

FISCAL CODE - OMNIBUS AMENDMENTS
Act of Nov. 23, 2020, P.L. 1140, No. 114
Session of 2020
No. 2020-114

Cl. 72

HB 2536

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 emergency COVID-19 response, further providing for money in account and providing for municipalities; in financially distressed municipalities, providing for local services tax; in special funds, further providing for disposition of Budget Stabilization Reserve Fund; in additional special funds and restricted accounts, further providing for return of COVID-19 response transfers and providing for Workers' Compensation Security Fund transfer; in general budget implementation, further providing for Department of Community and Economic Development, for Department of Conservation and Natural Resources, for Department of Environmental Protection, for Department of General Services, for Pennsylvania Gaming Control Board, for Department of Health, for Department of Military and Veterans Affairs, for Department of Human Services and for Department of Revenue and providing for legislative department and for Pennsylvania Public Utility Commission; further providing for 2020-2021 budget implementation and for 2020-2021

restrictions on appropriations for funds and accounts; making related repeals; and making editorial changes.

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

Section 1. The General Assembly finds and declares as follows:

(1) The intent of this act is to provide for the implementation of the 2020-2021 Commonwealth budget.

(2) The Constitution of Pennsylvania confers numerous express duties upon the General Assembly, including the passage of a balanced budget for the Commonwealth.

(3) Section 24 of Article III of the Constitution of Pennsylvania requires the General Assembly to adopt all appropriations for the operation of government in this Commonwealth, regardless of their source. The Supreme Court has repeatedly affirmed that "It is fundamental within Pennsylvania's tripartite system that the General Assembly enacts the legislation establishing those programs which the State provides for its citizens and appropriates the funds necessary for their operation."

(4) Pursuant to section 13 of Article VIII of the Constitution of Pennsylvania, the General Assembly is explicitly required to adopt a balanced Commonwealth budget. Given the unpredictability and potential insufficiency of revenue collections, various changes in State law relating to sources of revenue, the collection of revenue and the implementation of statutes which impact revenue may be required to discharge this constitutional obligation.

(5) Section 11 of Article III of the Constitution of Pennsylvania requires the adoption of a general appropriation act that embraces "nothing but appropriations." While actual items of appropriation can be contained in a General Appropriation Act, the achievement and implementation of a comprehensive budget involves more than subjects of appropriations and dollar amounts. Ultimately, the budget has to be balanced under section 13 of Article VIII of the Constitution of Pennsylvania. This may necessitate changes to sources of funding and enactment of statutes to achieve full compliance with these constitutional provisions.

(6) For the reasons set forth in paragraphs (1), (2), (3), (4) and (5), it is the intent of the General Assembly through this act to provide for the implementation of the 2020-2021 Commonwealth budget.

(7) Every provision of this act relates to the implementation of the operating budget of the Commonwealth for this fiscal year, addressing in various ways the fiscal operations, revenues and potential liabilities of the Commonwealth. To that end, this act is intended to implement the 2020-2021 Commonwealth budget without specifically appropriating public money from the General Fund. This act provides accountability for spending and makes transfers or other changes necessary to impact the availability of revenue in order to meet the requirements of section 13 of Article VIII of the Constitution of Pennsylvania and to implement the act of May 29, 2020 (P.L.1325, No.1A), known as the General Appropriation Act of 2020, and the act of November 23, 2020 (P.L.1469, No.17A), known as the Supplement to the General Appropriation Act of 2020.

Section 2. Section 111-C of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, added May 29, 2020 (P.L.186, No.24), is amended to read:

Section 111-C. Money in account.

(a) Continuation.--Except as provided under [subsection (b)] **subsections (d.1) and (d.2)**, all money in the account, including, but not limited to, money credited to the account under section 110-C, prior year encumbrances and any earned interest, shall not lapse or be transferred to any other fund or account.

[(b) County Block Grants.--Money in the account that remains unexpended from the State Treasury as of December 1, 2020, shall be transferred by the State Treasurer to the Department of Community and Economic Development for distribution to counties eligible to receive funds under subarticle (d).

(c) Distribution.--By December 15, 2020, money transferred under subsection (b) shall be distributed by the Department of Community and Economic Development to each county eligible to receive funds under subarticle (d) on a pro rata basis using the population proportion amount calculated under section 130-C(e).

(d) Use of funds.--Money transferred to the Department of Community and Economic Development and distributed to counties under subsection (c) may be used only for eligible uses under section 131-C.]

(d.1) Unexpended funds.--The following shall apply:

(1) Except as provided in subsections (d.2) and (d.3), money received by the Commonwealth from the Federal Government under Division A of Title V of the Federal Coronavirus Aid, Relief, and Economic Security Act (Public Law 116-136, 134 Stat. 281) and initially deposited into the account that remains unexpended as of December 1, 2020, including, but not limited to, any money previously appropriated to the Pennsylvania Housing Finance Agency and the Department of Community and Economic Development, including distributions to the counties, shall be returned to the account by December 15, 2020.

(2) The money in the account under paragraph (1) as of December 22, 2020, is appropriated and shall be transferred by the State Treasurer to the Department of Corrections to meet payroll expenses for public safety and health care or similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

(d.2) Extension of time for Regional Response Health Collaboration.--Money appropriated for COVID Relief - Long-Term Living Programs for distribution under section 105-B(1) that remains unexpended from the State Treasury as of December 30, 2020, is appropriated and shall be transferred by the State Treasurer to the Department of Corrections to meet payroll expenses for public safety and health care or similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

(d.3) Supplement to the General Appropriation Act of 2020.--Money appropriated under the act of November 23, 2020 (P.L. , No.17A), known as the Supplement to the Appropriation Act of 2020, from the account is not subject to subsections (d.1) and (d.2).

(e) Notification by treasurer.--

(1) By November 29, 2020, the State Treasurer shall notify 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 of the amount of money [in the account] **under subsection (d.1)** that is estimated to remain unexpended as of December 1, 2020, and will be transferred [to the Department of Community and Economic Development] **under subsection (d.1)**.

(2) By December 29, 2020, the State Treasurer shall notify 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 of the amount of money under subsection (d.2) that is estimated to remain unexpended as of December 30, 2020, and will be transferred under subsection (d.2).

[f) Notification.--By December 31, 2020, the Secretary of Community and Economic Development shall notify 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 of the amount of money distributed to each county under subsection (c).]

Section 2.1. Section 190.1-C of the act, added May 29, 2020 (P.L.186, No.24), is renumbered to read:
Section [190.1-C] **192-C**. State University Assistance.

(a) Program.--Money appropriated for COVID Relief - State Universities shall be used by the State System of Higher Education to make payments to State universities for costs resulting from the proclamation of disaster emergency issued by the Governor on March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020), and any renewal of the state of disaster emergency.

(b) Determination of payments.--Payments made under this section to each State university shall be determined as follows:

(1) Multiply:

(i) the 2019 fall headcount enrollment for each State university; by

(ii) the amount of the appropriation for COVID Relief - State Universities.

(2) Divide:

(i) the product under paragraph (1); by

(ii) the 2019 fall headcount enrollment for all State universities.

(c) Payment deadline.--Payments made under this section shall be made no later than July 15, 2020.

(d) Report.--By July 31, 2020, the Chancellor of the State System of Higher Education shall issue a report 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 and post the report on the State System of Higher Education's publicly accessible Internet website. The report shall include the following information:

(1) The 2019 fall headcount enrollment for each State university.

(2) The 2019 fall headcount enrollment for all State universities.

(3) The payment made to each State university under this section.

(4) The total payments made to all State universities under this section.

(e) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Fall headcount enrollment." The number of students enrolled in credit-bearing courses and the number of students enrolled in clock-hour programs.

"State university." A university which is part of the State System of Higher Education under Article XX-A of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949.

Section 2.2. Article I-C of the act is amended by adding a subarticle to read:

**SUBARTICLE L
MUNICIPALITIES**

Section 193-C. Emergency tax anticipation notes.

(a) Legislative findings.--The General Assembly finds and declares that the proclamation of disaster emergency issued by the Governor on March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020), and the resulting global pandemic from COVID-19, has had an unexpected and sudden effect on the citizens, governments and businesses of this Commonwealth, including a material negative effect on the revenues of many local government units.

(b) Emergency borrowing authorized.--Notwithstanding any other provision of this act or law, a local government unit may borrow money under 53 Pa.C.S. § 8121 (relating to power to issue tax anticipation notes) with the following additional terms:

(1) For the purposes of this subsection, the governing body's anticipation of current taxes or current revenues may include an anticipation that the taxes levied or revenues receivable may not be received, in full or in part, until after the end of the current fiscal year due to the extension of tax filing deadlines, administrative break-down during the proclamation of disaster emergency issued by the Governor on March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020), and any renewal of the state of disaster emergency, unexpected severe economic contraction or the inability to timely enforce collection due to the proclamation of disaster emergency.

(2) In addition to the other requirements under 53 Pa.C.S. Ch. 81 Subch. B (relating to tax anticipation notes and funding debt), a governing body shall establish a maturity date for a tax anticipation note issued under this subsection which shall not be later than the last day of the local government unit's fiscal year in 2022.

(c) Expiration.--No local government unit may borrow money under the authorization of this section after December 31, 2021.

(d) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Governing body." As defined in 53 Pa.C.S. § 8002(c) (relating to definitions).

"Local government unit." As defined in 53 Pa.C.S. § 8002(c).

Section 3. The act is amended by adding a section to read:
Section 1605-D.1. Local services tax.

(a) Continuation of levy.--Notwithstanding section 123(d) of the act of July 10, 1987 (P.L.246, No.47), known as the Municipalities Financial Recovery Act, or any other provision of law to the contrary, a city of the third class in a county of the third class with a population of at least 48,000 and not more than 52,000 based on the most recent Federal decennial census as of the effective date of this section may continue

to levy the local services tax at a rate of \$156 for 10 years after the effective date of this section.

(b) Ten-year expiration.--After the expiration of the permitted 10-year time period in subsection (a), a city of the third class subject to this section may levy a local services tax at a rate not to exceed \$104 for a time period not to exceed five years.

(c) Five-year expiration.--After the expiration of the five-year time period in subsection (b), a city of the third class subject to this section shall adjust the local services tax to the rate authorized by the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act.

(d) Limitation and prohibition.--A city of the third class subject to this section may continue to levy an earned income tax on residents which does not exceed 2%, but shall not levy a tax or fee on the earned income of nonresidents.

(e) Determination.--A city of the third class subject to this section is eligible for a determination to terminate distressed status in the manner provided under section 255.1 of the Municipalities Financial Recovery Act.

Section 4. Sections 1703-A and 1735.1-A.1 of the act, added May 29, 2020 (P.L.186, No.24), are amended to read:

Section 1703-A. Disposition of Budget Stabilization Reserve Fund.

(a) Purpose.--It is the intent of the General Assembly that:

(1) Money from the Budget Stabilization Reserve Fund be appropriated only when emergencies involving the health, safety or welfare of the residents of this Commonwealth or downturns in the economy resulting in significant unanticipated revenue shortfalls cannot be dealt with through the normal budget process.

(2) Money in the Budget Stabilization Reserve Fund shall not be used to begin new programs but to provide for the continuation of vital public programs in danger of being eliminated or severely reduced due to financial problems resulting from the economy.

(b) Appropriation.--[Whenever] **Except as provided under subsection (c), whenever** the Governor determines that an appropriation from the Budget Stabilization Reserve Fund is necessary to meet emergencies involving the health, safety or welfare of the residents of this Commonwealth or to counterbalance downturns of the economy which result in significant unanticipated revenue shortfalls, the Governor shall present a request for an appropriation [along with] **which may include** the specifics of the proposal and suggested ancillary and substantive legislation as may be necessary to the chairman of Appropriations Committee of the Senate and the chairman of the Appropriations Committee of the House of Representatives. The General Assembly may then through approval of a separate appropriation bill by a vote of two-thirds of the members elected to the Senate and the House of Representatives appropriate money from the Budget Stabilization Reserve Fund to meet the needs identified in the Governor's proposal. Any money appropriated according to this section which has then lapsed shall be returned to the Budget Stabilization Reserve Fund.

(c) Transfer.--No later than November 30, 2020, \$100,000,000 shall be transferred from the Budget Stabilization Reserve Fund to the General Fund and shall be available for appropriation by the General Assembly.

Section 1735.1-A.1. Return of COVID-19 response transfers.

