
 THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 493 Session of
2013

INTRODUCED BY GABLER, STERN, KNOWLES, STEPHENS, RAPP, LAWRENCE,
CUTLER, KAUFFMAN, DUNBAR, EVERETT, TURZAI, BLOOM, GROVE,
MILLARD, EVANKOVICH, GREINER, MILNE, GILLEN, METCALFE, MURT
AND SCHREIBER, FEBRUARY 4, 2013

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, OCTOBER 15, 2013

AN ACT

1 Amending the act of February 9, 1999 (P.L.1, No.1), entitled "An
2 act providing for borrowing for capital facilities;
3 conferring powers and duties on various administrative
4 agencies and officers; making appropriations; and making
5 repeals," in capital facilities~~7~~: further providing for <--
6 definitions~~7~~ AND for legislative procedures~~7~~; PROVIDING FOR <--
7 PROCEDURES FOR CAPITAL BUDGET AND FOR CAPITAL PROJECT
8 ITEMIZATION BILL; AND FURTHER PROVIDING for reports related
9 to redevelopment assistance capital projects and for
10 appropriations and limitations on projects; providing for
11 review of proposals; and further providing for funding and
12 administration of projects.

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

15 Section 1. The definitions of "capital project" and
16 "redevelopment assistance capital project" in section 302 of the
17 act of February 9, 1999 (P.L.1, No.1), known as the Capital
18 Facilities Debt Enabling Act, amended July 4, 2004 (P.L.516,
19 No.67) and December 22, 2005 (P.L.454, No.87), are amended and
20 the section is amended by adding definitions to read:

21 Section 302. Definitions.

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

4 * * *

5 "Applicant." A person that is seeking funding for a
6 redevelopment assistance capital project that has been listed in
7 a capital project itemization bill and that is one of the
8 following:

9 (1) A redevelopment authority.

10 (2) An industrial development authority.

11 (3) A general purpose unit of local government.

12 (4) A local development district that has an agreement
13 with a general purpose unit of local government under which
14 the unit assumes ultimate responsibility for debt incurred to
15 obtain the non-State financial participation.

16 (5) A public authority established pursuant to the laws
17 of this Commonwealth.

18 (6) An industrial development agency:

19 (i) which has been certified as an industrial
20 development agency by the Pennsylvania Industrial
21 Development Authority Board under the act of May 17, 1956
22 (1955 P.L.1609, No.537), known as the Pennsylvania
23 Industrial Development Authority Act; and

24 (ii) which is itself or which is acting through a
25 wholly owned subsidiary that is exempt from Federal
26 taxation under section 501(c)(3) of the Internal Revenue
27 Code of 1986 (Public Law 99-514, 26 U.S.C. § 501(c)(3)).

28 "Capital project." A flood control, highway, public
29 improvement, redevelopment assistance capital or transportation
30 assistance project which is financed by debt or by other funds

1 and which meets all of the following:

2 (1) Is an undertaking to construct, repair, renovate,
3 improve, equip, furnish or acquire any:

4 (i) building, structure, facility, infrastructure or
5 physical public betterment or improvement;

6 (ii) land or rights in land; or

7 (iii) furnishings, machinery, apparatus or equipment
8 for a building, structure, facility or physical public
9 betterment or improvement.

10 (2) Is [designated] ITEMIZED in a [capital budget] <--
11 capital project itemization bill as a capital project.

12 (3) Has an estimated useful life in excess of five
13 years.

14 (4) Has an estimated financial cost in excess of
15 \$100,000. This paragraph does not apply to original equipment
16 or furnishings for previously authorized public improvement
17 projects.

18 [Capital projects are categorized as flood control projects,
19 highway projects, public improvement projects, redevelopment
20 assistance capital projects and transportation assistance
21 projects.]

22 * * *

23 "COMMUNITY ASSET PROJECT." A PROJECT WHICH PROVIDES <--
24 SIGNIFICANT BENEFIT OR IMPROVEMENT TO A COMMUNITY. THE TERM
25 INCLUDES A CULTURAL, RECREATIONAL AND HISTORICAL PROJECT AND ANY
26 OTHER PROJECT OF CIVIC SIGNIFICANCE.

27 * * *

28 "Office." The Governor's Office of the Budget.

