

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 743 Session of 2021

INTRODUCED BY ORTITAY, STAMBAUGH, RYAN, HENNESSEY AND MADDEN,  
MARCH 3, 2021

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY  
PREPAREDNESS, MARCH 3, 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  
 33 other moneys to the Commonwealth, or any agency thereof,

1 every State depository and every debtor or creditor of the  
2 Commonwealth," in emergency COVID-19 response, establishing  
3 the Fire and EMS Relief Program.

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

6 Section 1. The act of April 9, 1929 (P.L.343, No.176), known  
7 as The Fiscal Code, is amended by adding a section to read:

8 Section 171-C. Fire and EMS Relief Program.

9 (a) Program established.--The Fire and EMS Relief Program is  
10 established within the agency. The agency shall administer the  
11 program for the purpose of awarding grants under this section.

12 The following shall apply to the program:

13 (1) (Reserved).

14 (2) Subject to the prohibition under subparagraph (ii),  
15 grants may be awarded to eligible applicants for the purpose  
16 of alleviating revenue losses and paying eligible operating  
17 expenses. The following shall apply to grants awarded under  
18 this section:

19 (i) A grant awarded to an eligible applicant under  
20 this subsection may not exceed \$150,000.

21 (ii) A grant may not be awarded to pay for the same  
22 eligible operating expenses for which an eligible  
23 applicant receives or received payment, reimbursement or  
24 loan forgiveness from the following sources:

25 (A) The CARES Act or Consolidated Appropriations  
26 Act, 2021 money that is not required to be repaid to  
27 the Federal Government.

28 (B) The act of May 29, 2020 (P.L. , No.2A),  
29 known as the COVID-19 Emergency Supplement to the  
30 General Appropriation Act of 2019.

31 (3) The receipt of a loan or grant issued under the

1 authority of the Federal Government or the Commonwealth shall  
2 not disqualify an applicant from eligibility for a grant  
3 under this section.

4 (4) Priority in the awarding of a grant shall be given  
5 to an eligible applicant that meets any of the following:

6 (i) The eligible applicant has not received a loan  
7 or grant issued under the authority of the Commonwealth  
8 or the Commonwealth's political subdivisions or by the  
9 Federal Government under the CARES Act or Consolidated  
10 Appropriations Act, 2021.

11 (ii) The eligible applicant has not been able to  
12 hold fundraising activities because of the proclamation  
13 of disaster emergency issued by the Governor on March 6,  
14 2020, published at 50 Pa.B. 1644 (March 21, 2020), and  
15 any renewal of the state of disaster emergency.

16 (iii) The eligible applicant has experienced a  
17 reduction in revenue as demonstrated by any of the  
18 following:

19 (A) A reduction in gross receipts of 25% or more  
20 for the period beginning after March 31, 2020, and  
21 ending before December 31, 2020, in comparison to the  
22 period beginning after March 31, 2019, and ending  
23 before December 31, 2019.

24 (B) If the eligible applicant was not in  
25 operation during the entire comparison period under  
26 clause (A), but was in operation on February 15,  
27 2020, a monthly average reduction in gross receipts  
28 of 25% or more for the period beginning after March  
29 31, 2020, and ending before December 31, 2020, in  
30 comparison to the period beginning after January 1,

1           2020, and ending before April 1, 2020.

2           (5) The following shall apply to applications for grants  
3 under this section:

4           (i) Applications shall be in a form determined by  
5 the agency.

6           (ii) Applications shall contain documentation as  
7 required by the agency.

8           (iii) Applications shall be available  
9 electronically.

10           (iv) No later than 45 days after the starting date,  
11 the agency shall receive and consider applications on a  
12 rolling basis until funding for grants has been  
13 completely expended, or 130 days after the starting date,  
14 whichever occurs first.

15           (6) The following shall apply to reviewing applications  
16 for grants under this section:

17           (i) No later than 160 days after the starting date,  
18 the agency shall approve or disapprove applications.

19           (ii) Upon approving an application under  
20 subparagraph (i), the agency shall enter into a grant  
21 agreement with the eligible applicant in order to award  
22 the grant.

23           (iii) The grant agreement required under  
24 subparagraph (ii) shall explain the terms and conditions  
25 of the grant, including the applicable laws of this  
26 Commonwealth and reporting requirements.

