
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1438 Session of
2021

INTRODUCED BY MERSKI, SANCHEZ, MARKOSEK, KULIK, FREEMAN,
HARKINS, LONGIETTI, SCHLOSSBERG, GALLOWAY, CIRESI, DRISCOLL,
ROWE AND O'MARA, MAY 17, 2021

REFERRED TO COMMITTEE ON COMMERCE, MAY 17, 2021

AN ACT

1 Establishing the COVID-19 Community Fitness-related Business
2 Grant Program and the COVID-19 Community Fitness-related
3 Business Grant Fund.

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 Community Fitness-related Business Grant Program Act.

9 Section 2. Definitions.

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

13 "COVID-19." The novel coronavirus identified in the
14 proclamation of disaster emergency issued by the Governor on
15 March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020), and
16 any renewal of the state of disaster emergency.

17 "Department." The Department of Community and Economic
18 Development of the Commonwealth.

1 "Fitness-related business." A non-franchise employer in this
2 Commonwealth that satisfies all of the following criteria:

3 (1) is a gym, fitness center, cheerleader gym, dance
4 studio, gymnastic center, sports-related facility, yoga
5 studio or other business where fitness activities are
6 performed; and

7 (2) the employer's gross annual receipts for the prior
8 fiscal year did not exceed \$1,000,000.

9 "Fund." The COVID-19 Community Fitness-related Business
10 Grant Fund established under section 4.

11 "Program." The COVID-19 Community Fitness-related Business
12 Grant Program established under section 3.

13 Section 3. The COVID-19 Community Fitness-related Business
14 Grant Program.

15 (a) Establishment.--The COVID-19 Community Fitness-related
16 Business Grant Program is established within the department.

17 (b) Duties of department.--The department shall provide
18 grants under the program in accordance with this act to fitness-
19 related businesses that are adversely affected financially due
20 to COVID-19.

21 Section 4. The COVID-19 Community Fitness-related Business
22 Grant Fund.

23 The COVID-19 Community Fitness-related Business Grant Fund is
24 established as a special fund in the State Treasury. Money
25 transferred under section 11 shall be deposited into the fund to
26 be used exclusively by the department to award grants to
27 fitness-related businesses under the program.

28 Section 5. Grant application forms.

29 (a) Development.--The department shall develop a grant
30 application form for fitness-related businesses to apply for a

1 grant under the program. At a minimum, the grant application
2 form shall contain the following information:

3 (1) The name, address and contact information of the
4 fitness-related business.

5 (2) The amount of grant money requested under the
6 program.

7 (3) The proposed use for the grant money requested under
8 the program.

9 (4) The financial impact on the fitness-related business
10 due to COVID-19.

11 (5) Any other information that the department deems
12 necessary and appropriate.

13 (b) Submission.--A fitness-related business must submit the
14 grant application form under subsection (a) to the department in
15 a manner prescribed by the department to be eligible for a grant
16 under the program.

17 Section 6. Award of grants.

18 (a) Review.--No later than 20 days after receipt of a grant
19 application form, the department shall:

20 (1) review the grant application form;

21 (2) determine whether to award a grant to the fitness-
22 related business under the program; and

23 (3) determine the amount of the grant money to be
24 awarded to the fitness-related business, if applicable.

25 (b) Considerations.--In determining the amount of the grant
26 to be awarded to a fitness-related business, the following shall
27 apply:

28 (1) The department shall consider all of the following:

29 (i) The geographic and demographic diversity of the
30 fitness-related business.

1 (ii) How the fitness-related business and the
2 surrounding community of the fitness-related business
3 would be served through the award of the grant money to
4 the fitness-related business.

5 (2) The department may require documentation and
6 information regarding the gross annual receipts of the
7 fitness-related business.

8 (c) Notice.--After conducting a review and making a
9 determination on a grant application under subsection (a), the
10 department shall provide written notice to the fitness-related
11 business of the award or denial of a grant under the program.

12 The following shall apply:

13 (1) Notice of the award of a grant under the program
14 shall include the amount of the grant money awarded and any
15 conditions or restrictions on the use of the grant money.

16 (2) Notice of the denial of all or part of the grant
17 money requested under the program in the grant application
18 shall include the reasons for the full or partial denial.

19 Section 7. Public notice.

20 The department shall provide information regarding the
21 availability and award of grants under the program on the
22 department's publicly accessible Internet website.

23 Section 8. Limitation on award of grants.

24 Subject to the availability of funding, a grant to a fitness-
25 related business under the program shall not exceed \$20,000.

26 Section 9. Reports.

27 (a) Preparation.--No later than 60 days after the authority
28 of the department to award grants under the program expires
29 under section 12, the department shall prepare a report that
30 lists each fitness-related business that received grant money

1 under the program and a summary of the information specified in
2 each grant application under section 5(a).

3 (b) Publication.--The department shall post the report under
4 subsection (a) on the department's publicly accessible Internet
5 website.

6 Section 10. Guidelines.

7 The department may promulgate guidelines for the
8 implementation and administration of this act.

9 Section 11. Transfer of funds.

10 In addition to any other money made available to the
11 Commonwealth for COVID-19 relief, the sum of \$25,000,000 is
12 transferred from the Budget Stabilization Reserve Fund under
13 section 1701-A of the act of April 9, 1929 (P.L.343, No.176),
14 known as The Fiscal Code, to the fund for the purpose of
15 awarding grants under the program.

16 Section 12. Expiration.

17 The authority of the department to award grants under the
18 program shall expire 30 days after the expiration or termination
19 of the proclamation of disaster emergency.

20 Section 13. Effective date.

21 This act shall take effect in 30 days.