AN ACT

Amending the act of April 9, 1929 (P.L.343, No.176), entitled “An act relating to the finances of the State government; providing for cancer control, prevention and research, for ambulatory surgical center data collection, for the Joint Underwriting Association, for entertainment business financial management firms, for private dam financial assurance and for reinstatement of item vetoes; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth, authorizing the Commonwealth to issue tax anticipation notes to defray current expenses, implementing the provisions of section 7(a) of Article VIII of the Constitution of Pennsylvania authorizing and restricting the incurring of certain debt and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the
Commonwealth," in emergency COVID-19 response, establishing
the County Block Grant - Broadband Deployment and Development
Program.

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

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

Section 135-C. Broadband Deployment and Development Program.

(a) County block grants.--From money appropriated by the
General Assembly for the distribution of grants under this
section, each county shall receive an amount equal to the amount
determined under paragraph (2). The following shall apply:

(1) The department shall distribute funding to counties
in accordance with this subsection no later than 21 days
after the starting date.

(2) Each county shall receive an allocation for
distribution under subsection (b) equal to the amount
available for allocation under this section multiplied by the
quotient of the following:

(i) The county's broadband coverage weighted
population, which shall be calculated as follows:

(A) The county's population as determined under
paragraph (3); multiplied by

(B) The broadband coverage weighting factor for
the county as determined under paragraph (4)(iv);

divided by

(ii) The sum of each county's broadband coverage
weighted population as determined under subparagraph (i).

(3) For purposes of this subsection, a county's
population shall be equal to the published estimate by the
United States Census Bureau Population Estimates Program for

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calendar year 2019.

(4) The following shall apply:

(i) No later than 10 days after the effective date of this section, the department shall, in consultation with an extension of a land-grant university, identify the amount of broadband coverage available in each county. The identification under this subparagraph shall use data made available by the Federal Communications Commission.

(ii) Each county shall be identified under subparagraph (i) as follows:

(A) A county with sparse availability of high-speed broadband coverage shall be identified as having low broadband coverage.

(B) A county with a moderate availability of high-speed broadband coverage or with a high degree of variability of high-speed broadband coverage within the county shall be identified as having moderate broadband coverage.

(C) A county with a high availability of high-speed broadband coverage shall be identified as having high broadband coverage.

(iii) The following shall apply to the identifications under subparagraph (ii):

(A) No fewer than 20 counties shall be identified as having low broadband coverage under subparagraph (ii)(A).

(B) No more than five counties shall be identified as having high broadband coverage under subparagraph (ii)(C).
(iv) Each county shall be assigned a broadband coverage weighting factor as follows:

(A) A county identified as having low broadband coverage under subparagraph (ii)(A) shall have a broadband coverage weighting factor of 1.5.

(B) A county identified as having moderate broadband coverage under subparagraph (ii)(B) shall have a broadband coverage weighting factor of 1.

(C) A county identified as having high broadband coverage under subparagraph (ii)(C) shall have a broadband coverage weighting factor of 0.5.

(b) Broadband Deployment and Development Program.--The County Block Grant - Broadband Deployment and Development Program is established within the department for the purpose of awarding grants under this section. The following shall apply to the program:

(1) No later than 22 days after the starting date, each county that receives a grant under this section may contract with a contracting entity to award grants under this section on behalf of the county.

(2) A county which does not enter into a contract under paragraph (1) shall award grants under this section.

(3) Grants under this section shall be awarded to eligible applicants for the purpose of paying for eligible expenses.

(4) A grant awarded to an eligible applicant may not exceed $1,000.

(5) The following shall apply to applications to receive grants under this section:

(i) Applications shall be in a form determined by a
county or its contracting entity.

(ii) Applications shall contain documentation as required by the county.

(iii) Applications shall be available electronically.

(iv) No later than 45 days after the starting date, a county or its contracting entity shall receive and consider applications on a rolling basis until funding for grants received by the county under subsection (a) has been completely expended, or 130 days after the starting date, whichever occurs first. Upon completely expending the funds available for grants, the county or its contracting entity shall notify the department.