(a) Return of special fund transfers.--Any money transferred from special funds under the Governor's jurisdiction to a restricted account under section 1735-A.1 shall be returned to each special fund in an amount equal to the initial transfer.

(b) Deposit.--Money returned under subsection (a) shall be transferred to the applicable special fund from which the money was transferred under section 1735-A.1 and deposited by July 31, 2020.

[(c) Restriction on use of returned funds.--After deposit under subsection (b), no department, commission, agency, office or authority of the Governor or the Commonwealth shall expend any portion of money deposited into a special fund under subsection (b) unless appropriated by the General Assembly.]

(d) Transfer to General Fund.--No later than 10 days after the effective date of this subsection, money deposited under subsection (b) shall be transferred to the General Fund and shall be available for appropriation by the General Assembly.

Section 5. The act is amended by adding a section to read:
Section 1737-A.1. Workers' Compensation Security Fund Transfer.

Any amount transferred from the Workers' Compensation Security Fund pursuant to section 1726-M(d) shall be repaid to the Workers' Compensation Security Fund by July 1, 2028.

Section 6. Section 1719-E(d) of the act is amended by adding definitions and the section is amended by adding a subsection to read:

Section 1719-E. Department of Community and Economic Development.

* * *

(a.1) Authorization.--Notwithstanding the provisions of sections 301.2 and 304 of the act of October 6, 1998 (P.L.705, No.92), known as the Keystone Opportunity Zone, Keystone Opportunity Expansion Zone and Keystone Opportunity Improvement Zone Act, if the Governor, by executive order, had previously designated property as a proposed improvement subzone in a township of the second class located in a county of the second class A, no later than December 31, 2020, a political subdivision may apply to the department for approval of the designation of the previously designated subzone as a Keystone Opportunity Improvement Zone. A Keystone Opportunity Improvement Zone designated under this subsection shall conform to the requirements of the Keystone Opportunity Zone, Keystone Opportunity Expansion Zone and Keystone Opportunity Improvement Zone Act and shall begin on January 1, 2021, and expire on December 31, 2035.

* * *

(d) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

* * *

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

* * *

"Subzone." As defined in the Keystone Opportunity Zone, Keystone Opportunity Expansion Zone and Keystone Opportunity Improvement Zone Act.

Section 7. Sections 1720-E and 1723-E of the act are amended to read:

Section 1720-E. Department of Conservation and Natural Resources.

(a) Appropriations.--The following shall apply to appropriations for the Department of Conservation and Natural Resources:

(1) The department shall, in consultation with the Department of Transportation, develop, open and maintain an ATV trail connecting the Whiskey Springs ATV trail to the Blood Skillet ATV trail by utilizing existing State roads and State forest roads by April 1, 2020.

(2) The department shall, in consultation with the Department of Transportation, implement the full Northcentral Pennsylvania ATV initiative and create a network of ATV trails connecting Clinton County to the New York State border by utilizing existing State roads and State forest roads by April 1, 2024.

(b) Regional ATV pilot program for department lands.--

(1) The department shall establish a regional pilot program for ATV use on department lands.

(2) As part of the pilot program, by December 31, 2020, the department shall:

(i) evaluate department forest districts, including Elk, Moshannon, Sproul, Susquehannock and Tioga, for roads and trails to serve as potential regional connectors and to provide local access or serve as a trail complex for ATV use; and

(ii) perform an assessment regarding charging fees for access to the department ATV pilot area.

(3) Beginning January 2021, the department shall:

(i) consult with local community leaders to assess their interest in and the feasibility of a department ATV pilot area;

(ii) perform outreach to affected communities and stakeholders; and

(iii) map, mark and designate roads and trails in the department ATV pilot area for use as permitted under this subsection.

(4) Upon completion of the requirements under paragraphs (2) and (3), the department may apply a fee and sell tags for access to the department ATV pilot area using a tag system to designate access.

(5) The department shall provide access to the department ATV pilot area for the 2021 summer ATV riding season from the Friday before Memorial Day through the last full weekend in September, in addition to an extended season to be determined by the department based on local conditions.

(6) In order to access the department ATV pilot area roads or trails, a person with a registration under 75 Pa.C.S. § 7711.1 (relating to registration of snowmobile or ATV) must apply for, obtain and prominently display a department ATV pilot area tag upon the ATV machine.

(7) The fee per tag shall be determined by the department during the pilot program assessment under paragraph (2)(ii). The tags shall be dispersed on a calendar-year basis.

(8) All fees collected under this subsection shall be deposited into the restricted account as provided for under 75 Pa.C.S. § 7706(a)(1) (relating to restricted accounts) and shall be allocated to the department's ATV Fund which funds ATV activities, enforcement and maintenance on department lands, as provided for in 75 Pa.C.S. § 7706(b).

(9) The department shall monitor the use, enforcement, maintenance needs and any associated impacts to State Forest land resources, value and forest users resulting from the

department ATV pilot area. On or before December 31, 2023, the department shall submit a report to the General Assembly on the department ATV pilot area.

(10) As used in this subsection, the term "department" means the Department of Conservation and Natural Resources of the Commonwealth.

Section 1723-E. Department of Environmental Protection.

(a) **Assessment of fee.**--The Department of Environmental Protection may assess a fee to applicants who apply for funds under section 306 of the act of July 9, 2008 (1st Sp.Sess., P.L.1873, No.1), known as the Alternative Energy Investment Act. The department shall publish the fee on its publicly accessible Internet website. Proceeds from the fee shall be used to administer the provision of loans, grants, reimbursements or rebates under section 306 of the Alternative Energy Investment Act. No fee authorized under this section may exceed \$150 for commercial applicants and \$100 for residential applicants.

(b) **Prohibition.**--Beginning with fiscal year 2020-2021, the Department of Environmental Protection shall be prohibited from authorizing a grant or other payments or reimbursements totaling more than \$280,000 from any fees or penalties collected or money appropriated to it by the General Assembly from Commonwealth revenue sources or Federal revenue sources to complete the data analysis and report requirements of section 18.1 of the act of April 27, 1966 (1st Sp.Sess., P.L.31, No.1), known as The Bituminous Mine Subsidence and Land Conservation Act. Payments or reimbursements for the completion of subsequent data analysis and report requirements of section 18.1 of the Bituminous Mine Subsidence and Land Conservation Act shall be adjusted for inflation based on the United States Bureau of Labor Statistic's Consumer Price Index.

Section 8. Section 1724-E(a) of the act, amended June 28, 2019 (P.L.173, No.20), is amended to read:
Section 1724-E. Department of General Services.

(a) **Capitol Complex [fire services] management.**--The following shall apply to the management of the Capitol Complex by the Department of General Services:

(1) The General Assembly shall provide annual appropriations to support the provision of fire services to the Capitol Complex in the City of Harrisburg.

(2) The Department of General Services shall ensure that no flag other than the United States flag, the Pennsylvania flag or a flag authorized under the act of March 4, 1970 (P.L.128, No.49), entitled "An act granting to the Governor of the Commonwealth the sole authority for regulating the display of the flag of the United States from any public ground or building and from any ground or building of certain other institutions," shall be flown over the Pennsylvania State Capitol Building or on Pennsylvania State Capitol grounds.

(3) The Department of General Services shall ensure that no banners, posters, temporary signage or other similar material, except for informational material to aid navigation of the facilities or signage necessary for health or safety, shall be displayed on the outside of the Pennsylvania State Capitol Building, including its alcoves, balconies and windows.

* * *

Section 9. Sections 1724.1-E and 1725-E of the act are amended by adding subsections to read:
Section 1724.1-E. Pennsylvania Gaming Control Board.

* * *

(f) Temporary regulations.--Notwithstanding any other provision of law, the temporary regulations published under 4 Pa.C.S. §§ 13A03 (relating to temporary table game regulations), 13B03 (relating to regulations), 13C03 (relating to temporary sports wagering regulations), 13F07 (relating to temporary regulations) and 3303 (relating to temporary regulations) shall expire three years after the date of publication.

Section 1725-E. Department of Health.

* * *

(c) Dispensary permit.--If a person holds a permit to operate as a medical marijuana dispensary under the act of April 17, 2016 (P.L.84, No.16), known as the Medical Marijuana Act, and the permit is surrendered, revoked or otherwise forfeited, the Department of Health shall issue the dispensary permit to the next most-qualified applicant in the same region according to the department's ranking and scoring in the application phase during which the initial permit was issued. This provision does not apply to permits issued under section 2002 of the Medical Marijuana Act.

Section 10. Section 1728-E of the act is amended to read:
Section 1728-E. Department of Military and Veterans Affairs [(Reserved)].

The definition of "customer-generator" in section 2 of the act of November 30, 2004 (P.L.1672, No.213), known as the Alternative Energy Portfolio Standards Act, shall include net-metered distributed generation systems owned, operated or supporting the Department of Military and Veterans Affairs on property owned or leased and operated by the department with a nameplate capacity not to exceed the department's annual electric needs to support the department's facilities on its property.

Section 11. Section 1729-E of the act is amended by adding a paragraph to read:

Section 1729-E. Department of Human Services.

The following shall apply to appropriations for the Department of Human Services:

* * *

(7) A provider that delivers services subject to section 12006(a) of the 21st Century Cures Act (Public Law 114-255, 130 Stat. 1033) shall electronically report to the department or its authorized contractor each visit conducted as part of the services. The electronic visit information reported shall include all information found in the definition of "electronic visit verification system" under section 12006(a) of the 21ST Century Cures Act. The provider shall submit the information in a format prescribed by the department. The department or its authorized contractor may use the information reported under this paragraph to validate or deny claims submitted under the medical assistance program.

Section 12. Section 1730-E of the act is amended by adding a subsection to read:

Section 1730-E. Department of Revenue.

* * *

(c) Military installation remediation program.--Notwithstanding Chapter 3-A of the act of December 8, 2004 (P.L.1801, No.238), known as the Transit Revitalization Investment District Act, and any law providing for the confidentiality of tax records, the following shall apply:

(1) The qualified authority and each local taxing authority shall have access to a report and certification

filed under Chapter 3-A of the Transit Revitalization Investment District Act on or after November 27, 2019.

(2) The qualified authority shall have access to State or local tax information filed on or after November 27, 2019, by a qualified business for a designated parcel under section 301-A(a) (4) of the Transit Revitalization Investment District Act solely for the purpose of documenting the certification required under Chapter 3-A of the Transit Revitalization Investment District Act. Any other use of the tax information described in this subsection shall be prohibited as provided under law.

(3) As used in this section, the following words and phrases shall have the meanings given to them in this paragraph unless the context clearly indicates otherwise:

"Military installation remediation project." As defined in section 103 of the Transit Revitalization Investment District Act.

"Qualified authority." As defined in section 103 of the Transit Revitalization Investment District Act.

"Qualified tax." As defined in section 103 of the Transit Revitalization Investment District Act.

"Qualified taxpayer." As defined in section 103 of the Transit Revitalization Investment District Act.

Section 13. Article XVII-E of the act is amended by adding a subarticle to read:

SUBARTICLE C
LEGISLATIVE DEPARTMENT

Section 1761-E. Senate (Reserved).

Section 1762-E. House of Representatives (Reserved).

Section 1763-E. Legislative Reference Bureau.

The following shall apply:

(1) Notwithstanding any other provision of law to the contrary, including 62 Pa.C.S. (relating to procurement), the Pennsylvania Consolidated Statutes, advance copies of statutes, volumes of the Laws of Pennsylvania and other publications shall be published under contracts entered into by the Legislative Reference Bureau and disseminated as determined by the bureau. Money from sales shall be paid to the bureau or the Department of General Services, as the bureau shall determine, and that money shall be paid into the State Treasury to the credit of the General Fund. Money from sales is hereby appropriated from the General Fund to the Legislative Reference Bureau for the publication and dissemination of the Pennsylvania Consolidated Statutes, advance copies of statutes, volumes of the Laws of Pennsylvania and other publications and for related expenses.

(2) Contingent expenses connected with the work of the bureau shall be paid on warrants of the State Treasurer in favor of the director on the presentation of the director's requisitions.

(3) The director shall file an accounting of the contingent expenses, together with supporting documents whenever possible, in the office of the bureau.

Section 1764-E. Legislative Budget and Finance Committee (Reserved).

Section 1765-E. Legislative Data Processing Committee (Reserved).

Section 1766-E. Joint State Government Commission (Reserved).

Section 1767-E. Local Government Commission (Reserved).

Section 1768-E. Joint Legislative Air and Water Pollution Control and Conservation Committee (Reserved).

