 90%.

29 (v) Subject to Federal approval of necessary
30 amendments of the Title XIX State Plan, \$16,000,000 is
31 allocated for medical assistance day-one incentive
32 payments to qualified nonpublic nursing facilities under
33 methodology and criteria under section 443.1(7)(vi) of
34 the Human Services Code. The Department of Human Services
35 shall determine a nonpublic nursing facility's overall
36 and medical assistance occupancy rate to qualify for a
37 medical assistance day-one incentive payment for the
38 fiscal year based on a nursing facility's resident day
39 quarter ending December 31, 2019, for the first of two
40 payments and a nursing facility's resident day quarter
41 ending March 31, 2020, for the second of two payments.

42 (13) (Reserved).

43 (14) From money appropriated for autism intervention and
44 services:

45 (i) \$600,000 shall be allocated to a behavioral
46 health facility located in a county of the fifth class
47 with a population between 140,000 and 145,000 under the
48 most recent Federal decennial census and shall be
49 distributed to a health system that operates both a
50 general acute care hospital and a behavioral health
51 facility that has a center for autism and developmental

1 disabilities located in a county of the fifth class with
2 a population between 140,000 and 145,000 under the most
3 recent Federal decennial census;

4 (ii) \$300,000 shall be allocated to an institution
5 of higher education that provides autism education and
6 diagnostic curriculum located in a city of the first
7 class that operates a center for autism in a county of
8 the second class A;

9 (iii) \$300,000 shall be allocated to an institution
10 of higher education that provides autism education and
11 diagnostic curriculum and is located in a county of the
12 second class;

13 (iv) no less than the amount distributed in the
14 2014-2015 fiscal year shall be allocated for programs to
15 promote the health and fitness of persons with
16 developmental disabilities located in a city of the first
17 class; and

18 (v) \$600,000 shall be allocated for an entity that
19 provides alternative educational services to individuals
20 with autism and developmental disabilities in the county
21 which was most recently designated as a county of the
22 second class A.

23 (15) (Reserved).

24 (16) (Reserved).

25 (17) (Reserved).

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

29 (19) From the appropriation for 2-1-1 Communications,
30 \$750,000 shall be allocated for a Statewide 2-1-1 System
31 Grant Program.

32 (20) The appropriation for services for the visually
33 impaired shall include the following:

34 (i) an allocation of \$4,084,000 for a Statewide
35 professional services provider association for the blind
36 to provide training and supportive services for
37 individuals who are blind and preschool vision screenings
38 and eye safety education; and

39 (ii) an allocation of \$618,000 to provide
40 specialized services and prevention of blindness services
41 in cities of the first class.

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

48 (22) (Reserved).

49 (23) The Department of Human Services shall not add non-
50 medically necessary services to the Medical Assistance
51 Program that would result in the need for a supplemental

1 appropriation without the approval of the General Assembly.
2 Each proposed service shall be outlined in the Governor's
3 Executive Budget or subsequent updates provided in writing to
4 the General Assembly.

5 (24) No later than 12 months after the effective date of
6 this paragraph, the Department of Human Services shall
7 complete a report, based on the information submitted to the
8 department, which analyzes the wages for direct care workers
9 and direct support professionals who provide services under
10 the Department of Human Services' Office of Developmental
11 Programs and Office of Long Term Living. The following shall
12 apply:

13 (i) The report shall include all of the following:

14 (A) The average wages paid to direct care
15 workers and direct support professionals under each
16 applicable program.

17 (B) Whether starting wages for direct care
18 workers and direct support professionals increased
19 from January 1, 2019, through January 1, 2023,
20 including the percentage increase.

21 (ii) The Department of Human Services shall submit
22 the report to the chairperson and minority chairperson of
23 the Appropriations Committee of the Senate, the
24 chairperson and minority chairperson of the
25 Appropriations Committee of the House of Representatives,
26 the chairperson and minority chairperson of the Health
27 and Human Services Committee of the Senate and the
28 chairperson and minority chairperson of the Human
29 Services Committee of the House of Representatives.

