

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1421 Session of
2021

INTRODUCED BY THOMAS, BOBACK, FARRY, FREEMAN, HILL-EVANS,
HOHENSTEIN, JAMES, KERWIN, LABS, MILLARD, PENNYCUICK,
POLINCHOCK, SCHROEDER, TOMLINSON, WEBSTER, RYAN, BURNS,
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SCHLEGEL CULVER, C. WILLIAMS, SAINATO AND WELBY, MAY 14, 2021

AMENDMENTS TO HOUSE AMENDMENTS, IN SENATE, JULY 8, 2022

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

1 collect taxes, or to make returns or reports under the laws
2 imposing taxes for State purposes, or to pay license fees or
3 other moneys to the Commonwealth, or any agency thereof,
4 every State depository and every debtor or creditor of the
5 Commonwealth," in emergency COVID-19 response, further
6 providing for definitions, repealing provisions relating to
7 money in account, providing for Executive Offices, for Whole-
8 Home Repairs Program and for arts and culture recovery
9 grants, further providing for emergency education relief to
10 nonpublic schools and for funding for library services and
11 providing for biotechnology research, for use of money, for
12 Child Care Stabilization Program, for Behavioral Health
13 Commission or Adult Mental Health, for Department of Revenue,
14 for State university assistance for fiscal year 2022-2023,
15 for Development Cost Relief Program, for Housing Options
16 Grant Program and for Department of Conservation and Natural
17 Resources; in Rental and Utility Assistance Grant Program,
18 further providing for reallocation of grants; in American
19 Rescue Plan Rental and Utility Assistance Grant Program,
20 further providing for department; in Treasury Department,
21 providing for Commonwealth payment security; in oil and gas
22 wells, further providing for Oil and Gas Lease Fund; in
23 transportation network companies, motor carrier companies and
24 parking authority of a city of the first class, further
25 providing for transportation network company extension;
26 providing for Agriculture Conservation Assistance Program
27 and, for Clean Water Procurement Program AND FOR HUMAN <--
28 SERVICES; in special funds, further providing for funding,
29 for transfer, for H2O PA Account and for other grants; in
30 additional special funds and restricted accounts, further
31 providing for establishment of special fund and account, for
32 use of fund, for distributions from Pennsylvania Race Horse
33 Development Fund, for Workers' Compensation Security Fund
34 transfer to COVID-19 Response Restricted Account and for
35 Opioid Settlement Restricted Account; providing for
36 additional special funds and restricted accounts; in 2021-
37 2022 budget implementation, further providing for executive
38 offices and for Department of Human Services; in general
39 budget implementation, further providing for Executive
40 Offices, for Department of Corrections, for Department of
41 Education, for Department of Health, for Department of Labor
42 and Industry, for Department of Military and Veterans
43 Affairs, for Department of Human Services, for Department of
44 Revenue, for Pennsylvania Infrastructure Investment
45 Authority, for Pennsylvania Board of Probation and Parole,
46 for Pennsylvania Public Television Network Commission, for
47 Pennsylvania Securities Commission and for State Tax
48 Equalization Board, providing for State-related universities
49 and further providing for surcharges and for Multimodal
50 Transportation Fund; providing for 2022-2023 budget
51 implementation and for 2022-2023 restrictions on <--
52 appropriations for funds and accounts; ABROGATING
53 REGULATIONS; and making related repeals.

54 The General Assembly finds and declares as follows:

- 55 (1) The intent of this act is to provide for the
- 56 implementation of the 2022-2023 Commonwealth budget.

1 (2) The Constitution of Pennsylvania confers numerous
2 express duties upon the General Assembly, including the
3 passage of a balanced budget for the Commonwealth.

4 (3) Section 24 of Article III of the Constitution of
5 Pennsylvania requires the General Assembly to adopt all
6 appropriations for the operation of government in this
7 Commonwealth, regardless of their source. The Supreme Court
8 has repeatedly affirmed that "It is fundamental within
9 Pennsylvania's tripartite system that the General Assembly
10 enacts the legislation establishing those programs which the
11 State provides for its citizens and appropriates the funds
12 necessary for their operation."

13 (4) Pursuant to section 13 of Article VIII of the
14 Constitution of Pennsylvania, the General Assembly is
15 explicitly required to adopt a balanced Commonwealth budget.
16 Given the unpredictability and potential insufficiency of
17 revenue collections, various changes in State law relating to
18 sources of revenue, the collection of revenue and the
19 implementation of statutes which impact revenue may be
20 required to discharge this constitutional obligation.

21 (5) Section 11 of Article III of the Constitution of
22 Pennsylvania requires the adoption of a general appropriation
23 act that embraces "nothing but appropriations." While actual
24 items of appropriation can be contained in a General
25 Appropriation Act, the achievement and implementation of a
26 comprehensive budget involves more than subjects of
27 appropriations and dollar amounts. Ultimately, the budget has
28 to be balanced under section 13 of Article VIII of the
29 Constitution of Pennsylvania. This may necessitate changes to
30 sources of funding and enactment of statutes to achieve full

1 compliance with these constitutional provisions.

2 (6) For the reasons set forth in paragraphs (1), (2),
3 (3), (4) and (5), it is the intent of the General Assembly
4 through this act to provide for the implementation of the
5 2022-2023 Commonwealth budget.

6 (7) Every provision of this act relates to the
7 implementation of the operating budget of the Commonwealth
8 for this fiscal year, addressing in various ways the fiscal
9 operations, revenues and potential liabilities of the
10 Commonwealth. To that end, this act is intended to implement
11 the 2022-2023 Commonwealth budget without specifically
12 appropriating public money from the General Fund. This act
13 provides accountability for spending and makes transfers or
14 other changes necessary to impact the availability of revenue
15 in order to meet the requirements of section 13 of Article
16 VIII of the Constitution of Pennsylvania and to implement the
17 act of (P.L. , No.), known as the General
18 Appropriation Act of 2022.

19 The General Assembly of the Commonwealth of Pennsylvania
20 hereby enacts as follows:

21 Section 1. Section 101-C of the act of April 9, 1929
22 (P.L.343, No.176), known as The Fiscal Code, is amended by
23 adding a definition to read:

24 Section 101-C. Definitions.

25 The following words and phrases when used in this article
26 shall have the meanings given to them in this section unless the
27 context clearly indicates otherwise:

28 * * *

29 "American Rescue Plan Act of 2021" or "ARPA." The American
30 Rescue Plan Act of 2021 (Public Law 117-2, 135 Stat. 4).

1 * * *

2 Section 2. Section 111-C(g) of the act is repealed:

3 Section 111-C. Money in account.

4 * * *

5 [(g) Transfer.--

6 (1) Federal money from the Coronavirus State Fiscal
7 Recovery Fund in the account other than amounts appropriated
8 under Part XXX of the act of June 30, 2021 (P.L.1325, and
9 Article I-J, shall be transferred to the General Fund for use
10 under section 602(c)(1) of the Social Security Act (49 Stat.
11 620, 42 U.S.C. § 802(c)(1)) for fiscal years beginning after
12 June 30, 2022.

13 (2) A transfer under paragraph (1) shall be made by the
14 State Treasurer on the following schedule:

15 (i) For the 2022-2023 fiscal year, the transfer
16 shall be made no earlier than July 31, 2022.

17 (ii) For the 2023-2024 fiscal year, the transfer
18 shall be made no earlier than July 31, 2023.

19 (3) The amount of the transfer under paragraph (1) made
20 for a fiscal year may not be higher than the amount which may
21 be used for the fiscal year under 42 U.S.C. § 802(c)(1).

22 (4) Any money which remains in the account after a
23 transfer under paragraph (1) shall be transferred under
24 paragraph (2) in the following fiscal year.]

25 Section 3. Article I-C of the act is amended by adding a
26 subarticle to read:

27 SUBARTICLE B.1

28 EXECUTIVE OFFICES

29 Section 115-C. Transfer to the Unemployment Compensation Trust
30 Fund.

1 (a) Certification of information.--No later than September
2 1, 2022, November 1, 2022, December 15 2022 and February 1,
3 2023, the Secretary of Labor and Industry shall certify to the
4 Secretary of the Budget, the chairperson and minority
5 chairperson of the Appropriations Committee of the Senate and
6 the chairperson and minority chairperson of the Appropriations
7 Committee of the House of Representatives all of the following:

8 (1) The balance of the Unemployment Compensation Trust
9 Fund as of the date of the certification.

10 (2) The estimated revenues to be deposited into the
11 Unemployment Compensation Trust Fund for the remainder of the
12 fiscal year.

13 (3) The estimated expenditures from the Unemployment
14 Compensation Trust Fund for the remainder of the fiscal year.

15 (4) The balance of the loans from the Federal Government
16 as of the date of the certification.

17 (5) Whether the balance of the loans under paragraph (4)
18 will subject the Commonwealth to a FUTA credit reduction if
19 the loans are not repaid by January 1, 2023.

20 (b) Transfer.--Upon receipt of a certification under
21 subsection (a), the Secretary of the Budget shall transfer
22 amounts from the appropriation for COVID Relief - ARPA -
23 Transfer to the Unemployment Compensation Trust Fund to the
24 Unemployment Compensation Trust Fund. Amounts transferred to the
25 Unemployment Compensation Trust Fund under this subsection shall
26 be used as follows:

27 (1) To repay advances prior to November 10, 2022, to
28 avoid a reduction in the tax credit available to employers
29 under 26 U.S.C. § 3302 (relating to credits against tax).

30 (2) To repay the entire outstanding advances prior to

1 January 1, 2023, to avoid a reduction in the tax credit
2 available to employers under 26 U.S.C. § 3302.

3 (3) Excess money remaining after advances are paid in
4 accordance with paragraphs (1) and (2) shall be used to repay
5 outstanding advances prior to April 30, 2023.

6 (4) After April 30, 2023, any remaining money shall be
7 used in the following order of priority:

8 (i) The repayment of outstanding advances.

9 (ii) The payment of benefits under the act of
10 December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1),
11 known as the Unemployment Compensation Law, if the
12 department determines that additional advances will not
13 be necessary for at least one year.

14 Section 116-C. Local Law Enforcement Support Grant Program.

15 (a) Establishment.--The commission shall establish the Local
16 Law Enforcement Support Grant Program for law enforcement
17 agencies.

