An Act

Amending the act of April 9, 1929 (P.L.177, No.175), entitled, as amended, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," PROVIDING FOR COVID-19 EMERGENCY STATUTORY AND REGULATORY SUSPENSIONS AND WAIVERS REPORTING REQUIREMENTS, FOR COVID-19 DEBT COST REDUCTION REVIEW AND FOR COVID-19 COST AND RECOVERY TASK FORCE; in powers and duties of the Department of General Services and its departmental administrative and advisory boards and commissions, providing for report of State facilities owned or leased; AND MAKING AN APPROPRIATION.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:
Section 1. The act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, is amended by adding an Article XXI-C

SECTION 1. THE ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929, IS AMENDED BY ADDING ARTICLES TO READ:

ARTICLE XXI-C

COVID-19 EMERGENCY STATUTORY AND REGULATORY SUSPENSIONS AND WAIVERS

REPORTING REQUIREMENTS

SECTION 2101-C. 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:

"ORDER." ANY OF THE FOLLOWING:

(1) THE DECLARATION OF DISASTER EMERGENCY ISSUED BY THE GOVERNOR ON MARCH 6, 2020, PUBLISHED IN 50 PA.B. 1644 (MARCH 21, 2020); OR


SECTION 2102-C. NOTIFICATION REQUIRED.

(A) SUSPENSIONS, MODIFICATIONS AND WAIVERS REQUIRING MODIFICATION.—THE OFFICE OF THE GOVERNOR SHALL NOTIFY THE INDIVIDUALS UNDER SUBSECTION (C) NO LATER THAN PROVIDED UNDER SUBSECTION (B) WHEN A SPECIFIC STATUTE OR REGULATION IS SUSPENDED, MODIFIED OR WAIVED UNDER THE AUTHORITY OF THE ORDER OR WHEN A SPECIFIC STATUTE OR REGULATION IS FIRST TREATED AS BEING SUSPENDED, MODIFIED OR WAIVED UNDER A BLANKET SUSPENSION, MODIFICATION OR WAIVER UNDER THE ORDER. A NOTIFICATION UNDER 20190SB0327PN1627
THIS PARAGRAPH SHALL, AT MINIMUM, NOTIFY THE INDIVIDUALS OF THE FOLLOWING:

(1) ANY PROVISION OF REGULATORY STATUTE OR REGULATION SUSPENDED OR MODIFIED UNDER 35 PA.C.S. CH. 73 SUBCH. A (RELATING TO COMMONWEALTH SERVICES) UNDER THE ORDER.

(2) ANY PROVISION OF LAW OR REGULATION SUSPENDED BY THE SECRETARY OF HEALTH UNDER THE ORDER.

(3) ANY PROVISION OF LAW OR REGULATION SUSPENDED OR WAIVED BY THE SECRETARY OF EDUCATION UNDER THE ORDER.

(4) ANY LAWS OR FEDERAL OR STATE REGULATIONS RELATED TO THE DRIVERS OF COMMERCIAL VEHICLES WAIVED OR SUSPENDED BY THE DEPARTMENT OF TRANSPORTATION UNDER THE ORDER.

(B) TIMELINE FOR NOTIFICATION.--THE FOLLOWING SHALL APPLY:

(1) AN INITIAL NOTIFICATION UNDER THIS SECTION SHALL BE MADE WITHIN TWO DAYS OF THE EFFECTIVE DATE OF THIS ARTICLE AND SHALL INCLUDE NOTIFICATIONS OF ALL SUSPENSIONS, MODIFICATIONS AND WAIVERS UNDER SUBSECTION (A) WHICH OCCURRED PRIOR TO THE EFFECTIVE DATE OF THIS ARTICLE.

(2) A NOTIFICATION UNDER THIS SECTION OTHER THAN AN INITIAL REPORT UNDER PARAGRAPH (1) SHALL BE MADE WITHIN ONE DAY OF THE SUSPENSION, MODIFICATION OR WAIVER UNDER SUBSECTION (A).

SECTION 2101-D. REVIEW OF REFINANCING OPPORTUNITIES.


ARTICLE XXI-E

COVID-19 COST AND RECOVERY TASK FORCE

SECTION 2101-E. LEGISLATIVE FINDINGS.

