

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 218 Session of 2021

INTRODUCED BY SAYLOR, JANUARY 22, 2021

REFERRED TO COMMITTEE ON APPROPRIATIONS, JANUARY 22, 2021

A SUPPLEMENT

To the act of May 29, 2020 (P.L. , No.1A), entitled "An act to provide appropriations from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2020, to June 30, 2021, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2020; to provide appropriations from special funds and accounts to the Executive and Judicial Departments for the fiscal year July 1, 2020, to June 30, 2021, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2020; to provide for the appropriation of Federal funds to the Executive and Judicial Departments for the fiscal year July 1, 2020, to June 30, 2021, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2020; and to provide for the additional appropriation of Federal and State funds to the Executive and Judicial Departments for the fiscal year July 1, 2019, to June 30, 2020, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2019," further providing for additional appropriations from the General Fund for the expenses of the Executive Department for the fiscal year July 1, 2020, to June 30, 2021.

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27 The General Assembly of the Commonwealth of Pennsylvania
28 hereby enacts as follows:

29 PART I

30 GENERAL PROVISIONS

1 Section 101. Short title.

2 This act shall be known and may be cited as the Second
3 Supplement to the General Appropriation Act of 2020.

4 Section 102. Definitions.

5 The definitions in the act of May 29, 2020 (P.L. , No.1A),
6 known as the General Appropriation Act of 2020, shall apply to
7 this act.

8 Section 103. Abbreviations.

9 The abbreviations in the act of May 29, 2020 (P.L. , No.1A),
10 known as the General Appropriation Act of 2020, shall apply to
11 this act.

12 Section 104. State appropriations.

13 (a) General Fund.--The sums specified in this act, or as
14 much thereof as may be necessary, are specifically appropriated
15 from the General Fund to agencies of the Executive Department of
16 the Commonwealth for the payment of salaries, wages or other
17 compensation and travel expenses of the duly elected or
18 appointed officers and employees of the Commonwealth, for the
19 payment of fees for contractual services rendered, for the
20 purchase or rental of goods and services, printing, public
21 advertising by or through any medium, equipment, land and
22 buildings and for payment of any other expenses, as provided by
23 law or by this act, necessary for the proper conduct of the
24 duties, functions and activities and for the purposes specified
25 in this act for the current fiscal year.

26 (b) (Reserved).

27 Section 105. Federal appropriations.

28 The Federal appropriations specified in this act, or as much
29 thereof as may be necessary, are specifically appropriated to
30 the agencies of the Executive Department of the Commonwealth

1 specified in this act for the payment of the expenses of
2 implementing and carrying out the programs specified in this act
3 for the current fiscal year. Unless otherwise stated, the
4 Federal appropriations include any carryovers from the prior
5 fiscal year.

6 PART II

7 ADDITIONAL GENERAL FUND APPROPRIATIONS

8 FOR CURRENT FISCAL YEAR

9 SUBPART A

10 GENERAL PROVISIONS

11 Section 201. Construction with other appropriation acts.

12 All appropriations contained in this part from the General
13 Fund shall be in addition to any appropriation under the act of
14 May 29, 2020 (P.L. , No.1A), known as the General Appropriation
15 Act of 2020, and the act of November 23, 2020 (P.L. , No. 17A),
16 known as the Supplement to the General Appropriation Act of
17 2020.

18 SUBPART B

19 EXECUTIVE DEPARTMENT

20 Section 224. (Reserved).

21 Section 225. Department of Military and Veterans Affairs.

22 The following amounts are
23 appropriated from the General Fund
24 to the Department of Military and
25 Veterans Affairs for the current

26 fiscal year: Federal State

27 The following Federal amounts
28 are appropriated to supplement the
29 sum appropriated for the veterans
30 homes:

(1) "COVID - Operations and
Maintenance."

Federal appropriation..... 53,000

PART LXI

SPECIAL PROVISIONS FOR FEDERAL FUNDS

FOR CURRENT FISCAL YEAR

Section 6101. General Fund repository for Federal funds.

Money received from the Federal Government as contributions
or supplements to the departments or agencies of the
Commonwealth or the programs provided in this act shall be paid
into the General Fund.

Section 6102. (Reserved).

Section 6103. Appropriation of prior unspent Federal funds.

(a) General rule.--Federal moneys that have been previously
appropriated by the General Assembly and authorized or allocated
by the Federal Government but remain unspent from the prior
fiscal year or previous fiscal years and will not be renewed for
the current fiscal year are appropriated.