30 Section 1731-F.3. Department of Revenue (Reserved).

31 Section 1732-F.3. Department of State (Reserved).

32 Section 1733-F.3. Department of Transportation (Reserved).

33 Section 1734-F.3. Pennsylvania State Police (Reserved).

34 Section 1735-F.3. Pennsylvania Emergency Management Agency.

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

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

40 (2) Money appropriated for the State Fire Commissioner
41 includes funding for a Statewide recruitment and retention
42 coordinator and regional technical advisors to develop,
43 implement and deliver recruitment and retention training
44 programs and provide technical assistance to local fire
45 organizations and local governments.

46 (3) Money appropriated for State disaster assistance
47 shall be used to provide individual disaster recovery
48 assistance to assist in the recovery from emergencies and
49 non-Federally declared disasters. Amounts under this
50 paragraph may be used for critical needs assistance and to
51 repair damage to residential properties not compensated by

insurance or any other funding sources. The Pennsylvania
Emergency Management Agency shall develop guidelines to
implement this paragraph and submit the guidelines to the
Legislative Reference Bureau for publication in the next
available issue of the Pennsylvania Bulletin.
Section 1736-F.3. State-related universities (Reserved).
Section 1737-F.3. State System of Higher Education (Reserved).
Section 1738-F.3. 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 allocate \$500,000 from the Higher Education Assistance
Fund for the Cheyney University Keystone Academy.

(2) From money appropriated for payment of education
assistance grants, the amount of \$1,000,000 shall be
allocated to a State-owned university located in Tioga County
for merit scholarships.

(3) From money appropriated for Pennsylvania Internship
Program grants, funds may be used for internship and seminar
programs.

Section 1739-F.3. Thaddeus Stevens College of Technology.

The following shall apply to appropriations for the Thaddeus
Stevens College of Technology:

(1) From funds appropriated for Thaddeus Stevens College
of Technology, the President of the college shall cause to be
prepared and submitted to the Secretary of Education, the
President pro tempore of the Senate, the Speaker of the House
of Representatives, the Majority Leader and the Minority
Leader of the Senate, the Majority Leader and the Minority
Leader of the House of Representatives, the chairperson and
minority chairperson of the Education Committee of the Senate
and the chairperson and minority chairperson of the Education
Committee of the House of Representatives a comprehensive
report outlining the use of funds appropriated, to
specifically include the strategies and use of funds to
expand student enrollment.

(2) (Reserved).

Section 1740-F.3. Pennsylvania Historical and Museum Commission
(Reserved).

Section 1741-F.3. Environmental Hearing Board (Reserved).

Section 1742-F.3. Health Care Cost Containment Council
(Reserved).

Section 1743-F.3. State Ethics Commission (Reserved).

Section 1744-F.3. Commonwealth Financing Authority (Reserved).

SUBARTICLE C

STATE GOVERNMENT SUPPORT AGENCIES

Section 1751-F.3. Legislative Reference Bureau (Reserved).

Section 1752-F.3. Legislative Budget and Finance Committee
(Reserved).

Section 1753-F.3. Legislative Data Processing Committee

(Reserved).
Section 1754-F.3. Joint State Government Commission (Reserved).
Section 1755-F.3. Local Government Commission (Reserved).
Section 1756-F.3. Legislative Audit Advisory Commission
(Reserved).
Section 1757-F.3. Independent Regulatory Review Commission
(Reserved).
Section 1758-F.3. Capitol Preservation Committee (Reserved).
Section 1759-F.3. Pennsylvania Commission on Sentencing
(Reserved).
Section 1760-F.3. Center for Rural Pennsylvania (Reserved).
Section 1761-F.3. Commonwealth Mail Processing Center
(Reserved).
Section 1762-F.3. Legislative Reapportionment Commission
(Reserved).
Section 1763-F.3. Independent Fiscal Office (Reserved).

SUBARTICLE D

JUDICIAL DEPARTMENT

Section 1771-F.3. Supreme Court (Reserved).
Section 1772-F.3. Superior Court (Reserved).
Section 1773-F.3. Commonwealth Court (Reserved).
Section 1774-F.3. Courts of common pleas (Reserved).
Section 1775-F.3. Community courts; magisterial district judges
(Reserved).
Section 1776-F.3. Philadelphia Municipal Court (Reserved).
Section 1777-F.3. Judicial Conduct Board (Reserved).
Section 1778-F.3. Court of Judicial Discipline (Reserved).
Section 1779-F.3. Juror cost reimbursement (Reserved).
Section 1780-F.3. County court reimbursement (Reserved).

