

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1786 Session of 2019

INTRODUCED BY SAINATO, BARRAR, STRUZZI, McCLINTON, YOUNGBLOOD, CALTAGIRONE, CAUSER, PETRARCA, JAMES, READSHAW, FREEMAN, DEASY, DAVIDSON, KIM, SCHLOSSBERG, HILL-EVANS, MADDEN, WARREN, CIRESI, HOWARD, KOSIEROWSKI, RIGBY, SCHWEYER, SNYDER, MURT, FARRY, BOBACK, BURNS, THOMAS, MUSTELLO, HANBIDGE, GOODMAN, QUINN, KORTZ AND POLINCHOCK, AUGUST 30, 2019

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, OCTOBER 22, 2019

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, in incentives for municipal volunteers
3 of fire companies and nonprofit emergency medical services
4 agencies, establishing the First Responder Loan Forgiveness
5 Program; and making editorial changes.

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

8 Section 1. Subchapter D heading of Chapter 79A of Title 35
9 of the Pennsylvania Consolidated Statutes is amended to read:

SUBCHAPTER D

[MISCELLANEOUS PROVISIONS] PENALTIES

12 Section 2. Chapter 79A of Title 35 is amended by adding a
13 subchapter to read:

SUBCHAPTER E

FIRST RESPONDER LOAN FORGIVENESS

16 Sec.

17 79A41. Definitions.

1 79A42. First Responder Loan Forgiveness Program.

2 79A43. Award of loan forgiveness.

3 79A44. Amount of awards.

4 79A45. Funding.

5 79A46. Point system.

6 79A47. Certification.

7 79A48. Regulations.

8 § 79A41. Definitions.

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

12 "Active first responder." A member of an emergency medical <--  
13 services agency or a member of a fire company or volunteer  
14 rescue company. A FIRST RESPONSE ORGANIZATION. <--

15 "Agency." The Pennsylvania Higher Education Assistance  
16 Agency.

17 "Approved institution of higher learning." A degree-granting  
18 or certificate-granting educational institution, including a  
19 vocational school, that:

- 20 (1) offers a postsecondary program of education;  
21 (2) is located in this Commonwealth; and  
22 (3) is approved by the agency.

23 "Approved program of education." A curriculum or course of  
24 study pursued at an approved institution of higher learning as  
25 determined by the agency.

26 "Emergency medical services agency." As defined in section  
27 8103 (relating to definitions).

28 "Fire company." A volunteer fire company. <--

29 "EXECUTIVE OFFICER." THE CHIEF OR PRESIDENT OF THE FIRST <--  
30 RESPONSE ORGANIZATION THAT A QUALIFIED APPLICANT SERVES.

1 "FIRST RESPONSE ORGANIZATION." ANY OF THE FOLLOWING:

2 (1) AN EMERGENCY MEDICAL SERVICES AGENCY.

3 (2) A VOLUNTEER FIRE COMPANY.

4 (3) A VOLUNTEER RESCUE COMPANY.

5 "Program." The First Responder Loan Forgiveness Program  
6 established in section 79A42 (relating to First Responder Loan  
7 Forgiveness Program).

8 "Qualified applicant." An active first responder who  
9 qualifies for loan forgiveness under section 79A43 (relating to  
10 award of loan forgiveness).

11 "Volunteer fire company." As defined in section 7802  
12 (relating to definitions).

13 "Volunteer rescue company." As defined in section 7802.  
14 § 79A42. First Responder Loan Forgiveness Program.

15 (a) Program established.--The First Responder Loan  
16 Forgiveness Program is established. The program shall provide  
17 loan forgiveness awards to qualified applicants in accordance  
18 with this subchapter. The agency shall administer the program  
19 for active first responders on a Statewide basis.

20 (b) Applicants.--An active first responder must meet the  
21 following criteria to apply for loan forgiveness under this  
22 subchapter:

23 (1) Is a resident of this Commonwealth.

24 (2) Has been an active first responder, as certified in  
25 accordance with section 79A47 (relating to certification),  
26 ~~for a period of at least one year in this Commonwealth~~ FOR AT <--  
27 LEAST THE 12 MONTHS IMMEDIATELY PRECEDING THE APPLICATION.

28 (3) Enrolled as a student in an approved program of  
29 education and completed a postsecondary degree or  
30 certification program AFTER THE EFFECTIVE DATE OF THIS <--

1       SECTION.

2           (4) Provides the agency with a sworn or official  
3 statement by the chief of the fire company or the chief or <--  
4 president of the emergency medical services agency, EXECUTIVE <--  
5 OFFICER attesting that the applicant is a member in good  
6 standing of the emergency medical services agency, fire <--  
7 company or volunteer rescue company FIRST RESPONSE <--

8       ORGANIZATION.

9   § 79A43. Award of loan forgiveness.

