

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 910 Session of 2019

INTRODUCED BY MASTRIANO, ARGALL, AUMENT, BARTOLOTTA, BREWSTER, COLLETT, GORDNER, MARTIN, PHILLIPS-HILL, MENSCH, STEFANO, J. WARD, REGAN, SCHWANK, PITTMAN, BROWNE, YUDICHAK AND A. WILLIAMS, OCTOBER 18, 2019

AS AMENDED ON THIRD CONSIDERATION, JANUARY 27, 2020

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, in grants to fire companies and
3 emergency medical services companies, further providing for
4 definitions, for establishment, for publication and notice,
5 for award of grants, for consolidation incentive, for
6 establishment, for publication and notice and for award of
7 grants, providing for consolidation incentive, further
8 providing for Fire Company Grant Program, for Emergency
9 Medical Services Company Grant Program, for additional
10 funding, for allocation of appropriated funds and for
11 expiration of authority and providing for annual reports.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 Section 1. The definitions of "emergency medical services
15 company" or "EMS company" and "fire company" in section 7802 of
16 Title 35 of the Pennsylvania Consolidated Statutes are amended
17 and the section is amended by adding a definition to read:

18 § 7802. Definitions.

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

1 \* \* \*

2 "Emergency medical services company" or "EMS company." A  
3 career, nonprofit or volunteer emergency medical services  
4 company or an independent quick response services company.

5 \* \* \*

6 "Fire company." A volunteer fire company [or], a municipal  
7 fire company or a combined volunteer and municipal fire company  
8 located in this Commonwealth.

9 \* \* \*

10 "Quick response services company." An EMS company that  
11 engages in all of the following actions during an operation:

12 (1) A response to an actual, reported or perceived  
13 emergency.

14 (2) The provision of emergency medical services to a  
15 patient pending the arrival of an ambulance.

16 \* \* \*

17 Section 2. Sections 7811, 7812, 7813(a), (c) and (d), 7814,  
18 7821, 7822 and 7823(a) and (c) of Title 35 are amended to read:  
19 § 7811. Establishment.

20 The Fire Company Grant Program is established and shall be  
21 administered by the [agency in consultation with the]  
22 commissioner in consultation with the agency. Grants provided  
23 under this program shall be used to improve and enhance the  
24 capabilities of [the fire company] fire companies to provide  
25 firefighting, ambulance and rescue services.

26 § 7812. Publication and notice.

27 The [agency] commissioner shall publish notice of the grant  
28 program availability through the Legislative Reference Bureau  
29 for publication in the Pennsylvania Bulletin[:]

30 (1) within 30 days of June 28, 2007, for the fiscal

1 years beginning July 1, 2006, and July 1, 2007; and

2 (2)] by August 8 for [fiscal years beginning after June  
3 30, 2008.] each fiscal year. The commissioner shall post a  
4 notice of the grant program and application for the grant  
5 program on the Office of the State Fire Commissioner's  
6 publicly accessible Internet website.

7 § 7813. Award of grants.

8 (a) Authorization.--The [agency] commissioner is authorized  
9 to make a grant award to each eligible fire company for the  
10 following:

11 (1) Construction and renovation of [the fire company's  
12 facility] facilities and purchase or repair of fixtures and  
13 furnishings, office equipment and support services necessary  
14 to maintain or improve the capability of the company to  
15 provide fire, ambulance and rescue services.

16 (2) Repair of firefighting, ambulance or rescue  
17 equipment or purchase thereof.

18 (3) Debt reduction associated with paragraph (1) or (2).

19 (4) Training and certification of members.

20 (5) [Training and education] Education of the general  
21 public regarding fire prevention and community risk  
22 reduction.

23 (6) Recruitment and retention programs.

24 (7) Volunteer firefighter length of service award  
25 programs.

26 \* \* \*

27 (c) Time for filing application and department action.--

28 (1) [Within 30 days of June 28, 2007, for the fiscal  
29 years beginning July 1, 2006, and July 1, 2007, and by] By  
30 September [1] 8 of each year [thereafter], the [agency]

<--

1 commissioner shall provide applications and written  
2 instructions for grants under this chapter to:

3 (i) except as set forth in subparagraph (ii), the  
4 fire chief and president of every fire company; or

5 (ii) in the case of a municipal fire company, the  
6 chief executive of the municipality.