THE GENERAL ASSEMBLY FINDS AND DECLARES AS FOLLOWS:

(1) A NOVEL CORONAVIRUS, KNOWN AS COVID-19, ENTERED THE UNITED STATES IN LATE JANUARY 2020 AND HAS SPREAD THROUGHOUT THE STATES, INCLUDING THIS COMMONWEALTH.

(2) ON MARCH 6, 2020, THE GOVERNOR DECLARED A DISASTER EMERGENCY, CITING A THREAT OF IMMINENT DISASTER THAT IS OF SUCH A MAGNITUDE AND SEVERITY AS TO NECESSITATE EXTRAORDINARY MEASURES TO PROTECT THE HEALTH, SAFETY AND LIFE OF THIS COMMONWEALTH’S CITIZENS.

(3) THE IMPACT OF COVID-19, INCLUDING ALL THE NECESSARY MEASURES TAKEN TO MITIGATE THE SPREAD OF THE DISEASE, HAS SEVERELY DISRUPTED THE COMMONWEALTH AND ITS SUBDIVISIONS AND IS PRODUCING SHORT-TERM AND LONG-TERM NEGATIVE ECONOMIC
CONSEQUENCES.

(4) IN ORDER TO EFFECTIVELY MANAGE THE CURRENT DISASTER, ALL BRANCHES OF THE COMMONWEALTH'S GOVERNMENT MUST WORK COOPERATIVELY TO IDENTIFY IMMEDIATE AND URGENT ISSUES, PROVIDE A STRUCTURE TO CATALOG THE COMMONWEALTH'S RESPONSE TO THE DISASTER EMERGENCY AND CREATE A FORUM TO RECEIVE TESTIMONY, INFORMATION AND RECOMMENDATIONS FROM INDIVIDUALS, BUSINESS AND INDUSTRY.

(5) IN ADDITION TO MANAGING THE EXISTING PUBLIC HEALTH CHALLENGES OF COVID-19, THE COMMONWEALTH WILL NEED A RECOVERY PLAN ONCE THE EMERGENCY SUBSIDES TO ADDRESS THE INNUMERABLE ISSUES RESULTING FROM THE DISASTER EMERGENCY, INCLUDING THE IMPACT TO THE ECONOMY.

(6) THE MOST EFFECTIVE MANNER TO ACHIEVE THESE CRITICAL NEEDS IS TO FORM AN INTERBRANCH TASK FORCE.

SECTION 2102-E. 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:

"ORDER." AS FOLLOWS:

(1) THE DECLARATION OF DISASTER EMERGENCY ISSUED BY THE GOVERNOR ON MARCH 6, 2020, PUBLISHED AT 50 PA.B. 1644 (MARCH 21, 2020).


SECTION 2103-E. TASK FORCE.

(A) ESTABLISHMENT.--THE COVID-19 COST AND RECOVERY TASK
FORCE IS ESTABLISHED.

(B) MEMBERSHIP.--THE TASK FORCE SHALL CONSIST OF THE FOLLOWING MEMBERS, APPOINTED WITHIN FIVE DAYS OF THE EFFECTIVE DATE OF THIS SECTION:

(1) THE GOVERNOR OR A DESIGNEE.

(2) TWO MEMBERS OF THE SENATE APPOINTED BY THE PRESIDENT PRO TEMPORE OF THE SENATE.

(3) THREE MEMBERS OF THE SENATE APPOINTED BY THE MAJORITY LEADER OF THE SENATE.

(4) THREE MEMBERS OF THE SENATE APPOINTED BY THE MINORITY LEADER OF THE SENATE.

(5) TWO MEMBERS OF THE HOUSE OF REPRESENTATIVES APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

(6) THREE MEMBERS OF THE HOUSE OF REPRESENTATIVES APPOINTED BY THE MAJORITY LEADER OF THE HOUSE OF REPRESENTATIVES.

(7) THREE MEMBERS OF THE HOUSE OF REPRESENTATIVES APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES.

(8) THE FOLLOWING INDIVIDUALS APPOINTED BY THE GOVERNOR:

(I) AN OFFICER OR EMPLOYEE OF THE DEPARTMENT OF HEALTH TO REPRESENT THE SECRETARY OF HEALTH.

