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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1163 Session of  
2020

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INTRODUCED BY BROOKS, MENSCH, ARGALL, ARNOLD, BAKER, HUTCHINSON,  
PHILLIPS-HILL, REGAN, STEFANO AND YAW, MAY 25, 2020

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REFERRED TO VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS,  
MAY 25, 2020

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AN ACT

1 Authorizing counties and municipalities to distribute emergency  
2 funds to fire companies during the COVID-19 pandemic; and  
3 providing for distribution and receipt of funds.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the COVID-19  
8 Emergency Relief for Fire Companies Act.

9 Section 2. Legislative findings.

10 The General Assembly finds and declares as follows:

11 (1) A novel coronavirus, known as COVID-19, entered the  
12 United States in late January 2020 and has spread throughout  
13 the states, including this Commonwealth.

14 (2) On March 6, 2020, the Governor declared a disaster  
15 emergency, citing a threat of imminent disaster that is of  
16 such a magnitude and severity as to necessitate extraordinary  
17 measures to protect the health, safety and life of this  
18 Commonwealth's citizens.

1 (3) On March 11, 2020, the World Health Organization  
2 (WHO) declared COVID-19 a pandemic.

3 (4) In order to mitigate the spread of COVID-19, the  
4 Governor and the Secretary of Health urged the residents of  
5 this Commonwealth to adhere to the practice of "social  
6 distancing" and to self-quarantine if feeling ill or  
7 exhibiting symptoms of COVID-19.

8 (5) Consequently, fire companies in this Commonwealth  
9 have been unable to conduct fundraising activities as a  
10 result of the COVID-19 pandemic.

11 (6) The impact of the COVID-19 pandemic, including all  
12 the necessary measures taken to mitigate the spread of the  
13 disease, has severely disrupted the financial standing for  
14 fire companies in this Commonwealth.

15 (7) Due to the unprecedented economic hardships faced by  
16 fire companies in this Commonwealth during the COVID-19  
17 pandemic, it is imperative that counties are allowed to  
18 utilize different fund mechanisms to maintain the operations  
19 of fire companies and preserve the health and safety of  
20 residents of this Commonwealth.

21 Section 3. Definitions.

22 The following words and phrases when used in this act shall  
23 have the meanings given to them in this section unless the  
24 context clearly indicates otherwise:

25 "County." A county or home rule charter county of any  
26 classification.

27 "COVID-19 pandemic." The disease that is causing the 2019  
28 novel coronavirus outbreak and global pandemic. The term  
29 includes the novel coronavirus, coronavirus disease 2019 or  
30 2019-nCoV.

1 "Declared disaster emergency." The proclamation of disaster  
2 emergency issued by the Governor on March 6, 2020, published at  
3 50 Pa.B. 1644 (March 21, 2020), and any renewal of the state of  
4 disaster emergency.

5 "Fire company." A volunteer fire company or municipal fire  
6 company in this Commonwealth.

7 "Municipality." Any of the following:

8 (1) As defined in any of the following:

9 (i) Section 702 of the act of December 18, 1984  
10 (P.L.1005, No.205), known as the Municipal Pension Plan  
11 Funding Standard and Recovery Act.

12 (ii) Section 1(1) of the act of May 12, 1943  
13 (P.L.259, No.120), entitled "An act providing for the  
14 payment by the State Treasurer, of the amount of the tax  
15 on premiums paid by foreign casualty insurance companies,  
16 to the treasurers of the several cities, boroughs, towns,  
17 townships, and certain counties, and for the payment  
18 thereof into police pension funds, and in certain cases  
19 into the Municipal Employes' Retirement System, and for  
20 Pension Annuity Contracts, and in certain other cases  
21 into the State Employes' Retirement Fund, for certain  
22 purposes."

23 (2) A borough, city, town or township.

24 "Volunteer fire company." A nonprofit chartered corporation,  
25 association or organization located in this Commonwealth which  
26 provides fire protection services and other voluntary emergency  
27 services within this Commonwealth, including voluntary ambulance  
28 and voluntary rescue services.

29 Section 4. Emergency distribution of funds to fire companies.

30 (a) Authorization.--Notwithstanding any other provision of

1 law, in order to mitigate the negative economic consequences of  
2 the COVID-19 pandemic on fire companies, all of the following  
3 may be distributed by a county or municipality to fire companies  
4 within their respective jurisdiction:

5 (1) Grants distributed by the Office of the State Fire  
6 Commissioner for emergency medical services and fire  
7 services.

8 (2) Grants distributed by the Office of the State Fire  
9 Commissioner for fire relief associations.

10 (3) Notwithstanding Article IX of the act of March 4,  
11 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971,  
12 Chapter 7 of the act of December 18, 1984 (P.L.1005, No.205),  
13 known as the Municipal Pension Plan Funding Standard and  
14 Recovery Act, and the act of May 12, 1943 (P.L.259, No.120),  
15 entitled "An act providing for the payment by the State  
16 Treasurer, of the amount of the tax on premiums paid by  
17 foreign casualty insurance companies, to the treasurers of  
18 the several cities, boroughs, towns, townships, and certain  
19 counties, and for the payment thereof into police pension  
20 funds, and in certain cases into the Municipal Employes'  
21 Retirement System, and for Pension Annuity Contracts, and in  
22 certain other cases into the State Employes' Retirement Fund,  
23 for certain purposes," revenue generated from the tax imposed  
24 on foreign fire insurance companies and foreign casualty  
25 insurance companies under Article IX of the Tax Reform Code  
26 of 1971.

27 (4) Notwithstanding 4 Pa.C.S. Ch. 14 (relating to  
28 revenues), revenue distributed to the county or municipality  
29 from the State Gaming Fund.

30 (5) Notwithstanding 58 Pa.C.S. Ch. 23 (relating to

1 unconventional gas well fee), revenue distributed to the  
2 county or municipality from the unconventional gas well fee.

3 (6) Any other funding sources to fire companies within  
4 the county or municipality.

5 (b) Prohibition.--A county may not utilize any of the  
6 following under subsection (a):

7 (1) Federal funds appropriated to the Commonwealth for a  
8 specific purpose.

9 (2) Funds designated for a specific purpose in a  
10 contract or agreement executed by the county before the  
11 effective date of this act.

12 (3) Funds designated for a specific purpose in a  
13 contract or agreement between a Commonwealth entity and a  
14 fire company.

15 Section 5. Distribution and receipt of funds.

16 (a) Authorization.--A county or municipality may distribute  
17 the funds under section 4(a) to fire companies within the county  
18 or municipality for any of the following:

19 (1) The payment of utility bills.

20 (2) The payment of mortgage or rent expenses.

21 (3) Any other bill or expenses necessary to maintain the  
22 fire service of fire companies.

23 (b) Receipt.--A county or municipality that utilizes the  
24 funds under section 4(a) shall distribute the funds to fire  
25 companies within the county or municipality on a first-come,  
26 first-served basis.

27 Section 6. Expiration.

28 This act shall expire on the same date as the termination or  
29 expiration of the declared disaster emergency.

30 Section 7. Effective date.

1        This act shall take effect immediately.