18 (b) Administration.--The program shall provide a law
19 enforcement agency with the necessary resources to allow the law
20 enforcement agency to implement information technology
21 improvements, purchase or upgrade equipment, cover
22 nontraditional law enforcement personnel costs, support
23 retention and recruitment efforts and provide necessary training
24 and cover related expenses.

25 (c) Applications.--The commission shall prescribe the form
26 and manner in which an application may be submitted to receive a
27 grant award under the program. The commission shall accept
28 applications on an annual basis.

29 (d) Use of grants.--From money appropriated for COVID Relief
30 - ARPA - Local Law Enforcement Support, a law enforcement agency

1 may use a grant award under the program for any of the
2 following:

3 (1) Technology and information technology improvements,
4 including, but not limited to, record management systems,
5 report management systems and national incident-based
6 reporting system updates.

7 (2) Hardware and software equipment, including, but not
8 limited to, body-worn cameras, vehicle cameras and mobile
9 information technology equipment.

10 (3) Nonsworn personnel costs, including, but not limited
11 to, civilian personnel, co-responder models, crisis
12 intervention specialists or civilian community relations
13 specialists.

14 (4) Nonreoccurring personnel costs for sworn officers,
15 including, but not limited to, officer wellness programs,
16 programs that support increased diversity and retention and
17 recruitment programs.

18 (5) Policy development, evidence-based practices and
19 training, including, but not limited to, crisis intervention
20 training, use of force training, implicit bias training,
21 deescalation training and associated costs related to
22 training.

23 (e) Prioritization.--The commission shall prioritize issuing
24 grants under the program for areas of this Commonwealth with
25 high rates of violence or to law enforcement agencies with low
26 clearance rates.

27 (f) Limitations.--The following shall apply to grants issued
28 by the commission under the program:

29 (1) A grant award to a city of the first class shall not
30 exceed \$25,000,000.

1 (2) A grant award to a city of the second class shall
2 not exceed \$20,000,000.

3 (3) A grant award to a municipality with a population of
4 55,000 or greater based on the most recent Federal decennial
5 census, not including a city of the first class or a city of
6 the second class, shall not exceed \$10,000,000.

7 (4) A grant award to a municipality with a population
8 between 18,000 and 55,000 based on the most recent Federal
9 decennial census, not including a city of the first class or
10 a city of the second class, shall not exceed \$5,000,000.

11 (5) A grant award to a municipality with a population
12 less than 18,000 based on the most recent Federal decennial
13 census, not including a city of the first class or a city of
14 the second class, shall not exceed \$1,000,000.

15 (6) A grant award to a transit agency or campus police
16 or university police department shall not exceed \$5,000,000.

17 (7) A grant award to an airport authority police
18 department or a county park police force shall not exceed
19 \$500,000.

20 (g) Supplement not supplant.--Grant money allocated through
21 the program shall be used to supplement and not supplant
22 existing funding. Nothing in this section shall be construed to
23 prohibit a law enforcement agency from making an application to
24 receive a grant award under the program in a subsequent year for
25 the same purpose and amount in the prior year.

26 (h) Diversity.--The commission shall ensure that grant
27 awards made under the program are geographically dispersed
28 throughout this Commonwealth.

29 (i) Performance metrics.--The commission shall include
30 performance metrics to measure the progress of grants awarded

1 under the program.

2 (j) Definitions.--As used in this section, the following
3 words and phrases shall have the meanings given to them in this
4 subsection unless the context clearly indicates otherwise:

5 "Commission." The Pennsylvania Commission on Crime and
6 Delinquency.

7 "Law enforcement agency." Any of the following:

8 (1) A public agency of a political subdivision having
9 general police powers and charged with making arrests in
10 connection with the enforcement of the criminal or traffic
11 laws.

12 (2) A campus police or university police department, as
13 used in section 2416 of the act of April 9, 1929 (P.L.177,
14 No.175), known as The Administrative Code of 1929, certified
15 by the Office of Attorney General as a criminal justice
16 agency under the definition of "criminal justice agency" in
17 18 Pa.C.S. § 9102 (relating to definitions).

18 (3) A railroad or street railway police department
19 formed with officers commissioned under 22 Pa.C.S. Ch. 33
20 (relating to railroad and street railway police) or any prior
21 statute providing for the commissioning.

22 (4) An airport authority police department, including
23 the Harrisburg International Airport Police.

24 (5) A county park police force under section 2511(b) of
25 the act of August 9, 1955 (P.L.323, No.130), known as The
26 County Code.

27 "Most recent Federal decennial census." The population
28 figures for the most recent Federal decennial census as
29 published by the Department of General Services in the most
30 recent Pennsylvania Manual as of the effective date of this

1 section.

2 "Program." The Local Law Enforcement Support Grant Program
3 established under subsection (a).

4 Section 117-C. Gun Violence Investigation and Prosecution Grant
5 Program.

6 (a) Establishment.--The commission shall establish the Gun
7 Violence Investigation and Prosecution Grant Program.

8 (b) Administration.--The program shall make grants to county
9 district attorneys' offices and local law enforcement agencies
10 to investigate and prosecute the following:

11 (1) A violation of 18 Pa.C.S. Ch. 61 (relating to
12 firearms and other dangerous articles).

13 (2) A crime of violence as defined in 42 Pa.C.S. §
14 9714(g) (relating to sentences for second and subsequent
15 offenses) where a firearm or a replica of a firearm, as
16 defined in 42 Pa.C.S. § 9712(e) (relating to sentences for
17 offenses committed with firearms), is used in the commission
18 of the crime.

19 (c) Applications.--The commission shall prescribe the form
20 and manner in which an application may be submitted to receive a
21 grant award under the program. The commission shall accept
22 applications on an annual basis.

23 (d) Use of grant funds.--From money appropriated for COVID
24 Relief - ARPA - Gun Violence Investigation and Prosecution,
25 grant funds may be used for any of the following purposes:

26 (1) To improve and enhance coordination of Federal,
27 State and local law enforcement investigations and
28 prosecutions of violations of 18 Pa.C.S. Ch. 61 and crimes of
29 violence involving firearms.

30 (2) To support personnel costs, including salaries and

1 overtime, relating to investigations and prosecutions of
2 violations of 18 Pa.C.S. Ch. 61 and crimes of violence
3 involving firearms, with priority given to applications
4 focusing on straw purchasers and firearms trafficking.

5 (3) To purchase technology systems, including related
6 hardware and software, to improve investigations and
7 prosecutions or increase clearance rates, including the
8 purchase of gunshot detection technology and other
9 technologies that support firearm violence reduction
10 initiatives.

11 (4) Initiatives that support the tracing of firearms
12 used to commit crimes or delinquent acts and the
13 identification of illegal firearms traffickers.

14 (5) Any other efforts that aid in the investigation,
15 arrest and prosecution of a crime involving firearms.

16 (e) Limitations.--The limitations under section 116-C(f) for
17 the law enforcement grant program shall apply to a grant awarded
18 under this section.

19 (f) Priority in awards.--In awarding grants under this
20 program, the commission shall prioritize applications for areas
21 of this Commonwealth experiencing high rates of gun violence.
22 The commission shall reserve no less than 10% of available grant
23 funds for county district attorneys' offices and law enforcement
24 agencies serving rural communities.

25 (g) Information collection.--To assist the commission in
26 determining the effectiveness of grant outcomes under the
27 program, the Administrative Office of Pennsylvania Courts shall
28 provide the commission with real-time data information on all
29 individuals charged with firearm offenses and their disposition
30 outcomes. The commission shall use the data received under this

1 subsection to provide a real-time analysis on grant recipient
2 outcomes on the commission's publicly accessible Internet
3 website.

4 (h) Definitions.--As used in this section, the following
5 words and phrases shall have the meanings given to them in this
6 subsection unless the context clearly indicates otherwise:

7 "Law enforcement agency." Shall have the same meaning as
8 provided under section 116-C(j).

9 "Program." The Gun Violence Investigation and Prosecution
10 Grant Program established under subsection (a).

11 Section 118-C. Violence Intervention and Prevention.

12 (a) Use of funds.--Money appropriated for COVID Relief -
13 ARPA - Violence Intervention and Prevention shall be used solely
14 to provide grants and technical assistance to community-based
15 organizations, institutions of higher education, municipalities,
16 district attorneys and other entities in accordance with section
17 1306-B(b) of the act of March 10, 1949 (P.L.30, No.14), known as
18 the Public School Code of 1949, and notwithstanding section
19 1306-B(h) (7) of the Public School Code of 1949 for programs
20 eligible under section 1306-B(j) (22) of the Public School Code
21 of 1949.

22 (b) (Reserved).

23 Section 4. The act is amended by adding sections to read:

24 Section 135-C. Whole-Home Repairs Program.

25 (a) Program established.--The department shall establish the
26 Whole-Home Repairs Program. In administering the Whole-Home
27 Repairs Program, the department shall coordinate with existing
28 Federal and State resources relating to home repairs. From money
29 appropriated for COVID Relief - ARPA - Whole Home Repairs
30 Program, the department shall award funds to no more than one

1 applicant per county. The department may develop and publish
2 guidelines to implement the Whole-Home Repairs Program. The
3 department and grantees may receive up to 4% each for
4 administrative costs to implement this subsection from money
5 appropriated for the Whole-Home Repairs Program. Nothing in this
6 subsection shall be construed to prohibit an applicant which
7 receives funds from the program under this section from
8 subgranting the funds to another entity approved by the
9 department to perform any of the purposes specified in
10 subsection (b), (c) or (d). An applicant which subgrants the
11 funds to another entity shall notify the department and the
12 department shall maintain a list of the applicants and
13 subgrantees contact information on its publicly accessible
14 Internet website.

15 (b) Grants.--An applicant who receives funds from the Whole-
16 Home Repairs Program shall make grants available to homeowners
17 whose household income does not exceed 80% of the area median
18 income and shall make loans available to small landlords renting
19 affordable units and recorded against a residential property in
20 a mortgage security. A single grant to a homeowner or a single
21 loan to a small landlord may not exceed \$50,000 per owner-
22 occupied or rental unit and may be used to address habitability
23 concerns, improve energy or water efficiency or to make units
24 accessible for individuals with disabilities.