29 * * *

30 "Redevelopment assistance capital project." The design and

1 construction of [facilities] a project which [meet] meets all of
2 the following:

3 (1) [Are facilities, other than] Is a project, including
4 infrastructure associated with the project. A project does
5 not include highways, bridges, waste disposal facilities,
6 sewage facilities or water facilities. This paragraph
7 includes:

8 (i) [Water] Storm water, water or sewer
9 infrastructure, or tunnels, bridges or roads, when
10 [included as part of a business or industrial park
11 facility] associated with a project that is part of an
12 economic development project.

13 (ii) Hospital facilities and capital improvements
14 for hospital facilities.

15 (2) [Are economic development projects which] Is a
16 project which will generate substantial increases in or
17 maintain current levels of employment, tax revenues or other
18 measures of economic activity. This paragraph includes

19 [projects with cultural, historical or civic significance.] <--
20 ~~and housing projects that will support and generate economic~~ <--
21 ~~activity:~~ <--

22 (I) A COMMUNITY ASSET PROJECT; AND

23 (II) A HOUSING PROJECT THAT WILL SUPPORT AND
24 GENERATE ECONOMIC ACTIVITY.

25 (3) [Are facilities which have] Is a project that has a
26 regional or multijurisdictional impact or, in the case of
27 housing, is part of a community revitalization plan.

28 (4) [Are] Is eligible for tax-exempt bond funding under
29 existing Federal law and regulations.

30 (5) [Have a] Has at least a 50% non-State financial

1 participation documented at the time of application,
2 including a portion of any funds reserved for future physical
3 maintenance and operation of the [facilities] project:

4 (i) at least half of which is secured funding;

5 (ii) toward which the only noncash non-State
6 financial participation permitted is land or fixed assets
7 which have a substantial useful life and are directly
8 related to the project;

9 (iii) toward which State funds from other programs
10 may not be used; and

11 (iv) toward which funds from Federal sources may be
12 used.

13 (6) [Have] Has a total project cost of at least
14 \$1,000,000.

15 (7) [Applicants shall be one of the following:

16 (i) A redevelopment authority.

17 (ii) An industrial development authority.

18 (iii) A general purpose unit of local government.

19 (iv) A local development district which has an
20 agreement with a general purpose unit of local government
21 under which the unit assumes ultimate responsibility for
22 debt incurred to obtain the 50% non-State participation
23 required by paragraph (5).

24 (v) Any public authority established pursuant to the
25 laws of this Commonwealth.

26 (vi) An industrial development agency which has been
27 certified as an industrial development agency by the
28 Pennsylvania Industrial Development Authority Board
29 pursuant to the act of May 17, 1956 (1955 P.L.1609,
30 No.537), known as the Pennsylvania Industrial Development

1 Authority Act, and which is itself or which is acting
2 through a wholly owned subsidiary which is exempt from
3 Federal taxation under section 501(c)(3) of the Internal
4 Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 1 et
5 seq.).

6 The term also includes a fire truck and firefighting equipment
7 to the extent that the request for assistance does not exceed
8 \$50,000.] (Reserved).

9 * * *

10 "Secretary." The Secretary of the Budget.

11 * * *

12 ~~Section 2. Sections 303 and 313.1 of the act, amended or~~ <--
13 ~~added December 22, 2005 (P.L.454, No.87), are amended to read:~~

14 ~~Section 303. Procedures for capital [budget] project~~
15 ~~itemization bill and debt authorizing legislation.~~

16 ~~(a) Legislative process. A capital budget prepared in~~
17 ~~accordance with this chapter shall be submitted for each fiscal~~
18 ~~year by the Governor to the General Assembly and shall be~~
19 ~~considered in the form of a bill as provided in Article III of~~
20 ~~the Constitution of Pennsylvania.~~

21 ~~(b) Itemization bill.~~

22 ~~{(1) Except as set forth in paragraph (2), the capital~~
23 ~~budget bill must specifically itemize, by brief identifying~~
24 ~~description and estimated financial cost, the capital~~
25 ~~projects to be financed from the proceeds of obligations of~~
26 ~~the Commonwealth.~~

27 ~~(2) Paragraph (1) does not apply if the itemization is:~~

28 ~~(i) contained in or approved by prior legislation~~
29 ~~referred to in the capital budget bill; or~~

30 ~~(ii) included in one or more supplemental capital~~

1 budget bills.

