
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2744 Session of
2020

INTRODUCED BY ORTITAY, KULIK, OWLETT, DONATUCCI, STEPHENS,
BOBACK, KAUFFMAN, HILL-EVANS, POLINCHOCK, McNEILL, DRISCOLL,
KORTZ, WARNER, CIRESI, SCHLEGEL CULVER AND MASSER,
AUGUST 6, 2020

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, AUGUST 6, 2020

AN ACT

1 Amending the act of April 9, 1929 (P.L.343, No.176), entitled
2 "An act relating to the finances of the State government;
3 providing for cancer control, prevention and research, for
4 ambulatory surgical center data collection, for the Joint
5 Underwriting Association, for entertainment business
6 financial management firms, for private dam financial
7 assurance and for reinstatement of item vetoes; providing for
8 the settlement, assessment, collection, and lien of taxes,
9 bonus, and all other accounts due the Commonwealth, the
10 collection and recovery of fees and other money or property
11 due or belonging to the Commonwealth, or any agency thereof,
12 including escheated property and the proceeds of its sale,
13 the custody and disbursement or other disposition of funds
14 and securities belonging to or in the possession of the
15 Commonwealth, and the settlement of claims against the
16 Commonwealth, the resettlement of accounts and appeals to the
17 courts, refunds of moneys erroneously paid to the
18 Commonwealth, auditing the accounts of the Commonwealth and
19 all agencies thereof, of all public officers collecting
20 moneys payable to the Commonwealth, or any agency thereof,
21 and all receipts of appropriations from the Commonwealth,
22 authorizing the Commonwealth to issue tax anticipation notes
23 to defray current expenses, implementing the provisions of
24 section 7(a) of Article VIII of the Constitution of
25 Pennsylvania authorizing and restricting the incurring of
26 certain debt and imposing penalties; affecting every
27 department, board, commission, and officer of the State
28 government, every political subdivision of the State, and
29 certain officers of such subdivisions, every person,
30 association, and corporation required to pay, assess, or
31 collect taxes, or to make returns or reports under the laws

1 imposing taxes for State purposes, or to pay license fees or
2 other moneys to the Commonwealth, or any agency thereof,
3 every State depository and every debtor or creditor of the
4 Commonwealth," providing for coronavirus aid, relief and
5 emergency response.

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

8 Section 1. The act of April 9, 1929 (P.L.343, No.176), known
9 as The Fiscal Code, is amended to read:

10 ARTICLE I-D

11 CORONAVIRUS AID, RELIEF AND EMERGENCY RESPONSE

12 Section 101-D. Definitions.

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

16 "COVID-19 pandemic." The novel coronavirus as identified in
17 the proclamation of disaster emergency issued by the Governor on
18 March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020), and
19 any renewal of the state of disaster emergency.

20 "Department." The Treasury Department of the Commonwealth.

21 "Eligible entity." A volunteer ambulance service, volunteer
22 fire company or volunteer rescue service.

23 "Eligible expense." A nonbudgeted cost incurred as a result
24 of the COVID-19 pandemic.

25 "Eligible period." The period beginning March 6, 2020, and
26 ending December 31, 2020.

27 "Fund." The COVID-19 Response Restricted Account established
28 under section 110-C.

29 "Volunteer ambulance service." A nonprofit chartered
30 corporation, association or organization that is located in this
31 Commonwealth and that is regularly engaged in the service of
32 providing emergency medical care and transportation of patients.

1 "Volunteer fire company." A nonprofit chartered corporation,
2 association or organization that is located in this Commonwealth
3 and that provides fire protection services and other voluntary
4 emergency services in this Commonwealth. Voluntary emergency
5 services provided by a volunteer fire company may include
6 voluntary ambulance services and voluntary rescue services.

7 "Volunteer rescue service." A nonprofit chartered
8 corporation, association or organization that is located in this
9 Commonwealth and that provides rescues services in this
10 Commonwealth.

11 Section 102-D. Appropriation.

12 (a) Allocation.--The following shall be appropriated from
13 the fund:

14 (1) An amount of \$250,000,000 for the eligible expenses
15 for the following organizations:

16 (i) A volunteer ambulance service.