25 (c) Loan forgiveness.--The following shall apply:

26 (1) A loan to a small landlord under ~~paragraph (2)~~ <--
27 SUBSECTION (B) may be forgiven if all of the following apply: <--

28 (i) The small landlord offered a three-year
29 extension of the lease to a tenant occupying a unit when
30 the funds were accepted by the small landlord.

1 (ii) Annual increases in monthly rent have not
2 exceeded 3% of the base rent or the unit has been
3 occupied by a tenant participating in the Housing Choice
4 Voucher Program for a period of no less than 15 years.

5 (iii) In the prior 15 years, the small landlord has
6 not committed a serious violation with regard to the
7 small landlord's rental property for which the small
8 landlord has taken no substantial steps to correct the
9 violation.

10 (iv) The small landlord has maintained ownership of
11 the unit for a period of no less than 15 years.

12 (2) The applicant shall recapture a loan not forgiven
13 under this paragraph.

14 (d) Use of funds.--An applicant who receives funds from the
15 Whole-Home Repairs Program shall also use the funds to do all of
16 the following:

17 (1) Administer the program under this section, including
18 staff, implementing systems and data management tools
19 designed to maximize enrollment in all existing home repair
20 programs administered by nonprofit organizations,
21 governmental entities and public utilities.

22 (2) Invest in workforce development programs that will
23 connect trainees to jobs through committed employer
24 partnerships related to improving the habitability and
25 performance of homes, including cash stipends for trainees
26 and costs related to the design and implementation of pre-
27 apprenticeship, apprenticeship and publicly funded on-the-job
28 training programs.

29 (e) Definitions.--As used in this section, the following
30 words and phrases shall have the meanings given to them in this

1 subsection unless the context clearly indicates otherwise:

2 "Affordable unit." A unit where the rent is affordable to a
3 tenant at or below 60% of the area median income adjusted for
4 household size, as defined annually by the Pennsylvania Housing
5 Finance Agency's PennHOMES Program countywide limits.

6 "Applicant." A nonprofit or governmental entity that serves
7 one or more county.

8 "Department." The Department of Community and Economic
9 Development.

10 "Habitability concern." Home repairs that are required to
11 ensure that residential units are:

12 (1) fit for human habitation;

13 (2) free from defective conditions of health and safety
14 hazards, including asbestos, mold, pests and lead; or

15 (3) free of conditions preventing the installation of
16 measures to improve energy or water efficiency and lower
17 utility costs.

18 "Small landlord." A person who meets all of the following
19 criteria:

20 (1) The person is a landlord.

21 (2) The person has an ownership stake in no more than
22 five properties and no more than 15 rental units.

23 (3) The person rents the properties or units under
24 paragraph (2) for use as a primary residence for a fee,
25 regardless of the length or form of lease.

26 Section 136-C. Arts and culture recovery grants.

27 (a) Use of funds.--From money appropriated for COVID Relief
28 - ARPA - Cultural and Museum Preservation Grant Program, the sum
29 of \$15,000,000 shall be transferred to the Commonwealth
30 Financing Authority for the purpose of awarding grants to

1 nonprofit arts and culture organizations, local arts and culture
2 districts and arts and culture professionals located in this
3 Commonwealth to ensure the stability and recovery of the
4 Commonwealth's arts and culture sector from the COVID-19
5 pandemic. The authority shall issue guidelines to implement this
6 section, which, at a minimum, shall include the following:

7 (1) Eligibility requirements for grant awards to
8 nonprofit arts and culture organizations, local arts and
9 culture districts, professional artists and other individuals
10 or nonprofit entities which the authority determines meets
11 the intent of this program.

12 (2) Allowable use of grant funds, which shall include
13 reimbursement of revenue lost due to the COVID-19 pandemic,
14 funding for operating costs to maintain essential functions
15 and recruit and retain core staff, costs related to
16 establishing new programs or marketing and any other use
17 which the authority determines meets the intent of this
18 program.

19 (3) Minimum and maximum grant amounts; provided that the
20 maximum grant award shall be \$500,000 per applicant.

21 (b) (Reserved).

22 Section 5. Section 141-C of the act is amended by adding a
23 subsection to read:

24 Section 141-C. Emergency education relief to nonpublic schools.

25 * * *

26 (a.1) Reallocation.--From money appropriated for Emergency
27 Education Relief to Nonpublic Schools in 2020-2021, \$1,400,000
28 shall be reallocated to the amount appropriated for COVID Relief
29 GEER during the 2020-2021 fiscal year. The funding shall only be
30 used in accordance with Federal regulations and this section to

1 support nonpublic schools.

2 * * *

3 Section 6. Section 145-C(a) of the act is amended by adding
4 paragraphs to read:

5 Section 145-C. Emergency education relief to nonpublic schools.

6 (a) Application and reporting.--From money appropriated for
7 COVID Relief - ARPA - Emergency Assistance to Non-Public
8 Schools, the following shall apply:

9 * * *

10 (6) Nonpublic schools that qualify for a grant under
11 paragraph (1) may choose any educational service provider
12 provided through an intermediate unit that is administering
13 the program under this section, in accordance with Federal
14 law and guidance.

15 (7) No later than February 14, 2023, each intermediate
16 unit that is administering the program under this section
17 shall report to each nonpublic school for which it
18 administers a grant award of the amount of money that remains
19 unexpended and shall make a report to the Department of
20 Education of the total amount of money that remains
21 unexpended for all nonpublic schools for which it administers
22 grants.

23 * * *

24 Section 7. Section 146-C of the act, amended or added June
25 30, 2021 (P.L.62, No.24), is amended to read:

26 Section 146-C. Funding for library services.

27 (a) General rule.--From money appropriated for COVID Relief
28 - ARPA - IMLS, the following shall apply:

29 (1) Each library receiving an allocation in fiscal year
30 2020-2021 under section 2324 of the act of March 10, 1949

1 (P.L.30, No.14), known as the Public School Code of 1949,
2 shall receive an equal share of \$890,000.

3 (2) The amount of \$3,810,000 shall be distributed to
4 libraries as follows:

5 (i) Multiply the amount received by the library in
6 fiscal year 2020-2021 under section 2324 of the Public
7 School Code of 1949 by \$3,810,000.

8 (ii) Divide the product from subparagraph (i) by the
9 sum of the amounts received by libraries under section
10 2324 of the Public School Code of 1949.

11 (3) The amount of \$86,000 shall be allocated to the
12 State Library for administration.

13 (4) Any money to be distributed under this section which
14 remains unexpended, uncommitted or unencumbered as of the
15 effective date of this paragraph, may be distributed at the
16 discretion of the State Librarian.

17 (b) (Reserved).

18 Section 8. The act is amended by adding sections to read:

19 Section 151-C. Biotechnology research.

20 (a) Use of funds.--From funds appropriated for COVID Relief
21 - ARPA - Biotechnology Research, the Department of Health shall
22 award grants to support any of the following Statewide
23 priorities:

24 (1) Attract, grow and expand biotechnology,
25 pharmaceutical, life science or health research and
26 development capacity located in this Commonwealth, including
27 partnerships between industry and institutions of higher
28 education.

29 (2) Increase biotechnology, pharmaceutical, life science
30 or health manufacturing capacity located in this

1 Commonwealth.

2 (3) Promote the growth or development of new and
3 innovative technologies from biotechnology, life science,
4 pharmaceutical and health fields.

5 (4) Support the commercialization of research in
6 biotechnology, pharmaceutical, life science or health fields,
7 including research developed or conducted in this
8 Commonwealth.

9 (b) Guidelines.--The Department of Health shall issue
10 guidelines to implement this section.

11 Section 161-C. Use of money.

12 (a) Uses.--The following shall apply:

13 (1) Subject to paragraph (2), from money appropriated
14 for COVID Relief - ARPA - Long-Term Living Programs,
15 \$250,000,000 shall be used for the following purposes:

16 (i) The sum of \$131,157,000 for the purpose of
17 making payments to nonpublic and county nursing
18 facilities, which shall be allocated as follows:

19 (A) Of the amount under this subparagraph,
20 \$104,926,000 shall be distributed as a one-time
21 payment to each nonpublic and county nursing
22 facility, which shall be determined as follows:

23 (I) Divide:

24 (a) the facility's number of medical
25 assistance days for the third quarter of
26 calendar year 2021 as reported under Article
27 VIII-A of the act of June 13, 1967 (P.L.31,
28 No.21), known as the Human Services Code; by

29 (b) the total number of medical
30 assistance days for all facilities for the

1 third quarter of calendar year 2021 as
2 reported under Article VIII-A of the Human
3 Services Code.

4 (II) Multiply:

5 (a) the quotient under subclause (I); by

6 (b) \$104,926,000.

7 (B) Of the amount under this subparagraph,
8 \$26,231,000 shall be distributed as a one-time
9 payment to each nonpublic and county nursing
10 facility, which shall be determined as follows:

11 (I) Divide:

12 (a) the number of the facility's
13 licensed beds as of July 1, 2022; by

14 (b) the total licensed beds of all
15 nonpublic and county nursing facilities as of
16 July 1, 2022.

17 (II) Multiply:

18 (a) the quotient under subclause (I); by

19 (b) \$26,231,000.

20 (ii) The sum of \$74,946,000 for the purpose of
21 making payments for personal assistance services provided
22 by home health care agencies, home care agencies and
23 direct care workers employed through the participant-
24 directed employer model. Each home health care provider,
25 home care provider or direct care worker employed through
26 the participant-directed employer model shall receive a
27 one-time payment, which shall be determined as follows:

28 (A) Of the amount under this subparagraph,
29 \$59,957,000 shall be distributed as a one-time
30 payment to a home health care provider or home care

1 provider, which shall be determined as follows:

2 (I) Divide:

3 (a) the provider's number of medical
4 assistance 15-minute units, excluding
5 overtime, invoiced in the third quarter of
6 calendar year 2021; by

7 (b) the total medical assistance 15-
8 minute units for all home health care
9 providers and home care providers, excluding
10 overtime, invoiced in the third quarter of
11 calendar year 2021.

12 (II) Multiply:

13 (a) the quotient under subclause (I); by

14 (b) \$59,957,000.

