AN ACT

1 Authorizing counties and municipalities to distribute emergency
2 funds to fire companies during the COVID-19 pandemic; and
3 providing for distribution and receipt of funds.
4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:
6 Section 1.  Short title.
7 This act shall be known and may be cited as the COVID-19
8 Emergency Relief for Fire Companies Act.
9 Section 2.  Legislative findings.
10 The General Assembly finds and declares as follows:
11 (1) A novel coronavirus, known as COVID-19, entered the
12 United States in late January 2020 and has spread throughout
13 the states, including this Commonwealth.
14 (2) On March 6, 2020, the Governor declared a disaster
15 emergency, citing a threat of imminent disaster that is of
16 such a magnitude and severity as to necessitate extraordinary
17 measures to protect the health, safety and life of this
18 Commonwealth's citizens.
(3) On March 11, 2020, the World Health Organization (WHO) declared COVID-19 a pandemic.

(4) In order to mitigate the spread of COVID-19, the Governor and the Secretary of Health urged the residents of this Commonwealth to adhere to the practice of "social distancing" and to self-quarantine if feeling ill or exhibiting symptoms of COVID-19.

(5) Consequently, fire companies in this Commonwealth have been unable to conduct fundraising activities as a result of the COVID-19 pandemic.

(6) The impact of the COVID-19 pandemic, including all the necessary measures taken to mitigate the spread of the disease, has severely disrupted the financial standing for fire companies in this Commonwealth.

(7) Due to the unprecedented economic hardships faced by fire companies in this Commonwealth during the COVID-19 pandemic, it is imperative that counties are allowed to utilize different fund mechanisms to maintain the operations of fire companies and preserve the health and safety of residents of this Commonwealth.

Section 3. Definitions.

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

"County." A county or home rule charter county of any classification.

"COVID-19 pandemic." The disease that is causing the 2019 novel coronavirus outbreak and global pandemic. The term includes the novel coronavirus, coronavirus disease 2019 or 2019-nCoV.
"Declared disaster emergency." The proclamation of disaster emergency issued by the Governor on March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020), and any renewal of the state of disaster emergency.

"Fire company." A volunteer fire company or municipal fire company in this Commonwealth.

"Municipality." Any of the following:

(1) As defined in any of the following:

(i) Section 702 of the act of December 18, 1984 (P.L.1005, No.205), known as the Municipal Pension Plan Funding Standard and Recovery Act.

(ii) Section 1(1) of the act of May 12, 1943 (P.L.259, No.120), entitled "An act providing for the payment by the State Treasurer, of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns, townships, and certain counties, and for the payment thereof into police pension funds, and in certain cases into the Municipal Employes' Retirement System, and for Pension Annuity Contracts, and in certain other cases into the State Employes' Retirement Fund, for certain purposes."

(2) A borough, city, town or township.

"Volunteer fire company." A nonprofit chartered corporation, association or organization located in this Commonwealth which provides fire protection services and other voluntary emergency services within this Commonwealth, including voluntary ambulance and voluntary rescue services.

Section 4. Emergency distribution of funds to fire companies.

(a) Authorization.--Notwithstanding any other provision of
law, in order to mitigate the negative economic consequences of
the COVID-19 pandemic on fire companies, all of the following
may be distributed by a county or municipality to fire companies
within their respective jurisdiction:

   (1) Grants distributed by the Office of the State Fire
       Commissioner for emergency medical services and fire
       services.

   (2) Grants distributed by the Office of the State Fire
       Commissioner for fire relief associations.

   (3) Notwithstanding Article IX of the act of March 4,
       1971 (P.L.6, No.2), known as the Tax Reform Code of 1971,
       Chapter 7 of the act of December 18, 1984 (P.L.1005, No.205),
       known as the Municipal Pension Plan Funding Standard and
       Recovery Act, and the act of May 12, 1943 (P.L.259, No.120),
       entitled "An act providing for the payment by the State
       Treasurer, of the amount of the tax on premiums paid by
       foreign casualty insurance companies, to the treasurers of
       the several cities, boroughs, towns, townships, and certain
       counties, and for the payment thereof into police pension
       funds, and in certain cases into the Municipal Employes'
       Retirement System, and for Pension Annuity Contracts, and in
       certain other cases into the State Employes' Retirement Fund,
       for certain purposes," revenue generated from the tax imposed
       on foreign fire insurance companies and foreign casualty
       insurance companies under Article IX of the Tax Reform Code
       of 1971.

   (4) Notwithstanding 4 Pa.C.S. Ch. 14 (relating to
       revenues), revenue distributed to the county or municipality
       from the State Gaming Fund.

   (5) Notwithstanding 58 Pa.C.S. Ch. 23 (relating to
unconventional gas well fee), revenue distributed to the county or municipality from the unconventional gas well fee.

(6) Any other funding sources to fire companies within the county or municipality.

(b) Prohibition.--A county may not utilize any of the following under subsection (a):

(1) Federal funds appropriated to the Commonwealth for a specific purpose.

(2) Funds designated for a specific purpose in a contract or agreement executed by the county before the effective date of this act.

(3) Funds designated for a specific purpose in a contract or agreement between a Commonwealth entity and a fire company.

Section 5. Distribution and receipt of funds.

(a) Authorization.--A county or municipality may distribute the funds under section 4(a) to fire companies within the county or municipality for any of the following:

(1) The payment of utility bills.

(2) The payment of mortgage or rent expenses.

(3) Any other bill or expenses necessary to maintain the fire service of fire companies.

(b) Receipt.--A county or municipality that utilizes the funds under section 4(a) shall distribute the funds to fire companies within the county or municipality on a first-come, first-served basis.

Section 6. Expiration.

This act shall expire on the same date as the termination or expiration of the declared disaster emergency.

Section 7. Effective date.
This act shall take effect immediately.