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 relating to Pennsylvania Housing Finance Agency, providing for Development Cost Relief Program; and making an appropriation.

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 195-C. Development Cost Relief Program.

(a) Establishment.--The Development Cost Relief Program is established in the agency to support the production of developments by addressing financial deficiencies attributable to the effects of the COVID-19 pandemic and other factors.

(b) Eligibility.--A development that meets all of the following criteria shall be eligible for an award under this section:

(1) Has applied for, or has received a conditional or full allocation from the agency of, low-income housing tax credits under section 42 of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 42) during the 2019, 2020, 2021 or 2022 application cycles.

(2) Has not, as of the effective date of this section, received a certificate of occupancy for each unit within the development.

(3) Has experienced cost increases, or a loss in equity investment, as the result of conditions arising from or related to the effects of the COVID-19 pandemic which, in the judgment of the agency, necessitates the provision of additional funding to complete the development.

(c) Application.--The agency shall make available to an eligible development an application that requires information, as determined necessary by the agency, to verify the need of the
development and to determine the extent to which money allocated under this section should be awarded, while ensuring that the development remains in compliance with the low-income housing tax credit program.

(d) Determination.--

(1) Upon a determination of eligibility for money allocated under this section, the agency shall provide the development with a letter of commitment indicating the conditional award amount.

(2) The agency shall use the same closing process and terms for an award of money under the program as is used for an award from the Pennsylvania housing affordability and rehabilitation enhancement program for a low-income housing tax credit recipient development.

(e) Limitation.--Money allocated for the program may not be used to supplant other agency-committed resources, except if the development risks noncompliance with the low-income housing tax credit program. Projects that have received or have been approved by the agency for construction cost relief funding under section 194-C may receive additional funding under the program.

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


"Development." An affordable multifamily rental development.

"Program." The Development Cost Relief Program established under this section.

Section 2. This act shall not affect the award or use of money provided to a development under section 194-C of the act.
An amount that has not been awarded by the agency under section 194-C of the act shall be available for award under section 195-C of the act, in addition to any amount made available under this act with respect to the General Appropriation Act of 2022.

Section 3. The sum of $150,000,000 of Federal funds in the COVID-19 Response Restricted Account from the American Rescue Plan Act of 2021 (Public Law 117-2, 135 Stat. 4) is appropriated to the Pennsylvania Housing Finance Agency for the purpose of making awards under section 195-C of the act. The provisions of section 111-C(g) of the act shall not apply to the amount appropriated under this section.

Section 4. This act shall take effect July 1, 2022, or immediately, whichever is later.