15 (B) Of the amount under this subparagraph,
16 \$14,989,000 shall be distributed as a one-time
17 payment to each direct care worker employed through
18 the participant-directed employer model who provides
19 personal assistance services, which shall be
20 determined as follows:

21 (I) Divide:

22 (a) the number of personal assistance
23 15-minute units provided by a direct care
24 worker employed through the participant-
25 directed employer model, excluding overtime,
26 invoiced in the third quarter of calendar
27 year 2021; by

28 (b) all personal assistance 15-minute
29 units provided by all direct care workers
30 employed through the participant-directed

1 employer model, excluding overtime, invoiced
2 in the third quarter of calendar year 2021.

3 (II) Multiply:

4 (a) the quotient under subclause (I); by

5 (b) \$14,989,000.

6 (iii) The sum of \$26,767,000 for the purpose of
7 making payments to assisted living residences and
8 personal care homes, which shall be allocated as follows:

9 (A) Of the amount under this subparagraph,
10 \$24,090,000 shall be distributed as a one-time
11 payment to each assisted living residence and
12 personal care home, which shall be determined as
13 follows:

14 (I) Divide:

15 (a) the occupancy of the assisted living
16 residence or personal care home, as
17 determined by the Department of Human
18 Services' most recent inspection on or before
19 July 1, 2022; by

20 (b) the total occupancy of all assisted
21 living residences, including those with a
22 special care designation, and personal care
23 homes, as determined by the Department of
24 Human Services' most recent inspections on or
25 before July 1, 2022.

26 (II) Multiply:

27 (a) the quotient under subclause (I); by

28 (b) \$24,090,000.

29 (B) Of the amount under this subparagraph,
30 \$2,677,000 shall be distributed as a one-time payment

1 to each personal care home, which shall be determined
2 as follows:

3 (I) Divide:

4 (a) the personal care facility's number
5 of individuals for whom the facility received
6 a payment from the Department of Human
7 Services for Supplemental Security Income in
8 March 2022; by

9 (b) the total of all personal care
10 facilities' individuals for whom payments for
11 Supplemental Security Income were made by the
12 Department of Human Services in March 2022.

13 (II) Multiply:

14 (a) the quotient under subclause (I); by

15 (b) \$2,677,000.

16 (iv) The sum of \$6,959,000 for the purpose of making
17 payments for adult day care services as a one-time
18 payment to each adult day care services provider, which
19 shall be determined as follows:

20 (A) Divide:

21 (I) the adult day care services provider's
22 total medical assistance fee-for-service and
23 Community HealthChoices payments for the third
24 quarter of calendar year 2021; by

25 (II) the sum of all adult day care services
26 providers' medical assistance fee-for-service and
27 Community HealthChoices payments for the third
28 quarter of calendar year 2021.

29 (B) Multiply:

30 (I) the quotient under clause (A); by

1 (II) \$6,959,000.

2 (v) The sum of \$535,000 for the purpose of making
3 payments for residential habilitation services as a one-
4 time payment to each provider, which shall be determined
5 as follows:

6 (A) Divide:

7 (I) the residential habilitation services
8 provider's total medical assistance fee-for-
9 service and Community HealthChoices payments for
10 the third quarter of calendar year 2021; by

11 (II) the total sum of all residential
12 habilitation medical assistance fee-for-service
13 and Community HealthChoices payments for the
14 third quarter of calendar year 2021.

15 (B) Multiply:

16 (I) the quotient under clause (A); by

17 (II) \$535,000.

18 (vi) The following shall apply:

19 (A) The sum of \$4,283,000 for the purpose of
20 making payments for eligible Medicaid ventilator or
21 tracheostomy qualified medical assistance nonpublic
22 and county nursing facilities. A nonpublic or county
23 nursing facility shall qualify for payment if a
24 payment under section 443.1(7)(vii) of the Human
25 Services Code was made for the quarter ending March
26 31, 2022.

27 (B) The amount appropriated under this
28 subparagraph shall be distributed as a one-time
29 payment to each qualified medical assistance
30 nonpublic and county nursing facility, determined as

1 follows:

2 (I) Divide:

3 (a) the facility's payment amount
4 received under section 443.1(7)(vii) of the
5 Human Services Code for quarter ending March
6 31, 2022; by

7 (b) the sum of all payment amounts
8 received under section 443.1(7)(vii) of the
9 Human Services Code for the quarter ending
10 March 31, 2022.

11 (II) Multiply:

12 (a) the quotient under subclause (I); by

13 (b) \$4,283,000.

14 (vii) The following shall apply:

15 (A) The sum of \$5,353,000 shall be used for
16 making payments to organizations that have entered
17 into an agreement with the Department of Human
18 Services to operate a Life Program, as defined under
19 section 602 of the Human Services Code, in a
20 specified county or set of counties, as determined by
21 the department. Each organization shall receive a
22 one-time payment, which shall be determined as
23 follows:

24 (I) Divide:

25 (a) the organization's total amount
26 reimbursed for long-term care - managed care
27 for the third quarter of calendar year 2021;
28 by

29 (b) the total amount reimbursed for
30 long-term care - managed care for the third

1 quarter of calendar year 2021.

2 (II) Multiply:

3 (a) the quotient under subclause (i); by

4 (b) \$5,353,000.

5 (B) (Reserved).

6 (2) The following shall apply to an eligible person or
7 entity receiving a payment under paragraph (1):

8 (i) An eligible person or entity receiving a payment
9 under this section must be in operation as of July 1,
10 2022.

11 (ii) A person or entity receiving a payment shall
12 provide documentation to the Department of Human
13 Services, in a format prescribed by the department, for
14 the purpose of an audit review.

15 (iii) A payment received may not otherwise be
16 reimbursed by a Federal, State or other source of
17 funding.

18 (3) From money appropriated for COVID Relief - ARPA -
19 Low-Income Home Energy Assistance Program, the entire amount
20 shall only be expended if:

21 (i) all other money received from the Federal
22 government for the LIHEAP Program, less any amounts
23 allowed to be carried over to the following fiscal year
24 under Federal law, are expended or committed; and

25 (ii) the Secretary of the Budget notifies the
26 chairperson and minority chairperson of the
27 Appropriations Committee of the Senate, the chairperson
28 and minority chairperson of the Appropriations Committee
29 of the House of Representatives and the State Treasurer
30 that all State and non-American Rescue Plan Act Federal

1 funds have been expended or committed.

2 (b) (Reserved).

3 Section 162-C. Child Care Stabilization Program.

4 (a) Child Care Stabilization Program.--The Child Care
5 Stabilization Program is established within the department for
6 the purpose of making retention and recruitment payments to
7 qualified staff in accordance with this article, which shall be
8 distributed as one-time payments to each child-care provider who
9 applies and qualifies.

10 (b) Use of money.--From money appropriated for COVID Relief
11 - ARPA - Child Care Stabilization to the department, the entire
12 amount shall be used for making payments under the program under
13 this section.

14 (c) Applications.--The department shall develop an
15 application for qualified child-care providers to apply for
16 program funding under this section. At the discretion of the
17 department, but no later than January 1, 2023, the department
18 shall begin accepting applications. The application shall be
19 made available and posted on the department's publicly
20 accessible Internet website. The department shall accept and
21 process applications on a rolling basis until either funding for
22 the program under this section has been exhausted or the Federal
23 deadline for the use of the American Rescue Plan Act of 2021,
24 whichever occurs first.

25 (d) Department decision.--The department shall approve or
26 deny an application received under subsection (c) no later than
27 30 days after receipt of the application.

28 (e) Conditions.--The following apply to payments received
29 under this section:

30 (1) Payment received from the department under this

1 section may not supplant existing staff wages and may not
2 otherwise be reimbursed by Federal or State funding.

3 (2) A qualified staff member may only receive one
4 payment for retention or recruitment under this section.

5 (3) Payment to a qualified staff member under this
6 section may not exceed \$2,500.

7 (4) A qualified child-care provider receiving a payment
8 from the department under this section must be in operation
9 as of June 30, 2022, and must maintain operations until at
10 least December 31, 2022.

11 (5) A qualified child-care provider receiving a payment
12 from the department under this section shall spend the money
13 by the following deadlines:

14 (i) Staff retention payments under this section
15 shall be made within 90 days of receipt of payment.

16 (ii) Staff recruitment payments under this section
17 shall be made within 180 days of receipt of payment.

18 (6) A qualified child-care provider receiving a payment
19 from the department under this section shall submit a report,
20 in a form and manner as prescribed by the department, as
21 follows:

22 (i) A qualified child-care provider receiving a
23 payment from the department under this section shall
24 submit a report to the department by:

25 (A) June 30, 2023, regarding staff retention
26 payments; or

27 (B) September 30, 2023, regarding staff
28 recruitment payments.

29 (ii) (Reserved).

30 (7) The department may recover a payment from a

1 qualified child-care provider that receives payment from the
2 department under this section if the entity does not comply
3 with the provisions of this section or with Federal or State
4 law or guidance. A qualified child-care provider that
5 receives a payment from the department under this section
6 shall provide documents, records and other information
7 related to a payment made under this section in the time,
8 manner and format requested by either the department or by
9 any other Federal or Commonwealth agency that is authorized
10 to audit the payments.

11 (f) Report.--Within 90 days of the reporting deadlines under
12 subsection (e), the department shall issue a report to the
13 chairperson and minority chairperson of the Appropriations
14 Committee of the Senate and the chairperson and minority
15 chairperson of the Appropriations Committee of the House of
16 Representatives regarding the aggregate staff retention and
17 staff recruitment payment information received under subsection
18 (e). The report shall be posted to the department's publicly
19 accessible Internet website. The publicly available report may
20 not include any proprietary recruitment and retention plan
21 information.

22 (g) Definitions.--As used in this section, the following
23 words and phrases shall have the meanings given to them in this
24 subsection unless the context clearly indicates otherwise:

25 "Department." The Department of Human Services of the
26 Commonwealth.

27 "Qualified child-care provider." Either of the following:

28 (1) Child-care provider certified under 55 Pa. Code Chs.
29 3270 (relating to child day care centers), 3280 (relating to
30 group child day care homes) unless those providers are under

1 investigation of fraud, refuse to renew or revocation or 3290
2 (relating to family child care homes) unless those providers
3 are under investigation of fraud, refuse to renew or
4 revocation.

