
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2514 Session of
2020

INTRODUCED BY BRIGGS, WEBSTER, HILL-EVANS, HOHENSTEIN, MARKOSEK,
SANCHEZ, CIRESI, LONGIETTI, DELLOSO, ROZZI, GALLOWAY, SAPPEY,
READSHAW, SCHWEYER, DeLUCA, FRANKEL, KORTZ, GAINNEY,
SHUSTERMAN, MADDEN, ROEBUCK, MERSKI, STURLA AND COMMITTA,
MAY 13, 2020

REFERRED TO COMMITTEE ON COMMERCE, MAY 13, 2020

AN ACT

1 Amending Title 12 (Commerce and Trade) of the Pennsylvania
2 Consolidated Statutes, in small business first, further
3 providing for definitions and for fund and accounts.

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

6 Section 1. The definition of "small business" in section
7 2302 of Title 12 of the Pennsylvania Consolidated Statutes is
8 amended and the section is amended by adding a definition to
9 read:

10 § 2302. Definitions.

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

14 * * *

15 "COVID-19 disaster emergency." The emergency declared by
16 proclamation of the Governor on March 6, 2020, published at 50
17 Pa.B. 1644 (March 21, 2020), and any renewal of emergency.

1 * * *

2 "Small business." A person that is engaged in a for-profit
3 enterprise and that employs 100 or fewer individuals. The term
4 includes the following:

5 (1) An enterprise located in a small business incubator
6 facility.

7 (2) An agricultural processor.

8 (3) An agricultural producer.

9 (4) An enterprise which manufactures apparel products.

10 (5) An enterprise which is a for-profit or not-for-
11 profit child day-care center subject to licensure by the
12 Commonwealth.

13 (6) For the effective period of the COVID-19 disaster
14 emergency, an enterprise engaged in research and development.

15 * * *

16 Section 2. Section 2304 of Title 12 is amended by adding
17 subsections to read:

18 § 2304. Fund and accounts.

19 * * *

20 (e) Requirements for research and development enterprises.--

21 The terms of a loan made under this chapter to a small business
22 engaged in research and development may not include any of the
23 following requirements:

24 (1) That the small business maintain a minimum debt
25 service coverage ratio.

26 (2) That the small business provide a loan guarantee.

27 (f) Waiver and adjustment.--For the effective period of the
28 COVID-19 disaster emergency, the authority may enter into loan
29 agreements with eligible applicants as determined by the
30 authority. Subject to subsection (e), the authority is

1 authorized to waive or adjust loan requirements and terms,
2 including applicant eligibility criteria, loan amounts, interest
3 rates, collateral requirements, repayment periods and job
4 creation or preservation requirements, for small businesses
5 located in the geographic area specified in the proclamation
6 declaring the disaster. The authority may accept applications
7 directly from eligible applicants for loans and other financial
8 assistance.

9 (g) Funds transfer.--The sum of \$100,000,000 is
10 transferred from the Budget Stabilization Reserve Fund
11 established in section 1701-A of the act of April 9, 1929
12 (P.L.343, No.176), known as The Fiscal Code, to the authority
13 for the program under this chapter. Section 1703-A(b) of The
14 Fiscal Code does not apply to this subsection.

15 Section 3. This act shall take effect immediately.