(II) AN OFFICER OR EMPLOYEE OF THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY TO REPRESENT THE DIRECTOR OF THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY.

(III) AN OFFICER OR EMPLOYEE OF THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT TO REPRESENT THE SECRETARY OF COMMUNITY AND ECONOMIC DEVELOPMENT.

(9) THE FOLLOWING INDIVIDUALS APPOINTED BY THE CHIEF JUSTICE OF THE SUPREME COURT:
(I) THE COURT ADMINISTRATOR OF PENNSYLVANIA OF THE
ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS.

(II) A JUDGE OF THE SUPERIOR OR COMMONWEALTH COURTS
OR A JUSTICE OF THE SUPREME COURT.

(III) A JUDGE OF A COURT OF COMMON PLEAS OR A MEMBER
OF THE MINOR JUDICIARY.

(C) METHOD OF APPOINTMENT.--AN APPOINTING AUTHORITY UNDER
SUBSECTION (B) SHALL MAKE APPOINTMENT OR REPLACEMENT APPOINTMENT
BY THE TRANSMISSION OF A LETTER TO THE GOVERNOR, ALL EX OFFICIO
MEMBERS AND ALL APPOINTING AUTHORITIES UNDER SUBSECTION (B).

(D) ADVISORY COMMITTEES.--THE FOLLOWING SHALL APPLY:

(1) THE TASK FORCE MAY ESTABLISH ADVISORY COMMITTEES TO
REVIEW ISSUES RELATING TO THE COVID-19 PUBLIC HEALTH
EMERGENCY THAT REQUIRE EXECUTIVE, LEGISLATIVE OR JUDICIAL
ACTION AND TO REPORT RELATED INFORMATION TO THE TASK FORCE.

(2) MEMBERS OF AN ADVISORY COMMITTEE SHALL BE
INDIVIDUALS APPOINTED BY THE TASK FORCE WHO HAVE EXPERIENCE
IN THE ISSUE BEING REVIEWED. MEMBERS OF THE TASK FORCE AND
INDIVIDUALS WHO ARE NOT MEMBERS OF THE TASK FORCE MAY BE
APPOINTED TO AN ADVISORY COMMITTEE.

(3) A MEMBER OF THE TASK FORCE SHALL SERVE AS THE
CHAIRPERSON OF EACH ADVISORY COMMITTEE.

(4) AN ADVISORY COMMITTEE ESTABLISHED UNDER THIS
SUBSECTION MAY BE DIRECTED TO REVIEW ISSUES RELATED TO ISSUES
ARISING FROM THE COVID-19 PANDEMIC AND THE IMPACT THOSE
ISSUES HAVE HAD ON THE COMMONWEALTH.

(E) CHAIRPERSON.--THE GOVERNOR OR A DESIGNEE UNDER
SUBSECTION (B)(1) SHALL SERVE AS CHAIRPERSON OF THE TASK FORCE.

(F) PARTICIPATION.--A MEMBER NOT PHYSICALLY PRESENT MAY
PARTICIPATE BY TELECONFERENCE OR VIDEO CONFERENCE.

20190SB0327PN1627 - 7 -
(G) **QUORUM AND VOTING.**--THE FOLLOWING SHALL APPLY:

(1) A MAJORITY OF THE MEMBERS OF THE TASK FORCE PARTICIPATING IN PERSON, TELECONFERENCE OR VIDEO CONFERENCE SHALL CONSTITUTE A QUORUM.

(2) ACTION OF THE TASK FORCE MUST BE AUTHORIZED OR RATIFIED BY MAJORITY VOTE OF THE MEMBERS OF THE TASK FORCE.

(H) **MEETINGS.**--THE FOLLOWING SHALL APPLY:

(1) THE TASK FORCE SHALL MEET AT LEAST ONCE A WEEK. ADDITIONAL MEETINGS MAY BE CALLED BY THE CHAIRPERSON AS NECESSARY. THE CHAIRPERSON SHALL SCHEDULE A MEETING UPON WRITTEN REQUEST OF FOUR MEMBERS OF THE TASK FORCE.

(2) THE FIRST MEETING SHALL BE CONVENED WITHIN 10 DAYS OF THE EFFECTIVE DATE OF THIS PARAGRAPH.