7 (2) [Within 45 days of June 28, 2007, for the fiscal  
8 years beginning July 1, 2006, and July 1, 2007, and by  
9 September 8 of each year thereafter, the agency shall provide  
10 applications to individuals specified in paragraph (1). The  
11 application for the fiscal years commencing July 1, 2006, and  
12 July 1, 2007, shall be a combined application.] Fire

13 companies seeking grants under this chapter shall submit  
14 completed applications to the [agency] commissioner and the  
15 municipalities where the fire companies are located. The  
16 application period shall remain open for 45 days each year.  
17 The agency shall act to approve or disapprove applications  
18 within 60 days of the application submission deadline each  
19 year. Applications which have not been approved or  
20 disapproved by the [agency] commissioner within 60 days after  
21 the close of the application period each year shall be deemed  
22 approved.

23 (d) Eligibility.--To receive grant funds under this chapter,  
24 a fire company must:

25 (1) Have actively responded to at least [10] 15 fire or  
26 rescue emergencies during the previous calendar year.

27 (2) Be actively participating in the Pennsylvania Fire  
28 Information Reporting System under a signed agreement. The  
29 commissioner shall develop and publish guidelines specifying  
30 the criteria necessary to determine the level of

1 participation in the Pennsylvania Fire Information Reporting  
2 System to remain eligible for grant funds.

3 § 7814. Consolidation incentive.

4 If[, after July 31, 2003,] two or more volunteer fire  
5 companies consolidate their use of facilities, equipment,  
6 firefighters and services, the consolidated entity may, upon  
7 notification of the [agency] commissioner, be eligible for a  
8 reduction of the interest rate payable on any outstanding  
9 principal balance owed, as of the date of consolidation, by any  
10 or all of the consolidating companies to the Volunteer Companies  
11 Loan Fund for loans made under the act of July 15, 1976  
12 (P.L.1036, No.208), known as the Volunteer Fire Company,  
13 Ambulance Service and Rescue Squad Assistance Act, or under  
14 Subchapter E of Chapter 73 (relating to volunteer fire company,  
15 ambulance service and rescue squad assistance). The reduction in  
16 the interest rate payable shall be from 2% to 1%. Upon receipt  
17 of such notification, the [agency, in conjunction with the State  
18 Fire Commissioner,] commissioner shall determine and verify that  
19 the consolidated entity is in fact a bona fide consolidated  
20 volunteer fire company. If the [agency] commissioner determines  
21 that the consolidated entity is a bona fide consolidated  
22 volunteer fire company, [it] the commissioner shall reduce the  
23 interest rate payable on any outstanding principal balance owed  
24 to the Volunteer Companies Loan Fund for loans made under the  
25 former Volunteer Fire Company, Ambulance Service and Rescue  
26 Squad Assistance Act, or under Subchapter E of Chapter 73, for  
27 which the consolidating companies or the consolidated entity may  
28 be individually or jointly responsible. The [agency]  
29 commissioner may promulgate such rules and regulations as may be  
30 necessary to carry out the provisions of this section.

1 § 7821. Establishment.

2 The Emergency Medical Services Grant Program is established  
3 and shall be administered by the [agency] commissioner. Grants  
4 provided under this program shall be used to improve and enhance  
5 the capabilities of EMS [companies] to provide ambulance,  
6 emergency medical, basic life support and advanced life support  
7 services.

8 § 7822. Publication and notice.

9 The [agency] commissioner shall publish notice of the grant  
10 program availability through the Legislative Reference Bureau  
11 for publication in the Pennsylvania Bulletin[:

12 (1) within 30 days of June 28, 2007, for the fiscal  
13 years beginning July 1, 2006, and July 1, 2007; and

14 (2)] by August 8 for [fiscal years beginning after June  
15 30, 2008] each fiscal year.

16 § 7823. Award of grants.

