INTRODUCED BY HOHENSTEIN, A. DAVIS, CIRESI, DALEY, DEASY, DeLUCA, DRISCOLL, GALLOWAY, GUENST, HANBIDGE, HARRIS, HILL-EVANS, ISAACSON, PASHINSKI, SANCHEZ, SIMS, WARREN AND WEBSTER, JANUARY 29, 2021

REFERRED TO COMMITTEE ON APPROPRIATIONS, JANUARY 29, 2021

AN ACT

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 miscellaneous limitations and transfers, further providing for COVID-19 response transfers for assistance to the Commonwealth's health care system and providing for COVID-19 response transfers to restricted account.

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

Section 1. Section 1735-A.1(f) of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, added March 27, 2020 (P.L.30, No.10), is amended to read:

Section 1735-A.1. COVID-19 response transfers for assistance to the Commonwealth's health care system.

* * *

(f) Report.--Beginning June 1, 2020, and the first day of each month thereafter, the Secretary of the Budget shall provide a report detailing all spending related to the COVID-19 response the Commonwealth has made during the preceding month, including any funding made available through the Federal Government, the Governor's disaster proclamation, an agency budget or the transfers under this section and section 1738-A.1. The report shall include the recipient, the dollar amount and a detailed explanation of the purpose of the spending. The Secretary of the Budget shall provide the report to the Majority Leader and Minority Leader of the Senate, the Majority Leader and Minority Leader of the House of Representatives, the chairperson and minority chairperson of the Appropriations Committee of the Senate and the chairperson and minority chairperson of the Appropriations Committee of the House of Representatives.

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Section 2. The act is amended by adding a section to read:

Section 1738-A.1. COVID-19 response transfers to restricted
account.

(a) Transfers.--Notwithstanding any other provision of law, the Secretary of the Budget may transfer up to $50,000,000 from the General Fund to the restricted account identified under section 1735-A.1. The transferred money shall be expended for the acquisition of medical equipment and supplies for health care entities to meet urgent patient and staff needs to address surge demand. Health care entities shall include, but not be limited to, hospitals, nursing facilities and emergency medical services.

(b) Authorization.--The Secretary of the Budget shall only be authorized to make transfers under subsection (a) to the extent that funding authorized by the General Assembly prior to the effective date of this section and funding authorized by the Federal Government are insufficient to meet the needs of the Commonwealth's response to COVID-19.

(c) Notification.--The Secretary of the Budget shall provide notification to the chairperson and minority chairperson of the Appropriations Committee of the Senate and the chairperson and minority chairperson of the Appropriations Committee of the House of Representatives 24 hours prior to making any transfer under subsection (a). The notification shall include the dollar amount to be transferred.

(d) Report.--Information regarding a transfer under subsection (a) shall be included in the report required under section 1735-A.1(f).

(e) Expiration.--The authority to transfer money under subsection (a) shall expire July 1, 2021.

(f) Definitions.--As used in this section, the term "COVID-19" shall mean the novel coronavirus as identified in the
Governor's proclamation of disaster emergency issued on March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020), and any renewal of the state of disaster emergency.

Section 3. This act shall take effect immediately.