Section 1769-E. Legislative Audit Advisory Commission
(Reserved).
Section 1770-E. Independent Regulatory Review Commission
(Reserved).
Section 1771-E. Capitol Preservation Committee (Reserved).
Section 1772-E. Pennsylvania Commission on Sentencing
(Reserved).
Section 1773-E. Center for Rural Pennsylvania (Reserved).
Section 1774-E. Commonwealth Mail Processing Center (Reserved).
Section 1775-E. Chief Clerk of the Senate and Chief Clerk of
the House of Representatives (Reserved).

Section 14. The act is amended by adding a section to read:
Section 1799.10-E. Pennsylvania Public Utility Commission.

(a) Alternative energy portfolio standards.--

(1) Notwithstanding section 4 of the act of November 30, 2004 (P.L.1672, No.213), known as the Alternative Energy Portfolio Standards Act, in order to qualify as an alternative energy source eligible to meet the Tier II share of this Commonwealth's compliance requirements under section 3(c) of the Alternative Energy Portfolio Standards Act and to qualify for Tier II alternative energy portfolio credits, each Tier II source must do one of the following:

(i) Directly deliver the electricity it generates to a retail customer of an electric distribution company or to the distribution system operated by an electric distribution company operating within this Commonwealth and currently obligated to meet the compliance requirements contained under the Alternative Energy Portfolio Standards Act.

(ii) Be directly connected to the electric system of an electric cooperative or municipal electric system operating within this Commonwealth.

(iii) Connect directly to the electric transmission system at a location that is within the service territory of an electric distribution company operating within this Commonwealth.

(iv) Generate electricity at generation units whose construction and operation is subject to and complies with permits issued by the Department of Environmental Protection of the Commonwealth under the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act, or the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act.

(2) Nothing under this section or section 4 of the Alternative Energy Portfolio Standards Act shall affect any of the following:

(i) A certification originating within the geographical boundaries of this Commonwealth granted prior to the effective date of this section of a Tier II energy generator as a qualifying alternative energy source eligible to meet the Tier II share of this Commonwealth's alternative energy portfolio compliance requirements under the Alternative Energy Portfolio Standards Act.

(ii) Certification of a Tier II source with a binding written contract for the sale and purchase of alternative energy credits derived from Tier II energy sources for the remaining term of the contract as of the effective date of this section, but only until the current term of the contract terminates.

(b) **Applicability.**--This section shall apply to contracts entered into or renewed on or after the effective date of this section.

(c) **Definitions.**--As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Alternative energy source." As the term "alternative energy sources" is defined in section 2 of the Alternative Energy Portfolio Standards Act.

"Electric distribution company." As defined in section 2 of the Alternative Energy Portfolio Standards Act.

Section 15. Articles XVII-L and XVII-M of the act are repealed:

[ARTICLE XVII-L
2020-2021 BUDGET IMPLEMENTATION
SUBARTICLE A
PRELIMINARY PROVISIONS

Section 1701-L. **Applicability.**

Except as specifically provided in this article, this article applies to the General Appropriation Act of 2020 and all other appropriation acts of 2020.

Section 1702-L. **Definitions.**

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

"General Appropriation Act of 2020." The act of May 29, 2020 (P.L.1325, No.1A), known as the General Appropriation Act of 2020.

"Human Services Code." The act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code.

"Public School Code of 1949." The act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949.

"Secretary." The Secretary of the Budget of the Commonwealth.

"TANFEBG." Temporary Assistance for Needy Families Block Grant.

Section 1703-L. **Department of Criminal Justice.**

For the purposes of the General Appropriation Act of 2020, a reference to the Department of Criminal Justice shall be deemed to be a reference to the Department of Corrections or the Pennsylvania Parole Board, or both, as applicable.

SUBARTICLE B
EXECUTIVE DEPARTMENTS

Section 1711-L. **Governor (Reserved).**

Section 1712-L. **Executive offices.**

The following apply to appropriations for the Pennsylvania Commission on Crime and Delinquency:

(1) Money appropriated for intermediate punishment treatment programs shall be distributed competitively to counties for offenders sentenced to intermediate punishment programs. The portion of money for drug and alcohol and mental health treatment programs shall be based on national statistics that identify the percentage of incarcerated individuals that are in need of treatment for substance issues but in no case shall be less than 80% of the amount appropriated.

(2) The following apply:

(i) No less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used to support the Statewide Automated Victim Information and Notification System (SAVIN) to provide offender information through county jails.

(ii) No less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for a residential treatment community facility for at-risk youth located in a county of the fifth class.

(iii) No less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for an innovative police data sharing pointer index system that will allow participating law enforcement agencies access to incident report data.

(iv) No less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for a diversion program for first-time nonviolent offenders facing prison sentences. The diversion program must include education and employment services, case management and mentoring.

(3) From money appropriated for violence and delinquency prevention programs, no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for programs in a city of the second class, and no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for blueprint mentoring programs that address reducing youth violence in cities of the first, second and third class.

Section 1713-L. Lieutenant Governor (Reserved).

Section 1714-L. Attorney General (Reserved).

Section 1715-L. Auditor General.

From money appropriated for special financial audits, no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for the financial auditing of entities that receive funds through contracts with the Department of Human Services from money appropriated for Medical Assistance - Capitation, Medical Assistance Community HealthChoices, Medical Assistance - Long-term Care, Mental Health Services or the Intellectual Disabilities - Community Waiver Program.

Section 1716-L. Treasury Department (Reserved).

Section 1717-L. Department of Aging (Reserved).

Section 1718-L. Department of Agriculture.

The following apply to appropriations for the Department of Agriculture:

(1) From money appropriated for general government operations, no less than five-twelfths of the amount transferred in the 2019-2020 fiscal year shall be transferred to the Dog Law Restricted Account.

(2) From money appropriated for general government operations, no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for the Commission of Agricultural Education Excellence to assist in development and implementation of agricultural education programming.

(3) From money appropriated for agricultural preparedness and response, an amount equal to \$416,667 shall be used for agricultural preparedness and response purposes as provided by legislation enacted by the General Assembly after the effective date of this clause.

(4) From money appropriated for agricultural research, the following apply:

(i) No less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for an agricultural resource center.

(ii) No less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for agricultural law research programs, including those

addressing energy development, in conjunction with a land-grant university.

(5) The appropriation for agriculture promotion, education and exports includes no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for costs related to supporting the expansion of hemp farming, including program development, outreach and education.

(6) From money appropriated for hardwoods research and promotion, at least 80% of the money shall be equally distributed among the hardwood utilization groups of this Commonwealth established prior to the effective date of this section.

(7) In addition to the uses provided in section 7.3 of the act of June 18, 1982 (P.L.549, No.159), entitled "An act providing for the administration of certain Commonwealth farmland within the Department of Agriculture," the department may use up to a total of \$165,000 in the Agricultural Conservation Easement Purchase Fund under section 7.1 of the act of June 18, 1982 (P.L.549, No.159), entitled "An act providing for the administration of certain Commonwealth farmland within the Department of Agriculture," to issue grants not to exceed \$5,000 each for succession planning to ensure that agricultural operations continue on land subject to agricultural conservation easements. The department, in consultation with the State Agricultural Land Preservation Board, shall establish eligibility criteria for awarding grants under this paragraph.

Section 1719-L. Department of Community and Economic Development.

The following apply to appropriations for the Department of Community and Economic Development:

(1) From money appropriated for general government operations:

(i) No less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used to build capacity and support for economic development initiatives related to the rehabilitation and marketing of commercial districts by a county economic development authority in a county of the sixth class with a population of at least 45,950, but not more than 46,500, under the 2010 Federal decennial census.

(ii) No less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used to support a manufacturing technology development effort in a county of the fourth class with a population of at least 143,679, but not more than 144,200, under the 2010 Federal decennial census.

(2) From money appropriated for marketing to attract tourists:

(i) \$1,695,000 shall be used to fund the activities of the tourism office within the department; and

(ii) the remaining money includes an allocation, not to exceed five-twelfths of the amount allocated in the 2019-2020 fiscal year, to be used to plan, market and conduct a series of arts and cultural activities that generate Statewide and regional economic impact, and no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for an annual Statewide competition serving approximately 2,000 athletes with intellectual disabilities from across this Commonwealth to be held in a county of the fourth class.

(3) From money appropriated for Keystone Communities:

(i) \$2,649,000 shall be used to fund the Main Street Program, Elm Street Program, Enterprise Zone Program and accessible housing. The allocation for the Main Street Program, Elm Street Program, Enterprise Zone Program and accessible housing shall be distributed in the same proportion as amounts allocated in fiscal year 2012-2013.

(ii) No less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for an antiviolence task force, in consultation with the Office of Attorney General, in a county of the second class A that is also a home rule county.

(iii) No less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used to establish a broadband expansion pilot program that is a joint venture between two Local Development Districts operating in the North Central and North Western regions of this Commonwealth.

(iv) No less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used to provide funding for innovative pilot programs to provide or expand cost-effective broadband services to underserved, rural areas. Pilot programs under this paragraph shall be implemented by the regional economic development entities that serve the Appalachia area of this Commonwealth.

(v) The remaining money shall be used for projects supporting economic growth, community development and municipal assistance throughout this Commonwealth.

(4) Funds appropriated for local municipal relief shall include an allocation to provide State assistance to individuals, persons or political subdivisions directly affected by natural or man-made disasters, public safety emergencies, other situations that pose a public safety danger or other situations at the discretion of the department. State assistance may be limited to grants for projects that do not qualify for Federal assistance to help repair damages to primary residences, personal property and public facilities and structures. Grants shall be made available for reimbursement in a disaster emergency area only when a Presidential disaster declaration does not cover the area or when the department determines that a public safety emergency has occurred.

(5) Notwithstanding section 4(1) of the act of October 11, 1984 (P.L.906, No.179), known as the Community Development Block Grant Entitlement Program for Nonurban Counties and Certain Other Municipalities, the Commonwealth may use up to 3% of the funds received pursuant to the Housing and Community Development Act of 1974 (Public Law 93-383, 88 Stat. 633) for administrative costs.

Section 1720-L. Department of Conservation and Natural Resources (Reserved).

Section 1721-L. Department of Corrections.

The following apply to appropriations for the Department of Corrections:

(1) From the appropriation to the Department of Criminal Justice for general government operations under the General Appropriation Act of 2020, no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used by the Department of Corrections for nonnarcotic medication substance use disorder treatment, which may include the

establishment and administration of a nonnarcotic medication assisted substance abuse treatment grant program.

(2) Notwithstanding any other provision of law to the contrary, for the purposes of any program funded under paragraph (1) and established under 61 Pa.C.S. Ch. 46

(relating to nonnarcotic medication assisted substance abuse treatment grant pilot program), "eligible offender" means a defendant or inmate convicted of a criminal offense who will be committed to the custody of the county and who meets the clinical criteria for an opioid and or alcohol use disorder as determined by a physician.

Section 1721.1-L. Department of Drug and Alcohol Programs
(Reserved).

Section 1722-L. Department of Education.

The following shall apply to appropriations to the Department of Education:

(1) From an appropriation for adult and family literacy programs, summer reading programs and the adult high school diplomas program, no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for an after-school learning program servicing low-income students located in a county of the sixth class with a population, based on the most recent Federal decennial census, of at least 60,000 but not more than 70,000, and no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for an after-school learning program servicing low-income students located in a county of the third class with a population, based on the 2010 Federal decennial census, of at least 320,000 but not more than 321,000.

(2) From money appropriated for the Pre-K Counts Program, the per-student grant award amount for grants made pursuant to section 1514-D of the Public School Code of 1949 shall be paid at the same rate as the amount paid in fiscal year 2019-2020.

(3) From money appropriated for Pennsylvania Chartered Schools for the Deaf and Blind:

(i) Upon distribution of the final tuition payment for fiscal year 2020-2021, the balance of the appropriation, excluding funds for capital-related costs and deferred maintenance, shall be used to pay the schools' increased share of required contributions for public school employees' retirement and shall be distributed pro rata based on each school's contributions for the 2019-2020 fiscal year.

(ii) No less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for capital-related costs and deferred maintenance to be divided equally between each school.

(4) Notwithstanding any other provision of law, money from the set-aside under section 2509.8 of the Public School Code of 1949 shall be allocated to each approved private school with a day tuition rate determined to be less than \$32,000 during the 2010-2011 school year. The allocation shall be no less than the amount allocated in the 2015-2016 fiscal year.

