

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 339 Session of 2021

INTRODUCED BY HOHENSTEIN, A. DAVIS, CIRESI, DALEY, DEASY, DeLUCA, DRISCOLL, GALLOWAY, GUENST, HANBIDGE, HARRIS, HILL-EVANS, ISAACSON, PASHINSKI, SANCHEZ, SIMS, WARREN AND WEBSTER, JANUARY 29, 2021

REFERRED TO COMMITTEE ON APPROPRIATIONS, JANUARY 29, 2021

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

1 other moneys to the Commonwealth, or any agency thereof,
2 every State depository and every debtor or creditor of the
3 Commonwealth," in miscellaneous limitations and transfers,
4 further providing for COVID-19 response transfers for
5 assistance to the Commonwealth's health care system and
6 providing for COVID-19 response transfers to restricted
7 account.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 1735-A.1(f) of the act of April 9, 1929
11 (P.L.343, No.176), known as The Fiscal Code, added March 27,
12 2020 (P.L.30, No.10), is amended to read:

13 Section 1735-A.1. COVID-19 response transfers for assistance to
14 the Commonwealth's health care system.

15 * * *

16 (f) Report.--Beginning June 1, 2020, and the first day of
17 each month thereafter, the Secretary of the Budget shall provide
18 a report detailing all spending related to the COVID-19 response
19 the Commonwealth has made during the preceding month, including
20 any funding made available through the Federal Government, the
21 Governor's disaster proclamation, an agency budget or the
22 transfers under this section and section 1738-A.1. The report
23 shall include the recipient, the dollar amount and a detailed
24 explanation of the purpose of the spending. The Secretary of the
25 Budget shall provide the report to the Majority Leader and
26 Minority Leader of the Senate, the Majority Leader and Minority
27 Leader of the House of Representatives, the chairperson and
28 minority chairperson of the Appropriations Committee of the
29 Senate and the chairperson and minority chairperson of the
30 Appropriations Committee of the House of Representatives.

31 * * *

32 Section 2. The act is amended by adding a section to read:
33 Section 1738-A.1. COVID-19 response transfers to restricted

1 account.

2 (a) Transfers.--Notwithstanding any other provision of law,
3 the Secretary of the Budget may transfer up to \$50,000,000 from
4 the General Fund to the restricted account identified under
5 section 1735-A.1. The transferred money shall be expended for
6 the acquisition of medical equipment and supplies for health
7 care entities to meet urgent patient and staff needs to address
8 surge demand. Health care entities shall include, but not be
9 limited to, hospitals, nursing facilities and emergency medical
10 services.

11 (b) Authorization.--The Secretary of the Budget shall only
12 be authorized to make transfers under subsection (a) to the
13 extent that funding authorized by the General Assembly prior to
14 the effective date of this section and funding authorized by the
15 Federal Government are insufficient to meet the needs of the
16 Commonwealth's response to COVID-19.

17 (c) Notification.--The Secretary of the Budget shall provide
18 notification to the chairperson and minority chairperson of the
19 Appropriations Committee of the Senate and the chairperson and
20 minority chairperson of the Appropriations Committee of the
21 House of Representatives 24 hours prior to making any transfer
22 under subsection (a). The notification shall include the dollar
23 amount to be transferred.

24 (d) Report.--Information regarding a transfer under
25 subsection (a) shall be included in the report required under
26 section 1735-A.1(f).

27 (e) Expiration.--The authority to transfer money under
28 subsection (a) shall expire July 1, 2021.

29 (f) Definitions.--As used in this section, the term "COVID-
30 19" shall mean the novel coronavirus as identified in the

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

4 Section 3. This act shall take effect immediately.