
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2435 Session of
2020

INTRODUCED BY KOSIEROWSKI, ULLMAN, DRISCOLL, FLYNN, PASHINSKI,
WILLIAMS, SCHWEYER, FREEMAN, KENYATTA, GALLOWAY, HOWARD,
SANCHEZ, DERMODY, FRANKEL, CIRESI, MADDEN AND MALAGARI,
APRIL 24, 2020

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
APRIL 24, 2020

AN ACT

1 Amending Title 3 (Agriculture) of the Pennsylvania Consolidated
2 Statutes, providing for Food Establishment Personal
3 Protective Equipment Reimbursement Grant Program.

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

6 Section 1. Part IX of Title 3 of the Pennsylvania
7 Consolidated Statutes is amended by adding a chapter to read:

8 CHAPTER 112

9 FOOD ESTABLISHMENT PERSONAL PROTECTIVE

10 EQUIPMENT REIMBURSEMENT GRANT PROGRAM

11 Sec.

12 11201. Scope of chapter.

13 11202. Legislative intent.

14 11203. Definitions.

15 11204. Program.

16 11205. Application and award process.

17 11206. Funding.

1 § 11201. Scope of chapter.

2 This chapter establishes the Food Establishment Personal
3 Protective Equipment Reimbursement Grant Program.

4 § 11202. Legislative intent.

5 It is the intent of the General Assembly to establish a
6 reimbursement grant program under which food establishments may
7 obtain reimbursement of some portion of the costs incurred in
8 purchasing personal protective equipment for use by its
9 employees.

10 § 11203. Definitions.

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

14 "Eligible PPE costs." Costs that are both:

15 (1) incurred by a food establishment in purchasing PPE
16 for use by its employees; and

17 (2) paid by the applicant food establishment during the
18 period specified in the standards and requirements for the
19 program as published by the department.

20 "Food establishment." As defined in section 5722 (relating
21 to definitions).

22 "Food Safety Act." Subchapter B of Chapter 57 (relating to
23 food safety).

24 "Person." An individual, partnership, association, firm,
25 corporation or any other legal entity.

26 "Personal protective equipment" or "PPE." Gloves,
27 respirators, face masks, gowns, face shields and other
28 protective equipment designed to be worn by individuals to
29 prevent or contain contact with, or to prevent transmission of,
30 a communicable illness or the pathogens that cause communicable

1 illness.

2 "Program." The Food Establishment Personal Protective
3 Equipment Reimbursement Grant Program established under section
4 11204 (relating to program).

5 § 11204. Program.

6 (a) Availability.--Grants under this chapter shall only be
7 offered in a fiscal year in which funding is made available to
8 the department. The following apply:

9 (1) If funding is exhausted or otherwise unavailable,
10 the department shall be under no obligation to provide grants
11 under this chapter.

12 (2) The standards and requirements for the program shall
13 be established by order of the secretary. The secretary shall
14 transmit this order to the Legislative Reference Bureau for
15 publication in the Pennsylvania Bulletin.

16 (3) Grant money may be prorated or offered as a
17 percentage of actual costs, as determined by the department,
18 and set forth in the order under paragraph (2), to spread
19 available money to a larger number of grant recipients.

20 (b) Grant limitations.--In addition to any limitation placed
21 upon grants in the published standards and requirements for the
22 program referenced under subsection (a)(2), the following shall
23 apply:

24 (1) Grant funds shall only be used to reimburse eligible
25 PPE costs. The amount of reimbursement shall be based on
26 eligible PPE costs incurred by an approved applicant during
27 any fiscal year, or portion of the costs, in which grants are
28 offered.

29 (2) Grant reimbursement money shall not exceed the
30 lesser of 50% of the eligible PPE purchase costs or a lower

1 amount consistent with the published standards and
2 requirements for the program described in subsection (a).

3 (3) Grant money may not be used to reimburse any portion
4 of the eligible PPE costs which are being paid or reimbursed
5 under another Federal or State grant program.

6 (c) Eligible food establishments.--A food establishment that
7 is registered with the department in accordance with the Food
8 Safety Act is eligible to apply for a grant under the program.

9 § 11205. Application and award process.

10 (a) Application procedure.--A food establishment that
11 desires to receive a program grant shall submit a grant
12 application on a form provided by the department, unless
13 otherwise prescribed in the published standards and requirements
14 for the program described in section 11204 (relating to
15 program). The department may, in the referenced standards and
16 requirements, require that all applicants submit applications
17 via an online application system and provide the details of this
18 online application process.

19 (b) Application contents.--The application shall contain the
20 following information and other information as required by the
21 department:

22 (1) The applicant's name, business address and contact
23 information.

24 (2) A detailed statement of the PPE costs, which must
25 include copies of paid invoices clearly identifying the items
26 purchased in enough detail to demonstrate the items are PPE.

27 (3) Other information as the department may reasonably
28 require.

29 (c) Grant awards.--The department shall award grants to
30 applicants in accordance with this chapter and the applicable

1 program standards and requirements.

2 § 11206. Funding.

3 The department shall use money as appropriated by the General
4 Assembly for grants under this chapter and may also use any
5 other money that is made available to the department for grants
6 under this chapter, by Federal appropriation, State
7 appropriation, donation or from any other source.

8 Section 2. This act shall take effect immediately.