(5) Money appropriated for regional community college services shall be distributed to each entity that received funding in fiscal year 2019-2020 in an amount equal to the amount it received in that fiscal year.

(6) Money appropriated for community education councils shall be distributed to each entity that received funding

in fiscal year 2019-2020 in an amount equal to the amount it received in that fiscal year.

(7) Notwithstanding section 1724-A of the Public School Code of 1949 or 24 Pa.C.S. § 8329 (relating to payments on account of social security deductions from appropriations), no payments shall be made to charter schools, regional charter schools or cyber charter schools authorized under Article XVII-A of the Public School Code of 1949 to provide for Social Security and Medicare contributions from money appropriated for basic education funding or school employees' Social Security.

(8) Notwithstanding section 1724-A of the Public School Code of 1949 or 24 Pa.C.S. §§ 8326 (relating to contributions by the Commonwealth) and 8535 (relating to payments to school entities by Commonwealth), no payments shall be made to charter schools, regional charter schools or cyber charter schools authorized under Article XVII-A of the Public School Code of 1949 from money appropriated for payment of required contributions for public school employees' retirement.
Section 1723-L. Department of Environmental Protection (Reserved).

Section 1724-L. Department of General Services.

From money appropriated to the Department of General Services for Capitol fire protection, the City of Harrisburg shall use the money to support the provisions of fire services to the Capitol complex.

Section 1725-L. Department of Health.

The following apply to appropriations for the Department of Health:

(1) From money appropriated for general government operations, sufficient money shall be included for the coordination of donated dental services, and no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for outreach for Charcot-Marie-Tooth syndrome.

(2) From money appropriated for diabetes programs, no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for Type I diabetes awareness, education and outreach.

(3) From money appropriated for adult cystic fibrosis and other chronic respiratory illnesses, no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for a program promoting cystic fibrosis research in a county of the second class and no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for research related to childhood cystic fibrosis in a city of the first class with a hospital that is nationally accredited as a cystic fibrosis treatment center and specializes in the treatment of children.

(4) From money appropriated for Lyme disease, no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for costs related to free tick testing for residents performed in conjunction with a university that is part of the State System of Higher Education, including outreach and marketing.

(5) Money appropriated for lupus programs shall be distributed proportionately to each entity that received funding in fiscal year 2018-2019.

(6) Money appropriated for biotechnology research shall include allocations for regenerative medicine research, for regenerative medicine medical technology, for hepatitis and viral research, for drug research and clinical trials related

to cancer, pulmonary embolism and deep vein thrombosis, for genetic and molecular research for disease identification and eradication, for nanotechnology and for the commercialization of applied research.

(7) From the appropriation for leukemia and lymphoma, no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be distributed to a branch of an eastern Pennsylvania chapter of a nonprofit organization, where the branch is located within a city of the third class that is located in two counties of the third class, dedicated to awareness, education, patient assistance and outreach related to blood cancer.

(8) Funds appropriated for hemophilia services shall be distributed to grantees in the same proportion as distributed in fiscal year 2019-2020.

(9) Funds appropriated for sickle cell anemia services, including camps for children with sickle cell anemia, shall be distributed to grantees in the same proportion as distributed in fiscal year 2019-2020.

(10) Funds appropriated for adult cystic fibrosis and other chronic respiratory illnesses shall be distributed to grantees in the same proportion as distributed in fiscal year 2019-2020.

(11) Funds appropriated for diagnosis and treatment for Cooley's anemia shall be distributed to grantees in the same proportion as distributed in fiscal year 2019-2020.

(12) Funds appropriated for services for children with special needs shall be distributed to grantees in the same proportion as distributed in fiscal year 2019-2020.

Section 1726-L. Insurance Department (Reserved).

Section 1727-L. Department of Labor and Industry.

The following apply to appropriations to the Department of Labor and Industry:

(1) From money appropriated to the Department of Labor and Industry for Industry Partnerships:

(i) No less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for a work force development program that links veterans with employment in a home rule county that was formerly a county of the second class A.

(ii) (Reserved).

(2) (Reserved).

Section 1728-L. Department of Military and Veterans Affairs (Reserved).

Section 1729-L. Department of Human Services.

The following apply to appropriations for the Department of Human Services:

(1) From money appropriated for mental health services or from Federal money, no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for the following:

(i) The operation and maintenance of a network of web portals that provide comprehensive referral services, support and information relating to early intervention, prevention and support for individuals with mental health or substance abuse issues, county mental health offices, providers and others that provide mental and behavioral health treatment and related services.

(ii) The expansion of the existing web portals, including services and resources for military veterans and their families, including comprehensive referral services for transitional, temporary and permanent

housing, job placement and career counseling and other services for military veterans returning to civilian life.

(2) From money appropriated for mental health services, no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for expanded services for a pediatric mental health hospital and an adolescent residential treatment program in a county of the third class with a population of at least 349,000, but not more than 350,000, under the 2010 Federal Decennial Census.

(3) The following shall apply:

(i) Payments to hospitals for Community Access Fund grants shall be distributed under the formulas utilized for these grants in fiscal year 2014-2015. If the total funding available under this subparagraph is less than that available in fiscal year 2014-2015, payments shall be made on a pro rata basis.

(ii) Amounts allocated from money appropriated for fee-for-service used for the Select Plan for Women's Preventative Health Services shall be used for women's medical services, including noninvasive contraception supplies.

(iii) Notwithstanding any other law, money appropriated for medical assistance payments for fee-for-service care, exclusive of inpatient services provided through capitation plans, shall include sufficient money for two separate All Patient Refined Diagnostic Related Group payments for inpatient acute care general hospital stays for:

(A) normal newborn care; and

(B) mothers' obstetrical delivery.

(iv) From money appropriated for medical assistance fee-for-service care, the following apply:

(A) No less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for cleft palates and other craniofacial anomalies.

(B) No less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be distributed to a hospital for clinical ophthalmologic services located in a city of the first class.

(C) No less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be distributed for improvements to an acute care hospital located in a city of the first class.

(D) No less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be distributed to a hospital in a city of the third class in a home rule county that was formerly a county of the second class A.

(E) No less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be distributed to a university located in a city of the first class to expand research and treatment protocols for combating opioid addiction.

(F) No less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for an acute care hospital located in a city of the third class in a county of the third class for a regional breast cancer center.

(G) No less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be distributed to an enrolled outpatient therapy service

provider located in a city of the second class in a county of the second class that provides behavioral health and medical rehabilitation pediatric outpatient services.

(v) From money appropriated for medical assistance capitation, no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for prevention and treatment of depression and its complications in older Pennsylvanians in a county of the second class.

(vi) From money appropriated for medical assistance long-term care:

(A) No less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be distributed to a nonpublic nursing home located in a county of the first class with more than 395 beds and a Medicaid acuity at 1.17 as of August 1, 2019, to ensure access to necessary nursing care in that county.

(B) No less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be distributed to a nonpublic nursing home located in a county of the eighth class with more than 119 beds and a Medicaid acuity at 1.09 as of August 1, 2019, to ensure access to necessary nursing home care in that county.

(vii) From money appropriated for medical assistance long-term care, no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be distributed to a special rehabilitation facility in Peer Group Number 13 in a city of the third class with a population between 115,000 and 120,000 based upon the 2010 Federal decennial census, and an additional, at least, five-twelfths of the amount used in the 2019-2020 fiscal year shall be paid in equal payments to nursing facilities that qualified for supplemental ventilator care and tracheostomy care payments in fiscal year 2014-2015 with a percentage of medical assistance recipient residents who required medically necessary ventilator care or tracheostomy care greater than 90%.

(viii) Federal or State money appropriated under the General Appropriation Act of 2019 in accordance with 35 Pa.C.S. § 8107.3 (relating to funding) not used to make payments to hospitals qualifying as Level III trauma centers or seeking accreditation as Level III trauma centers shall be used to make payments to hospitals qualifying as Levels I and II trauma centers.

(ix) Qualifying academic medical centers that received money for fiscal year 2019-2020 shall receive no less than five-twelfths of the State appropriation made available to those academic medical centers during fiscal year 2019-2020.

(x) Qualifying physician practice plans that received money for fiscal year 2019-2020 shall receive no less than five-twelfths of the State appropriation made available to those physician practice plans during fiscal year 2019-2020.

(xi) Money appropriated for medical assistance transportation shall only be utilized as a payment of last resort for transportation for eligible medical assistance recipients.

(xii) Subject to Federal approval of necessary amendments of the Title XIX State Plan, from funds appropriated for medical assistance long-term care, \$16,000,000 is allocated for medical assistance day-one incentive payments to qualified nonpublic nursing facilities under methodology and criteria under section 443.1(7)(vi) of the Human Services Code.

(4) The following apply:

(i) Money appropriated for breast cancer screening may be used for women's medical services, including noninvasive contraception supplies.

(ii) (Reserved).

(5) The following apply:

(i) Money appropriated for women's service programs grants to nonprofit agencies whose primary function is to promote childbirth and provide alternatives to abortion shall be expended to provide services to women until childbirth and for up to 12 months thereafter, including food, shelter, clothing, health care, counseling, adoption services, parenting classes, assistance for postdelivery stress and other supportive programs and services and for related outreach programs. Agencies may subcontract with other nonprofit entities that operate projects designed specifically to provide all or a portion of these services. Projects receiving money referred to in this subparagraph shall not promote, refer for or perform abortions or engage in any counseling which is inconsistent with the appropriation referred to in this subparagraph and shall be physically and financially separate from any component of any legal entity engaging in such activities.

(ii) Federal funds appropriated for TANFEBG Alternatives to Abortion shall be utilized solely for services to women whose gross family income is below 185% of the Federal poverty guidelines.

(6) From money appropriated for autism intervention and services:

(i) no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be distributed to a behavioral health facility located in a county of the fifth class with a population between 130,000 and 135,000 under the 2010 Federal decennial census and shall be distributed to a health system that operates both a general acute care hospital and a behavioral health facility that has a center for autism and developmental disabilities located in a county of the fifth class with a population between 130,000 and 135,000 under the 2010 Federal decennial census;

(ii) no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be distributed to an institution of higher education that provides autism education and diagnostic curriculum located in a city of the first class that operates a center for autism in a county of the second class A;

(iii) no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be distributed to an institution of higher education that provides autism education and diagnostic curriculum and is located in a county of the second class;

(iv) no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for programs to promote the health and fitness of persons with

developmental disabilities located in a city of the first class;

(v) no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be distributed for the expansion of an adult autism program in a county of the third class; and

(vi) no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be distributed for an entity that provides alternative educational services to individuals with autism and developmental disabilities in a county of the third class with a population of at least 519,000, but not more than 519,500, under the 2010 Federal decennial census.

(7) Money appropriated for community-based family centers may not be considered as part of the base for calculation of the county child welfare needs-based budget for a fiscal year.

(8) From the appropriation for 2-1-1 Communications, no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for a Statewide 2-1-1 System Grant Program.

(9) The appropriation for services for the visually impaired includes the following:

(i) an allocation of no less than five-twelfths of the amount allocated in the 2019-2020 fiscal year for Statewide professional services provider association for the blind to provide training and supportive services for individuals who are blind and preschool vision screenings and eye safety education; and

(ii) an allocation of no less than five-twelfths of the amount allocated in the 2019-2020 fiscal year to provide specialized services and prevention of blindness services in cities of the first class.

(10) To supplement the money appropriated to the department for medical assistance for workers with disabilities, in addition to the monthly premium established under section 1503(b)(1) of the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act, the department may adjust the percentage of the premium upon approval of the Centers for Medicare and Medicaid Services as authorized under Federal requirements. Failure to make payments in accordance with this paragraph or section 1503(b)(1) of the Tobacco Settlement Act shall result in the termination of medical assistance coverage.

(11) The provisions of 8 U.S.C. §§ 1611 (relating to aliens who are not qualified aliens ineligible for Federal public benefits), 1612 (relating to limited eligibility of qualified aliens for certain Federal programs) and 1642 (relating to verification of eligibility for Federal public benefits) shall apply to payments and providers.

(12) Subject to the availability of Federal funds and eligibility under Federal TANFBG rules, grantees who operated within the PA WorkWear program in fiscal year 2019-2020 shall be offered a fiscal year 2020-2021 grant to continue service delivery under substantially similar terms as previous PA WorkWear grants.

Section 1730-L. Department of Revenue (Reserved).

Section 1731-L. Department of State (Reserved).

Section 1732-L. Department of Transportation.