SUBARTICLE E

GENERAL ASSEMBLY

(Reserved)

ARTICLE XVII-F.4

2023-2024 RESTRICTIONS ON APPROPRIATIONS

FOR FUNDS AND ACCOUNTS

Section 1701-F.4. Applicability.

Except as specifically provided in this article, this article
applies to the General Appropriation Act of 2023 and all other
appropriation acts of 2023.

Section 1702-F.4. 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:

"General Appropriation Act of 2023." The act of August 3,
2023 (P.L. , No.1A), known as the General Appropriation Act of
2023.

Section 1703-F.4. State Lottery Fund.

The following apply:

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

(2) (Reserved).

Section 1704-F.4. Tobacco Settlement Fund (Reserved).
Section 1705-F.4. Judicial Computer System Augmentation Account
(Reserved).
Section 1706-F.4. Emergency Medical Services Operating Fund
(Reserved).
Section 1707-F.4. The State Stores Fund (Reserved).
Section 1708-F.4. Motor License Fund (Reserved).
Section 1709-F.4. Aviation Restricted Account (Reserved).
Section 1710-F.4. Hazardous Material Response Fund (Reserved).
Section 1711-F.4. Milk Marketing Fund (Reserved).
Section 1712-F.4. HOME Investment Trust Fund (Reserved).
Section 1713-F.4. Tuition Account Guaranteed Savings Program
Fund (Reserved).
Section 1714-F.4. Banking Fund (Reserved).
Section 1715-F.4. Firearm Records Check Fund (Reserved).
Section 1716-F.4. Ben Franklin Technology Development Authority
Fund (Reserved).
Section 1717-F.4. Oil and Gas Lease Fund (Reserved).
Section 1718-F.4. Home Improvement Account (Reserved).
Section 1719-F.4. Cigarette Fire Safety and Firefighter
Protection Act Enforcement Fund (Reserved).
Section 1720-F.4. Insurance Regulation and Oversight Fund
(Reserved).
Section 1721-F.4. Pennsylvania Race Horse Development
Restricted Receipts Account (Reserved).
Section 1722-F.4. Justice Reinvestment Fund (Reserved).
Section 1723-F.4. Multimodal Transportation Fund (Reserved).
Section 1724-F.4. State Racing Fund (Reserved).
Section 1725-F.4. ABLE Savings Program Fund (Reserved).
Section 1726-F.4. Tourism Promotion Fund (Reserved).
Section 1727-F.4. Enhanced Revenue Collection Account
(Reserved).
Section 1728-F.4. (Reserved).
Section 1729-F.4. Opioid Settlement Restricted Account
(Reserved).
Section 1730-F.4. COVID-19 Response Restricted Account
(Reserved).
Section 1731-F.4. Pennsylvania Preferred® Trademark Licensing
Fund.
Notwithstanding 3 Pa.C.S. § 4616 (relating to Pennsylvania
Preferred® Trademark Licensing Fund), the Department of
Agriculture may use money deposited into the Pennsylvania
Preferred® Trademark Licensing Fund to promote one or more of
the funding objectives under 3 Pa.C.S. § 4616(c) through the
awarding of grants.
Section 1732-F.4. Agricultural Conservation Easement Purchase
Fund.
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

1 of \$165,000 in the Agricultural Conservation Easement Purchase
2 Fund under section 7.1 of the act of June 18, 1982 (P.L.549,
3 No.159), entitled "An act providing for the administration of
4 certain Commonwealth farmland within the Department of
5 Agriculture," to issue grants not to exceed \$5,000 each for
6 succession planning to ensure that agricultural operations
7 continue on land subject to agricultural conservation easements.
8 The department, in consultation with the State Agricultural Land
9 Preservation Board, shall establish eligibility criteria for
10 awarding grants under this section.