27           (iv) The grant agreement under subparagraph (ii) may  
28 be electronically signed and returned to the agency.

29           (7) An eligible applicant or authorized representative  
30 of the eligible applicant that submits an application for a

1 grant under this section shall certify in good faith to all  
2 of the following:

3 (i) The eligible applicant was in operation on  
4 February 15, 2020, and, if required, paid income taxes to  
5 the Federal Government and the Commonwealth, as reported  
6 on individual or business tax returns.

7 (ii) The eligible applicant remains in operation and  
8 does not intend to permanently cease operations within  
9 one year of the date of application.

10 (iii) COVID-19 has had an adverse economic impact on  
11 the eligible applicant's ability to engage in  
12 fundraising, which makes the grant request necessary to  
13 support the ongoing operations of the eligible applicant.

14 (iv) The grant will be used to pay for COVID-19-  
15 related economic impacts to fundraising.

16 (v) The eligible applicant has not and will not  
17 receive another grant under this section.

18 (vi) The information provided in an application and  
19 all supporting documents and forms is true and accurate  
20 in all material respects. An eligible applicant or an  
21 authorized representative of the eligible applicant that  
22 knowingly makes a false statement to obtain a grant shall  
23 be subject to 18 Pa.C.S. § 4904 (relating to unsworn  
24 falsification to authorities).

25 (8) The following shall apply to the awarding of grants  
26 under this section:

27 (i) The agency may award grants in increments of no  
28 less than \$5,000 not to exceed the limitation under  
29 paragraph (2)(i).

30 (ii) A fully executed grant agreement as required

1 under paragraph (6) (ii) shall be required before the  
2 disbursement of grant funds.

3 (iii) The aggregate amount of all grants awarded may  
4 not exceed the amount of money appropriated for the  
5 program.

6 (9) The agency may charge a fee not to exceed \$500 per  
7 completed and reviewed application for a grant under this  
8 section. Fees charged under this paragraph shall be deducted  
9 from the total amount of money appropriated to the agency and  
10 may not reduce the amount of the grant awarded under this  
11 section to an eligible applicant.

12 (10) A grant awarded under this section shall be paid to  
13 an eligible applicant no later than 175 days after the  
14 starting date.

15 (11) The agency shall compile a report on the grants  
16 awarded under this section, which shall include all of the  
17 following:

18 (i) A list of each grant awarded.

19 (ii) The name and address of each grant recipient.

20 (iii) The amount of each grant and a description of  
21 the financial impact to each grant recipient.

22 (12) The agency shall submit the report under paragraph  
23 (11) to the chair and minority chair of the Appropriations  
24 Committee of the Senate and the chair and minority chair of  
25 the Appropriations Committee of the House of Representatives  
26 no later than 235 days after the starting date. The agency  
27 shall post the report on the agency's publicly accessible  
28 Internet website.

29 (13) The agency shall provide documentation to the  
30 Department of Auditor General or the department, upon

1 request, for purposes of an audit review.

2 (14) The agency may not impose additional requirements  
3 the agency that are not specified in this section.

4 (b) (Reserved).

5 (c) (Reserved).

6 (d) Definitions.--As used in this section, the following  
7 words and phrases shall have the meanings given to them in this  
8 subsection:

9 "Agency." The Pennsylvania Emergency Management Agency.

10 "Consolidated Appropriations Act, 2021." The Consolidated  
11 Appropriations Act, 2021 (Public Law 116-260, 134 Stat. 1182).

12 "Eligible applicant." A volunteer ambulance service company,  
13 volunteer fire company or volunteer rescue service company.

14 "Eligible operating expense." A nonbudgeted cost incurred as  
15 a result of the COVID-19 pandemic.

16 "Program." The Fire and EMS Relief Program established under  
17 subsection (a).

18 "Starting date." The effective date of this section or the  
19 effective date of an appropriation for distribution of grants  
20 under this section, whichever is later.

21 "Volunteer ambulance service company." A nonprofit chartered  
22 corporation, association or organization that is located in this  
23 Commonwealth and that is regularly engaged in the service of  
24 providing emergency medical care and transportation of patients.

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

30 "Volunteer rescue service company." A nonprofit chartered

1 corporation, association or organization that is located in this  
2 Commonwealth and that provides rescue services in this  
3 Commonwealth.

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