THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1786 Session of 2019

INTRODUCED BY SAINATO, BARRAR, STRUZZI, McCLINTON, YOUNGBLOOD, CALTAGIRONE, CAUSER, PETRARCA, JAMES, READSHAW, FREEMAN, DEASY, DAVIDSON, KIM, SCHLOSSBERG, HILL-EVANS, MADDEN, WARREN, CIRESI, HOWARD, KOSIEROWSKI, RIGBY, SCHWEYER, SNYDER, MURT, FARRY, BOBACK, BURNS, THOMAS, MUSTELLO, HANBIDGE, GOODMAN, QUINN, KORTZ AND POLINCHOCK, AUGUST 30, 2019

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, OCTOBER 22, 2019

AN ACT

Amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in incentives for municipal volunteers of fire companies and nonprofit emergency medical services agencies, establishing the First Responder Loan Forgiveness Program; and making editorial changes.

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

Section 1. Subchapter D heading of Chapter 79A of Title 35 of the Pennsylvania Consolidated Statutes is amended to read:

SUBCHAPTER D

[MISCELLANEOUS PROVISIONS] PENALTIES

Section 2. Chapter 79A of Title 35 is amended by adding a subchapter to read:

SUBCHAPTER E

FIRST RESPONDER LOAN FORGIVENESS

Sec.

79A41. Definitions.
First Responder Loan Forgiveness Program.

Award of loan forgiveness.

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§ 79A41. Definitions.

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

"Active first responder." A member of an emergency medical services agency or a member of a fire company or volunteer rescue company. A FIRST RESPONSE ORGANIZATION.


"Approved institution of higher learning." A degree-granting or certificate-granting educational institution, including a vocational school, that:

(1) offers a postsecondary program of education;

(2) is located in this Commonwealth; and

(3) is approved by the agency.

"Approved program of education." A curriculum or course of study pursued at an approved institution of higher learning as determined by the agency.

"Emergency medical services agency." As defined in section 8103 (relating to definitions).

"Fire company." A volunteer fire company.

"EXECUTIVE OFFICER." THE CHIEF OR PRESIDENT OF THE FIRST RESPONSE ORGANIZATION THAT A QUALIFIED APPLICANT SERVES.
"FIRST RESPONSE ORGANIZATION." ANY OF THE FOLLOWING:

(1) AN EMERGENCY MEDICAL SERVICES AGENCY.

(2) A VOLUNTEER FIRE COMPANY.

(3) A VOLUNTEER RESCUE COMPANY.

"Program." The First Responder Loan Forgiveness Program established in section 79A42 (relating to First Responder Loan Forgiveness Program).

"Qualified applicant." An active first responder who qualifies for loan forgiveness under section 79A43 (relating to award of loan forgiveness).

"Volunteer fire company." As defined in section 7802 (relating to definitions).

"Volunteer rescue company." As defined in section 7802.

§ 79A42. First Responder Loan Forgiveness Program.

(a) Program established.--The First Responder Loan Forgiveness Program is established. The program shall provide loan forgiveness awards to qualified applicants in accordance with this subchapter. The agency shall administer the program for active first responders on a Statewide basis.

(b) Applicants.--An active first responder must meet the following criteria to apply for loan forgiveness under this subchapter:

(1) Is a resident of this Commonwealth.

(2) Has been an active first responder, as certified in accordance with section 79A47 (relating to certification), for a period of at least one year in this Commonwealth FOR AT LEAST THE 12 MONTHS IMMEDIATELY PRECEDING THE APPLICATION.

(3) Enrolled as a student in an approved program of education and completed a postsecondary degree or certification program AFTER THE EFFECTIVE DATE OF THIS <--
SECTION.

(4) Provides the agency with a sworn or official statement by the chief of the fire company or the chief or president of the emergency medical services agency, EXECUTIVE OFFICER attesting that the applicant is a member in good standing of the emergency medical services agency, fire company or volunteer rescue company FIRST RESPONSE ORGANIZATION.