5 (2) A relative provider unless directly engaged in child
6 care supervision activities exempt from certification under
7 55 Pa. Code Chs. 3270, 3280 and 3290.

8 "Qualified staff." An employee of a qualified child-care
9 provider who is involved in direct supervision of children or
10 environmental services. The term shall not include executives,
11 contracted staff, administrators and administrative support
12 staff or owners of child-care provider.

13 Section 163-C. Behavioral Health Commission for Adult Mental
14 Health.

15 (a) Commission.--The Behavioral Health Commission for Adult
16 Mental Health is established in the Department of Human
17 Services.

18 (b) Composition.--The commission shall consist of the
19 following members:

20 (1) The Secretary of Human Services or a designee.

21 (2) The Insurance Commissioner or a designee.

22 (3) The Secretary of Drug and Alcohol Programs or a
23 designee.

24 (4) The Secretary of Health or a designee.

25 (5) A representative of the Pennsylvania Commission on
26 Crime and Delinquency.

27 (6) An individual appointed by the President pro tempore
28 of the Senate.

29 (7) An individual appointed by the Minority Leader of
30 the Senate.

1 (8) An individual appointed by the Speaker of the House
2 of Representatives.

3 (9) An individual appointed by the Minority Leader of
4 the House of Representatives.

5 (10) The following members appointed by the Governor:

6 (i) Two active members of the Mental Health Planning
7 Council.

8 (ii) Two current or former behavioral health
9 consumers or family members with lived experience of
10 navigating diagnosis, treatment and recovery.

11 (iii) An individual from a list of recommendations
12 compiled by the Pennsylvania Association of County
13 Administrators of Mental Health and Developmental
14 Services with experience in county provision of mental
15 health services to the uninsured and underinsured.

16 (iv) Two representatives of behavioral health
17 managed care organizations, one of whom must provide
18 services in a rural county and one of whom must provide
19 services in an urban county.

20 (v) An individual from a list of recommendations
21 compiled by the Hospital and Healthsystem Association of
22 Pennsylvania.

23 (vi) An individual member of local law enforcement
24 who is certified in crisis intervention teams and an
25 active member of a mental health crisis intervention team
26 with experience working in crisis response from a list of
27 recommendations compiled by the Pennsylvania Chiefs of
28 Police Association.

29 (vii) A psychologist who specializes in mental,
30 social and emotional development from a list of

1 recommendations compiled by the Pennsylvania
2 Psychological Association.

3 (viii) A licensed clinical social worker from a list
4 of recommendations compiled by the Pennsylvania Chapter
5 of the National Association of Social Workers.

6 (ix) An individual who is a subject matter expert in
7 evidenced-based trauma-informed treatment modalities and
8 trauma-informed approaches.

9 (x) An individual who specializes in culturally
10 competent behavioral health care.

11 (xi) A recognized subject matter expert in the
12 treatment of co-occurring mental health and substance use
13 disorders from a list of recommendations compiled by the
14 Rehabilitation and Community Providers Association with
15 experience in behavioral health matters.

16 (xii) A recognized subject matter expert in
17 behavioral health from a list of recommendations compiled
18 by the Pennsylvania Association of Community Health
19 Centers.

20 (c) Chairperson.--The chairperson of the commission shall be
21 selected by the Governor from among the members of the
22 commission.

23 (d) Vice chairperson.--A vice chairperson shall be
24 designated by the chairperson of the commission from among the
25 members of the commission to preside at meetings in the absence
26 of the chairperson.

27 (e) (Reserved).

28 (f) Quorum.--A majority of the members of the commission
29 shall constitute a quorum and a quorum shall be required for all
30 actions.

1 (g) Actions.--A vote of the majority of the members of the
2 commission present shall be sufficient for all actions taken by
3 the commission. Members may participate in a meeting by means of
4 conference telephone or other electronic technology by means of
5 which all persons participating in the meeting can hear each
6 other. Participation in a meeting pursuant to this subsection
7 shall constitute presence at the meeting.

8 (h) Meetings.--The following shall apply:

9 (1) The commission shall hold its first meeting no later
10 than 60 days from the effective date of this subsection.

11 (2) The commission shall convene no less than two
12 meetings with county mental health administrations to review
13 the provision of behavioral health care and identify
14 recommendations for improvements in coordination of care. The
15 commission shall hold at least one meeting with
16 representatives from a rural county mental health
17 administration and related entities and at least one meeting
18 with representatives from a mental health administration from
19 either an urban or suburban county and related entities.

20 (3) As used in this subsection, "related entities"
21 includes, but is not limited to, county commissioners,
22 managed care organizations, behavioral health managed care
23 organizations, single county authorities, hospitals, law
24 enforcement, district attorneys, county child welfare
25 agencies and county jails.

26 (i) Cooperation.--The Department of Human Services shall
27 cooperate with the commission to assist the commission in
28 carrying out its duties.

29 (j) Report.--The commission shall issue a report on its
30 recommendations for the allocation of funding for the following:

- 1 (1) Delivery of services by telemedicine.
- 2 (2) Behavioral health rates, network adequacy and mental
3 health payment parity.
- 4 (3) Workforce development and retention.
- 5 (4) Expansion of certified peer support specialist
6 services and peer-run services.
- 7 (5) The development and provision of crisis services.
- 8 (6) The integration of behavioral health and substance
9 use disorder treatment.
- 10 (7) Cultural competencies when providing behavioral
11 health care.
- 12 (8) The impact of social determinants of health on
13 behavioral health.
- 14 (9) The intersection of behavioral health and the
15 criminal justice system.
- 16 (10) Establishing an integrated care model that can
17 deliver timely psychiatric care in a primary care setting.
- 18 (k) Recipients.--The report under subsection (j) shall be
19 made available on the Department of Human Services' publicly
20 accessible Internet website and shall be issued to the
21 following:
- 22 (1) The Governor.
- 23 (2) The Secretary of Human Services.
- 24 (3) The Secretary of the Budget.
- 25 (4) The President pro tempore of the Senate.
- 26 (5) The Majority Leader of the Senate.
- 27 (6) The Minority Leader of the Senate.
- 28 (7) The Speaker of the House of Representatives.
- 29 (8) The Majority Leader of the House of Representatives.
- 30 (9) The Minority Leader of the House of Representatives.

1 (10) The chairperson and minority chairperson of the
2 Appropriations Committee of the Senate.

3 (11) The chairperson and minority chairperson of the
4 Appropriations Committee of the House of Representatives.

5 (12) The chairperson and minority chairperson of the
6 Health and Human Services Committee of the Senate.

7 (13) The chairperson and minority chairperson of the
8 Health Committee of the House of Representatives.

9 (14) The chairperson and minority chairperson of the
10 Human Services Committee of the House of Representatives.

11 (l) Termination.--The Behavioral Health Commission for Adult
12 Mental Health shall terminate upon the issuance of the report
13 under subsection (j).

14 Section 9. Article I-C of the act is amended by adding a
15 subarticle to read:

16 SUBARTICLE I.1

17 DEPARTMENT OF REVENUE

18 Section 185-C. Property tax rent rebate.

19 (a) Use of money.--Amounts appropriated for COVID Relief -
20 ARPA - Property Tax Rent Rebate shall be transferred to the
21 State Lottery Fund and shall be used in accordance with this
22 section.

23 (b) Additional amount.--A claimant under section 704 and
24 Chapter 13 of the act of June 27, 2006 (1st Sp.Sess., P.L.1873,
25 No.1), known as the Taxpayer Relief Act, shall receive an
26 additional amount of property tax rebate or rent rebate in lieu
27 of property taxes. The amount of property tax rebate or rent
28 rebate in lieu of property taxes under this subsection shall be
29 equal to 70% of the claimant's property tax rebate or rent
30 rebate in lieu of property taxes under section 704 and Chapter

1 13 of the Taxpayer Relief Act for calendar year 2021.

2 (c) Manner of payment to claimant.--The amount due to a
3 claimant under subsection (b) shall be paid to the claimant in
4 the same manner as amounts due to a claimant under section 704
5 and Chapter 13 of the Taxpayer Relief Act for calendar year
6 2021.

7 (d) Coordination of payment.--No later than August 31, 2022,
8 the Department of Revenue shall begin making payments due to a
9 claimant under subsection (b) at the same time as amounts due to
10 the claimant under section 704 and Chapter 13 of the Taxpayer
11 Relief Act for calendar year 2021 are made.

12 (e) Application.--No additional application shall be
13 necessary for a claimant to receive the additional amount of
14 property tax rebate or rent rebate in lieu of property taxes
15 under this subsection.

16 Section 10. The act is amended by adding sections to read:
17 Section 192.1-C. State university assistance for fiscal year
18 2022-2023.

19 (a) Program.--Money appropriated for COVID Relief - ARPA -
20 State System of Higher Education to the State System of Higher
21 Education shall be paid to the State universities for the 2022-
22 2023 fiscal year as provided in this section.

23 (b) Determination of payments.--Payments made to each State
24 university for the 2022-2023 fiscal year shall be determined as
25 follows:

26 (1) The Board of Governors of the State System of Higher
27 Education in consultation with the Chancellor of the State
28 System of Higher Education shall make payments in the
29 aggregate amount of \$34,294,978 to the integrated
30 universities.

1 (2) The amount of \$7,371,688 shall be paid to Cheyney
2 University, to be directed by the president of the
3 university, in consultation with the university's council of
4 trustees.

5 (3) An amount determined for each State university, to
6 be directed by the president of the university, in
7 consultation with the university's council of trustees, that
8 does not receive payment under paragraph (1) or (2) as
9 follows:

10 (i) Multiply the average of the 2020 and 2021 fall
11 full-time equivalent enrollment for the State university
12 by \$83,333,334.

13 (ii) Divide the product under subparagraph (i) by
14 the average of the 2020 and 2021 fall full-time
15 equivalent enrollment for all State universities eligible
16 to receive payments under this paragraph.

17 (c) Payment deadline.--Payments made under this section
18 shall be made no later than August 1, 2022.