2 ~~(3) Projects must be listed in separate categories as~~
3 ~~well as according to the fund to be charged with the~~
4 ~~repayment of the obligations to be incurred.~~

5 ~~(4) The capital budget bill must state the maximum~~
6 ~~amount of such obligations which may be incurred in the~~
7 ~~ensuing fiscal year to provide funds for and towards the~~
8 ~~financial costs of each category of capital projects, which~~
9 ~~shall be by the issue of general obligations of the~~
10 ~~Commonwealth.]~~

11 ~~No redevelopment assistance capital project may receive funds~~
12 ~~unless the project was itemized in a capital budget project~~
13 ~~itemization bill, a capital budget bill or a capital project~~
14 ~~itemization bill enacted within ten years of the date the~~
15 ~~project is approved under section 318 or the project has been~~
16 ~~approved by the secretary on or before December 31, 2012. Each~~
17 ~~capital project must be listed under its category and include~~
18 ~~all of the following:~~

19 ~~(1) A specific description of the capital project,~~
20 ~~including the municipality in which the capital project is~~
21 ~~located.~~

22 ~~(2) Estimated financial cost of the capital project.~~

23 ~~(3) The fund to be charged with the repayment of the~~
24 ~~obligation to be incurred.~~

25 ~~[(c) Timing. Each year the Governor shall submit a capital~~
26 ~~budget bill for the ensuing fiscal year.]~~

27 ~~(d) [Additional bills] Debt authorization bill. At the time~~
28 ~~the Governor submits the [capital budget or a supplement]~~
29 ~~General Appropriation Bill for a fiscal year, the Governor~~
30 ~~shall, to the extent the debt to be incurred is not within the~~

1 ~~limits of legislation then in force authorizing the incurring of~~
2 ~~debt, submit [additional bills for each category of capital~~
3 ~~projects,] a capital budget bill authorizing the [incurring of~~
4 ~~debt] maximum amount of general obligation debt to be incurred~~
5 ~~in the ensuing fiscal year to provide funds for and towards the~~
6 ~~payment of the financial costs of capital projects in [such]~~
7 ~~each category of capital projects which have been specifically~~
8 ~~itemized in a [capital budget for the same or any prior year]~~
9 ~~capital project itemization bill.~~

10 ~~(e) Categories. Each [debt authorizing bill] capital budget~~
11 ~~bill must do all of the following:~~

12 ~~(1) State the category of capital projects to be~~
13 ~~financed by the debt so authorized but need not enumerate the~~
14 ~~capital projects to be financed.~~

15 ~~(2) Authorize the incurring of debt in not less than the~~
16 ~~amount of the financial cost of all capital projects in such~~
17 ~~category not covered by a previous debt authorization,~~
18 ~~including any overall allowance for contingencies.~~

19 ~~(3) State the estimated useful lives of the capital~~
20 ~~projects to be financed in such detail as may be requisite if~~
21 ~~capital projects of varying useful lives are to be combined~~
22 ~~for financing purposes.~~

23 ~~(4) State the maximum term of the debt to be incurred.~~

24 SECTION 2. SECTION 303 OF THE ACT, AMENDED DECEMBER 22, 2005 <--
25 (P.L.454, NO.87), IS REPEALED:

26 [SECTION 303. PROCEDURES FOR CAPITAL BUDGET BILL AND DEBT-
27 AUTHORIZING LEGISLATION.

28 (A) LEGISLATIVE PROCESS.--A CAPITAL BUDGET PREPARED IN
29 ACCORDANCE WITH THIS CHAPTER SHALL BE SUBMITTED FOR EACH FISCAL
30 YEAR BY THE GOVERNOR TO THE GENERAL ASSEMBLY AND SHALL BE

1 CONSIDERED IN THE FORM OF A BILL AS PROVIDED IN ARTICLE III OF
2 THE CONSTITUTION OF PENNSYLVANIA.

3 (B) ITEMIZATION.--

4 (1) EXCEPT AS SET FORTH IN PARAGRAPH (2), THE CAPITAL
5 BUDGET BILL MUST SPECIFICALLY ITEMIZE, BY BRIEF IDENTIFYING
6 DESCRIPTION AND ESTIMATED FINANCIAL COST, THE CAPITAL
7 PROJECTS TO BE FINANCED FROM THE PROCEEDS OF OBLIGATIONS OF
8 THE COMMONWEALTH.