17 (ii) A volunteer rescue service.

18 (iii) A volunteer fire company serving a township,
19 borough or city for eligible expenses.

20 (2) An amount of \$500,000 to the department for the
21 implementation and costs of this article.

22 (b) Documentation.--

23 (1) In order to receive a reimbursement from the fund
24 under subsection (a), an eligible entity shall submit all of
25 the following to the department:

26 (i) A list of the eligible expenses for the current
27 calendar year of the eligible entity. The following shall
28 apply:

29 (A) For the purposes of this article, eligible
30 expenses shall include any private event meant to

1 raise money to cover the cost of operations as an
2 incurred expense.

3 (B) Each entity under subsection (a) shall
4 submit documentation showing the average amount
5 raised by an event over the last three which raises
6 money for the organization and was canceled due to
7 the COVID-19 pandemic over past three years.

8 (ii) The original projected budget for the current
9 calendar or fiscal year.

10 (iii) The eligible entity's eligible expenses
11 incurred during the preceding month.

12 (iv) Any other document required by the department
13 needed to ensure compliance with Federal law or guidance.

14 (2) Upon the review and approval of the documentation
15 submitted by an eligible entity under paragraph (1), the
16 State Treasurer shall allocate money from the fund in
17 accordance with subsection (a) to the eligible entity for
18 eligible expenses incurred during the preceding month.

19 (c) Remaining money.--Any money not allocated under
20 subsection (a) shall remain in the fund for the contingency
21 costs of eligible entities until the eligible period has
22 expired.

23 Section 103-D. Transparency.

24 (a) Transparency portal.--The department shall create a
25 portal on its publicly accessible Internet website which shall
26 provide information from the close of the prior business day
27 pertaining to the fund.

28 (b) Contents.--The portal under subsection (a) shall include
29 all of the following information:

30 (1) Each entity that received money from the fund or

1 received a portion of the appropriation received by the
2 Commonwealth from the Federal Government for addressing the
3 COVID-19 pandemic.

4 (2) The amount of money each entity received from the
5 fund.

6 (3) The total amount of money disbursed from the fund.

7 (4) The available remaining balance in the fund.

8 (c) Contracts.--All paperwork submitted by eligible entities
9 shall be placed on the department's website established under
10 section 1702 of the act of February 14, 2008 (P.L.6, No.3),
11 known as the Right-to-Know Law.

12 (d) Report.--The department shall submit a report to the
13 General Assembly and the Inspector General on the following:

14 (1) The final disposition of money.

15 (2) Any use of the Do Not Pay Pilot Program under
16 section 104-D, including:

17 (i) The number of entities that were ineligible to
18 receive Federal money.

19 (ii) Savings to the fund as a result of identifying
20 entities ineligible for payment.

21 (3) Results of any Federal or State audit of money
22 received by the Commonwealth from the Federal Government to
23 address the COVID-19 pandemic.

24 Section 104-D. Do Not Pay Pilot Program.

25 (a) Establishment.--The department shall enter into a
26 memorandum of understanding with the United States Treasury to
27 establish the Do Not Pay Pilot Program.

28 (b) Use.--Prior to issuing a reimbursement to an eligible
29 entity for eligible expenses incurred, the department shall
30 utilize the pilot program prior established under subsection (a)

1 to ensure the entity is eligible to receive payment from the
2 fund.

3 Section 105-D. Improper payments and misuse of money.

4 (a) Improper payments.--An eligible entity that receives
5 money from the fund and makes an improper payment shall be held
6 liable by the Commonwealth under the Improper Payments
7 Elimination and Recovery Act of 2010 (Public Law 111-204, 124
8 Stat. 2224) for the total amount of any disallowance of Federal
9 money as result of the improper payment.

10 (b) Misuse of money.--An eligible entity that misuses
11 Federal money shall be subject to civil action under the False
12 Claims Act (Public Law 97-258, 31 U.S.C. § 3729-3733).

13 (c) Notice.--The department shall provide notice of the
14 penalties specified under subsections (a) and (b) to each
15 eligible entity that receives money from the fund.

16 Section 2. This act shall take effect immediately.