19 (d) Reports.--The Chancellor of the State System of Higher
20 Education shall issue an interim report by December 31, 2022,
21 and a final report by July 15, 2023, to the chairperson and
22 minority chairperson of the Appropriations Committee of the
23 Senate and the chairperson and minority chairperson of the
24 Appropriations Committee of the House of Representatives and
25 post the reports on the State System of Higher Education's
26 publicly accessible Internet website. The reports shall include
27 the following information:

28 (1) The 2020 and 2021 fall full-time equivalent
29 enrollment for each State university.

30 (2) The 2020 and 2021 fall full-time equivalent

1 enrollment for all State universities.

2 (3) The payment made to each State university under this
3 section.

4 (4) The total payments made to all State universities
5 under this section.

6 (5) A description of the use by the State university of
7 the payment.

8 (e) Definitions.--As used in this section, the following
9 words and phrases shall have the meanings given to them in this
10 subsection unless the context clearly indicates otherwise:

11 "Commonwealth University of Pennsylvania." The institution
12 consisting of Bloomsburg University of Pennsylvania, Lock Haven
13 University of Pennsylvania and Mansfield University
14 Pennsylvania, as consolidated under section 2002-A of the act of
15 March 10, 1949 (P.L.30, No.14), known as the Public School Code
16 of 1949.

17 "Fall Full-Time Equivalent Enrollment." The total credit
18 hours reported for the fall semester divided by 15 for
19 undergraduate students and 12 for graduate students, with clock-
20 hour enrollment converted to credit hours based upon national
21 standards.

22 "Integrated university." The term includes:

23 (1) Commonwealth University of Pennsylvania.

24 (2) Pennsylvania Western University.

25 "Pennsylvania Western University." The institution
26 consisting of California University of Pennsylvania, Clarion
27 University of Pennsylvania and Edinboro University of
28 Pennsylvania, as consolidated under section 2002-A of the Public
29 School Code of 1949.

30 "State university." An institution which is part of the

1 State System of Higher Education under Article XX-A of the
2 Public School Code of 1949.
3 Section 195-C. Development Cost Relief Program.

4 (a) Establishment.--The Development Cost Relief Program is
5 established in the agency to support the production of
6 developments by addressing financial deficiencies attributable
7 to the effects of the COVID-19 pandemic and other economic
8 factors. Money appropriated for COVID Relief - ARPA -
9 Development Cost Relief Program shall be used for the purposes
10 of this section.

11 (b) Eligibility.--A development which meets all of the
12 following criteria shall be eligible for an award under this
13 section:

14 (1) Has applied for, or has received a conditional or
15 full allocation from the agency of, low-income housing tax
16 credits under section 42 of the Internal Revenue Code of 1986
17 (Public Law 99-514, 26 U.S.C. § 42) during the 2019, 2020,
18 2021, 2022 or 2023 application cycles.

19 (2) Has not, as of the effective date of this section,
20 received a certificate of occupancy for each unit within the
21 development.

22 (3) Has experienced cost increases, or a loss in equity
23 investment, as the result of conditions arising from or
24 related to the effects of the COVID-19 pandemic, which in the
25 judgment of the agency necessitates the provision of
26 additional funding to complete the development.

27 (c) Application.--The agency shall make available to an
28 eligible development an application that requires information,
29 as determined necessary by the agency, to verify the need of the
30 development and to determine the extent to which funding should

1 be awarded, while ensuring that the development remains in
2 compliance with the low-income housing tax credit program.

3 (d) Determination.--A determination shall be made in
4 accordance with the following:

5 (1) Upon a determination of eligibility for money
6 allocated under this section, the agency shall provide the
7 development with a letter of commitment indicating the
8 conditional award amount.

9 (2) The agency shall use the same closing process and
10 terms for an award of money from the fund as is used for an
11 award from the Pennsylvania Housing Affordability and
12 Rehabilitation Enhancement Program for a low-income housing
13 tax credit recipient development.

14 (e) Limitation.--Money provided for the program under this
15 section may not be used to supplant other agency-committed
16 resources except if the development risks noncompliance with the
17 low-income housing tax credit program. Projects which have
18 received or have been approved by the agency for construction
19 cost relief funding under section 194-C may receive additional
20 funding under the Development Cost Relief Program.

21 (f) Additional amounts.--In addition to any amounts
22 appropriated for the program under this section, any amounts
23 which have not been awarded by the agency under section 194-C
24 shall be available for award under this section.

25 (g) Definitions.--As used in this section, the following
26 words and phrases shall have the meanings given to them in this
27 subsection unless the context clearly indicates otherwise:

28 "Agency." The Pennsylvania Housing Finance Agency.

29 "Development." An affordable multifamily rental development.
30 Section 196-C. Housing Options Grant Program.

1 (a) Establishment.--The agency shall establish a grant
2 program to be known as the Housing Options Grant Program.

3 (b) Purpose.--The program shall make grants available from
4 amounts appropriated for COVID Relief - ARPA - Affordable
5 Housing Construction for the development of affordable housing
6 units, including, but not limited to, building new units,
7 rehabbing existing properties to make them affordable housing
8 units or preserving existing affordable units.

9 (c) Duties.--The agency shall make grants available to
10 developers or nonprofit organizations consistent with the
11 purposes of this section.

12 (d) Requirements.--A grant shall be made to a developer or a
13 nonprofit organization for a project that meets the requirements
14 for an award under the Federal Low Income Housing Tax Credit. To
15 be eligible for a grant under this section, a developer or
16 nonprofit organization must agree to provide matching funds of
17 at least 25% of the grant amount to be awarded for the
18 development. All grants shall be awarded no later than December
19 31, 2024.

20 (e) Diversity.--The agency shall ensure that the grants are
21 geographically diverse across the Commonwealth.

22 (f) Reporting.--No later than June 30, 2023, and each June
23 30 thereafter, the agency shall report to the Governor and the
24 General Assembly and post on the agency's publicly accessible
25 Internet website:

26 (1) The number of grants awarded to a developer and
27 nonprofit organization.

28 (2) The county in which each grant is awarded.

29 (3) The total number of applications received in the
30 previous fiscal year and the amount of funds request.

1 between trails.

2 (iii) Open space, natural areas, river corridors and
3 access to riverfronts.

4 (iv) Watersheds.

5 (v) Community parks and recreations facilities.

6 (vi) Community conservation and beautification
7 projects.

8 (vii) Heritage areas and other conservation and
9 recreations.

10 (c) Allocation.--

11 (1) From money appropriated for the program, 75% shall
12 be used by the department for projects that meet the
13 requirements of subsection (b) (1).

14 (2) From money appropriated for the program, 25% shall
15 be used by the department to provide grants to eligible
16 entities for projects that meet the requirements of
17 subsection (b) (2).

18 (d) Application.--The department shall make available to an
19 eligible entity an application that requires information as
20 determined necessary by the department to verify the need for
21 the project and to determine the extent to which the awards
22 shall be awarded.

23 (e) Award amounts.--Awards made to eligible entities for
24 projects that meet the requirements of subsection (b) (2) shall
25 not be less than \$50,000, and shall not be more than \$5,000,000.

26 (f) Determination.--Upon a determination of eligibility for
27 an award, the department shall provide the eligible entity with
28 a letter of commitment indicating the conditional amount of the
29 award.

30 (g) Matching funds.--The department may require matching

1 funds for awards for eligible entities for projects awarded
2 under subsection (b) (2).

3 (h) Report.--After the awarding of grants, the department
4 shall provide a report to the chairperson and minority
5 chairperson of the Appropriations Committee of the Senate, the
6 chairperson and minority chairperson of the Appropriations
7 Committee of the House of Representatives, the chairperson and
8 minority chairperson of the Environmental Resources and Energy
9 Committee of the Senate and the chairperson and minority
10 chairperson of the Environmental Resources and Energy Committee
11 of the House of Representatives that includes the following
12 information:

13 (1) The total number of projects receiving awards.

14 (2) A list of eligible entities that received awards.

15 (3) The amount received by an eligible entity for each
16 project.

17 (i) Definitions.--As used in this section, the following
18 words and phrases shall have the meanings given to them in this
19 subsection unless the context clearly indicates otherwise:

20 "Department." The Department of Conservation and Natural
21 Resources of the Commonwealth.

22 "Eligible entity." A county, municipality, council of
23 governments, conservation district or authorized organization.

24 "Program." The State Parks and Outdoor Recreation Program
25 under this section.

26 Section 12. Sections 105-D(b) and 103-E(7) of the act,
27 amended or added June 30, 2021 (P.L.62, No.24), are amended to
28 read:

29 Section 105-D. Reallocation of grants.

30 * * *

1 (b) Time.--If the department determines that excess funds
2 will remain on September 20, 2022, or as of any updated Federal
3 deadline for the use of funds for emergency rental assistance
4 under the Consolidated Appropriations Act, 2021, whichever is
5 later, the department may recoup and reallocate excess funding
6 to other counties that have demonstrated a funding shortfall[.]
7 and the ability to spend additional funds within a timeframe to
8 be determined by the department. Any excess funding shall be
9 reallocated by the department [according to the reallocation
10 methodology under section 103-D(a)(7).] in a manner to ensure
11 that funds are spent by the Federal deadline for the use of
12 funds.

13 * * *

14 Section 103-E. Department.

15 The department shall have the power and duty to:

16 * * *

17 (7) [Recoup and reallocate unobligated grant funds as
18 identified by the county, a county agency or a contracted
19 entity.] If the department determines that excess funds will
20 remain on September 30, 2025, or as of any updated Federal
21 deadline for the use of grant funds for emergency rental
22 assistance under the American Rescue Plan, the department may
23 recoup and reallocate excess funds to other counties that
24 have demonstrated a funding shortfall and the ability to
25 spend additional funds within a timeframe to be determined by
26 the department. Any excess funding shall be recouped and
27 reallocated by the department as needed in a manner to ensure
28 that funds are spent by the Federal deadline for the use of
29 funds.

30 * * *

1 Section 13. The act is amended by adding a section to read:

2 Section 301.5. Commonwealth Payment Security.--(a) To
3 ensure the secure disbursement of public funds under the
4 custodial control of the State Treasurer on behalf of any
5 Commonwealth department, agency, board or commission of the
6 executive branch, the Treasury Department shall select and
7 require the implementation and maintenance of electronic payment
8 security standards, measures and procedures that, in the opinion
9 of the State Treasurer, are consistent with national financial
10 industry standards for the electronic movement of funds and
11 necessary to detect and prevent the fraudulent expenditure of
12 public funds and reduce administrative costs and financial
13 losses associated with invalid or improper fund disbursements.

