
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1234 Session of
2020

INTRODUCED BY KILLION, TOMLINSON, AUMENT, BARLOTTA, BREWSTER,
FARNESE, FONTANA, KEARNEY, MASTRIANO, MENSCH, REGAN,
SABATINA, STEFANO, STREET, TARTAGLIONE AND J. WARD,
AUGUST 18, 2020

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
AUGUST 18, 2020

AN ACT

1 Amending the act of April 9, 1929 (P.L.343, No.176), entitled
2 "An act relating to the finances of the State government;
3 providing for cancer control, prevention and research, for
4 ambulatory surgical center data collection, for the Joint
5 Underwriting Association, for entertainment business
6 financial management firms, for private dam financial
7 assurance and for reinstatement of item vetoes; providing for
8 the settlement, assessment, collection, and lien of taxes,
9 bonus, and all other accounts due the Commonwealth, the
10 collection and recovery of fees and other money or property
11 due or belonging to the Commonwealth, or any agency thereof,
12 including escheated property and the proceeds of its sale,
13 the custody and disbursement or other disposition of funds
14 and securities belonging to or in the possession of the
15 Commonwealth, and the settlement of claims against the
16 Commonwealth, the resettlement of accounts and appeals to the
17 courts, refunds of moneys erroneously paid to the
18 Commonwealth, auditing the accounts of the Commonwealth and
19 all agencies thereof, of all public officers collecting
20 moneys payable to the Commonwealth, or any agency thereof,
21 and all receipts of appropriations from the Commonwealth,
22 authorizing the Commonwealth to issue tax anticipation notes
23 to defray current expenses, implementing the provisions of
24 section 7(a) of Article VIII of the Constitution of
25 Pennsylvania authorizing and restricting the incurring of
26 certain debt and imposing penalties; affecting every
27 department, board, commission, and officer of the State
28 government, every political subdivision of the State, and
29 certain officers of such subdivisions, every person,
30 association, and corporation required to pay, assess, or
31 collect taxes, or to make returns or reports under the laws

1 imposing taxes for State purposes, or to pay license fees or
2 other moneys to the Commonwealth, or any agency thereof,
3 every State depository and every debtor or creditor of the
4 Commonwealth," in emergency COVID-19 response, providing for
5 public utility assistance.

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

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

10 Section 134-C. Public utility assistance.

11 (a) Department of Human Services.--From money appropriated
12 from the CARES Act, the amount of \$100,000,000 shall be
13 distributed through the Low-Income Energy Assistance Program to
14 provide utility security for residential utility customers. In
15 making the distribution under this subsection, the Department of
16 Human Services shall:

17 (1) Extend the enrollment period for applications until
18 all funds allocated under this section are expended.

19 (2) Amend crisis grant requirements to accept past-due
20 utility bills as evidence of a crisis.

21 (3) Allow a public utility to establish flexible
22 verification procedures.

23 (4) Permit applicants to calculate their income based on
24 recent changes to income or unemployment.

25 (5) Establish a temporary program of crisis grant
26 assistance equal to \$600 utilizing paragraphs (1), (2), (3)
27 and (4) for households with dwelling units occupied by
28 persons with annual income at or below 200% of the Federal
29 poverty guidelines.

30 (6) Include the distribution under this subsection in
31 the LIHEAP annual report.

32 (b) Pennsylvania Public Utility Commission.--From money

1 appropriated from the CARES Act, the amount of \$25,000,000 shall
2 be distributed by the Pennsylvania Public Utility Commission to
3 public utilities to provide small business assistance grants to
4 qualifying small business for the payment of utility expenses.
5 To qualify for a small business assistance grant, the small
6 business must meet the definition of a "small business customer"
7 under 52 Pa. Code Ch. 54 (relating to electricity generation
8 customer choice) or 62 (relating to natural gas supply customer
9 choice). In making the distribution under this subsection, the
10 Pennsylvania Public Utility Commission shall administer the
11 temporary grant program by:

12 (1) Requiring each public utility to submit within 15
13 days, the number of and total arrearages for qualifying small
14 business customers in their service territory for the period
15 of April 1, 2020, to July 31, 2020.

16 (2) Distributing the money to each public utility on a
17 pro rata basis from the calculation determined under
18 paragraph (1) within 15 days.

19 (3) Requiring each public utility to submit within 30
20 days a plan to the Pennsylvania Public Utility Commission
21 detailing the distribution of funds to qualifying small
22 businesses. Upon approval of the plan, the public utility may
23 distribute the grant funding according to the plan.

24 (4) Requiring each public utility to report within three
25 months of receipt of the money to the Pennsylvania Public
26 Utility Commission how the money was allocated, how many
27 businesses were assisted, how much assistance was received,
28 the remaining arrearages from paragraph (1) and new
29 arrearages since the assistance was provided.

30 (5) Compiling the reports and posting the compilation on

1 the Pennsylvania Public Utility Commission's publicly
2 accessible Internet website.

3 (c) PennVEST.--From the money appropriated from the CARES
4 Act, the amount of \$25,000,000 shall be distributed to PennVEST
5 to assist individual and small businesses with payment of
6 delinquent water and wastewater utility payments. In making the
7 distribution under this subsection and notwithstanding the
8 provisions of section 10(e) of the act of March 1, 1988 (P.L.82,
9 No.16), known as the Pennsylvania Infrastructure Investment
10 Authority Act, or any other law, PennVEST shall:

11 (1) Receive from each water and wastewater provider
12 within 15 days, the number of and total arrearages for
13 residential customers in their service territory for the
14 period of April 1, 2020, to July 31, 2020. The amount of
15 arrearages shall be signed and verified by a representative
16 of the water and wastewater provider and shall be subject to
17 audit upon request by PennVEST.

18 (2) Distribute CARES funding to each water or wastewater
19 provider on a pro rata basis from the calculation determined
20 under paragraph (1) within 15 days.

21 (3) Require each water and wastewater provider to submit
22 within 30 days a plan to PennVEST detailing the distribution
23 of funds to residential customers. Upon approval of the plan,
24 the water or wastewater provider may distribute the grant
25 funding according to the plan and, in the event of remaining
26 grant funds, use funds for small business customers.

27 (4) Require each water or wastewater provider to report
28 within three months of receipt of the money to PennVEST how
29 the money was allocated, how many customers were assisted,
30 how much assistance was received, the remaining arrearages

1 from paragraph (1) and new arrearages since the assistance
2 was provided.

3 (5) Compile the reports and post the compilation on
4 PennVEST's publicly accessible Internet website.

5 Section 2. This act shall take effect immediately.