9 (2) PARAGRAPH (1) DOES NOT APPLY IF THE ITEMIZATION IS:

10 (I) CONTAINED IN OR APPROVED BY PRIOR LEGISLATION
11 REFERRED TO IN THE CAPITAL BUDGET BILL; OR

12 (II) INCLUDED IN ONE OR MORE SUPPLEMENTAL CAPITAL
13 BUDGET BILLS.

14 (3) PROJECTS MUST BE LISTED IN SEPARATE CATEGORIES AS
15 WELL AS ACCORDING TO THE FUND TO BE CHARGED WITH THE
16 REPAYMENT OF THE OBLIGATIONS TO BE INCURRED.

17 (4) THE CAPITAL BUDGET BILL MUST STATE THE MAXIMUM
18 AMOUNT OF SUCH OBLIGATIONS WHICH MAY BE INCURRED IN THE
19 ENSUING FISCAL YEAR TO PROVIDE FUNDS FOR AND TOWARDS THE
20 FINANCIAL COSTS OF EACH CATEGORY OF CAPITAL PROJECTS, WHICH
21 SHALL BE BY THE ISSUE OF GENERAL OBLIGATIONS OF THE
22 COMMONWEALTH.

23 (C) TIMING.--EACH YEAR THE GOVERNOR SHALL SUBMIT A CAPITAL
24 BUDGET BILL FOR THE ENSUING FISCAL YEAR.

25 (D) ADDITIONAL BILLS.--AT THE TIME THE GOVERNOR SUBMITS THE
26 CAPITAL BUDGET OR A SUPPLEMENT, THE GOVERNOR SHALL, TO THE
27 EXTENT THE DEBT TO BE INCURRED IS NOT WITHIN THE LIMITS OF
28 LEGISLATION THEN IN FORCE AUTHORIZING THE INCURRING OF DEBT,
29 SUBMIT ADDITIONAL BILLS FOR EACH CATEGORY OF CAPITAL PROJECTS,
30 AUTHORIZING THE INCURRING OF DEBT TO PROVIDE FUNDS FOR AND

1 TOWARDS THE PAYMENT OF THE FINANCIAL COSTS OF CAPITAL PROJECTS
2 IN SUCH CATEGORY WHICH HAVE BEEN SPECIFICALLY ITEMIZED IN A
3 CAPITAL BUDGET FOR THE SAME OR ANY PRIOR YEAR.

4 (E) CATEGORIES.--EACH DEBT-AUTHORIZING BILL MUST DO ALL OF
5 THE FOLLOWING:

6 (1) STATE THE CATEGORY OF CAPITAL PROJECTS TO BE
7 FINANCED BY THE DEBT SO AUTHORIZED BUT NEED NOT ENUMERATE THE
8 CAPITAL PROJECTS TO BE FINANCED.

9 (2) AUTHORIZE THE INCURRING OF DEBT IN NOT LESS THAN THE
10 AMOUNT OF THE FINANCIAL COST OF ALL CAPITAL PROJECTS IN SUCH
11 CATEGORY NOT COVERED BY A PREVIOUS DEBT AUTHORIZATION,
12 INCLUDING ANY OVERALL ALLOWANCE FOR CONTINGENCIES.

13 (3) STATE THE ESTIMATED USEFUL LIVES OF THE CAPITAL
14 PROJECTS TO BE FINANCED IN SUCH DETAIL AS MAY BE REQUISITE IF
15 CAPITAL PROJECTS OF VARYING USEFUL LIVES ARE TO BE COMBINED
16 FOR FINANCING PURPOSES.

17 (4) STATE THE MAXIMUM TERM OF THE DEBT TO BE INCURRED.]
18 SECTION 2.1. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:
19 SECTION 303.1. PROCEDURES FOR CAPITAL BUDGET.

