

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 913 Session of 2019

INTRODUCED BY HUGHES, COLLETT, FONTANA, HAYWOOD, LEACH,  
TARTAGLIONE, BREWSTER AND BROWNE, OCTOBER 25, 2019

REFERRED TO URBAN AFFAIRS AND HOUSING, OCTOBER 25, 2019

AN ACT

1 Amending the act of April 9, 1929 (P.L.343, No.176), entitled,  
 2 as amended, "An act relating to the finances of the State  
 3 government; providing for cancer control, prevention and  
 4 research, for ambulatory surgical center data collection, for  
 5 the Joint Underwriting Association, for entertainment  
 6 business financial management firms, for private dam  
 7 financial assurance and for reinstatement of item vetoes;  
 8 providing for the settlement, assessment, collection, and  
 9 lien of taxes, bonus, and all other accounts due the  
 10 Commonwealth, the collection and recovery of fees and other  
 11 money or property due or belonging to the Commonwealth, or  
 12 any agency thereof, including escheated property and the  
 13 proceeds of its sale, the custody and disbursement or other  
 14 disposition of funds and securities belonging to or in the  
 15 possession of the Commonwealth, and the settlement of claims  
 16 against the Commonwealth, the resettlement of accounts and  
 17 appeals to the courts, refunds of moneys erroneously paid to  
 18 the Commonwealth, auditing the accounts of the Commonwealth  
 19 and 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 additional special funds and restricted  
2 accounts, establishing the Survivor-Centered, Accessible,  
3 Fair and Empowering (SAFE) Housing Trust Fund.

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

6 Section 1. Article XVII-A.1 of the act of April 9, 1929  
7 (P.L.343, No.176), known as The Fiscal Code, is amended by  
8 adding a subarticle to read:

9 SUBARTICLE J

10 SURVIVOR-CENTERED, ACCESSIBLE, FAIR AND EMPOWERING (SAFE)

11 HOUSING TRUST FUND

12 Section 1760-A.1. Definitions.

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

16 "Agency." The Pennsylvania Housing Finance Agency.

17 "Department." The Department of Transportation of the  
18 Commonwealth.

19 "Domestic violence program." As defined in 23 Pa.C.S. § 6102  
20 (relating to definitions). The term includes a culturally  
21 specific organization that has a substantive partnership with a  
22 domestic violence program.

23 "Fund." The Survivor-Centered, Accessible, Fair and  
24 Empowering (SAFE) Housing Trust Fund established under section  
25 1761-A.1.

26 "Housing program." A project designed to provide emergency,  
27 transitional and permanent housing, along with related support  
28 services to facilitate movement toward living as independently  
29 as possible.

30 "Immediate family member." An adoptive child, biological  
31 child, stepchild, grandchild, parent, brother, sister,

1 stepbrother, stepsister, half brother or half sister currently  
2 living with a victim or survivor of domestic violence, sexual  
3 assault, dating violence, human trafficking or stalking.

4 "Rape crisis program." A nonprofit organization or program  
5 which has a primary purpose to provide confidential services to  
6 sexual violence victims, which include, but are not limited to,  
7 the following:

8 (1) Survivor services, such as crisis intervention,  
9 crisis hotlines, counseling and therapy, legal and medical  
10 advocacy.

11 (2) Community services, such as information and  
12 referrals, prevention education, community awareness,  
13 professional training and outreach and institutional advocacy  
14 in legal, medical, educational, housing and employment areas.

15 "Target population." Victims and survivors of domestic  
16 violence, sexual assault, dating violence, human trafficking and  
17 stalking and their immediate family members.

18 Section 1761-A.1. Survivor-Centered, Accessible, Fair and  
19 Empowering (SAFE) Housing Trust Fund.

20 (a) Establishment.--There is established a special fund in  
21 the State Treasury known as the Survivor-Centered, Accessible,  
22 Fair and Empowering (SAFE) Housing Trust Fund.

23 (b) Purpose.--The fund is established for the following  
24 purposes:

25 (1) To provide the target population with access to  
26 emergency, transitional and permanent housing programs in  
27 order to reduce homelessness and housing instability. Housing  
28 programs and services shall be available to the target  
29 population regardless of an individual's sex, gender identity  
30 or sexual orientation.

1           (2) To promote a policy of housing as a right, rather  
2           than requiring survivors to demonstrate housing readiness as  
3           a prerequisite for obtaining permanent housing.

4 Section 1762-A.1. Sources of revenue.

5           (a) Transfer.--No later than July 30, 2019, the sum of  
6           \$1,000,000 shall be transferred from the General Fund to the  
7           fund.

8           (b) Additional surcharge.--The following shall apply:

9           (1) In addition to any fee, charge or cost authorized by  
10           law, an additional fee of \$10 shall be charged and collected  
11           by the recorder of deeds and clerks of court or by any  
12           official designated to perform similar functions on each  
13           filing of a deed or mortgage.

14           (2) All money received under paragraph (1) shall be  
15           transferred by the recorder of deeds and clerks of court  
16           collecting the fee to the State Treasurer for deposit into  
17           the fund.

18           (c) Contributions.--Proceeds paid by the department under  
19           the following provisions:

20           (1) Within one year of the effective date of this  
21           section, the department shall provide for all of the  
22           following:

23           (i) The ability of an individual renewing a driver's  
24           license or identification card electronically through the  
25           department's publicly accessible Internet website to make  
26           a contribution of \$5 to the fund.

