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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 73 Session of  
2017

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INTRODUCED BY GREENLEAF AND RAFFERTY, JANUARY 12, 2017

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REFERRED TO STATE GOVERNMENT, JANUARY 12, 2017

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AN ACT

1 Establishing the Pennsylvania Office for Faith-Based and  
2 Nonprofit Community Organizations and an advisory commission;  
3 and providing for their powers and duties.

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

5 CHAPTER 1

6 PRELIMINARY PROVISIONS

7 Section 101. Short title.

8 This act shall be known and may be cited as the Pennsylvania  
9 Office of Faith-Based and Nonprofit Community Organizations Act.

10 Section 102. Legislative policy and declaration.

11 The General Assembly finds and declares as follows:

12 (1) This Commonwealth benefits from a rich diversity of  
13 faith-based and nonprofit community organizations that  
14 provide crucial aid to many Pennsylvania residents, including  
15 assistance for the needy, children, families and  
16 neighborhoods.

17 (2) Committed volunteers in faith-based and nonprofit  
18 community organizations bring unique skills, services and  
19 resources to bear in assisting Pennsylvania residents.

20 (3) Many faith-based and nonprofit community  
21 organizations lack the organizational resources to  
22 effectively engage government agencies in collaborative  
23 projects to help meet the needs of Pennsylvania residents.

24 (4) It is beneficial to encourage communication between  
25 governmental entities and faith-based and nonprofit community  
26 organizations, recognizing the importance of sharing  
27 information about and encouraging the best practices of  
28 faith-based and nonprofit community organizations.

29 (5) There are many opportunities for faith-based and  
30 nonprofit community organizations to partner with

1 governmental entities to help deliver vital services in our  
2 communities, such as giving ex-offenders a second chance at  
3 work.

4 (6) The Commonwealth is required to spend Federal grants  
5 in accordance with Charitable Choice provisions contained in  
6 the Personal Responsibility and Work Opportunity  
7 Reconciliation Act of 1996 (Public Law 104-193, 110 Stat.  
8 2105), the Community Services Block Grant Act (Public Law 97-  
9 35, 95 Stat. 511) and Substance Abuse and Mental Health  
10 Services Administration programs and the similar Equal  
11 Treatment regulations that govern other federally funded  
12 social services, aimed at providing funds to faith-based  
13 organizations on the same basis as any other nongovernmental  
14 provider without impairing the religious character of the  
15 organizations and without diminishing the religious freedom  
16 of beneficiaries of assistance.

17 (7) Pennsylvania residents can benefit from a  
18 comprehensive and coordinated effort to improve and  
19 strengthen faith-based and nonprofit community organizations  
20 in this Commonwealth by identifying and removing any  
21 unnecessary administrative barriers to fair competition for  
22 government funding and leveling the playing field for faith-  
23 based and nonprofit community organizations so that  
24 government may choose the most effective partner to provide  
25 the public services.

26 (8) The effort to support faith-based and nonprofit  
27 community organizations in Pennsylvania should be facilitated  
28 by having a prominent office with a direct relationship to  
29 the Governor.

30 Section 103. Definitions.

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

4 "Advisory commission." The Pennsylvania Advisory Commission  
5 on Faith-Based and Nonprofit Community Organizations established  
6 in this act.

7 "Office." The Pennsylvania Office of Faith-Based and  
8 Nonprofit Community Organizations established in this act.

9 "Organization." A neighborhood, faith-based or other private  
10 charitable organization which is organized as a nonprofit  
11 corporation or nonprofit unincorporated association under the  
12 laws of the United States or this Commonwealth which is  
13 authorized to do business in this Commonwealth as a nonprofit  
14 corporation or unincorporated association under the laws of this  
15 Commonwealth.

16 CHAPTER 3

17 PENNSYLVANIA OFFICE OF FAITH-BASED

18 AND NONPROFIT COMMUNITY ORGANIZATIONS

19 Section 301. Establishment.

20 The Pennsylvania Office of Faith-Based and Nonprofit  
21 Community Organizations is established within the Governor's  
22 Office. The office shall be administered by the Governor's  
23 Office.

24 Section 302. Powers and duties of office.

25 The office shall have the power and its duty shall be to:

26 (1) Facilitate coordination of State government efforts  
27 relating to faith-based and nonprofit community organizations  
28 and develop other opportunities for organizations to partner  
29 with State government to help address social needs in this  
30 Commonwealth.

1           (2) Provide a point of contact for organizations to  
2 receive information, assistance and referrals related to  
3 faith-based and nonprofit community organization programs  
4 within State government, including the development of an  
5 Internet website and assist all Commonwealth agencies to  
6 develop relationships, as appropriate, with faith-based and  
7 nonprofit community organizations.

8           (3) Assist organizations in identifying and applying for  
9 Federal grants.

10          (4) Promote and share innovative and model faith-based  
11 and nonprofit community organization programs, initiatives  
12 and best practices among organizations as identified by the  
13 advisory commission.

14          (5) Seek financial support for the faith-based and  
15 nonprofit community organization efforts of State government  
16 and for faith-based and nonprofit community organization  
17 programs and services.

18          (6) Provide technical assistance, education, information  
19 and other support to organizations, including facilitating or  
20 providing grant-writing training, organizational development  
21 and other technical assistance and training to help  
22 organizations develop increased capacity to provide services.