20 (A) LEGISLATIVE PROCESS.--

21 (1) A CAPITAL BUDGET PREPARED IN ACCORDANCE WITH THIS
22 CHAPTER SHALL BE SUBMITTED FOR EACH FISCAL YEAR BY THE
23 GOVERNOR TO THE GENERAL ASSEMBLY AND SHALL BE CONSIDERED IN
24 THE FORM OF A BILL AS PROVIDED IN ARTICLE III OF THE
25 CONSTITUTION OF PENNSYLVANIA.

26 (2) A CAPITAL BUDGET BILL UNDER PARAGRAPH (1) MUST STATE
27 THE MAXIMUM AMOUNT OF THE OBLIGATIONS WHICH MAY BE INCURRED
28 IN THE ENSUING FISCAL YEAR TO PROVIDE FUNDS FOR AND TOWARDS
29 THE FINANCIAL COSTS OF EACH CATEGORY OF CAPITAL PROJECTS,
30 WHICH SHALL BE BY THE ISSUE OF GENERAL OBLIGATIONS OF THE

1 COMMONWEALTH.

2 (B) CATEGORIES.--EACH CAPITAL BUDGET BILL MUST DO ALL OF THE
3 FOLLOWING:

4 (1) STATE THE CATEGORY OF CAPITAL PROJECTS TO BE
5 FINANCED BY THE AUTHORIZED DEBT. A CAPITAL BUDGET BILL SHALL
6 NOT HAVE TO ENUMERATE THE CAPITAL PROJECTS TO BE FINANCED.

7 (2) AUTHORIZE THE INCURRING OF DEBT IN NOT LESS THAN THE
8 AMOUNT OF THE FINANCIAL COST OF ALL CAPITAL PROJECTS IN THE
9 CATEGORY NOT COVERED BY A PREVIOUS DEBT AUTHORIZATION,
10 INCLUDING ANY OVERALL ALLOWANCE FOR CONTINGENCIES.

11 (3) STATE THE ESTIMATED USEFUL LIVES OF THE CAPITAL
12 PROJECTS TO BE FINANCED IN THE DETAIL AS MAY BE REQUISITE IF
13 CAPITAL PROJECTS OF VARYING USEFUL LIVES ARE TO BE COMBINED
14 FOR FINANCING PURPOSES.

15 (4) STATE THE MAXIMUM TERM OF THE DEBT TO BE INCURRED.

16 SECTION 303.2. CAPITAL PROJECT ITEMIZATION BILL.

17 (A) REQUIREMENT.--

18 (1) EXCEPT AS SET FORTH IN PARAGRAPH (2), THE CAPITAL
19 PROJECT ITEMIZATION BILL MUST SPECIFICALLY ITEMIZE THE
20 CAPITAL PROJECTS TO BE FINANCED FROM THE PROCEEDS OF
21 OBLIGATIONS OF THE COMMONWEALTH. CAPITAL PROJECT ITEMIZATION
22 MUST INCLUDE ALL OF THE FOLLOWING:

23 (I) A DESCRIPTION OF THE CAPITAL PROJECT, INCLUDING
24 THE MUNICIPALITY OR COUNTY IN WHICH THE CAPITAL PROJECT
25 IS LOCATED.

26 (II) THE ESTIMATED FINANCIAL COST OF THE CAPITAL
27 PROJECT.

28 (2) PARAGRAPH (1) SHALL NOT APPLY IF THE ITEMIZATION IS:

29 (I) CONTAINED IN OR APPROVED BY PRIOR LEGISLATION
30 REFERRED TO IN THE CAPITAL BUDGET BILL OR CAPITAL PROJECT

1 ITEMIZATION BILL; OR
2 (II) INCLUDED IN ONE OR MORE SUPPLEMENTAL CAPITAL
3 BUDGET BILLS OR CAPITAL PROJECT ITEMIZATION BILLS.
4 (3) CAPITAL PROJECTS MUST BE LISTED IN SEPARATE
5 CATEGORIES AS WELL AS ACCORDING TO THE FUND TO BE CHARGED
6 WITH THE REPAYMENT OF THE OBLIGATIONS TO BE INCURRED.
7 (B) (RESERVED).

