

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2386 Session of 2020

INTRODUCED BY MEHAFFIE, KAUFER, QUINN, SCHLOSSBERG, RADER, STAATS, BURGOS, DeLUCA, STEPHENS, MALAGARI, RYAN, READSHAW, DONATUCCI, NEILSON, KEEFER, FRANKEL, ZABEL AND DEASY, APRIL 6, 2020

AS REPORTED FROM COMMITTEE ON COMMERCE, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 21, 2020

AN ACT

1 Providing for COVID-19 disaster emergency business interruption
2 grants.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the COVID-19
7 Disaster Emergency Business Interruption Grant Act.

8 Section 2. Definitions.

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

12 "BUSINESS." ANY BUSINESS, INDUSTRY OR TRADE OPERATING WITH A <--
13 PHYSICAL LOCATION IN THIS COMMONWEALTH, REGARDLESS OF WHETHER
14 THAT PHYSICAL LOCATION IS OPEN TO THE PUBLIC.

15 "COVID-19 disaster emergency." The ~~the~~ proclamation of <--
16 disaster emergency issued by the Governor on March 6, 2020,

1 published at 50 ~~Pa. B.~~ PA.B. 1644 (March 21, 2020), and any <--
2 renewal of the state of disaster emergency.

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

5 "Grant." A grant awarded under the COVID-19 Disaster
6 Emergency Business Interruption Grant Program established under
7 section 3(a).

8 Section 3. COVID-19 Disaster Emergency Business Interruption
9 Grant Program.

10 (a) Establishment.--The COVID-19 Disaster Emergency Business
11 Interruption Grant Program is established within the department
12 to provide funding for the continuing operation of businesses
13 during and after the COVID-19 disaster emergency. The department
14 shall award, to the extent that money is appropriated to the
15 department for the purpose, grants to eligible businesses as
16 provided under this section.

17 (b) Eligibility.--A business shall be eligible for a grant
18 under this section if:

19 (1) The business has submitted an insurance claim under
20 a business interruption insurance policy and the insurance
21 claim was denied prior to applying for a grant.

22 (2) The business demonstrates in its application that
23 the business has been adversely impacted by the COVID-19
24 disaster emergency.

25 (3) THE BUSINESS IS BASED IN THIS COMMONWEALTH AND <--
26 EMPLOYS NOT MORE THAN 200 INDIVIDUALS.

27 (c) Grant amount.--A grant may not exceed the amount of the
28 insurance claim submitted by the business under subsection (b)
29 (1).

30 (d) Application.--A business may apply for a grant for the

1 duration of the COVID-19 disaster emergency and for 60 days
2 after the COVID-19 disaster emergency is terminated by executive
3 order, proclamation or operation of law. The application shall
4 be in a form and manner determined by the department.

5 (e) Conditions.--If a business receives a grant, the
6 business must remain open and not lay off any employees for the
7 duration of the COVID-19 disaster emergency. If a business that
8 receives a grant does not comply with this subsection, the
9 business shall repay the amount of the grant plus 10%.

10 (f) Rules and regulations.--The department shall promulgate
11 rules and regulations necessary to implement the provisions of
12 this section.

13 (G) ANNUAL REPORT.--WITHIN 90 DAYS OF THE END OF THE FISCAL <--
14 YEAR, THE DEPARTMENT SHALL PREPARE AN ANNUAL REPORT TO THE
15 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE APPROPRIATIONS
16 COMMITTEE OF THE SENATE AND THE CHAIRPERSON AND MINORITY
17 CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF
18 REPRESENTATIVES. THE REPORT, WHICH SHALL BE FOR THE IMMEDIATELY
19 PRECEDING FISCAL YEAR, SHALL INCLUDE THE NUMBER OF BUSINESSES
20 THAT APPLIED FOR THE GRANT AND THE FUNDS APPROPRIATED TO EACH
21 BUSINESS.

22 Section 4. Effective date.

23 This act shall take effect immediately.