10       The agency may provide loan forgiveness for an active first  
11 responder who, in the first year as an active first responder  
12 following completion of a postsecondary degree or certification <--  
13 program AGENCY APPROVAL OF THE APPLICATION MADE IN ACCORDANCE <--  
14 WITH SECTION 79A42 (RELATING TO FIRST RESPONDER LOAN FORGIVENESS  
15 PROGRAM) and, in each subsequent year, meets all of the  
16 following criteria:

17           (1) Is a recipient of an agency administered, A <--  
18 federally insured student loan.

19           (2) Has completed a certificate or degree program at an <--  
20 approved institution of higher learning. The certificate or  
21 degree program must be an approved program of education.

22           (3) Is certified as an active first responder, by the  
23 chief or president of the emergency medical services or chief  
24 of the fire company, for four consecutive years preceding the  
25 date of application.

26           (4) Executes a sworn affidavit, under penalty of  
27 perjury, that the individual does not have a delinquent  
28 payment owing to any Commonwealth agency.

29   § 79A44. Amount of awards.

30       (a) Loan forgiveness.--Agency administered, federally <--

1 FEDERALLY insured student loans for an approved program of <--  
2 education provided to a qualified applicant may be forgiven by  
3 the agency as follows:

4 (1) The agency may forgive a qualified applicant's ~~loan~~ <--  
5 ORIGINAL QUALIFYING LOANS in an amount up to \$16,000. <--

6 (2) THE TOTAL AMOUNT OF THE AWARD SHALL NOT EXCEED \$135 <--  
7 PER CREDIT HOUR EARNED IN THE APPROVED PROGRAM OF EDUCATION.

8 ~~(2)~~ (3) Payment of the award shall be made in accordance <--  
9 with the procedures established by the agency.

10 ~~(3)~~ (4) A qualified applicant may receive loan <--  
11 forgiveness awards as follows:

12 (i) First year of active first responder status  
13 following ~~graduation~~ QUALIFIED APPLICATION in an amount <--  
14 up to \$4,000, but not exceeding 25% of the original  
15 qualifying loans.

16 (ii) Second year of active first responder status  
17 following ~~graduation~~ QUALIFIED APPLICATION in an amount <--  
18 up to \$4,000, but not exceeding 25% of the original  
19 qualifying loans.

20 (iii) Third year of active first responder status  
21 following ~~graduation~~ QUALIFIED APPLICATION in an amount <--  
22 up to \$8,000, but not exceeding 50% of the original  
23 qualifying loans.

24 (b) Preference.--The agency may give preference in approving  
25 loan forgiveness awards under the program to renewal  
26 applications.

27 § 79A45. Funding.

28 The agency may approve loan forgiveness awards only to the  
29 extent that funds are appropriated by the General Assembly and  
30 are sufficient to cover administration of the program. In the

1 event that funding is insufficient to fully fund administration  
2 and awards to all qualified applicants, the agency shall prorate  
3 loan forgiveness awards.

4 § 79A46. Point system.

5 (a) General rule.--A point system establishing the  
6 requirements for annual certification of active first responders  
7 shall be developed and implemented by the chief or president of: <--

8 ~~(1) a fire company;~~

9 ~~(2) a volunteer rescue company; and~~

10 ~~(3) an emergency medical services agency EXECUTIVE~~ <--  
11 OFFICER.

12 (b) Factors.--The point system shall be used to determine  
13 whether to certify an individual as an active first responder  
14 and shall include the following factors:

15 (1) The number of emergency calls to which the  
16 individual responded.

17 (2) The individual's level of training and participation  
18 in formal training or drills.

19 (3) Time spent by the individual on administration and  
20 support activities, including maintenance of facilities and  
21 equipment.

22 (4) Involvement by the individual in fundraising and  
23 other projects that directly benefit the organization's  
24 financial viability, emergency response or operational  
25 readiness.

26 § 79A47. Certification.

27 (a) Application.--An applicant for certification as an  
28 active first responder must submit a signed application to the  
29 chief or president of the fire company, volunteer rescue company <--  
30 or emergency medical services agency that the applicant serves

1 EXECUTIVE OFFICER. <--  
2 (b) Local sign-off.--The chief or president of the fire <--  
3 company or volunteer rescue company and another officer of the  
4 volunteer fire company or volunteer rescue company, or the chief  
5 or president of the emergency medical services agency and  
6 another officer of the emergency medical services agency,  
7 EXECUTIVE OFFICER AND ANOTHER OFFICER OF THE FIRST RESPONSE <--  
8 ORGANIZATION shall:  
9 (1) Sign the application attesting to the individual's  
10 status as an active first responder.  
11 (2) Forward the application to the agency for final  
12 review and processing.  
13 § 79A48. Regulations.  
14 The agency shall promulgate regulations and establish rules  
15 or adopt guidelines, including forms, necessary to administer  
16 this subchapter.  
17 Section 3. This act shall take effect ~~in 60 days.~~ AS <--  
18 FOLLOWS:  
19 (1) THE ADDITION OF 35 PA.C.S. § 79A42 SHALL TAKE EFFECT  
20 JULY 1, 2020.  
21 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT  
22 IMMEDIATELY.