8 SECTION 2.2. SECTION 313.1 OF THE ACT, AMENDED DECEMBER 22,
9 2005 (P.L.454, NO.87), IS AMENDED TO READ:

10 Section 313.1. Reports related to redevelopment assistance
11 capital projects.

12 The Secretary of the Budget shall, within ten days of the
13 expiration of each quarter of each fiscal year, provide to the
14 chairman and minority chairman of the Appropriations Committee
15 of the Senate and the chairman and minority chairman of the
16 Appropriations Committee of the House of Representatives a
17 report relating to redevelopment assistance capital projects
18 which addresses at least all of the following materials:

19 (1) An itemized list of the redevelopment assistance
20 capital projects approved [for release and construction] in
21 the preceding quarter.

22 (2) An estimate of the amount of funds remaining under
23 the cap provided in section 317(b).

24 (3) An estimate of the total amount of outstanding debt
25 related to redevelopment assistance capital projects.

26 (4) An estimate of the amount of outstanding debt
27 related to redevelopment assistance capital projects which
28 will be paid [or refinanced] in the succeeding four quarters.

29 Section 3. Section 317 of the act, amended July 7, 2010
30 (P.L.335, No.48), is amended to read:

1 Section 317. Appropriation for and limitation on redevelopment
2 assistance capital projects.

3 (a) Appropriation.--The amount necessary to pay principal of
4 and interest on all obligations issued to provide funds for
5 redevelopment assistance capital projects shall be appropriated
6 from the General Fund and shall be transferred to the Capital
7 Debt Fund upon authorization by the Governor.

8 (b) Limitation.--The maximum amount of redevelopment
9 assistance capital projects undertaken by the Commonwealth for
10 which obligations are outstanding shall not exceed, in
11 aggregate, [\$4,050,000,000.] \$3,450,000,000.

12 (c) Housing units.--An amount not to exceed [\$25,000,000]
13 \$50,000,000 of the amount under subsection (b) may be used for
14 the construction of housing units.

15 Section 4. Section 318 of the act, amended July 4, 2004
16 (P.L.516, No.67), is amended to read:

17 Section 318. [Funding and administration] Administration of
18 redevelopment assistance capital projects.

19 (a) [Officers.--The Secretary of the Budget shall review and
20 shall approve or disapprove applications for redevelopment
21 assistance capital projects.] ~~(Reserved).~~ LIMITATION.--A <--

22 REDEVELOPMENT ASSISTANCE CAPITAL PROJECT MAY NOT RECEIVE FUNDS
23 UNLESS THE PROJECT WAS ITEMIZED IN A CAPITAL PROJECT
24 ITEMIZATION BILL OR A CAPITAL BUDGET BILL, ENACTED WITHIN TEN
25 YEARS OF THE DATE THE PROJECT WAS APPROVED UNDER THIS SECTION.

26 (a.1) Application.--An applicant shall submit an application
27 to the office consistent with the timeline established by the
28 office requesting a grant for a redevelopment assistance capital
29 project. The proposal must be on the form required by the office
30 and must include or demonstrate all of the following:

- 1 (1) The applicant's name and address.
- 2 (2) The location of the project.
- 3 (3) An estimate of the cost of the project, prepared by
 4 ~~an engineer or other~~ A qualified professional. <--
- 5 (4) A statement of the amount of the project grant
 6 sought, including a statement as to the financial necessity
 7 for the project grant.
- 8 (5) Any other information required by the office.
- 9 (a.2) Review and approval.--The office shall review the
 10 application to determine if all the requirements have been met.
 11 Upon being satisfied that all requirements have been met and
 12 after allowing for a 30-day public comment period, the secretary
 13 may approve the application, and, if approved, the office shall
 14 notify:
- 15 (1) The applicant.
- 16 (2) The President pro tempore of the Senate.
- 17 (3) The Majority Leader of the Senate.
- 18 (4) The Minority Leader of the Senate.
- 19 (5) The chairman and minority chairman of the
 20 Appropriations Committee of the Senate.
- 21 (6) The Speaker of the House of Representatives.
- 22 (7) The Majority Leader of the House of Representatives.
- 23 (8) The Minority Leader of the House of Representatives.
- 24 (9) The chairman and minority chairman of the
 25 Appropriations Committee of the House of Representatives.
- 26 (10) The State Senator and the State Representative of
 27 the district where the redevelopment assistance capital
 28 project is located.
- 29 (a.3) Acceptance and grant agreement.--Within 30 days of
 30 receiving notification of approval under subsection (a.2), an

1 applicant shall notify the office if the applicant accepts the
2 grant. If the applicant notifies the office that it intends to
3 accept the grant, the office shall forward to the applicant a
4 grant agreement to be executed by the applicant. The grant
5 agreement and any attachments thereto shall include the
6 following:

7 (1) The name and address of who will administer the
8 grant.