(3) THE TASK FORCE MAY TAKE ACTIONS NECESSARY TO CONFORM TO PUBLICATION REQUIREMENTS ORDERED OR RECOMMENDED BY THE SECRETARY OF HEALTH OR THE CENTERS FOR DISEASE CONTROL.

(4) THE TASK FORCE SHALL PERMIT THE PUBLIC TO VIEW OR LISTEN TO A COMMITTEE MEETING THROUGH CONTEMPORANEOUS METHODS AND MAKE THE RECORDINGS AVAILABLE ON THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.

(5) The TASK FORCE MAY HOLD PUBLIC HEARINGS IF NECESSARY.

(I) **EXPENSES.**--MEMBERS SHALL NOT RECEIVE COMPENSATION BUT SHALL BE REIMBURSED FOR ACTUAL EXPENSES INCURRED IN SERVICE OF THE TASK FORCE.

(K) APPLICABILITY.--THE FOLLOWING SHALL APPLY:

(1) (I) EXCEPT AS PROVIDED UNDER SUBPARAGRAPH (II), THE
ACT OF FEBRUARY 14, 2008 (P.L.6, NO.3), KNOWN AS THE
RIGHT-TO-KNOW LAW, SHALL APPLY TO THE TASK FORCE.

(II) CORRESPONDENCE BETWEEN A PERSON AND A MEMBER OF
THE TASK FORCE AND RECORDS ACCOMPANYING THE
CORRESPONDENCE SUBMITTED UNDER SECTION 2104-E(A)(3) SHALL
BE EXEMPT FROM ACCESS BY A REQUESTER UNDER THE RIGHT-TO-
KNOW LAW. THIS SUBPARAGRAPH SHALL NOT APPLY TO
CORRESPONDENCE BETWEEN A MEMBER AND A PRINCIPAL OR
LOBBYIST UNDER 65 PA.C.S. CH. 13A (RELATING TO LOBBYING).

(2) EXCEPT AS PROVIDED UNDER PARAGRAPH (3), THE TASK
FORCE SHALL BE DEEMED AN AGENCY FOR THE PURPOSES OF 65
PA.C.S. CH. 7 (RELATING TO OPEN MEETINGS).

(3) PUBLIC NOTICE OF A MEETING OF THE TASK FORCE SHALL
BE MADE BY THE ISSUANCE OF A PRESS RELEASE BY THE CHAIRPERSON
NO LESS THAN 24 HOURS PRIOR TO A MEETING.

(4) A MEMBER OF THE TASK FORCE SHALL BE DEEMED A PUBLIC
OFFICIAL FOR THE PURPOSE OF 65 PA.C.S. CH. 11 (RELATING TO
ETHICS STANDARDS AND FINANCIAL DISCLOSURE). A STATEMENT
REQUIRED TO BE FILED BY A MEMBER UNDER 65 PA.C.S. § 1104(A)
(RELATING TO STATEMENT OF FINANCIAL INTERESTS REQUIRED TO BE
FILED) DUE TO THE INDIVIDUAL'S MEMBERSHIP ON THE TASK FORCE
SHALL BE FILED ONLY WITH THE STATE ETHICS COMMISSION.

(5) THE TASK FORCE SHALL BE CONSIDERED AN INDEPENDENT
AGENCY FOR THE PURPOSES OF THE ACT OF OCTOBER 15, 1980
(P.L.950, NO.164), KNOWN AS THE COMMONWEALTH ATTORNEYS ACT.

SECTION 2104-E. FUNCTIONS OF TASK FORCE.

(A) POWERS.--THE TASK FORCE SHALL HAVE THE FOLLOWING POWERS:

(1) TO REQUEST PERIODIC UPDATES FROM EACH AGENCY UNDER
THE GOVERNOR'S JURISDICTION, INDEPENDENT AGENCIES, THE LEGISLATURE AND THE UNIFIED JUDICIAL SYSTEM ON ANY ACTIONS TAKEN IN RESPONSE TO THE COVID-19 PUBLIC HEALTH EMERGENCY.

(2) To appoint advisory committees under Section 2103-E(D).

(3) To receive communications from individuals, businesses, nonprofit entities, local governments and any other entity regarding issues under subsection (B)(2).