14 (b) The electronic payment security standards, measures and
15 procedures required under subsection (a) shall be designed to
16 confirm and verify the existence, status, standing, maturity and
17 signatory authority of the banking account, authenticate account
18 ownership and control and accurately identify the identity of
19 intended payment counterparties, prior to the initiation and
20 completion of a payment to the account or against the account.

21 (c) Each Commonwealth department, agency, board or
22 commission of the executive branch for which the Treasury
23 Department makes payment disbursements shall cooperate and
24 assist in the implementation of this section. The departments,
25 agencies, boards and commissions for which the Office of the
26 Budget provides comptroller services shall work with the Office
27 of the Budget to implement this section.

28 (d) The following shall apply:

29 (1) Within ninety days of the effective date of this
30 section, the State Treasurer shall provide the Commonwealth

1 departments, agencies, boards and commissions of the executive
2 branch for which Treasury Department makes payment disbursements
3 with a list of vendors that the Treasury Department has
4 qualified to provide the payment security services under
5 subsection (a).

6 (2) Within eighteen months of the effective date of this
7 section, the Commonwealth departments, agencies, boards or
8 commissions of the executive branch for which the Treasury
9 Department makes payment disbursements shall implement
10 subsection (a) by procuring electronic payment security services
11 in accordance with 62 Pa.C.S. (relating to procurement) from the
12 list of vendors provided by the State Treasurer under paragraph
13 (1).

14 (3) The State Treasurer shall update the list of qualified
15 vendors required by paragraph (1) every two years. The
16 Commonwealth departments, agencies, boards and commissions of
17 the executive branch for which the Treasury Department makes
18 payment disbursements shall procure electronic payment security
19 services from the updated list of qualified vendors upon the
20 expiration of their contracts for the services in accordance
21 with 62 Pa.C.S.

22 Section 14. Section 1601.2-E(e) of the act, amended June 30,
23 2021 (P.L.62, No.24), is amended to read:

24 Section 1601.2-E. Oil and Gas Lease Fund.

25 * * *

26 (e) Annual transfers.--The following apply:

27 (1) (i) Except as provided under subparagraph (ii), for
28 the 2017-2018 fiscal year and each fiscal year
29 thereafter, \$20,000,000 shall be transferred from the
30 fund to the Marcellus Legacy Fund for distribution to the

1 Environmental Stewardship Fund.

2 (ii) No amount shall be transferred from the fund to
3 the Marcellus Legacy Fund for distribution to the
4 Environmental Stewardship Fund for the 2019-2020, 2020-
5 2021 [~~and~~], 2021-2022 and 2022-2023 fiscal year.

6 (2) For the 2017-2018 fiscal year and each fiscal year
7 thereafter, \$15,000,000 shall be transferred from the fund to
8 the Marcellus Legacy Fund for distribution to the Hazardous
9 Sites Cleanup Fund.

10 Section 15. Section 1606-M of the act is amended to read:

11 Section 1606-M. Transportation network company extension.

12 Notwithstanding 53 Pa.C.S. § 57A22(1) (relating to
13 assessment), the provisions of 53 Pa.C.S. § 57A22 shall not
14 expire until December 31, [~~2022~~] 2027.

15 Section 16. The act is amended by adding articles to read:

16 Article XVI-R

17 Agriculture Conservation Assistance Program

18 Section 1601-R. Definitions.

19 The following words and phrases when used in this article
20 shall have the meanings given to them in this section unless the
21 context clearly indicates otherwise:

22 "Agricultural erosion and sediment control plan." A site-
23 specific plan identifying BMPs to minimize accelerated erosion
24 and sedimentation from agricultural runoff required by 25 Pa.
25 Code Ch. 102 (relating to erosion and sediment control).

26 "Agricultural operation." The management and use of farming
27 resources for production of crops, livestock or poultry.

28 "Agriculturally impaired stream miles." Stream miles that
29 are designated impaired due to the identified source being
30 agriculture as defined by the most recent Pennsylvania

1 Integrated Water Quality Monitoring and Assessment Report by the
2 Department of Environmental Protection.

3 "Animal concentration areas." The following:

4 (1) Barnyards, feedlots, loafing areas, exercise lots or
5 other similar animal confinement areas that will not maintain
6 a growing crop or where deposited manure nitrogen is in
7 excess of crop needs.

8 (2) The term does not include:

9 (i) Areas managed as pastures or other cropland.

10 (ii) Pasture access ways, if they do not cause
11 direct flow of nutrients to surface water or groundwater.

12 "Best management practice" or "BMP." A practice or
13 combination of practices determined by the commission or United
14 States Department of Agriculture Natural Resources Conservation
15 Service to be effective and practical, considering
16 technological, economic and institutional factors, to manage
17 nutrients and sediment to protect surface water and groundwater.

18 "Commission." The State Conservation Commission.

19 "Conservation district." A county conservation district
20 established under the act of May 15, 1945 (P.L.547, No.217),
21 known as the Conservation District Law.

22 "Conservation plan." A United States Department of
23 Agriculture Natural Resources Conservation Service Plan,
24 including a schedule for implementation, that identifies site
25 specific conservation best management practices on an
26 agricultural operation.

27 "Cropland acres." The acres of land used to produce adapted
28 crops for harvest, which includes both cultivated and
29 noncultivated crops and areas managed for forage production that
30 are harvested by livestock, or a combination of livestock and

1 mechanical harvesting.

2 "Eligible applicant." Any person or other legal entity that
3 has legal or financial responsibility for one of the following:

4 (1) an the agricultural operation in which they are
5 engaged; or

6 (2) property on which an agricultural operation takes
7 place.

8 "Erosion." The natural process by which the surface of the
9 land is worn away by water, wind or chemical action.

10 "Livestock." Animals raised, stabled, fed or maintained on
11 an agricultural operation with the purpose of generating income
12 or providing work, recreation or transportation. The term does
13 not include aquatic species.

14 "Manure management plan." A plan developed and implemented
15 in accordance with 25 Pa. Code Ch. 91 (relating to general
16 provisions).

17 "Nutrient." A substance or recognized plant nutrient,
18 element or compound which is used or sold for its plant
19 nutritive content or its claimed nutritive value. The term
20 includes, but is not limited to, livestock and poultry manures,
21 compost as fertilizer, commercially manufactured chemical
22 fertilizers, biosolids or combinations thereof.

23 "Nutrient management plan." A written site-specific plan
24 which incorporates BMPs to manage the use of plant nutrients for
25 crop production and water quality protection consistent with the
26 criteria established in 3 Pa.C.S. §§ 504 (relating to powers and
27 duties of commission) and 506 (relating to nutrient management
28 plans).

29 "Poultry." Birds raised, fed or maintained on an
30 agricultural operation with the purpose of generating income.

1 "Program." The Agriculture Conservation Assistance Program
2 established under this article.

3 "Sediment." Soils or other erodible materials transported by
4 storm water as a product of erosion.

5 "Surface waters." Perennial and intermittent streams,
6 rivers, lakes, reservoirs, ponds, wetlands, springs, natural
7 seeps and estuaries. The term does not include water at
8 facilities approved for wastewater treatment, such as wastewater
9 treatment impoundments, cooling water ponds and constructed
10 wetlands used as part of a wastewater treatment process.

11 "Technical assistance." Advice, technical expertise,
12 information, training and tools provided to a landowner,
13 commission, conservation district or others regarding program
14 implementation, including, but not limited to, the proper
15 planning, design and installation of best management practices.

16 "Watershed implementation plan." A plan created to achieve
17 water quality improvement goals within a watershed of this
18 Commonwealth, including, but not limited to, Chesapeake Bay
19 Watershed implementation plans, county action plans or other
20 watershed-based restoration and implementation plans.

21 Section 1602-R. Establishment.

22 The Agriculture Conservation Assistance Program is
23 established in the commission.

24 Section 1603-R. Sources of funding.

25 Funding for the program may be provided through any of the
26 following:

27 (1) Money appropriated for purposes of the program.

28 (2) Amounts made available from the Clean Streams Fund
29 under section 1712-A.2(c) (1).

30 (3) Federal money appropriated or authorized for

1 purposes of the program.

2 (4) Money received from another governmental agency
3 through an interagency agreement or memorandum of
4 understanding.

5 (5) A gift or other contribution from a public or
6 private source.

7 (6) Return on money dedicated for the program, including
8 interest on loans, investment interest or refunds.

9 Section 1604-R. Powers, duties and administration.

10 (a) Administration.--The commission may dedicate up to 4% of
11 the funds allocated under section 1603-R for expenses incurred
12 in administration of the program. Up to 4% of the funds provided
13 under section 1603-R may be committed by the commission to
14 compensate the entities performing the administrative tasks and
15 activities under subsection (c).

16 (b) Powers and duties of commission.--The commission shall:

17 (1) Adopt guidelines and criteria for:

18 (i) Administration and oversight of the program.

19 (ii) Best management practices to be implemented and
20 receive funding under the program.

21 (2) Provide a system of program evaluation and quality
22 control.

23 (3) Develop a training, education and technical
24 assistance program for technicians, engineers and other
25 individuals performing work under the program.

26 (4) Designate or adopt a system for collecting and
27 reporting of collected data on funded practices to
28 governmental agencies, in a manner consistent with criteria
29 established under Federal and State laws.

30 (c) Delegation of powers and duties.--In performance of its

1 powers and duties, the commission may delegate to conservation
2 districts, The Pennsylvania State University, or other entity
3 determined appropriate by the commission, certain duties and
4 responsibilities necessary to carry out the program.

5 (d) Apportionment criteria.--The commission shall apportion
6 the funds under section 1603-R to participating conservation
7 districts based on written apportionment criteria developed by
8 the commission to establish priorities based on preventing
9 nutrient and sediment pollution. The following shall apply:

- 10 (1) The apportionment criteria shall consider:
11 (i) Agriculturally impaired stream miles.
12 (ii) The number of cropland acres.
13 (iii) The number of farms.
14 (iv) The number of livestock and poultry.
15 (v) Other criteria as established by the commission.