23          (7) Promote greater public awareness of and support for  
24 organizations by providing information regarding faith-based  
25 and nonprofit community organization initiatives to faith-  
26 based, volunteer, private and neighborhood organizations,  
27 businesses, philanthropic institutions and Commonwealth  
28 agencies whose mission may be enhanced by increased awareness  
29 of such initiatives.

30 Section 303. Executive director.

1 The Governor shall appoint an executive director and such  
2 other staff as may be necessary to manage the office and perform  
3 or oversee the performance of the duties of the office.

4 CHAPTER 5  
5 PENNSYLVANIA ADVISORY COMMISSION ON FAITH-BASED  
6 AND NONPROFIT COMMUNITY ORGANIZATIONS

7 Section 501. Establishment.

8 The Pennsylvania Advisory Commission on Faith-Based and  
9 Nonprofit Community Organizations is established within the  
10 office and shall serve in an advisory capacity to the office in  
11 matters regarding faith-based and nonprofit community  
12 organizations and charitable services in this Commonwealth. The  
13 advisory commission shall be administered by the office.

14 Section 502. Membership.

15 (a) Public official members.--The advisory commission shall  
16 consist of the following members or their duly authorized  
17 designee, who shall serve by virtue of the public office they  
18 hold:

- 19 (1) Secretary of Human Services.
- 20 (2) Secretary of Labor and Industry.
- 21 (3) Secretary of Corrections.
- 22 (4) Secretary of Education.
- 23 (5) Secretary of Agriculture.
- 24 (6) Secretary of Community and Economic Development.
- 25 (7) Secretary of Aging.
- 26 (8) Secretary of State.
- 27 (9) Adjutant General.
- 28 (10) Attorney General.
- 29 (11) Executive Director of Pennsylvania Commission on  
30 Crime and Delinquency.

1           (12) Executive Director of the Governor's Office of  
2 Citizen Service (PennSERVE).

3           (b) Nongovernmental members.--The advisory commission shall  
4 also include 15 nongovernmental members. Eleven of these members  
5 shall be appointed by the Governor. The President pro tempore of  
6 the Senate, the Minority Leader of the Senate, the Speaker of  
7 the House of Representatives and the Minority Leader of the  
8 House of Representatives shall each appoint one nongovernmental  
9 member. Nongovernmental members include representatives from the  
10 faith-based community, neighborhood organizations, business  
11 community, not-for-profit providers of health and social  
12 services and other community leaders throughout this  
13 Commonwealth.

14           (c) Voting.--

15           (1) The members appointed under subsection (a) shall not  
16 hold voting privileges on any matter brought up for  
17 consideration by the advisory commission.

18           (2) The members appointed under subsection (b) shall  
19 hold voting privileges on all matters brought up for  
20 consideration by the advisory commission.

21           (d) Terms.--

22           (1) The terms of the members under subsection (a) shall  
23 be concurrent with their holding of public office.

24           (2) Members appointed under subsection (b) shall serve  
25 for terms of two years and shall serve until their successors  
26 are appointed.

27           (e) Chairperson.--The Governor shall appoint one  
28 nongovernmental member of the advisory commission to serve as  
29 chairperson and one to serve as vice chairperson of the advisory  
30 commission for a term of two years at the pleasure of the

1 Governor. The vice chairperson shall preside at meetings in the  
2 absence of the chairperson.

3 (f) Expenses of members.--Members of the commission shall  
4 receive no compensation for their services except that such  
5 members may be reimbursed for actual travel and related expenses  
6 in accordance with Commonwealth policy.

7 Section 503. Powers and duties of advisory commission.

8 The advisory commission shall have the power and its duties  
9 shall be to:

10 (1) Identify innovative and model faith-based and  
11 nonprofit community organization programs, initiatives and  
12 best practices which the office may promote and share with  
13 organizations.

14 (2) Advise and assist the Governor and the office in  
15 identifying obstacles that may prevent greater utilization of  
16 faith-based and nonprofit community organizations by State  
17 government to help meet the needs of residents of this  
18 Commonwealth and to assist all Commonwealth agencies in  
19 ensuring that their operations help to promote utilization of  
20 faith-based and nonprofit community organizations.

21 (3) Advise the Governor and the office in the  
22 establishment of policy regarding matters affecting faith-  
23 based and nonprofit community organizations and shall report  
24 periodically to the Governor by providing information and  
25 recommendations for consideration.

26 (4) Assist the office in periodically convening  
27 conferences for purposes such as technical assistance,  
28 education, information and other support to organizations,  
29 including facilitating or providing grant-writing training,  
30 organizational development and other technical assistance and

1 training to help organizations develop increased capacity to  
2 provide services.

3 CHAPTER 7

4 MISCELLANEOUS PROVISIONS

5 Section 701. Responsibilities of Commonwealth agencies.

6 All Commonwealth agencies under the jurisdiction of the  
7 Governor shall cooperate and provide such information, records  
8 and materials as might be necessary for the office and advisory  
9 commission to carry out their responsibilities. In addition, all  
10 Commonwealth agencies shall designate a contact person who will  
11 act as a liaison with the office.

12 Section 702. Effective date.

13 This act shall take effect in 60 days.