

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2816 Session of 2020

INTRODUCED BY QUINN, HILL-EVANS, DRISCOLL, KULIK, YOUNGBLOOD,
ROZZI AND CIRESI, AUGUST 21, 2020

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, AUGUST 21, 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
 32 imposing taxes for State purposes, or to pay license fees or
 33 other moneys to the Commonwealth, or any agency thereof,
 34 every State depository and every debtor or creditor of the

1 Commonwealth," in emergency COVID-19 response, providing for
2 public utility assistance.

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

5 Section 1. The act of April 9, 1929 (P.L.343, No.176), known
6 as The Fiscal Code, is amended by adding a section to read:

7 Section 134-C. Public utility assistance.

8 (a) Department of Human Services.--From money appropriated
9 from the CARES Act, the amount of \$100,000,000 shall be
10 distributed through the Low-Income Energy Assistance Program to
11 provide utility security for residential utility customers. In
12 making the distribution under this subsection, the Department of
13 Human Services shall:

14 (1) Extend the enrollment period for applications until
15 all funds allocated under this section are expended.

16 (2) Amend crisis grant requirements to accept past-due
17 utility bills as evidence of a crisis.

18 (3) Allow a public utility to establish flexible
19 verification procedures.

20 (4) Permit applicants to calculate their income based on
21 recent changes to income or unemployment.

22 (5) Establish a temporary program of crisis grant
23 assistance equal to \$600 utilizing paragraphs (1), (2), (3)
24 and (4) for households with dwelling units occupied by
25 persons with annual income at or below 200% of the Federal
26 poverty guidelines.

27 (6) Include the distribution under this subsection in
28 the LIHEAP annual report.

29 (b) Pennsylvania Public Utility Commission.--From money
30 appropriated from the CARES Act, the amount of \$25,000,000 shall
31 be distributed by the Pennsylvania Public Utility Commission to

1 public utilities to provide small business assistance grants to
2 qualifying small business for the payment of utility expenses.
3 To qualify for a small business assistance grant, the small
4 business must meet the definition of a "small business customer"
5 under 52 Pa. Code Ch. 54 (relating to electricity generation
6 customer choice) or 62 (relating to natural gas supply customer
7 choice). In making the distribution under this subsection, the
8 Pennsylvania Public Utility Commission shall administer the
9 temporary grant program by:

10 (1) Requiring each public utility to submit within 15
11 days, the number of and total arrearages for qualifying small
12 business customers in their service territory for the period
13 of April 1, 2020, to July 31, 2020.

14 (2) Distributing the money to each public utility on a
15 pro rata basis from the calculation determined under
16 paragraph (1) within 15 days.

17 (3) Requiring each public utility to submit within 30
18 days a plan to the Pennsylvania Public Utility Commission
19 detailing the distribution of funds to qualifying small
20 businesses. Upon approval of the plan, the public utility may
21 distribute the grant funding according to the plan.

22 (4) Requiring each public utility to report within three
23 months of receipt of the money to the Pennsylvania Public
24 Utility Commission how the money was allocated, how many
25 businesses were assisted, how much assistance was received,
26 the remaining arrearages from paragraph (1) and new
27 arrearages since the assistance was provided.

28 (5) Compiling the reports and posting the compilation on
29 the Pennsylvania Public Utility Commission's publicly
30 accessible Internet website.

1 (c) PennVEST.--From the money appropriated from the CARES
2 Act, the amount of \$25,000,000 shall be distributed to PennVEST
3 to assist individual and small businesses with payment of
4 delinquent water and wastewater utility payments. In making the
5 distribution under this subsection and notwithstanding the
6 provisions of section 10(e) of the act of March 1, 1988 (P.L.82,
7 No.16), known as the Pennsylvania Infrastructure Investment
8 Authority Act, or any other law, PennVEST shall:

9 (1) Receive from each water and wastewater provider
10 within 15 days, the number of and total arrearages for
11 residential customers in their service territory for the
12 period of April 1, 2020, to July 31, 2020. The amount of
13 arrearages shall be signed and verified by a representative
14 of the water and wastewater provider and shall be subject to
15 audit upon request by PennVEST.

16 (2) Distribute CARES funding to each water or wastewater
17 provider on a pro rata basis from the calculation determined
18 under paragraph (1) within 15 days.

19 (3) Require each water and wastewater provider to submit
20 within 30 days a plan to PennVEST detailing the distribution
21 of funds to residential customers. Upon approval of the plan,
22 the water or wastewater provider may distribute the grant
23 funding according to the plan and, in the event of remaining
24 grant funds, use funds for small business customers.

25 (4) Require each water or wastewater provider to report
26 within three months of receipt of the money to PennVEST how
27 the money was allocated, how many customers were assisted,
28 how much assistance was received, the remaining arrearages
29 from paragraph (1) and new arrearages since the assistance
30 was provided.

1 (5) Compile the reports and post the compilation on
2 PennVEST's publicly accessible Internet website.
3 Section 2. This act shall take effect immediately.