
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 538 Session of
2021

INTRODUCED BY CIRESI, T. DAVIS, SHUSTERMAN, SANCHEZ, ISAACSON,
HOHENSTEIN, FREEMAN, HANBIDGE, A. DAVIS, MALAGARI, HARRIS,
MCNEILL, PASHINSKI, LONGIETTI, DeLUCA, D. WILLIAMS, BENHAM,
DRISCOLL, SAINATO, BURGOS, GALLOWAY, FIEDLER, OTTEN, SNYDER,
O'MARA, MADDEN, ZABEL, D. MILLER, HERRIN, HILL-EVANS,
NEILSON, WEBSTER, YOUNG, DEASY, SCHLOSSBERG, MERSKI,
SCHWEYER, SIMS, WARREN AND PISCIOTTANO, FEBRUARY 16, 2021

REFERRED TO COMMITTEE ON COMMERCE, FEBRUARY 16, 2021

AN ACT

1 Establishing the COVID-19 Community Restaurant and Catering
2 Business Grant Program and the COVID-19 Community Restaurant
3 and Catering Business Grant Fund to provide grants to
4 restaurant businesses impacted by COVID-19; and making an
5 appropriation.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Short title.

9 This act shall be known and may be cited as the COVID-19
10 Community Restaurant and Catering Business Grant Program Act.

11 Section 2. Definitions.

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

15 "Department." The Department of Community and Economic
16 Development of the Commonwealth.

17 "Fund." The COVID-19 Community Restaurant and Catering

1 Business Grant Fund established under section 4.

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

6 "Program." The COVID-19 Community Restaurant and Catering
7 Business Grant Program established under section 3(a).

8 "Restaurant business." A nonfranchise employer in this
9 Commonwealth that satisfies all of the following criteria:

10 (1) The employer has a 72251, 72241, 722320 or 722330
11 North American Industry Classification System (NAICS)
12 designation from the United States Census Bureau.

13 (2) The employer's gross annual receipts for the prior
14 fiscal year did not exceed \$5,000,000.

15 Section 3. Establishment of program.

16 (a) Establishment.--The COVID-19 Community Restaurant and
17 Catering Business Grant Program is established within the
18 department.

19 (b) Duties of department.--The department shall provide
20 grants under the program in accordance with this act to
21 restaurant businesses that are adversely affected financially
22 due to the novel coronavirus, known as COVID-19, identified in
23 the proclamation of disaster emergency.

24 Section 4. Establishment of fund.

25 The COVID-19 Community Restaurant and Catering Business Grant
26 Fund is established as a special fund in the State Treasury.
27 Money appropriated under section 11 shall be deposited into the
28 fund to be used exclusively by the department to award grants to
29 restaurant businesses under the program.

30 Section 5. Grant application forms.

1 (a) Development.--The department shall develop a grant
2 application form for restaurant businesses to apply for a grant
3 under the program. At a minimum, the grant application form
4 shall contain the following information:

5 (1) The name, address and contact information of the
6 restaurant business.

7 (2) The amount of grant money requested under the
8 program.

9 (3) The proposed use for the grant money requested under
10 the program.

11 (4) The financial impact on the restaurant business
12 due to the novel coronavirus, known as COVID-19, identified
13 in the proclamation of disaster emergency.

14 (5) Any other information that the department deems
15 necessary and appropriate.

16 (b) Submission.--A restaurant business must submit the grant
17 application form under subsection (a) to the department in a
18 manner prescribed to be eligible for a grant under the program.
19 Section 6. Award of grants.

20 (a) Review.--No later 20 days after receipt of the grant
21 application form under section 5(a), the department shall review
22 the grant application form, determine whether to award a grant
23 to the restaurant business under the program and determine the
24 amount of the grant money to be awarded to the restaurant
25 business if applicable.

26 (b) Considerations.--In determining the amount of the grant
27 money to be awarded to the restaurant business, the following
28 shall apply:

29 (1) The department shall consider all of the following:

30 (i) The geographic and demographic diversity of the

1 restaurant business.

2 (ii) How the restaurant business and the surrounding
3 community of the restaurant business would be served
4 through the award of the grant money to the business.

5 (2) The department may require documentation and
6 information regarding the gross annual receipts and employees
7 of the restaurant business.

8 (c) Notice.--After conducting a review and making a
9 determination on a grant application under subsection (a), the
10 department shall provide written notice to the restaurant
11 business of the award or denial of a grant under the program.
12 Notice of the award of a grant under the program shall include
13 the amount of the grant money awarded and any conditions or
14 restrictions on the use of the grant money. Notice of the denial
15 of all or part of the grant money requested under the program in
16 the grant application shall include the reasons for the full or
17 partial denial.

18 Section 7. Public notice.

19 The department shall provide information regarding the
20 availability and award of grants under the program on the
21 department's publicly accessible Internet website.

22 Section 8. Limitation on award of grants.

23 Subject to the availability of funding, a grant to a
24 restaurant business under the program shall not exceed \$20,000.

25 Section 9. Reports.

26 (a) Preparation.--No later than 60 days after the notice is
27 published under section 7, the department shall prepare a report
28 that lists each restaurant business that received grant money
29 under the program and a summary of the information specified in
30 each grant application under section 5(a).

1 (b) Publication.--The department shall post the report under
2 subsection (a) on the department's publicly accessible Internet
3 website.

4 Section 10. Guidelines.

5 The department may promulgate guidelines for the
6 implementation and administration of this act.

7 Section 11. Appropriation.

8 In addition to any other money made available to the
9 Commonwealth for COVID-19 relief, the sum of \$200,000,000 is
10 appropriated from the Budget Stabilization Reserve Fund to the
11 department for the purpose of awarding grants under the program.

12 Section 12. Expiration.

13 The authority of the department to award grants under the
14 program shall expire 30 days after the termination or expiration
15 of the proclamation of disaster emergency.

16 Section 13. Effective date.

17 This act shall take effect in 30 days.