The following shall apply to appropriations for the Department of Transportation:

(1) From money appropriated for infrastructure projects, no less than five-twelfths of the amount used in the 2019-2020 fiscal year shall be used for costs related to capital equipment for a rural transit service headquartered in this Commonwealth that provides intercity line-run service with at least six different line runs.

(2) (Reserved).

Section 1733-L. Pennsylvania State Police (Reserved).

Section 1734-L. State Civil Service Commission (Reserved).

Section 1735-L. Pennsylvania Emergency Management Agency.

The following shall apply to appropriations for the Pennsylvania Emergency Management Agency:

(1) Money appropriated for search and rescue programs shall be used to support programs related to training working service dogs focusing on rescue and public safety.

(2) Money appropriated for the State Fire Commissioner includes funding for a Statewide recruitment and retention coordinator and regional technical advisors to develop, implement and deliver recruitment and retention training programs and provide technical assistance to local fire organizations and local governments.

Section 1736-L. Pennsylvania Fish and Boat Commission (Reserved).

Section 1737-L. State System of Higher Education (Reserved).

Section 1737.1-L. State-related institutions (Reserved).

Section 1738-L. Pennsylvania Higher Education Assistance Agency.

The following shall apply to appropriations for the Pennsylvania Higher Education Assistance Agency:

(1) The Pennsylvania Higher Education Assistance Agency shall allocate no less than the amount allocated in the 2019-2020 fiscal year from the Higher Education Assistance Fund for the Cheyney University Keystone Academy.

(2) From funds appropriated for payment of education assistance grants, no less than the amount allocated in the 2019-2020 fiscal year shall be allocated to a State-owned university located in Tioga County for merit scholarships.

Section 1739-L. Pennsylvania Historical and Museum Commission (Reserved).

Section 1740-L. Pennsylvania Infrastructure Investment Authority (Reserved).

Section 1741-L. Environmental Hearing Board (Reserved).

Section 1742-L. Pennsylvania Board of Probation and Parole (Reserved).

Section 1743-L. (Reserved).

Section 1744-L. (Reserved).

Section 1745-L. (Reserved).

Section 1746-L. (Reserved).

Section 1747-L. (Reserved).

Section 1748-L. Commonwealth Financing Authority (Reserved).

Section 1749-L. Thaddeus Stevens College of Technology (Reserved).

Section 1750-L. Pennsylvania Housing Finance Agency (Reserved).

Section 1751-L. LIHEABG (Reserved).

Section 1752-L. Budget Stabilization Reserve Fund.

SUBARTICLE C

STATE GOVERNMENT SUPPORT AGENCIES

Section 1761-L. Health Care Cost Containment Council (Reserved).

Section 1762-L. State Ethics Commission (Reserved).

Section 1763-L. Legislative Reference Bureau (Reserved).

Section 1764-L. Legislative Budget and Finance Committee
(Reserved).
Section 1765-L. Legislative Data Processing Committee
(Reserved).
Section 1766-L. Joint State Government Commission (Reserved).
Section 1767-L. Joint Legislative Air and Water Pollution
Control and Conservation Committee (Reserved).
Section 1768-L. Legislative Audit Advisory Commission
(Reserved).
Section 1769-L. Independent Regulatory Review Commission
(Reserved).
Section 1770-L. Capitol Preservation Committee (Reserved).
Section 1771-L. Pennsylvania Commission on Sentencing
(Reserved).
Section 1772-L. Center for Rural Pennsylvania (Reserved).
Section 1773-L. Commonwealth Mail Processing Center (Reserved).
Section 1774-L. Transfers (Reserved).

SUBARTICLE D

JUDICIAL DEPARTMENT

Section 1781-L. Supreme Court (Reserved).
Section 1782-L. Superior Court (Reserved).
Section 1783-L. Commonwealth Court (Reserved).
Section 1784-L. Courts of common pleas (Reserved).
Section 1785-L. Community courts; magisterial district judges
(Reserved).
Section 1786-L. Philadelphia Traffic Court (Reserved).
Section 1787-L. Philadelphia Municipal Court (Reserved).
Section 1788-L. Judicial Conduct Board (Reserved).
Section 1789-L. Court of Judicial Discipline (Reserved).
Section 1790-L. Juror cost reimbursement (Reserved).
Section 1791-L. County court reimbursement (Reserved).
Section 1792-L. Senior judges (Reserved).
Section 1793-L. Transfer of money by Supreme Court (Reserved).

SUBARTICLE E

GENERAL ASSEMBLY

(Reserved)

ARTICLE XVII-M

2020-2021 RESTRICTIONS ON APPROPRIATIONS FOR FUNDS AND ACCOUNTS

Section 1701-M. Applicability.

Except as specifically provided in this article, this article applies to the act of May 29, 2020 (P.L.1325, No.1A), known as the General Appropriation Act of 2020, and all other appropriation acts of 2020.

Section 1702-M. State Lottery Fund.

The following apply:

(1) Money appropriated for PENNCARE shall not be utilized for administrative costs by the Department of Aging.

(2) (Reserved).

Section 1703-M. Tobacco Settlement Fund (Reserved).

Section 1704-M. Judicial Computer System Augmentation Account
(Reserved).

Section 1704.1-M. Access to Justice Account (Repealed).

Section 1705-M. Emergency Medical Services Operating Fund
(Reserved).

Section 1706-M. The State Stores Fund (Reserved).

Section 1707-M. Motor License Fund (Reserved).

Section 1708-M. Aviation Restricted Account (Reserved).

Section 1709-M. Hazardous Material Response Fund (Reserved).

Section 1710-M. Milk Marketing Fund (Reserved).

Section 1711-M. HOME Investment Trust Fund (Reserved).

Section 1712-M. Tuition Account Guaranteed Savings Program Fund (Reserved).
Section 1713-M. Banking Fund (Reserved).
Section 1714-M. Firearm Records Check Fund (Reserved).
Section 1715-M. Ben Franklin Technology Development Authority Fund (Reserved).
Section 1716-M. Oil and Gas Lease Fund (Reserved).
Section 1717-M. Home Improvement Account (Reserved).
Section 1718-M. Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund (Reserved).
Section 1719-M. Insurance Regulation and Oversight Fund (Reserved).
Section 1720-M. Pennsylvania Race Horse Development Restricted Receipts Account (Reserved).
Section 1721-M. Justice Reinvestment Fund (Reserved).
Section 1722-M. Multimodal Transportation Fund (Reserved).
Section 1723-M. State Racing Fund (Reserved).
Section 1724-M. ABLE Savings Program Fund (Reserved).
Section 1725-M. Restricted receipt accounts.

(a) General provisions.--The Secretary of the Budget may create restricted receipt accounts for the purpose of administering Federal grants only for the purposes designated in this section.

(b) Department of Community and Economic Development.--The following restricted receipt accounts may be established for the Department of Community and Economic Development:

- (1) ARC Housing Revolving Loan Program.
- (2) (Reserved).

(c) Department of Conservation and Natural Resources.--The following restricted receipt accounts may be established for the Department of Conservation and Natural Resources:

- (1) Federal Aid to Volunteer Fire Companies.
- (2) Land and Water Conservation Fund Act of 1965 (Public Law 88-578, 16 U.S.C. § 4601-4 et seq.).
- (3) National Forest Reserve Allotment.

(d) Department of Education.--The following restricted receipt accounts may be established for the Department of Education:

- (1) Education of the Disabled - Part C.
- (2) LSTA - Library Grants.
- (3) The Pennsylvania State University Federal Aid.
- (4) Emergency Immigration Education Assistance.
- (5) Education of the Disabled - Part D.
- (6) Homeless Adult Assistance Program.
- (7) Severely Handicapped.
- (8) Medical Assistance Reimbursements to Local Education Agencies.

(e) Department of Environmental Protection.--The following restricted receipt accounts may be established for the Department of Environmental Protection:

- (1) Federal Water Resources Planning Act.
- (2) Flood Control Payments.
- (3) Soil and Water Conservation Act - Inventory of Programs.

(f) Department of Drug and Alcohol Programs.--The following restricted receipt accounts may be established for the Department of Drug and Alcohol Programs:

- (1) Share Loan Program.
- (2) (Reserved).

(g) Department of Transportation.--The following restricted receipt accounts may be established for the Department of Transportation:

- (1) Capital Assistance Elderly and Handicapped Programs.
- (2) Railroad Rehabilitation and Improvement Assistance.
- (3) Ridesharing/Van Pool Program - Acquisition.

(h) Pennsylvania Emergency Management Agency.--The following restricted receipt accounts may be established for the Pennsylvania Emergency Management Agency:

- (1) Receipts from Federal Government - Disaster Relief - Disaster Relief Assistance to State and Political Subdivisions.
- (2) (Reserved).

(i) Pennsylvania Historical and Museum Commission.--The following restricted receipt accounts may be established for the Pennsylvania Historical and Museum Commission:

- (1) Federal Grant - National Historic Preservation Act.
- (2) (Reserved).

(j) Executive offices.--The following restricted receipt accounts may be established for the executive offices:

- (1) Retired Employees Medicare Part D.
- (2) Justice Assistance.
- (3) Juvenile Accountability Incentive.
- (4) Early Retiree Reinsurance Program.

Section 1726-M. Fund transfers.

(a) Transfer to School Safety and Security Fund.--Of the amount appropriated to the Department of Education for COVID - ESSER - SEA in fiscal year 2019-2020, \$49,762,000 shall be transferred to the School Safety and Security Fund.

(b) Transfer to Environmental Stewardship Fund.--From funds received under the authority of Article III of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, the sum of \$13,782,000 shall be transferred to the Environmental Stewardship Fund.

(c) Transfer to Property Tax Relief Fund.--

(1) If the Secretary of the Budget determines the May 19, 2020, revised certification under section 503 of the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, is insufficient to generate \$621,000,000 for Statewide property tax relief, the Secretary of the Budget is authorized to transfer up to \$300,000,000 from the COVID-19 Response Restricted Account to the Property Tax Relief Fund. If the Secretary of the Budget determines a transfer is necessary, the Secretary of the Budget shall issue a revised certification under section 503 of the Taxpayer Relief Act.

(2) The amount transferred from the COVID-19 Response Restricted Account by the Secretary of the Budget is appropriated to the Department of Education. The Department of Education shall combine the amount appropriated from the account with other funds available for property tax relief payments and shall make distributions to school districts under sections 324 and 505 of the Taxpayer Relief Act. The Secretary of the Budget may not transfer an amount more than is necessary to provide \$621,000,000 of Statewide property tax relief, including other funds available for property tax relief payments.

Section 1727-M. Local Government Capital Project Fund.

Section 1728-M. Low-Level Waste Fund.

Section 1729-M. Pennsylvania Economic Revitalization Fund.

Section 1730-M. Small Business First Fund.]

Section 16. The act is amended by adding articles to read:

**ARTICLE XVII-L
2020-2021 BUDGET IMPLEMENTATION
SUBARTICLE A**

PRELIMINARY PROVISIONS

Section 1701-L. Applicability.

Except as specifically provided in this article, this article applies to the General Appropriation Act of 2020, the Supplement to the General Appropriation Act of 2020 and all other appropriation acts of 2020.

Section 1702-L. Definitions.

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

"General Appropriation Act of 2020." The act of May 29, 2020 (P.L.1325, No.1A), known as the General Appropriation Act of 2020.

"Human Services Code." The act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code.

"Public School Code of 1949." The act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949.

"Secretary." The Secretary of the Budget of the Commonwealth.

"Supplement to the General Appropriation Act of 2020." The act of November 23, 2020 (P.L.1469, No.17A), known as the Supplement to the General Appropriation Act of 2020.

"TANFBG." Temporary Assistance for Needy Families Block Grant.

Section 1703-L. Department of Criminal Justice.

For the purposes of the General Appropriation Act of 2020 or the Supplement to the General Appropriation Act of 2020, a reference to the Department of Criminal Justice shall be deemed to be a reference to the Department of Corrections or the Pennsylvania Board of Probation and Parole, or both, as applicable.

SUBARTICLE B
EXECUTIVE DEPARTMENTS

Section 1711-L. Governor.

(a) General rule.--Notwithstanding section 618 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, the Department of Revenue in conjunction with the Secretary of the Budget shall make revised revenue estimates for the fiscal year 2020-2021 not later than the time the Governor signs the Supplement to the General Appropriation Act of 2020.