(b) Department of Human Services.--The Federal
appropriations to the Department of Human Services include any
prior earnings that may be received during the current fiscal
year. In addition to the amounts specifically appropriated in
this act to the Department of Human Services, all money
appropriated from the Federal Government during a previous
fiscal year which are expected to be received as reimbursements
may be carried forward until the close of the current fiscal
year to the extent that obligations are carried forward. In
addition, reimbursements actually received to support the
obligations may also be carried forward.

Section 6104. Subgrants between Federal appropriations.

Subgrants may be made between Federal appropriations without further approval of the General Assembly. The Secretary of the Budget shall submit a list of subgrants to the chair and minority chair of the Appropriations Committee of the Senate and the chair and minority chair of the Appropriations Committee of the House of Representatives quarterly. No subgrant to a State agency, however, may be made from a restricted receipt account without a specific appropriation by the General Assembly.

Section 6105. Utilization of emergency Federal funds.

(a) Natural disasters and civil disobedience.--Federal funds available for costs and damages resulting from natural disasters or civil disobedience may be added to an appropriation contained in this act or to funds otherwise appropriated or may be used for the purposes prescribed by the Federal Government.

(b) Other emergencies.--In addition to the money appropriated by this act, money received from the Federal Government for the purpose of disaster assistance or relief, or other money received as a direct result of terrorist acts, money for homeland security and defense and money for avian flu shall be paid into the General Fund and are appropriated out of the General Fund to the departments, boards, commissions or agencies designated by the Governor.

(c) (Reserved).

(d) Federal funding related to COVID-19 and the impact of COVID-19.--The following apply to funds received from the Federal Government for assistance with the response to the COVID-19 pandemic and the economic impact of the COVID-19 pandemic:

(1) For Federal funds which are required by Federal law to be allocated to a specific program which is in existence

1 prior to the effective date of this section, the Federal
2 funds are hereby appropriated to the program.

3 (2) For Federal funds which are required by Federal law
4 to be allocated by the Commonwealth according to a formula
5 mandated by Federal law, the Federal funds are hereby
6 appropriated for allocation according to the formula.

7 (3) All other Federal funds under this subsection shall
8 be deposited in the COVID-19 Response Restricted Account and
9 shall only be used upon appropriation by the General
10 Assembly.

11 PART LXXI

12 MISCELLANEOUS PROVISIONS FOR

13 CURRENT FISCAL YEAR

14 Section 7101. Prior laws unaffected.

15 This act is not intended to be inconsistent with or to repeal
16 any provision of any act enacted at this or any prior session of
17 the General Assembly regulating the purchase of supplies, the
18 ordering of printing and binding, the purchase, maintenance and
19 use of motor vehicles, the method of making payments from the
20 State Treasury for any purpose or the functioning of any
21 administrative department, board or commission.

22 Section 7102. Compliance with other law before funds available.

23 No appropriation made by this act to any department, board,
24 commission or agency of the Executive Department shall be
25 available unless and until the department, board, commission or
26 agency has complied with sections 615 and 616 of the act of
27 April 9, 1929 (P.L.177, No.175), known as The Administrative
28 Code of 1929.

29 Section 7103. Contracts prerequisite to encumbering or
30 committing funds.

Funds available to agencies, boards, departments, commissions or other governmental entities under this act for the procurement of supplies, services or construction shall not be available for payment of or to be committed to or encumbered for payment of the procurement unless and until the agency, board, department or other governmental entity has complied with all of the requirements applicable to the procurement that are specified in 62 Pa.C.S. (relating to procurement) and in the policies, procedures and regulations instituted in accordance with 62 Pa.C.S.

Section 7104. Minority business set-asides.

(a) Duty to report.--Each department or other instrumentality of the Commonwealth listed in Subpart B of Part II authorized to contract for buildings, highways, commodities, equipment, supplies or services shall report to the General Assembly all information pertinent to anticipated procurement needs at the beginning of each quarter during a fiscal year.

(b) Definition.--As used in this section, the term "minority business" means a minority business enterprise as defined in the act of July 22, 1974 (P.L.598, No.206), known as the Pennsylvania Minority Business Development Authority Act.

Section 7105. (Reserved).

Section 7106. Lapsing of unused funds.

(a) General rule.--Except as otherwise provided by law or by this section, that part of all appropriations in this act unexpended, uncommitted or unencumbered as of the close of the current fiscal year shall automatically lapse as of that day.

(b) (Reserved).

PART LXXXI

MISCELLANEOUS PROVISIONS

1 Section 8101. Retroactivity.

2 This act shall be retroactive to July 1, 2020.

3 Section 8102. Effective date.

4 This act shall take effect immediately.