17 (a) Authorization.--The [agency] commissioner is authorized  
18 to make a grant award to each eligible EMS company for the  
19 following:

20 (1) Construction and renovation of the EMS company's  
21 [facility] facilities and purchase or repair of fixtures,  
22 furnishings, office equipment and support services necessary  
23 to maintain or improve the capability of the [ambulance  
24 service] services to provide ambulance, emergency medical,  
25 basic life support and advanced life support services.

26 (2) Repair of ambulance equipment or purchase thereof.

27 (3) Debt reduction associated with paragraph (1) or (2).

28 (4) Training and certification of members.

29 (5) Education of the general public regarding community  
30 risk reduction programs.

1           (6) Recruitment and retention programs.

2           \* \* \*

3           (c) Time for filing application and department action.--

4           (1) [Within 30 days of June 28, 2007, for the fiscal  
5 years commencing July 1, 2006, and July 1, 2007, and by] By  
6 September [1] 8 of each year thereafter, the [agency]           <--  
7 commissioner shall provide applications and written  
8 instructions for grants under this chapter to the president  
9 or lead officer of every EMS company in this Commonwealth.

10          (2) [Within 45 days of the effective date of June 28,  
11 2007, for the fiscal years commencing July 1, 2006, and July  
12 1, 2007, and by September 8 of each year, the agency shall  
13 provide applications to the president of every EMS company.  
14 The application for the fiscal years commencing July 1, 2006,  
15 and July 1, 2007, shall be a combined application.] EMS  
16 companies seeking grants under this chapter shall submit  
17 completed applications to the [agency] commissioner. The  
18 application period shall remain open for 45 days each year.  
19 The [agency] commissioner shall act to approve or disapprove  
20 applications within 60 days of the application submission  
21 deadline each year. Applications which have not been approved  
22 or disapproved by the [agency] commissioner within 60 days  
23 after the close of the application period each year shall be  
24 deemed approved.

25          Section 3. Title 35 is amended by adding a section to read:

26 § 7824. Consolidation incentive.

27 After January 1, 2020, if two or more emergency medical  
28 services companies consolidate their use of facilities,  
29 equipment, firefighters and services, the consolidated entity  
30 may, upon notification of the commissioner, be eligible for a

1 reduction of the interest rate payable on any outstanding  
2 principal balance owed, as of the date of consolidation, by any  
3 or all of the consolidating companies to the Volunteer Companies  
4 Loan Fund for loans made under Subchapter E of Chapter 73  
5 (relating to volunteer fire company, ambulance service and  
6 rescue squad assistance). The reduction in the interest rate  
7 payable shall be from 2% to 1%. Upon receipt of such  
8 notification, the commissioner shall determine and verify that  
9 the consolidated entity is in fact a bona fide consolidated  
10 emergency medical services company. If the commissioner  
11 determines that the consolidated entity is a bona fide  
12 consolidated emergency medical services company, the  
13 commissioner shall reduce the interest rate payable on any  
14 outstanding principal balance owed to the Volunteer Companies  
15 Loan Fund for loans made under Subchapter E of Chapter 73, for  
16 which the consolidating companies or the consolidated entity may  
17 be individually or jointly responsible. The commissioner may  
18 promulgate such rules and regulations as may be necessary to  
19 carry out the provisions of this section.

20 Section 4. Sections 7831, 7832, 7832.1, 7833 and 7841 of  
21 Title 35 are amended to read:

22 § 7831. Fire Company Grant Program.

23 The sum of \$22,000,000 of the amount appropriated to the  
24 [agency] commissioner for fire company grants under section  
25 1799-E of the act of April 9, 1929 (P.L.343, No.176), known as  
26 The Fiscal Code, shall be expended for the purpose of making  
27 grants to eligible fire companies under Subchapter B (relating  
28 to fire company grant program).

29 § 7832. Emergency Medical Services Company Grant Program.

30 The sum of \$3,000,000 of the amount appropriated to the



1 [agency] commissioner for EMS company grants under section 1799-  
2 E of the act of April 9, 1929 (P.L.343, No.176), known as The  
3 Fiscal Code, shall be expended for the purpose of making grants  
4 to eligible EMS companies under Subchapter C (relating to  
5 emergency medical services grant program).

6 § 7832.1. Additional funding.