(b) Conformity with the Administrative Code of 1929.--The revenue estimates under subsection (a) used to sign the Supplement to the General Appropriation Act of 2020 shall show separately State revenues, Federal funds and, if specifically appropriated, funds from other sources. The Governor shall line item veto any part of the Supplement to the General Appropriation Act of 2020 that causes total appropriations to exceed the revised official estimate plus any unappropriated surplus. No changes in the revenue estimates may be made thereafter unless changes in statutes affecting revenues and receipts are enacted.

Section 1712-L. Executive offices.

The following apply to appropriations for the Pennsylvania Commission on Crime and Delinquency:

- (1) Money appropriated for intermediate punishment treatment programs shall be distributed competitively to counties for offenders sentenced to intermediate punishment programs. The portion of money for drug and alcohol and mental health treatment programs shall be based on national statistics that identify the percentage of incarcerated individuals that are in need of treatment for substance

issues but in no case shall be less than 80% of the amount appropriated.

(2) The following apply:

(i) No less than the amount used in the 2014-2015 fiscal year shall be used to support the Statewide Automated Victim Information and Notification System (SAVIN) to provide offender information through county jails.

(ii) No less than the amount used in the 2014-2015 fiscal year shall be used for a residential treatment community facility for at-risk youth located in a county of the fifth class.

(iii) From the amount appropriated, \$400,000 shall be used for an innovative police data sharing pointer index system that will allow participating law enforcement agencies access to incident report data.

(iv) From the amount appropriated, \$400,000 shall be used for a diversion program for first-time nonviolent offenders facing prison sentences. The diversion program must include education and employment services, case management and mentoring.

(3) From money appropriated for violence and delinquency prevention programs, no less than the amount used in the 2014-2015 fiscal year shall be used for programs in a city of the second class, and no less than the amount used in the 2014-2015 fiscal year shall be used for blueprint mentoring programs that address reducing youth violence in cities of the first, second and third class with programs in cities of the second class and third class also receiving a proportional share of \$50,000.

Section 1713-L. Lieutenant Governor (Reserved).

Section 1714-L. Attorney General (Reserved).

Section 1715-L. Auditor General.

From money appropriated for special financial audits, \$500,000 shall be used for the financial auditing of entities that receive funds through contracts with the Department of Human Services from money appropriated for Medical Assistance - Capitation, Medical Assistance Community HealthChoices, Medical Assistance - Long-term Living, Mental Health Services or the Intellectual Disabilities - Community Waiver Program.

Section 1716-L. Treasury Department (Reserved).

Section 1717-L. Department of Aging (Reserved).

Section 1718-L. Department of Agriculture.

The following apply to appropriations for the Department of Agriculture:

(1) From money appropriated for general government operations, no less than the amount transferred in the 2014-2015 fiscal year shall be transferred to the Dog Law Restricted Account.

(2) From money appropriated for general government operations, no less than \$250,000 shall be used for the Commission of Agricultural Education Excellence to assist in development and implementation of agricultural education programming.

(3) From money appropriated for agricultural research, the following apply:

(i) No less than \$300,000 shall be used for an agricultural resource center.

(ii) No less than \$100,000 shall be used for agricultural law research programs, including those addressing energy development, in conjunction with a land-grant university.

(4) The appropriation for agriculture promotion, education and exports includes \$250,000 for costs related to supporting the expansion of hemp farming, including program development, outreach and education.

(5) From money appropriated for hardwoods research and promotion, at least 80% of the money shall be equally distributed among the hardwood utilization groups of this Commonwealth established prior to the effective date of this section.

(6) In addition to the uses provided in section 7.3 of the act of June 18, 1982 (P.L.549, No.159), entitled "An act providing for the administration of certain Commonwealth farmland within the Department of Agriculture," the department may use up to a total of \$165,000 in the Agricultural Conservation Easement Purchase Fund under section 7.1 of the act of June 18, 1982 (P.L.549, No.159), entitled "An act providing for the administration of certain Commonwealth farmland within the Department of Agriculture," to issue grants not to exceed \$5,000 each for succession planning to ensure that agricultural operations continue on land subject to agricultural conservation easements. The department, in consultation with the State Agricultural Land Preservation Board, shall establish eligibility criteria for awarding grants under this paragraph.

Section 1719-L. Department of Community and Economic Development.

The following apply to appropriations for the Department of Community and Economic Development:

(1) From money appropriated for general government operations, no less than \$800,000 shall be used to support a manufacturing technology development effort and to assist Pennsylvania small businesses with enhanced cyber security in a county of the fourth class with a population of at least 143,679, but not more than 144,200, under the 2010 Federal decennial census.

(2) From money appropriated for marketing to attract tourists:

(i) \$4,067,000 to fund the activities of the tourism office within the department; and

(ii) the remaining money includes an allocation to be used to plan, market and conduct a series of arts and cultural activities that generate Statewide and regional economic impact, and \$500,000 shall be used for an annual Statewide competition serving approximately 2,000 athletes with intellectual disabilities from across this Commonwealth to be held in a county of the fourth class.

(3) From money appropriated for Keystone Communities:

(i) \$6,357,000 shall be used to fund the Main Street Program, Elm Street Program, Enterprise Zone Program and accessible housing. The allocation for the Main Street Program, Elm Street Program, Enterprise Zone Program and accessible housing shall be distributed in the same proportion as amounts allocated in fiscal year 2012-2013.

(ii) The remaining money shall be used for projects supporting economic growth, community development and municipal assistance throughout this Commonwealth.

(4) Funds appropriated for local municipal relief shall include an allocation to provide State assistance to individuals, persons or political subdivisions directly affected by natural or man-made disasters, public safety emergencies, other situations that pose a public safety danger or other situations at the discretion of the

department. State assistance may be limited to grants for projects that do not qualify for Federal assistance to help repair damages to primary residences, personal property and public facilities and structures. Grants shall be made available for reimbursement in a disaster emergency area only when a Presidential disaster declaration does not cover the area or when the department determines that a public safety emergency has occurred.

(5) Notwithstanding section 4(1) of the act of October 11, 1984 (P.L.906, No.179), known as the Community Development Block Grant Entitlement Program for Nonurban Counties and Certain Other Municipalities, the Commonwealth may use up to 3% of the funds received pursuant to the Housing and Community Development Act of 1974 (Public Law 93-383, 88 Stat. 633) for administrative costs.

(6) From money appropriated for Pennsylvania First, no less than \$8,000,000 shall be used to fund the Workforce and Economic Development Network of Pennsylvania (WEDnetPA) for workforce training grants provided through an alliance of educational providers including, but not limited to, Pennsylvania State System of Higher Education universities, the Pennsylvania College of Technology and community colleges located in this Commonwealth.

Section 1720-L. Department of Conservation and Natural Resources (Reserved).

Section 1721-L. Department of Corrections.

The following apply to appropriations for the Department of Corrections:

(1) From the appropriation to the Department of Criminal Justice for general government operations under the General Appropriation Act of 2020 and the Supplement to the General Appropriation Act of 2020, no less than \$1,750,000 shall be used by the Department of Corrections for nonnarcotic medication substance use disorder treatment, which may include the establishment and administration of a nonnarcotic medication assisted substance abuse treatment grant program.

(2) Notwithstanding any other provision of law to the contrary, for the purposes of any program funded under paragraph (1) and established under 61 Pa.C.S. Ch. 46 (relating to nonnarcotic medication assisted substance abuse treatment grant pilot program), the term "eligible offender" means a defendant or inmate convicted of a criminal offense who will be committed to the custody of the county and who meets the clinical criteria for an opioid or alcohol use disorder as determined by a physician.

Section 1721.1-L. Department of Drug and Alcohol Programs (Reserved).

Section 1722-L. Department of Education.

The following shall apply to appropriations to the Department of Education:

(1) From an appropriation for adult and family literacy programs, summer reading programs and the adult high school diplomas program, no less than the amount allocated in the 2014-2015 fiscal year shall be allocated for an after-school learning program servicing low-income students located in a county of the sixth class with a population, based on the most recent Federal decennial census, of at least 60,000 but not more than 70,000, and no less than the amount allocated in the 2016-2017 fiscal year shall be used for an after-school learning program servicing low-income students located in a county of the third class with a population,

based on the 2010 Federal decennial census, of at least 320,000 but not more than 321,000.

(2) From money appropriated for the Pre-K Counts Program, the per-student grant award amount for grants made pursuant to section 1514-D of the Public School Code of 1949 shall be paid at the same rate as the amount paid in fiscal year 2019-2020.

(3) From money appropriated for Pennsylvania Chartered Schools for the Deaf and Blind:

(i) Upon distribution of the final tuition payment for fiscal year 2020-2021, the balance of the appropriation, excluding funds for capital-related costs and deferred maintenance, shall be used to pay the schools' increased share of required contributions for public school employees' retirement and shall be distributed pro rata based on each school's contributions for the 2019-2020 fiscal year.

(ii) \$500,000 is included for capital-related costs and deferred maintenance to be divided equally between each school.

(4) Notwithstanding any other provision of law, money from the set-aside under section 2509.8 of the Public School Code of 1949 shall be allocated to each approved private school with a day tuition rate determined to be less than \$32,000 during the 2010-2011 school year. The allocation shall be no less than the amount allocated in the 2015-2016 fiscal year.

(5) Money appropriated for regional community college services shall be distributed to each entity that received funding in fiscal year 2019-2020 in an amount equal to the amount it received in that fiscal year.

(6) Money appropriated for community education councils shall be distributed to each entity that received funding in fiscal year 2019-2020 in an amount equal to the amount it received in that fiscal year.

(7) Notwithstanding section 1724-A of the Public School Code of 1949 or 24 Pa.C.S. § 8329 (relating to payments on account of social security deductions from appropriations), no payments shall be made to charter schools, regional charter schools or cyber charter schools authorized under Article XVII-A of the Public School Code of 1949 to provide for Social Security and Medicare contributions from money appropriated for basic education funding or school employees' Social Security.

(8) Notwithstanding section 1724-A of the Public School Code of 1949 or 24 Pa.C.S. §§ 8326 (relating to contributions by the Commonwealth) and 8535 (relating to payments to school entities by Commonwealth), no payments shall be made to charter schools, regional charter schools or cyber charter schools authorized under Article XVII-A of the Public School Code of 1949 from money appropriated for payment of required contributions for public school employees' retirement.

(9) Notwithstanding section 2599.7(c) of the Public School Code of 1949, from the appropriation for basic education funding, up to \$37,635,000 may be used to pay required contributions for public school employees' social security owed to school districts which were unpaid as of June 30, 2020.

Section 1723-L. Department of Environmental Protection
(Reserved).

Section 1724-L. Department of General Services.

From money appropriated to the Department of General Services for Capitol fire protection, the City of Harrisburg shall use the money to support the provisions of fire services to the Capitol complex.

Section 1725-L. Department of Health.

The following apply to appropriations for the Department of Health:

(1) From money appropriated for general government operations, sufficient money shall be included for the coordination of donated dental services.

(2) From money appropriated for diabetes programs, \$100,000 shall be allocated for Type I diabetes awareness, education and outreach.

(3) From money appropriated for adult cystic fibrosis and other chronic respiratory illnesses, no less than the amount used in the 2014-2015 fiscal year shall be used for a program promoting cystic fibrosis research in a county of the second class, and no less than the amount used in the 2014-2015 fiscal year shall be used for research related to childhood cystic fibrosis in a city of the first class with a hospital that is nationally accredited as a cystic fibrosis treatment center and specializes in the treatment of children.

(4) Money appropriated for Lyme disease includes \$500,000 for costs related to free tick testing for residents performed in conjunction with a university that is part of the State System of Higher Education, including outreach and marketing.

(5) Money appropriated for lupus programs shall be distributed proportionately to each entity that received funding in fiscal year 2018-2019.

(6) Money appropriated for biotechnology research shall include allocations for regenerative medicine research, for regenerative medicine medical technology, for hepatitis and viral research, for drug research and clinical trials related to cancer, pulmonary embolism and deep vein thrombosis, for genetic and molecular research for disease identification and eradication, for nanotechnology and for the commercialization of applied research.

(7) From the appropriation for leukemia and lymphoma, \$200,000 shall be allocated to a branch of an eastern Pennsylvania chapter of a nonprofit organization, where the branch is located within a city of the third class that is located in two counties of the third class, dedicated to awareness, education, patient assistance and outreach related to blood cancer.

(8) Funds appropriated for hemophilia services shall be distributed to grantees in the same proportion as distributed in fiscal year 2019-2020.

(9) Funds appropriated for sickle cell anemia services, including camps for children with sickle cell anemia, shall be distributed to grantees in the same proportion as distributed in fiscal year 2019-2020.