(B) Duties.--The task force shall have the following duties:

(1) To monitor and track the response by the commonwealth to the COVID-19 public health emergency during the time that the order remains active, including all actions taken under the authority of the order.

(2) To identify immediate and urgent issues relating to the COVID-19 public health emergency that require executive, legislative or judicial action and to make recommendations to the proper body in a timely fashion.

(3) To develop and submit a recovery plan to the executive branch, legislative branch and judicial branch of the commonwealth's government. A recovery plan shall include a documented, structured approach that describes how the commonwealth and its subdivisions can expeditiously resume mission-critical functions, including the restoration of housing, transportation, education and other public services and economic activity to levels equal to or better than their predisaster states through a series of short-term, intermediate and long-term strategies and actions. The recovery plan may be based in part or in whole on the federal emergency management agency's resources for recovery planning and managing recovery.
(4) TO MAKE A FINAL REPORT NO LATER THAN SIX MONTHS AFTER THE ORDER IS TERMINATED BY EXECUTIVE ORDER,
PROCLAMATION OR OPERATION OF LAW DOCUMENTING ALL OF THE FOLLOWING:

(I) ACTIONS TAKEN BY EXECUTIVE AGENCIES UNDER THE ORDER.

(II) LEGISLATIVE ENACTMENTS MADE IN RESPONSE TO THE COVID-19 PUBLIC HEALTH EMERGENCY.

(III) JUDICIAL ORDERS MADE IN RESPONSE TO THE COVID-19 PUBLIC HEALTH EMERGENCY.

(IV) A SUMMARY OF ACTIONS UNDERTAKEN BY LOCAL GOVERNMENTS IN RESPONSE TO THE COVID-19 PUBLIC HEALTH EMERGENCY.

SECTION 2105-E. APPROPRIATION.

THE AMOUNT OF $1,000 IS APPROPRIATED FROM THE GENERAL FUND TO THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT FOR PAYMENT OF REASONABLE EXPENSES UNDER SECTION 2103-E(I). THE APPROPRIATION UNDER THIS SECTION SHALL NOT LAPSE UNTIL THE EXPIRATION OF THIS ARTICLE UNDER SECTION 2106-E. ANY AMOUNT OF THE APPROPRIATION UNEXPENDED OR UNCOMMITTED UPON THE EXPIRATION UNDER SECTION 2106-E SHALL LAPSE.

SECTION 2106-E. EXPIRATION.

THIS ARTICLE SHALL EXPIRE SIX MONTHS AFTER THE ORDER IS TERMINATED BY EXECUTIVE ORDER, PROCLAMATION OR OPERATION OF LAW.

SECTION 2. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

Section 2402.3. Report of State Facilities Owned or Leased.--(a) The Department of General Services shall conduct an annual survey of State facility usage.

(b) Each executive agency, independent agency and State-affiliated entity shall report to the Department of General Services.
Services each State facility which is under its control or which it uses.

(c) The report under subsection (b) shall include, at a minimum, the following information:

(1) Whether the State facility is State-owned or leased.

(2) Whether the State facility is occupied or vacant.

(3) The size of the State facility as measured in square feet.

(4) The total expenditures for utilities per State facility for the preceding twelve months.

(5) The amount of rent paid for the preceding twelve months for any State facility that is leased.

(6) The purpose of the State facility.

(7) How to reduce costs associated with the State facility.

(d) Survey information under subsection (c) shall be reported no later than June 30 of each year.

(e) On or before July 31 of each year, the Department of General Services shall compile and report the survey information obtained under subsection (c) to the chairperson and minority chairperson of the State Government Committee of the Senate and the chairperson and minority chairperson of the State Government Committee of the House of Representatives.

(f) As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Executive agency" means an executive agency as defined in 62 Pa.C.S. § 103 (relating to definitions).

"Independent agency" means an independent agency as defined in 62 Pa.C.S. § 103.

"State-affiliated entity" means a State-affiliated entity as defined in 62 Pa.C.S. § 103.
"State facility" means a HABITABLE structure or space under the control of or used by an executive agency, independent agency or State-affiliated entity.

Section 2 3 3. This act shall take effect in 180 days.

SECTION 3. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

(1) THE ADDITION OF SECTION 2402.3 OF THE ACT SHALL TAKE EFFECT IN 180 DAYS.

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