7 In addition to sums transferred from the State Gaming Fund  
8 and under section ~~2413(a)(2)~~ 2413(A)(1) of the act of March 4, <--  
9 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, the  
10 sum of \$5,000,000 shall be transferred annually from the  
11 Property Tax Relief Reserve Fund to the Fire Company Grant  
12 Program for the purpose of making grants to eligible fire  
13 companies under this subchapter.

14 § 7833. Allocation of appropriated funds.

15 (a) Administration.--

16 (1) Except as provided under paragraph (2), no money  
17 from the appropriation for grants shall be used for expenses  
18 or costs incurred by the [agency] commissioner for the  
19 administration of the grant programs authorized under  
20 Subchapters B (relating to fire company grant program) and C  
21 (relating to emergency medical services grant program).

22 (2) Notwithstanding paragraph (1), the commissioner may  
23 use not more than \$800,000 of any unencumbered funds  
24 remaining in the fund for administrative costs for grant  
25 program implementation under this chapter.

26 (b) Grant allocation.--Unless otherwise expressly stated,  
27 money appropriated to the [agency] commissioner for purposes of  
28 fire company and EMS company grants shall be allocated as  
29 follows:

30 (1) Eighty-eight percent of the amount appropriated

1 shall be used for making grants to eligible fire companies  
2 under Subchapter B.

3 (2) Twelve percent of the amount appropriated shall be  
4 used for making grants to eligible EMS companies under  
5 Subchapter C.

6 § 7841. Expiration of authority.

7 The authority of the [agency] commissioner to award grants  
8 under Subchapters B (relating to fire company grant program) and  
9 C (relating to emergency medical services grant program) shall  
10 expire [June 30, 2020] June 30, 2024.

11 Section 5. Title 35 is amended by adding a section to read:

12 § 7843. Annual reports.

13 (a) Contents.--The commissioner shall prepare an annual  
14 report on the Fire Company Grant Program and Emergency Medical  
15 Services Grant Program. The annual report shall include all of  
16 the following information:

17 (1) The total number of applications sent to fire <--  
18 companies and EMS companies for THAT WERE NOTIFIED OF the <--  
19 grant programs.

20 (2) The total number of fire companies and EMS companies  
21 that submitted applications for the grant programs.

22 (3) The total number of fire companies and EMS companies  
23 that were approved for grants.

24 (4) An analysis of how the grants were used for  
25 facilities, equipment, debt reduction, training and  
26 certification, the education of the general public and  
27 recruitment and retention as delineated by county and  
28 municipality.

29 (5) A list of the fire companies as delineated by county  
30 that received additional grants under section 7813(a.2)

1 (relating to award of grants).

2 (6) A list of the different entities that received  
3 grants, including career fire companies, volunteer fire  
4 companies, career emergency medical services companies and  
5 volunteer EMS companies.

6 (7) A list of the different reasons why grants were not  
7 issued to fire companies and EMS companies, including, but  
8 not limited to, the following:

9 (i) Failure to submit applications for the grant  
10 programs.

11 (ii) Failure to run calls for emergencies.

12 (iii) Delinquencies and bankruptcies.

13 (8) A list of the fire companies and EMS companies that  
14 utilized the grants to pay off loans under the Pennsylvania  
15 Volunteer Loan Assistance Program.

16 (b) Submission.--The commissioner shall ~~post the annual~~ <--  
17 ~~report on the Office of the State Fire Commissioner's publicly~~  
18 ~~accessible Internet website and submit the annual report BY~~ <--  
19 OCTOBER 1, 2020, AND BY OCTOBER 1 OF EACH YEAR THEREAFTER, to  
20 all of the following:

21 (1) The chair and minority chair of the Veterans Affairs  
22 and Emergency Preparedness Committee of the Senate.

23 (2) The chair and minority chair of the Veterans Affairs  
24 and Emergency Preparedness Committee of the House of  
25 Representatives.

26 (C) POSTING.--THE COMMISSIONER SHALL POST THE ANNUAL REPORT <--  
27 ON THE OFFICE OF THE STATE FIRE COMMISSIONER'S PUBLICLY  
28 ACCESSIBLE INTERNET WEBSITE.

29 Section 6. This act shall take effect in 60 days.