(10) Funds appropriated for diagnosis and treatment for Cooley's anemia shall be distributed to grantees in the same proportion as distributed in fiscal year 2019-2020.

(11) Funds appropriated for services for children with special needs shall be distributed to grantees in the same proportion as distributed in fiscal year 2019-2020.

Section 1726-L. Insurance Department (Reserved).

Section 1727-L. Department of Labor and Industry.

The following apply to appropriations to the Department of Labor and Industry:

(1) From money appropriated to the Department of Labor and Industry for Industry Partnerships:

(i) No less than the amount allocated in the 2014-2015 fiscal year shall be used for a work force development program that links veterans with employment in a home rule county that was formerly a county of the second class A.

(ii) (Reserved).

(2) (Reserved).

Section 1728-L. Department of Military and Veterans Affairs
(Reserved).

Section 1729-L. Department of Human Services.

The following apply to appropriations for the Department of Human Services:

(1) From money appropriated for mental health services or from Federal money, \$580,000 shall be used for the following:

(i) The operation and maintenance of a network of web portals that provide comprehensive referral services, support and information relating to early intervention, prevention and support for individuals with mental health or substance abuse issues, county mental health offices, providers and others that provide mental and behavioral health treatment and related services.

(ii) The expansion of the existing web portals, including services and resources for military veterans and their families, including comprehensive referral services for transitional, temporary and permanent housing, job placement and career counseling and other services for military veterans returning to civilian life.

(2) From money appropriated for mental health services, \$100,000 shall be allocated for expanded services for a pediatric mental health hospital and an adolescent residential treatment program in a county of the third class with a population of at least 349,000, but not more than 350,000, under the 2010 Federal Decennial Census.

(3) The following shall apply:

(i) Payments to hospitals for Community Access Fund grants shall be distributed under the formulas utilized for these grants in fiscal year 2014-2015. If the total funding available under this subparagraph is less than that available in fiscal year 2014-2015, payments shall be made on a pro rata basis.

(ii) Amounts allocated from money appropriated for fee-for-service used for the Select Plan for Women's Preventative Health Services shall be used for women's medical services, including noninvasive contraception supplies.

(iii) Notwithstanding any other law, money appropriated for medical assistance payments for fee-for-service care, exclusive of inpatient services provided through capitation plans, shall include sufficient money for two separate All Patient Refined Diagnostic Related Group payments for inpatient acute care general hospital stays for:

(A) normal newborn care; and

(B) mothers' obstetrical delivery.

(iv) From money appropriated for medical assistance fee-for-service care, the following apply:

(A) No less than the amount used in the 2017-2018 fiscal year shall be used for cleft palates and other craniofacial anomalies.

(B) No less than \$800,000 shall be distributed to a hospital for clinical ophthalmologic services located in a city of the first class.

(C) No less than \$400,000 shall be distributed for improvements to an acute care hospital located in a city of the first class.

(D) No less than \$5,000,000 shall be distributed to a hospital in a city of the third class in a home rule county that was formerly a county of the second class A.

(E) No less than \$2,000,000 shall be distributed to a university located in a city of the first class to expand research and treatment protocols for combating opioid addiction.

(F) No less than \$250,000 shall be used for an acute hospital that is part of a health care network headquartered in a county of the third class with a population between 321,000 and 360,000 according to the most recent Federal decennial census.

(G) No less than \$1,850,000 shall be distributed to an enrolled outpatient therapy service provider located in a city of the second class in a county of the second class that provides behavioral health and medical rehabilitation pediatric outpatient services.

(v) From money appropriated for medical assistance capitation, no less than the amount used in the 2014-2015 fiscal year shall be used for prevention and treatment of depression and its complications in older Pennsylvanians in a county of the second class.

(vi) From money appropriated for medical assistance long-term living:

(A) No less than the amount distributed in the 2014-2015 fiscal year shall be distributed to a county nursing home located in a home rule county that was formerly a county of the second class A with more than 725 beds and a Medicaid acuity at 0.79 as of August 1, 2015.

(B) No less than the amount used in the 2019-2020 fiscal year shall be distributed to a nonpublic nursing home located in a county of the first class with more than 395 beds and a Medicaid acuity at 1.17 as of August 1, 2019, to ensure access to necessary nursing care in that county.

(C) \$5,000,000 shall be distributed to a nonpublic nursing home located in a county of the eighth class with more than 119 beds and a Medicaid acuity at 1.09 as of August 1, 2019, to ensure access to necessary nursing home care in that county.

(D) \$351,000 shall be distributed to a special rehabilitation facility in peer group number 13 located in a county of the first class with more than 55 beds and a Medicaid case-mix index of 1.43 as of May 1, 2020, to ensure access to necessary nursing care in that county.

(E) An additional \$750,000 shall be paid in equal payments to nursing facilities that qualified for supplemental ventilator care and tracheostomy care payments in fiscal year 2014-2015 with a

percentage of medical assistance recipient residents who required medically necessary ventilator care or tracheostomy care greater than 90%.

(vii) Federal or State money appropriated under the General Appropriation Act of 2020 and the Supplement to the General Appropriation Act of 2020 in accordance with 35 Pa.C.S. § 8107.3 (relating to funding) not used to make payments to hospitals qualifying as Level III trauma centers or seeking accreditation as Level III trauma centers shall be used to make payments to hospitals qualifying as Levels I and II trauma centers.

(viii) Qualifying academic medical centers that received money for fiscal year 2017-2018 shall not receive any less than the State appropriation made available to those academic medical centers during fiscal year 2017-2018.

(ix) Qualifying physician practice plans that received money for fiscal year 2017-2018 shall not receive less than the State appropriation made available to those physician practice plans during fiscal year 2017-2018.

(x) Money appropriated for medical assistance transportation shall only be utilized as a payment of last resort for transportation for eligible medical assistance recipients.

(xi) Subject to Federal approval of necessary amendments of the Title XIX State Plan, from funds appropriated for medical assistance long-term living, \$16,000,000 is allocated for medical assistance day-one incentive payments to qualified nonpublic nursing facilities under methodology and criteria under section 443.1(7)(vi) of the Human Services Code. The Department of Human Services shall determine a nonpublic nursing facility's overall and medical assistance occupancy rate to qualify for a fiscal year 2020-2021 medical assistance day-one incentive payment based on a nursing facility's resident day quarter ending December 31, 2019, for the first of two payments and a nursing facility's resident day quarter ending March 31, 2020, for the second of two payments.

(4) The following apply:

(i) Money appropriated for breast cancer screening may be used for women's medical services, including noninvasive contraception supplies.

(ii) (Reserved).

(5) The following apply:

(i) Money appropriated for women's service programs grants to nonprofit agencies whose primary function is to promote childbirth and provide alternatives to abortion shall be expended to provide services to women until childbirth and for up to 12 months thereafter, including food, shelter, clothing, health care, counseling, adoption services, parenting classes, assistance for postdelivery stress and other supportive programs and services and for related outreach programs. Agencies may subcontract with other nonprofit entities that operate projects designed specifically to provide all or a portion of these services. Projects receiving money referred to in this subparagraph shall not promote, refer for or perform abortions or engage in any counseling which is inconsistent with the appropriation referred to in this subparagraph and shall be physically

and financially separate from any component of any legal entity engaging in such activities.

(ii) Federal funds appropriated for TANFEBG Alternatives to Abortion shall be utilized solely for services to women whose gross family income is below 185% of the Federal poverty guidelines.

(6) From money appropriated for autism intervention and services:

(i) no less than the amount distributed in the 2014-2015 fiscal year shall be distributed to a behavioral health facility located in a county of the fifth class with a population between 130,000 and 135,000 under the 2010 Federal decennial census and shall be distributed to a health system that operates both a general acute care hospital and a behavioral health facility that has a center for autism and developmental disabilities located in a county of the fifth class with a population between 130,000 and 135,000 under the 2010 Federal decennial census;

(ii) \$260,000 shall be allocated to an institution of higher education that provides autism education and diagnostic curriculum located in a city of the first class that operates a center for autism in a county of the second class A;

(iii) \$260,000 shall be allocated to an institution of higher education that provides autism education and diagnostic curriculum and is located in a county of the second class;

(iv) no less than the amount distributed in the 2014-2015 fiscal year shall be allocated for programs to promote the health and fitness of persons with developmental disabilities located in a city of the first class;

(v) \$500,000 shall be allocated for the expansion of an adult autism program in a county of the third class; and

(vi) \$500,000 shall be allocated for an entity that provides alternative educational services to individuals with autism and developmental disabilities in a county of the third class with a population of at least 519,000, but not more than 519,500, under the 2010 Federal decennial census.

(7) Money appropriated for community-based family centers may not be considered as part of the base for calculation of the county child welfare needs-based budget for a fiscal year.

(8) From the appropriation for 2-1-1 Communications, \$750,000 shall be allocated for a Statewide 2-1-1 System Grant Program.

(9) The appropriation for services for the visually impaired includes the following:

(i) an allocation of \$2,584,000 for Statewide professional services provider association for the blind to provide training and supportive services for individuals who are blind and preschool vision screenings and eye safety education; and

(ii) an allocation of \$518,000 to provide specialized services and prevention of blindness services in cities of the first class.

(10) To supplement the money appropriated to the department for medical assistance for workers with disabilities, in addition to the monthly premium established

under section 1503(b)(1) of the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act, the department may adjust the percentage of the premium upon approval of the Centers for Medicare and Medicaid Services as authorized under Federal requirements. Failure to make payments in accordance with this paragraph or section 1503(b)(1) of the Tobacco Settlement Act shall result in the termination of medical assistance coverage.

(11) The provisions of 8 U.S.C. §§ 1611 (relating to aliens who are not qualified aliens ineligible for Federal public benefits), 1612 (relating to limited eligibility of qualified aliens for certain Federal programs) and 1642 (relating to verification of eligibility for Federal public benefits) shall apply to payments and providers.

(12) Subject to the availability of Federal funds and eligibility under Federal TANF rules, grantees who operated within the PA WorkWear program in fiscal year 2019-2020 shall be offered a fiscal year 2020-2021 grant to continue service delivery under substantially similar terms as previous PA WorkWear grants.

Section 1730-L. Department of Revenue (Reserved).

Section 1731-L. Department of State (Reserved).

Section 1732-L. Department of Transportation.

The following shall apply to appropriations for the Department of Transportation:

(1) From money appropriated for infrastructure projects, \$1,900,000 shall be allocated for costs related to capital equipment for a rural transit service headquartered in this Commonwealth that provides intercity line-run service with at least six different line-runs.

(2) (Reserved).

Section 1733-L. Pennsylvania State Police (Reserved).

Section 1734-L. State Civil Service Commission (Reserved).

Section 1735-L. Pennsylvania Emergency Management Agency.

The following shall apply to appropriations for the Pennsylvania Emergency Management Agency:

(1) Money appropriated for search and rescue programs shall be used to support programs related to training working service dogs focusing on rescue and public safety.

(2) Money appropriated for the State Fire Commissioner includes funding for a Statewide recruitment and retention coordinator and regional technical advisors to develop, implement and deliver recruitment and retention training programs and provide technical assistance to local fire organizations and local governments.

Section 1736-L. Pennsylvania Fish and Boat Commission (Reserved).

Section 1737-L. State System of Higher Education (Reserved).

Section 1737.1-L. State-related Institutions (Reserved).

Section 1738-L. Pennsylvania Higher Education Assistance Agency.

The following shall apply to appropriations for the Pennsylvania Higher Education Assistance Agency:

(1) The Pennsylvania Higher Education Assistance Agency shall allocate \$500,000 from the Higher Education Assistance Fund for the Cheyney University Keystone Academy.

(2) From funds appropriated for payment of education assistance grants, the amount of \$1,000,000 shall be allocated to a State-owned university located in Tioga County for merit scholarships.

Section 1739-L. Pennsylvania Historical and Museum Commission (Reserved).

Section 1740-L. Pennsylvania Infrastructure Investment Authority.

For the 2020-2021 fiscal year, up to \$3,970,600 of funds of the Pennsylvania Infrastructure Investment Authority shall be used to fund grants for projects that install infrastructure to ensure clean drinking water to address contamination from PFAS chemicals in a township of the first class with a population between 55,000 and 56,000 based on the most recent Federal decennial census that is also located in a county of the second class A.

Section 1741-L. Environmental Hearing Board (Reserved).

Section 1742-L. Pennsylvania Board of Probation and Parole (Reserved).