(6) The following shall apply to reviewing applications for grants under this section:

(i) No later than 160 days after the starting date, a county or its contracting entity shall approve or disapprove applications for grants.

(ii) Upon approving an application under subparagraph (i), a county or its contracting entity shall enter into a grant agreement with the eligible applicant in order to award the grant.

(iii) The grant agreement under subparagraph (ii) shall explain the terms and conditions of the grant, including the applicable laws of this Commonwealth and reporting requirements.

(iv) The grant agreement under subparagraph (ii) may be electronically signed and returned to the county or its contracting entity that approved the application.

(7) An eligible applicant that submits an application
for a grant under this section shall certify in good faith to all of the following:

(i) That the eligible applicant lacks reliable access to high-speed broadband service.

(ii) That COVID-19 had an adverse impact on the eligible applicant, which makes the grant request necessary to support the ongoing operations of the eligible applicant.

(iii) That the grant will be used to pay for eligible expenses.

(iv) That the information provided in the application and all supporting documents and forms is true and accurate in all material respects. An eligible applicant that knowingly makes a false statement to obtain a grant shall be subject to 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

(8) The following shall apply to the awarding of grants under this section:

(i) A county or its contracting entity may award grants in increments of $100, not to exceed the limitation under paragraph (4).

(ii) A fully executed grant agreement under paragraph (6)(ii) shall be required before the disbursement of grant funds.

(iii) The aggregate amount of all grants awarded may not exceed the amount of money received by the county under subsection (a).

(9) A county or its contracting entity may charge a fee not to exceed 2% of the amount available to the county for grants under this section. Fees charged under this paragraph...
shall be deducted from the total amount of money distributed to the county under subsection (a) and may not reduce the amount of the grant awarded to an eligible applicant.

(10) A grant awarded under this section shall be paid to an eligible applicant no later than 175 days after the starting date.

(11) A county that provides grants under this section shall compile a report, which shall include all of the following:

(i) A list of each grant awarded.

(ii) The name and address of each grant recipient.

(iii) The amount of the grant and a description of the financial impact to the grant recipient.

(iv) Whether the county entered into an agreement with a contracting entity and, if so, the name of the contracting entity that processed the grant.

(12) A county shall submit the report under paragraph (11) to the department no later than 200 days after the starting date.

(13) The department shall prepare a consolidated report with information under paragraph (12) from all counties and submit the consolidated report to the chair and minority chair of the Appropriations Committee of the Senate and the chair and minority chair of the Appropriations Committee of the House of Representatives no later than 235 days after the starting date.

(14) The county shall post and maintain the report under paragraph (11) on the county's publicly accessible Internet website.

(15) The department shall post and maintain the
consolidated report under paragraph (14) on the department's publicly accessible Internet website.

(16) A county awarding grants and a contracting entity processing grants on behalf of a county under this section shall provide documentation to the Department of the Auditor General or the department, upon request, for purposes of an audit review.

(17) The department may not impose additional requirements on counties that are not specified in this section.

(18) A county may establish income eligibility requirements for the program.

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

"Contracting entity." An entity which a county enters into a contract with to administer the program under this section on behalf of the county.

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

"Eligible applicant." An individual who lacks reliable access to high-speed broadband service and meets income eligibility requirements determined by a county.

"Eligible expenses." The costs of acquiring high-speed broadband service, including the up-front cost of equipment and monthly subscription services.

"High-speed broadband service." As defined in section 3 of the act of November 25, 2020 (P.L.1253, No.132), known as the Unserved High-Speed Broadband Funding Program Act.

"Program." The County Block Grant - Broadband Deployment and
Development Program established under subsection (b).

"Starting date." The effective date of this section or the effective date of an appropriation for distribution of grants under this section, whichever is later.

Section 2. This act shall take effect immediately.