
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 494

Session of
1973

INTRODUCED BY MESSRS. O'CONNELL, O'BRIEN, SHUPNIK, R. MUSTO,
HASAY, USTYNOSKI, WORRILOW, KESTER, GEKAS, DININNI,
ZIMMERMAN, LETTERMAN, GRIECO, NOYE, W. D. HUTCHINSON AND
KLINGAMAN, FEBRUARY 26, 1973

REFERRED TO COMMITTEE ON APPROPRIATIONS, FEBRUARY 26, 1973

AN ACT

1 Providing for grants to individual non-farm owners of homes or
2 personal property damaged or destroyed by certain floods;
3 establishing the amount of the grants and making an
4 appropriation.

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

7 Section 1. Upon receipt and approval of a sworn application
8 by a non-farm owner of a home or personal property damaged or
9 destroyed by the floods of September, 1971 or June, 1972, the
10 Office of the Governor may make a grant to cover a portion of
11 the loss on the following basis:

12 (1) The total loss of both real and personal property
13 combined may be ascertained in accordance with the amount
14 approved by a Small Business Administration or Farmers Home
15 Administration Disaster Loan as provided in U.S. P.L.92-385
16 known as the Civil Disaster Relief Act of 1970 but shall not
17 include any pre-flood indebtedness which has been consolidated
18 with the property loss, nor shall it include any loss covered by

1 an insurance policy, as any business loss as defined by the
2 Small Business Administration.

3 (2) An adjusted loss shall be ascertained by deducting the
4 amount of the Federal forgiveness from the figure arrived at in
5 clause (1).

6 (3) For the first five thousand dollars (\$5,000) of the
7 adjusted loss, the grant shall be twenty-five per cent thereof.

8 (4) For the second five thousand dollars (\$5,000) of the
9 adjusted loss, the grant shall be fifteen per cent thereof.

10 (5) For the third five thousand dollars (\$5,000) of the
11 adjusted loss, the grant shall be ten per cent thereof.

12 (6) For the balance of the adjusted loss the grant shall be
13 five per cent thereof but the total grant shall not exceed three
14 thousand dollars (\$3,000).

15 (7) Six per cent shall be added to all grants.

16 Section 2. If real property was condemned under eminent
17 domain proceedings and where measure of damages is calculated
18 under section 602 of the act of June 22, 1964 (P.L.84, No.6),
19 known as the "Eminent Domain Code," said real property shall not
20 be taken into consideration in ascertaining the amount of the
21 grant in section 1 hereof.

22 Section 3. The owner making application for a grant shall,
23 in his application, authorize the Commonwealth to apply the
24 grant to any monthly obligation that he may have on account of a
25 Small Business Administration or Farmers Home Administration
26 loan until such time as the amount of the grant has been
27 expended or the loan repaid, whichever shall first occur. If the
28 loan is repaid prior to the expenditure of the entire amount of
29 the grant, or there is no indebtedness, the balance thereof
30 shall be paid to the owner.

1 Section 4. All grants under this act shall be administered
2 by the Pennsylvania Department of Community Affairs, and all
3 applications for grants shall be submitted to that department
4 within one hundred twenty days after the effective date of this
5 act. If sufficient funds are not allocated herein, distribution
6 of grants shall be on a pro rata basis.

7 Section 5. A sum not to exceed forty million dollars
8 (\$40,000,000) may be allocated by the Governor for the purpose
9 of administering and implementing this act from funds made
10 available under the Emergency Disaster Relief Act of July 7,
11 1972 (No.18-A).

12 Section 6. Any person making a false claim under the
13 provisions of this act shall be subject to a penalty in the
14 amount of three times the amount of the grant with interest at
15 the rate of six per cent from the date of the grant. Such a
16 penalty may be enforced by the Commonwealth in an assumpsit
17 action and collected in the manner that other debts due and
18 owing the Commonwealth are collected.

19 Section 7. This act shall take effect immediately.