11 Section 1732.1-F.4. School Safety and Security Fund.

12 The Pennsylvania Commission on Crime and Delinquency shall
13 use \$5,000,000 from the School Safety and Security Fund for
14 grants to implement innovative school safety and security
15 initiatives.

16 Section 1733-F.4. Restricted receipt accounts.

17 (a) Authority.--The Secretary of the Budget may create
18 restricted receipt accounts for the purpose of administering
19 Federal grants only for the purposes designated in this section.

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

23 (1) ARC Housing Revolving Loan Program.

24 (2) Brownfields Revolving Loan Fund.

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

28 (1) Federal Aid to volunteer fire companies.

29 (2) Land and Water Conservation Fund Act of 1965 (Public
30 Law 88-578, 16 U.S.C. § 460l-4 et seq.).

31 (3) National Forest Reserve Allotment.

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

35 (1) Education of the Disabled - Part C.

36 (2) LSTA - Library Grants.

37 (3) The Pennsylvania State University Federal Aid.

38 (4) Emergency Immigration Education Assistance.

39 (5) Education of the Disabled - Part D.

40 (6) Homeless Adult Assistance Program.

41 (7) Severely Handicapped.

42 (8) Medical Assistance Reimbursements to Local Education
43 Agencies.

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

47 (1) Federal Water Resources Planning Act.

48 (2) Flood Control Payments.

49 (3) Soil and Water Conservation Act - Inventory of
50 Programs.

51 (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 1734-F.4. Fund transfers.

(a) Transfer to Environmental Stewardship Fund.--From money
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 \$10,538,000 shall be transferred to the Environmental
Stewardship Fund.

(b) Transfer to Surface Mining Conservation and Reclamation
Fund.--From money received under the authority of Article III of
the Tax Reform Code of 1971, the sum of \$4,000,000 shall be
transferred to the Surface Mining Conservation and Reclamation
Fund.

(c) Transfer to General Fund.--From money deposited into the
Medical Marijuana Program Fund, \$31,900,000 shall be transferred
to the General Fund.

ARTICLE XVII-F.5

2023-2024 FUND TRANSFERS

Section 1701-F.5. Applicability.

Except as specifically provided in this article, this article
applies to the General Appropriation Act of 2023.

Section 1702-F.5. 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:

1 "General Appropriation Act of 2023." The act of August 3,
2 2023 (P.L. , No.1A), known as the General Appropriation Act of
3 2023.

4 Section 1734-F.5. Fund transfers.

5 (a) Transfer within Higher Education Assistance Fund.--The
6 sum of \$8,551,000 shall be transferred from the SciTech and GI
7 Bill Restricted Revenue Account in the Higher Education
8 Assistance Fund to the State Grants Restricted Revenue Account
9 in the Higher Education Assistance Fund.

10 (b) (Reserved).

11 Section 1735-F.5. (Reserved).

12 ARTICLE XVII-F.6

13 PRIOR YEAR APPROPRIATIONS

14 Section 1701-F.6. Definitions.

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

18 "General Appropriation Act of 2023." The act of August 3,
19 2023 (P.L. , No.1A), known as the General Appropriation Act of
20 2023.

21 Section 1702-F.6. (Reserved).

22 Section 1703-F.6. Construction with prior year appropriation
23 acts.

24 An appropriation in Part LI of the General Appropriation Act
25 of 2023 which is the same or similar to an appropriation in the
26 act of July 8, 2022 (P.L.2191, No.1A), known as the General
27 Appropriation Act of 2022, shall replace that appropriation.
28 Money which has been appropriated and expended under the General
29 Appropriation Act of 2022 shall be deducted from the
30 corresponding appropriation in Part LI of the General
31 Appropriation Act of 2023.

32 Section 33. Repeals are as follows:

33 (1) The General Assembly finds that the repeal under
34 paragraph (2) is necessary to effectuate the addition of
35 Article XVI-V of the act.

36 (2) The act of November 24, 2015 (P.L.232, No.64), known
37 as the Pennsylvania Long-Term Care Council Act, is repealed.

38 (3) The General Assembly finds that the repeal under
39 paragraph (4) is necessary to effectuate the addition of
40 Article XVI-W of the act.

