
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 757 Session of
2007

INTRODUCED BY KASUNIC, MELLOW, LAVALLE, TARTAGLIONE,
C. WILLIAMS, WOZNIAK, BOSCOLA, COSTA, ERICKSON, FERLO,
FONTANA, GREENLEAF, HUGHES, KITCHEN, LOGAN AND MUSTO,
APRIL 12, 2007

REFERRED TO VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS,
APRIL 12, 2007

AN ACT

1 Providing for grants to persons for property damaged or
2 destroyed by disasters; establishing the basis for the
3 grants; and making an appropriation.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Disaster
8 Relief Act.

9 Section 2. Definitions.

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

13 "Department." The Department of Public Welfare of the
14 Commonwealth.

15 Section 3. Disaster relief program.

16 (a) Program.--The department shall administer a program
17 which provides emergency funds to residents of counties stricken

1 by disasters which are the subject of Federal emergency
2 declarations.

3 (b) Eligibility.--An applicant's request for funding shall
4 be subject to the following evaluation:

5 (1) Upon receipt and approval of sworn application by
6 any homeowner for nonbusiness or nonfarm real property
7 damaged or destroyed, or any homeowner or tenant of premises
8 rented as a primary residence for personal property damaged
9 or destroyed in a declared disaster, the department may make
10 an individual grant to cover a portion of the adjusted loss.

11 (2) The adjusted loss shall be the total eligible loss,
12 including those losses covered by a loan which must be repaid
13 by the applicant, minus any amount received by or due the
14 applicant from private insurance and Federal or State grants
15 and shall not include any insurance deductible paid by the
16 applicant.

17 (3) Total eligible loss shall be any loss from damage to
18 an owner-occupied primary residence and any loss from damage
19 to personal property, including clothing, household
20 furnishings and appliances incurred by a homeowner in the
21 homeowner's owner-occupied primary residence or incurred by a
22 tenant in rented premises as a primary residence. Eligible
23 loss shall not include any item used principally for
24 recreational purposes.

25 (4) Applicants whose household income does not exceed
26 300% of the Federal poverty income guidelines shall be
27 eligible to participate in this grant program. The applicant,
28 in order to be eligible for this program by reason of a loss
29 in a declared disaster, must have registered at a disaster
30 assistance center, unless extenuating circumstances prevented

1 the applicant from doing so. Extenuating circumstances shall
2 be determined on an individual basis.

3 (5) The amount of the grant shall be determined in
4 accordance with the following schedule:

5 (i) Seventy-five percent of the adjusted loss for
6 individuals or families with income less than 150% of the
7 Federal poverty level.

8 (ii) Fifty-five percent of the adjusted loss for
9 individuals or families with incomes between 150% and
10 300% of the Federal poverty level.

11 (iii) No grant shall exceed \$12,500.

12 (c) Limitation on eligibility.--If the real property was
13 condemned under eminent domain proceedings and where the measure
14 of damage is calculated under 26 Pa.C.S. § 702 (relating to
15 measure of damages), known as the Eminent Domain Code, the
16 property owner shall not be eligible for a grant under
17 subsection (b) for property for which compensation is granted in
18 the eminent domain proceedings.

19 (d) Administration.--The department shall administer the
20 program in the following manner:

21 (1) All grants under this act shall be administered by
22 the department in prompt fashion.

23 (2) Applications shall be available to disaster victims
24 within 60 days of the effective date of this act.

25 (3) If sufficient funds are not allocated under this
26 act, distribution of the grants shall be on a pro rata basis.

27 (e) Regulations.--The department shall promulgate
28 regulations to administer and enforce this act.

29 (f) Penalty.--A person making a false claim under the
30 provisions of this act shall be subject to a penalty in the

1 amount of three times the amount of the grant with interest of
2 6% from the date of the grant. This penalty may be enforced by
3 the Commonwealth in an assumpsit action and collected in the
4 manner that other debts due and owing the Commonwealth are
5 collected.

6 Section 4. Appropriation.

7 The sum of \$25,000,000, or as much thereof as may be
8 necessary, is hereby appropriated to the Department of Public
9 Welfare for the fiscal year July 1, 2006, to June 30, 2007, to
10 carry out the provisions of this act.

11 Section 5. Applicability.

12 This act shall apply to all disasters for which a
13 Presidential Declaration was issued on or after the effective
14 date of this act.

15 Section 6. Effective date.

16 This act shall take effect immediately.