9 (2) A statement and proof of local funding.

10 (3) An itemized statement of cost associated with the
11 project.

12 (4) A contract obligating the applicant to use the grant
13 for the project.

14 (5) A request for any other information the office may
15 require.

16 (a.4) Execution.--The applicant shall return the information
17 requested and the executed contract within the timelines
18 established by the office. If the applicant fails to return the
19 executed contract within the timelines established by the office
20 or 180 days of notification under subsection (a.2), whichever is <--
21 less, no contract may be executed by the office for the grant.

22 (b) Time period.--State funding for approved redevelopment
23 assistance capital projects shall be paid over not less than a
24 36-month period unless the [Secretary of the Budget] secretary
25 authorizes a shorter period.

26 (c) Costs.--Land acquisition is a permissible State-funded
27 expenditure if the acquisition cost is supported by an appraisal
28 done by a certified appraiser.

29 (e) Verification.--Redevelopment assistance capital project
30 cost estimates must be verified by the [Office of the Budget]

1 office or its designated agent before final approval is given to
2 a project application. Cost estimates include total project
3 cost, projected use for State and non-State funds and a year-by-
4 year schedule of costs for the entire project construction
5 phase.

6 (f) Bids.--Notwithstanding any other provision of law, the
7 solicitation of a minimum of three written bids for all
8 contracted construction work on redevelopment assistance capital
9 projects shall be the sole requirement for the composition,
10 solicitation, opening and award of bids on such projects.
11 Notwithstanding the foregoing, the construction work shall be
12 performed subject to the act of March 3, 1978 (P.L.6, No.3),
13 known as the Steel Products Procurement Act.

14 (g) Review and audit.--Redevelopment assistance capital
15 projects shall be reviewed at regular intervals by the [Office
16 of the Budget] office or its designated agent during the funding
17 phase to ensure financial and program compliance. A final
18 closeout audit shall be performed by the [Office of the Budget]
19 office or its designated agent for all projects.

20 (h) Fee.--To pay for administrative expenses related to
21 redevelopment assistance capital projects funded by Commonwealth
22 general obligation bonds, the [Office of the Budget] office may
23 charge a fee against proceeds from bonds and notes which were
24 sold to finance construction or acquisition costs of projects.

25 (i) Grant administration.--In the event any applicant does
26 not administer the grant, the applicant shall enter into a
27 cooperation agreement with the entity administering the grant,
28 which agreement shall be subject to the approval of the [Office
29 of the Budget] office.

30 (j) Guidelines.--Within 60 days of the effective date of

1 this subsection, the office shall establish guidelines
2 concerning the administration of and approval process for
3 redevelopment assistance capital projects. The guidelines shall,
4 at a minimum, establish application timelines, application
5 content and the review, evaluation and award criteria and
6 process. THE CRITERIA SHALL REFLECT POPULATION AND GEOGRAPHIC <--
7 DISTINCTIONS OF VARIOUS COMMUNITIES THROUGHOUT THIS
8 COMMONWEALTH. The guidelines must be posted on the Internet
9 website of the office.

10 (k) Disclosure.--Upon a redevelopment assistance capital
11 project being approved, the office shall post on its Internet
12 website the date of approval of the project, the name of the
13 applicant, a short description of the project, the location of
14 the project, including the municipality in which it is located,
15 and the amount of the project grant approved for the project.

16 ~~Section 5. The amendment of the definition of "redevelopment~~ <--
17 ~~assistance capital project" in section 302 of the act shall~~
18 ~~apply to capital projects that have not been approved by the~~
19 ~~Secretary of the Budget on or before December 31, 2012.~~

20 ~~Section 6 5. This act shall take effect immediately.~~ <--