41 (4) Article XIX-I of the act of March 4, 1971 (P.L.6,
42 No.2), known as the Tax Reform Code of 1971, is repealed.

43 (5) The General Assembly finds that the repeal under
44 paragraph (6) is necessary to effectuate the addition of
45 Subarticle E of Article XVII-A.2 of the act.

46 (6) Section 301.9(e) of the act of December 5, 1936 (2nd
47 Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment
48 Compensation Law, is repealed to the extent of any
49 inconsistency with Subarticle E of Article XVII-A.2 of the
50 act.

51 (7) The General Assembly finds that the repeal under

1 paragraph (8) is necessary to effectuate the addition of
2 section 102-K(a) of the act.

3 (8) The provisions of 35 Pa.C.S. § 5398 are repealed.
4 Section 34. Continuation is as follows:

5 (1) The addition of Article XVI-V of the act is a
6 continuation of the act of November 24, 2015 (P.L.232,
7 No.64), known as the Pennsylvania Long-Term Care Council Act.
8 Except as otherwise provided in Article XVI-V of the act, all
9 activities initiated under the Pennsylvania Long-Term Care
10 Council Act shall continue and remain in full force and
11 effect and may be completed under Article XVI-V of the act.
12 Orders, regulations, rules and decisions which were made
13 under the Pennsylvania Long-Term Care Council Act and which
14 are in effect on the effective date of section 33(2) of this
15 act shall remain in full force and effect until revoked,
16 vacated or modified under Article XVI-V of the act.
17 Contracts, obligations and collective bargaining agreements
18 entered into under the Pennsylvania Long-Term Care Council
19 Act are not affected nor impaired by the repeal of the
20 Pennsylvania Long-Term Care Council Act.

21 (2) Except as specified in paragraph (3), any difference
22 in language between Article XVI-V of the act and the
23 Pennsylvania Long-Term Care Council Act is not intended to
24 change or affect the legislative intent, judicial
25 construction or administration and implementation of the
26 Pennsylvania Long-Term Care Council Act.

27 (3) Paragraph (2) does not apply to the addition of
28 section 1602-V(b)(10)(xii) of the act.

29 (4) The addition of Article XVI-W of the act is a
30 continuation of Article XIX-I of the act of March 4, 1971
31 (P.L.6, No.2), known as the Tax Reform Code of 1971. Except
32 as otherwise provided in Article XVI-W of the act, all
33 activities initiated under Article XIX-I of the Tax Reform
34 Code of 1971 shall continue and remain in full force and
35 effect and may be completed under Article XVI-W of the act.
36 Orders, regulations, rules and decisions which were made
37 under Article XIX-I of the Tax Reform Code of 1971 and which
38 are in effect on the effective date of section 33(4) of this
39 act shall remain in full force and effect until revoked,
40 vacated or modified under Article XVI-W of the act.
41 Contracts, obligations and collective bargaining agreements
42 entered into under Article XIX-I of the Tax Reform Code of
43 1971 are not affected nor impaired by the repeal of Article
44 XIX-I of the Tax Reform Code of 1971.

45 (5) Except as specified in paragraph (6), any difference
46 in language between Article XVI-W of the act and Article XIX-
47 I of the Tax Reform Code of 1971 is not intended to change or
48 affect the legislative intent, judicial construction or
49 administration and implementation of Article XIX-I of the Tax
50 Reform Code of 1971.

51 (6) Paragraph (5) does not apply to the following:

1 (i) The addition of the definitions of "resident
2 individual" and "taxable year" in section 1602-W of the
3 act.

4 (ii) The addition of sections 1603-W(b) and (c) and
5 1605.1-W of the act.

6 Section 34.1. If the addition of section 102-K(a) of the act
7 takes effect after January 31, 2024, the addition of section
8 102-K(a) of the act shall apply retroactively to January 31,
9 2024.

10 Section 35. The addition of section 1729-E(a)(8) of the act
11 shall be retroactive to July 1, 2023.

12 Section 36. The addition of section 202.3 of the act shall
13 apply to taxable years beginning after December 31, 2022.

14 Section 37. This act shall take effect as follows:

15 (1) The addition of section 1719-E(c.1) of the act shall
16 take effect in 60 days.

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