§ 79A43. Award of loan forgiveness.

The agency may provide loan forgiveness for an active first responder who, in the first year as an active first responder following completion of a postsecondary degree or certification program AGENCY APPROVAL OF THE APPLICATION MADE IN ACCORDANCE WITH SECTION 79A42 (RELATING TO FIRST RESPONDER LOAN FORGIVENESS PROGRAM) and, in each subsequent year, meets all of the following criteria:

(1) Is a recipient of an agency-administered, A federally insured student loan.

(2) Has completed a certificate or degree program at an approved institution of higher learning. The certificate or degree program must be an approved program of education.

(3) Is certified as an active first responder, by the chief or president of the emergency medical services or chief of the fire company, for four consecutive years preceding the date of application.

(4) Executes a sworn affidavit, under penalty of perjury, that the individual does not have a delinquent payment owing to any Commonwealth agency.

§ 79A44. Amount of awards.

(a) Loan forgiveness.--Agency-administered, federally
FEDERALLY insured student loans for an approved program of education provided to a qualified applicant may be forgiven by the agency as follows:

(1) The agency may forgive a qualified applicant's ORIGINAL QUALIFYING LOANS in an amount up to $16,000.

(2) The total amount of the award shall not exceed $135 per credit hour earned in the approved program of education.

(3) Payment of the award shall be made in accordance with the procedures established by the agency.

(4) A qualified applicant may receive loan forgiveness awards as follows:

(i) First year of active first responder status following graduation QUALIFIED APPLICATION in an amount up to $4,000, but not exceeding 25% of the original qualifying loans.

(ii) Second year of active first responder status following graduation QUALIFIED APPLICATION in an amount up to $4,000, but not exceeding 25% of the original qualifying loans.

(iii) Third year of active first responder status following graduation QUALIFIED APPLICATION in an amount up to $8,000, but not exceeding 50% of the original qualifying loans.

(b) Preference.—The agency may give preference in approving loan forgiveness awards under the program to renewal applications.

§ 79A45. Funding.

The agency may approve loan forgiveness awards only to the extent that funds are appropriated by the General Assembly and are sufficient to cover administration of the program. In the
event that funding is insufficient to fully fund administration and awards to all qualified applicants, the agency shall prorate loan forgiveness awards.

§ 79A46.  Point system.

(a) General rule.--A point system establishing the requirements for annual certification of active first responders shall be developed and implemented by the chief or president of: <---

(1) a fire company;
(2) a volunteer rescue company; and
(3) an emergency medical services agency EXECUTIVE OFFICER. <---

(b) Factors.--The point system shall be used to determine whether to certify an individual as an active first responder and shall include the following factors:

(1) The number of emergency calls to which the individual responded.
(2) The individual's level of training and participation in formal training or drills.
(3) Time spent by the individual on administration and support activities, including maintenance of facilities and equipment.
(4) Involvement by the individual in fundraising and other projects that directly benefit the organization's financial viability, emergency response or operational readiness.

§ 79A47.  Certification.

(a) Application.--An applicant for certification as an active first responder must submit a signed application to the chief or president of the fire company, volunteer rescue company or emergency medical services agency that the applicant serves.
EXECUTIVE OFFICER.

(b) Local sign-off.--The chief or president of the fire company or volunteer rescue company and another officer of the volunteer fire company or volunteer rescue company, or the chief or president of the emergency medical services agency and another officer of the emergency medical services agency, EXECUTIVE OFFICER AND ANOTHER OFFICER OF THE FIRST RESPONSE ORGANIZATION shall:

(1) Sign the application attesting to the individual's status as an active first responder.

(2) Forward the application to the agency for final review and processing.

§ 79A48. Regulations.

The agency shall promulgate regulations and establish rules or adopt guidelines, including forms, necessary to administer this subchapter.

Section 3. This act shall take effect in 60 days.

FOLLOWS:


(2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IMMEDIATELY.