27           (ii) The ability of a person renewing a vehicle  
28           registration electronically through the department's  
29           publicly accessible Internet website to make a  
30           contribution of \$5 to the fund.

1           (2) The contributions shall be implemented as follows:

2           (i) A contribution under paragraph (1) shall be  
3 added, as appropriate, to the regular fee for a renewal  
4 of a driver's license or identification card and a  
5 renewal of a vehicle registration.

6           (ii) A contribution under paragraph (1) may be made  
7 for each renewal of a driver's license or identification  
8 card and each renewal of a vehicle registration.

9           (3) Contributions under paragraph (1) shall be used  
10 exclusively for the purposes of the fund under section 1761-  
11 A.1(b).

12           (4) The department shall determine on a monthly basis  
13 the total amount collected under this subsection and report  
14 that amount to the State Treasurer. The State Treasurer shall  
15 transfer that amount from the Motor License Fund into the  
16 fund.

17           (5) The fund shall reimburse the Motor License Fund for  
18 the actual costs incurred by the department in the  
19 administration of paragraph (1).

20           (6) The department shall provide adequate information  
21 concerning the contribution to the fund in its instructions  
22 for the renewal applicants under paragraph (1). The  
23 information shall include the listing of an address furnished  
24 by the agency to which contributions may be sent by  
25 individuals wishing to make additional contributions.

26           (d) Other contributions.--Any grants, gifts, donations and  
27 other payments from an individual or government entity may be  
28 accepted as a contribution to the fund.

29 Section 1763-A.1. Use of fund.

30           (a) Authorization.--

1       (1) The agency shall administer the fund and have the  
2 power to allocate revenue from the fund for any purpose  
3 consistent with this subarticle.

4       (2) The agency shall allocate revenue from the fund to  
5 reimburse the Motor License Fund as provided under  
6 section 1762-A.1(c)(5).

7       (b) Grants.--

8       (1) The agency shall allocate revenue from the fund to  
9 provide grants to domestic violence programs or rape crisis  
10 programs that operate housing programs for the target  
11 population. A domestic violence program or rape crisis  
12 program receiving a grant under this paragraph shall offer  
13 any of the following to the target population:

14           (i) Affordable housing.

15           (ii) Relocation services.

16           (iii) Rent or rental subsidies.

17           (iv) Stipends for security deposits, furniture and  
18 any other housing-related needs.

19           (v) Financing options to facilitate homeownership.

20           (vi) Any other service determined by the agency to  
21 provide housing options.

22       (2) When allocating revenue from the fund under  
23 paragraph (1), the agency shall address and identify  
24 geographical areas where populations have been underserved,  
25 disadvantaged and prevented from accessing safe, stable and  
26 permanent housing.

27       (c) Operation.--The following shall apply:

28       (1) The agency shall adopt a statement of policy  
29 consistent with this subarticle within 60 days of the  
30 effective date of this section. The statement of policy shall

1 be transmitted as a notice to the Legislative Reference  
2 Bureau for publication in the Pennsylvania Bulletin but shall  
3 not be subject to review under any of the following:

4 (i) Section 205 of the act of July 31, 1968  
5 (P.L.769, No.240), referred to as the Commonwealth  
6 Documents Law.

7 (ii) Sections 204(b) and 301(10) of the act of  
8 October 15, 1980 (P.L.950, No.164), known as the  
9 Commonwealth Attorneys Act.

10 (iii) The act of June 25, 1982 (P.L.633, No.181),  
11 known as the Regulatory Review Act.

12 (2) At a minimum, the statement of policy shall provide  
13 information on the maintenance of the fund, the criteria used  
14 by the agency to determine eligibility for the allocation of  
15 revenue from the fund and the procedures by which a program  
16 may request funding.

17 (3) No less than once a year, the agency shall review  
18 the statement of policy.

19 (4) The agency may solicit and accept gifts, donations,  
20 legacies and other revenues for deposit into the fund from  
21 any person or entity, including a government entity.

22 (d) Report.--By July 31, 2020, and every year thereafter,  
23 the agency shall submit a report to the chairperson and minority  
24 chairperson of the Appropriations Committee of the Senate, the  
25 chairperson and minority chairperson of the Urban Affairs and  
26 Housing Committee of the Senate, the chairperson and minority  
27 chairperson of the Appropriations Committee of the House of  
28 Representatives and the chairperson and minority chairperson of  
29 the Urban Affairs and Housing Committee of the House of  
30 Representatives. The report shall specify all of the following:

1           (1) The revenues and expenditures of the fund in the  
2 prior fiscal year.

3           (2) The name of each program that has received money  
4 from the fund and the number of individuals assisted.

5           (3) The number of individual grants awarded and the  
6 county of residence of the grantees.

7           (4) A breakdown of total money spent by county, type of  
8 services provided and outcomes related to housing permanency.

9           (e) Audit.--The Auditor General shall conduct an audit of  
10 the revenues and expenditures of the fund no later than three  
11 years after the effective date of this subsection. The Auditor  
12 General shall conduct subsequent audits of the revenues and  
13 expenditures of the fund no more than once every three years  
14 from the date of the preceding audit. The Auditor General shall  
15 submit a report of each audit to the Governor and the  
16 chairperson and minority chairperson of the Appropriations  
17 Committee of the Senate and the chairperson and minority  
18 chairperson of the Appropriations Committee of the House of  
19 Representatives.

20           Section 2. This act shall take effect in 60 days.