Section 1743-L. (Reserved).

Section 1744-L. (Reserved).

Section 1745-L. (Reserved).

Section 1746-L. (Reserved).

Section 1747-L. (Reserved).

Section 1748-L. Commonwealth Financing Authority (Reserved).

Section 1749-L. Thaddeus Stevens College of Technology (Reserved).

Section 1750-L. Pennsylvania Housing Finance Agency (Reserved).

Section 1751-L. LIHEABG (Reserved).

SUBARTICLE C

STATE GOVERNMENT SUPPORT AGENCIES

Section 1761-L. Health Care Cost Containment Council (Reserved).

Section 1762-L. State Ethics Commission (Reserved).

Section 1763-L. Legislative Reference Bureau (Reserved).

Section 1764-L. Legislative Budget and Finance Committee (Reserved).

Section 1765-L. Legislative Data Processing Committee (Reserved).

Section 1766-L. Joint State Government Commission (Reserved).

Section 1767-L. Joint Legislative Air and Water Pollution Control and Conservation Committee (Reserved).

Section 1768-L. Legislative Audit Advisory Commission (Reserved).

Section 1769-L. Independent Regulatory Review Commission (Reserved).

Section 1770-L. Capitol Preservation Committee (Reserved).

Section 1771-L. Pennsylvania Commission on Sentencing (Reserved).

Section 1772-L. Center for Rural Pennsylvania (Reserved).

Section 1773-L. Commonwealth Mail Processing Center (Reserved).

Section 1774-L. Transfers (Reserved).

SUBARTICLE D

JUDICIAL DEPARTMENT

Section 1781-L. Supreme Court (Reserved).

Section 1782-L. Superior Court (Reserved).

Section 1783-L. Commonwealth Court (Reserved).

Section 1784-L. Courts of common pleas (Reserved).

Section 1785-L. Community courts; magisterial district judges (Reserved).

Section 1786-L. Philadelphia Traffic Court (Reserved).

Section 1787-L. Philadelphia Municipal Court (Reserved).

Section 1788-L. Judicial Conduct Board (Reserved).

Section 1789-L. Court of Judicial Discipline (Reserved).

Section 1790-L. Juror cost reimbursement (Reserved).

Section 1791-L. County court reimbursement (Reserved).

Section 1792-L. Senior judges (Reserved).

Section 1793-L. Transfer of money by Supreme Court (Reserved).

SUBARTICLE E
GENERAL ASSEMBLY
(Reserved)

ARTICLE XVII-M

2020-2021 Restrictions on Appropriations
for Funds and Accounts

Section 1701-M. Applicability.

Except as specifically provided in this article, this article applies to the act of May 29, 2020 (P.L.1325, No.1A), known as the General Appropriation Act of 2020, and the act of November 23, 2020 (P.L.1469, No.17A), known as the Supplement to the General Appropriation Act of 2020, and all other appropriation acts of 2020.

Section 1702-M. State Lottery Fund.

The following apply:

(1) Money appropriated for PENNCARE shall not be utilized for administrative costs by the Department of Aging.

(2) (Reserved).

Section 1703-M. Tobacco Settlement Fund (Reserved).

Section 1704-M. Judicial Computer System Augmentation Account (Reserved).

Section 1704.1-M. Access to Justice Account (Reserved).

Section 1705-M. Emergency Medical Services Operating Fund (Reserved).

Section 1706-M. The State Stores Fund (Reserved).

Section 1707-M. Motor License Fund (Reserved).

Section 1708-M. Aviation Restricted Account (Reserved).

Section 1709-M. Hazardous Material Response Fund (Reserved).

Section 1710-M. Milk Marketing Fund (Reserved).

Section 1711-M. HOME Investment Trust Fund (Reserved).

Section 1712-M. Tuition Account Guaranteed Savings Program Fund (Reserved).

Section 1713-M. Banking Fund (Reserved).

Section 1714-M. Firearm Records Check Fund (Reserved).

Section 1715-M. Ben Franklin Technology Development Authority Fund (Reserved).

Section 1716-M. Oil and Gas Lease Fund (Reserved).

Section 1717-M. Home Improvement Account (Reserved).

Section 1718-M. Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund (Reserved).

Section 1719-M. Insurance Regulation and Oversight Fund (Reserved).

Section 1720-M. Pennsylvania Race Horse Development Restricted Receipts Account.

The following apply to amounts appropriated from the Pennsylvania Race Horse Development Restricted Receipts Account:

(1) The following apply to amounts appropriated to the Department of Agriculture for payments to Pennsylvania fairs:

(i) Notwithstanding any provision of the act of July 8, 1986 (P.L.437, No.92), known as the Pennsylvania Agricultural Fair Act, the Department of Agriculture shall award a grant for the calendar year beginning January 1, 2020, to a county agricultural society, an independent agricultural society or other organization which conducted its annual agricultural fair in the calendar year beginning January 1, 2019. A county agricultural society, an independent agricultural society or other organization which receives a grant under this subparagraph shall remain eligible to apply for and receive a grant available under section 5(1)(ii) of the Pennsylvania Agricultural Fair Act.

(ii) The amount of a grant awarded to a county agricultural society, an independent agricultural society or other organization under this paragraph shall be the same amount that the county agricultural society, independent agricultural society or other organization received in grants under section 5(1)(i), (iii) and (iv) of the Pennsylvania Agricultural Fair Act for the calendar year beginning January 1, 2019.

(2) (Reserved).

Section 1721-M. Justice Reinvestment Fund (Reserved).

Section 1722-M. Multimodal Transportation Fund (Reserved).

Section 1723-M. State Racing Fund (Reserved).

Section 1724-M. ABLE Savings Program Fund (Reserved).

Section 1725-M. Restricted receipt accounts.

(a) General provisions.--The Secretary of the Budget may create restricted receipt accounts for the purpose of administering Federal grants only for the purposes designated in this section.

(b) Department of Community and Economic Development.--The following restricted receipt accounts may be established for the Department of Community and Economic Development:

(1) ARC Housing Revolving Loan Program.

(2) (Reserved).

(c) Department of Conservation and Natural Resources.--The following restricted receipt accounts may be established for the Department of Conservation and Natural Resources:

(1) Federal Aid to Volunteer Fire Companies.

(2) Land and Water Conservation Fund Act of 1965 (Public Law 88-578, 16 U.S.C. § 4601-4 et seq.).

(3) National Forest Reserve Allotment.

(d) Department of Education.--The following restricted receipt accounts may be established for the Department of Education:

(1) Education of the Disabled - Part C.

(2) LSTA - Library Grants.

(3) The Pennsylvania State University Federal Aid.

(4) Emergency Immigration Education Assistance.

(5) Education of the Disabled - Part D.

(6) Homeless Adult Assistance Program.

(7) Severely Handicapped.

(8) Medical Assistance Reimbursements to Local Education Agencies.

(e) Department of Environmental Protection.--The following restricted receipt accounts may be established for the Department of Environmental Protection:

(1) Federal Water Resources Planning Act.

(2) Flood Control Payments.

(3) Soil and Water Conservation Act - Inventory of Programs.

(f) Department of Drug and Alcohol Programs.--The following restricted receipt accounts may be established for the Department of Drug and Alcohol Programs:

(1) Share Loan Program.

(2) (Reserved).

(g) Department of Transportation.--The following restricted receipt accounts may be established for the Department of Transportation:

(1) Capital Assistance Elderly and Handicapped Programs.

(2) Railroad Rehabilitation and Improvement Assistance.

(3) Ridesharing/Van Pool Program - Acquisition.

(h) Pennsylvania Emergency Management Agency.--The following restricted receipt accounts may be established for the Pennsylvania Emergency Management Agency:

(1) Receipts from Federal Government - Disaster Relief - Disaster Relief Assistance to State and Political Subdivisions.

(2) (Reserved).

(i) Pennsylvania Historical and Museum Commission.--The following restricted receipt accounts may be established for the Pennsylvania Historical and Museum Commission:

(1) Federal Grant - National Historic Preservation Act.

(2) (Reserved).

(j) Executive offices.--The following restricted receipt accounts may be established for the executive offices:

(1) Retired Employees Medicare Part D.

(2) Justice Assistance.

(3) Juvenile Accountability Incentive.

(4) Early Retiree Reinsurance Program.

Section 1726-M. Fund transfers.

(a) Transfer to School Safety and Security Fund.--Of the amount appropriated to the Department of Education for COVID - ESSER - SEA in fiscal year 2019-2020, \$49,762,000 shall be transferred to the School Safety and Security Fund.

(b) Transfer to Environmental Stewardship Fund.--From funds received under the authority of Article III of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, the sum of \$13,782,000 shall be transferred to the Environmental Stewardship Fund.

(c) Transfer to Property Tax Relief Fund.--

(1) If the Secretary of the Budget determines the May 19, 2020, revised certification under section 503 of the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, is insufficient to generate \$621,000,000 for Statewide property tax relief, the Secretary of the Budget is authorized to transfer up to \$200,000,000 from money received under the authority of Article III of the Tax Reform Code of 1971 to the Property Tax Relief Fund. If the Secretary of the Budget determines a transfer is necessary, the Secretary of the Budget shall issue a revised certification under section 503 of the Taxpayer Relief Act.

(2) The amount transferred under paragraph (1) by the Secretary of the Budget is appropriated to the Department of Education. The Department of Education shall combine the amount transferred under paragraph (1) with other funds available for property tax relief payments and shall make distributions to school districts under sections 324 and 505 of the Taxpayer Relief Act. The Secretary of the Budget may not transfer an amount more than is necessary to provide \$621,000,000 of Statewide property tax relief, including other funds available for property tax relief payments.

(d) Transfers to General Fund.--The following shall apply:

(1) From funds deposited in the Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund, \$150,000 shall be transferred into the General Fund.

(2) From funds deposited in the Energy Development Fund, \$1,000,000 shall be transferred into the General Fund.

(3) From funds deposited in the Environmental Education Fund, \$500,000 shall be transferred into the General Fund.

(4) From funds deposited in the Highway Beautification Fund, \$150,000 shall be transferred into the General Fund.

(5) From funds deposited in the Historical Preservation Fund, \$4,000,000 shall be transferred into the General Fund.

(6) From funds deposited in the Industrial Sites Cleanup Fund, \$10,000,000 shall be transferred into the General Fund.

(7) From funds deposited in the Industrial Sites Environmental Assessment Fund, \$7,500,000 shall be transferred into the General Fund.

(8) From funds deposited in the Insurance Regulation and Oversight Fund, \$10,000,000 shall be transferred into the General Fund.

(9) From funds deposited in the Job Training Fund, \$375,000 shall be transferred into the General Fund.

(10) Notwithstanding the provisions of 42 Pa.C.S. § 3732(a) (relating to utilization of funds in account), from funds deposited in the Judicial Computer System Augmentation Account, \$30,000,000 shall be transferred from the restricted receipt account into the General Fund.

(11) From funds deposited in the Local Government Capital Project Loan Fund, \$2,000,000 shall be transferred into the General Fund.

(12) From funds deposited in the Machinery and Equipment Loan Fund, \$5,000,000 shall be transferred into the General Fund.

(13) From funds deposited in the Medical Marijuana Program Fund, \$20,000,000 shall be transferred into the General Fund.

(14) From funds deposited in the PENNVEST Fund, \$10,000,000 shall be transferred into the General Fund.

(15) From funds deposited in the PENNVEST Drinking Water Revolving Fund, \$26,500,000 shall be transferred into the General Fund.

(16) From funds deposited in the PENNVEST Water Pollution Control Revolving Fund, \$9,000,000 shall be transferred into the General Fund.

(17) From funds deposited in the Racing Fund, \$10,000,000 shall be transferred into the General Fund.

(18) From funds deposited in the Recycling Fund, \$50,000,000 shall be transferred into the General Fund.

(19) From funds deposited in the Workers' Compensation Security Fund, \$185,000,000 shall be transferred into the General Fund.

Section 17. This act shall apply as follows:

(1) The amendment of section 111-C of the act shall apply retroactively to May 29, 2020.

(2) The amendment of Articles XVII-L and XVII-M of the act shall apply retroactively to July 1, 2020.

Section 18. The provisions of 4 Pa.C.S. §§ 13A03, 13B03, 13C03, 13F07 and 3303 are repealed insofar as they are inconsistent with the addition of section 1724.1-E(f) of the act.

Section 19. This act shall take effect immediately.

APPROVED--The 23rd day of November, A.D. 2020.

TOM WOLF