16 (2) Any apportioned funds that are not used in any
17 fiscal year may roll over for the following fiscal year. Any
18 unused apportioned funds after two years shall be
19 reapportioned to participating conservation districts in the
20 following year, consistent with the apportionment criteria
21 prescribed under paragraph (1).

22 (e) Powers and duties of participating conservation
23 districts.--The following shall apply:

24 (1) Each conservation district participating in the
25 program shall manage and administer funds apportioned by the
26 commission in a manner consistent with this article and the
27 guidelines established by the commission. Each participating
28 conservation district shall enter into an agreement with the
29 commission to establish the administrative responsibilities
30 and activities to be performed by the conservation district.

1 (2) Funds apportioned to a participating conservation
2 district shall be used for:

3 (i) Approving and providing financial assistance to
4 an eligible applicant to install and implement BMPs,
5 consistent with the criteria for approval of projects
6 provided under subsection (h).

7 (ii) Costs for technical training and education and
8 technical assistance in administration of projects
9 approved by the conservation district, including
10 technical assistance provided by the Pennsylvania Fish
11 and Boat Commission and third parties in accordance with
12 the provisions of subsection (b) (3).

13 (iii) Establishment of procedures for submission and
14 approval of applications for financial assistance for
15 BMPs that minimize, to the extent feasible, procedural
16 tasks and obligations for applicants.

17 (iv) Adoption of written criteria for ranking of
18 applications for financial assistance and determination
19 of proposed projects to be given priority.

20 (v) Entering into written agreements with recipients
21 of approved funding.

22 (vi) Administration and procedures to ensure
23 recipients of financial assistance timely complete
24 projects in a manner that meets established design and
25 construction standards.

26 (vii) Adoption of procedures to ensure that
27 recipients of the approved funding will fully comply with
28 requirements for future maintenance activities
29 established under the terms of agreement.

30 (viii) Development of procedures to ensure proper

1 performance of agreements executed under the program.

2 (ix) Other duties and responsibilities necessary to
3 carry out the purposes of this chapter.

4 (3) A participating district may dedicate up to 6% of
5 the annual amount apportioned by the commission under
6 subsection (d) for expenses incurred in administration of the
7 program. For purposes of this paragraph, expenses for
8 technical assistance under subsection (e) (2) (ii) shall not be
9 considered as expenses incurred in administration of the
10 program.

11 (f) Advisory committee.--Within a conservation district, a
12 committee may be appointed by the conservation district board to
13 advise the program and identify local priorities and
14 opportunities to complement other programs. The committee shall
15 include, at a minimum, one staff member of the conservation
16 district and one local representative of the United States
17 Department of Agriculture Natural Resources Conservation Service
18 and may include up to three other local representatives who are
19 knowledgeable of agricultural operations and conservation.

20 (g) Applications and certifications.--The following shall
21 apply:

22 (1) In a county with a delegated conservation district,
23 an eligible applicant may apply to the delegated conservation
24 district for an eligible project under the program. In a
25 county without a participating delegated conservation
26 district, an eligible applicant may apply directly to the
27 commission for an eligible project under the program. The
28 conservation district and commission shall prescribe the
29 respective form and manner of the application. The
30 application, at a minimum, shall include:

1 (i) The location of the project.

2 (ii) The description of the project, including the
3 planned BMPs.

4 (iii) If applicable, the amount and sources of
5 funding available for the project.

6 (iv) The total cost of the project.

7 (v) Any other information as required by the
8 conservation district or commission, as applicable.

9 (vi) Relevance of the project to the development,
10 improvement or implementation of the applicant's manure
11 or nutrient management plan, conservation plan or
12 agricultural erosion and sediment control plan.

13 (2) The conservation district or commission, as
14 applicable, shall review complete applications based upon the
15 criteria established under subsection (h) on an ongoing basis
16 and in the order received. Within 90 days of receipt of a
17 complete application, unless extenuating circumstances
18 prevent the conservation district or commission from doing
19 so, the conservation district or commission, as applicable,
20 shall notify the applicant of:

21 (i) Whether the project is approved for funding
22 under the program.

23 (ii) The total amount of funds approved for the
24 project.

25 (iii) The amount of each type of funding approved
26 for the project.

27 (3) Upon completion of a project funded under this
28 program, the eligible applicant who received the approval for
29 the project shall notify the conservation district or
30 commission, as applicable, of the completion of the project

1 and shall submit all documents to certify the completion.

2 (4) Projects funded under this program may be subject to
3 inspection by the commission, conservation district or their
4 designated agent.

5 (5) The funds shall be distributed upon certification
6 and verification that the funded project has been completed
7 and design and construction standards have been met.

8 (h) Criteria for evaluation of applications.--In approving
9 applications for eligible projects under the program, the
10 applicable delegated conservation district or commission shall
11 give priority to complete applications based upon the following
12 criteria:

13 (1) The project meets the goals of any applicable
14 watershed implementation plan or county action plan.

15 (2) If applicable to the agricultural operation, the
16 applicant has a conservation plan or agricultural erosion and
17 sediment control plan and a manure management plan or
18 nutrient management plan. Development of such plans shall be
19 included in the application if not yet developed prior to the
20 application.

21 (3) The project implements best management practices
22 included in a conservation plan, agricultural erosion and
23 sediment control plan, manure management plan or nutrient
24 management plan. For purposes of this paragraph, the
25 conservation district or commission shall give priority to
26 projects that implement best management practices for control
27 of nitrogen or phosphorus or sediment.

28 (4) An agricultural operation with an animal
29 concentration area shall have implemented best management
30 practices necessary to abate storm water runoff, loss of

1 sediment, loss of nutrients and runoff of other pollutants
2 from the animal concentration area, or the implementation of
3 such best management practices shall be included in an
4 application for funds.

5 (5) Proximity to surface waters, public drinking water
6 sources or karst geology with underground drainage systems or
7 open sinkholes.

8 (6) The project meets the design and construction
9 standards established by the commission. If standards do not
10 exist for a best management practice approved by the
11 commission, the commission may establish or approve design,
12 construction and certification standards for such a best
13 management practice.

14 (7) Any other criteria considered by the conservation
15 district, as applicable, and approved by the commission.

16 (i) Liability for failure of performance.--An eligible
17 applicant receiving funds under an approved project who fails to
18 adequately perform any term of the agreement executed for the
19 project shall be liable for repayment of money provided to the
20 eligible applicant related to adequate performance of the
21 agreement term. The commission or its designated agent may take
22 action to enforce the terms of the agreement with the eligible
23 applicant under agreement with the commission or its designated
24 agent in law or equity to compel adequate performance of a
25 project agreement or recoup funds provided under an approved
26 project for which the recipient is liable for repayment under
27 this article. Any funds repaid to the commission as a result of
28 failure of performance of a project agreement may be provided to
29 the conservation district that was party to that project
30 agreement for use in other project agreements.

1 (j) Reports.--The commission shall perform a periodic
2 program assessment, develop an annual report and provide the
3 report to:

4 (1) The chairperson and minority chairperson of the
5 Agriculture and Rural Affairs Committee of the Senate.

6 (2) The chairperson and minority chairperson of the
7 Agriculture and Rural Affairs Committee of the House of
8 Representatives.

9 (3) The chairperson and minority chairperson of the
10 Environmental Resources and Energy Committee of the Senate.

11 (4) The chairperson and minority chairperson of the
12 Environmental Resources and Energy Committee of the House of
13 Representatives.

14 ARTICLE XVI-S

15 CLEAN WATER PROCUREMENT PROGRAM

16 Section 1601-S. Scope of article.

17 This article relates to the Clean Water Procurement Program.

18 Section 1602-S. Definitions.

19 The following words and phrases when used in this article
20 shall have the meanings given to them in this section unless the
21 context clearly indicates otherwise:

22 "Aggregator." A person or entity that facilitates or
23 coordinates a best management practice implemented by other
24 persons for nutrient or sediment reduction. The term includes an
25 agricultural or conservation business, educational institution
26 or nonprofit agricultural or conservation organization that:

27 (1) acts on behalf of farmers through a production
28 contract or cooperative membership; or

29 (2) administers a publicly or privately supported
30 program for implementation of a best management practice to

1 reduce nutrient or sediment pollution on a farm.

2 "Authority." The Pennsylvania Infrastructure Investment
3 Authority.

4 "Best management practice." A practice or combination of
5 practices determined by the commission or by the Natural
6 Resources Conservation Service of the United States Department
7 of Agriculture to be effective and practical, considering
8 technological, economic and institutional factors, to manage
9 nutrient and sediment to protect surface water and groundwater.

10 "Chesapeake Bay TMDL." The most current Chesapeake Bay TMDL
11 for nitrogen, phosphorus and sediment as established by the
12 Environmental Protection Agency.

13 "Commission." The State Conservation Commission.

14 "Department." The Department of Environmental Protection of
15 the Commonwealth.

16 "Locally impaired watershed." The land area not larger than
17 a watershed corresponding to a 12-digit Hydrologic Unit Code as
18 designated by the United States Geological Survey, that includes
19 a body of water on the Commonwealth's list of impaired waters
20 under section 303(d) of the Federal Water Pollution Control Act
21 (62 Stat. 1155, 33 U.S.C. § 1251 et seq.).

22 "Nutrient." Nitrogen or phosphorus.

23 "Nutrient or sediment reduction." A reduction in a nitrogen,
24 phosphorus or sediment pollution load discharged to surface
25 water or groundwater that can be directly quantified or modeled
26 using any model approved or accepted by the department or the
27 Environmental Protection Agency for the purpose of determining
28 the amount of nutrient or sediment pollution reduction, in
29 pounds per year, achieved by implementing a best management
30 practice.

1 "Program." The Clean Water Procurement Program established
2 under section 1603-S.

3 "Qualified bidder." A person or aggregator with a
4 verification plan approved by the department that meets the
5 following criteria:

6 (1) The person or aggregator is not listed on the
7 Debarment and Suspension List maintained by the Department of
8 General Services.

9 (2) The person or aggregator is not in default of a loan
10 or funding agreement administered by the authority or any
11 other Commonwealth agency.

12 (3) The person or aggregator does not have a history of
13 notice of violation of the act of June 22, 1937 (P.L.1987,
14 No.394), known as The Clean Streams Law or regulations of the
15 department.

16 "Sediment." Soils or other erodible materials transported by
17 storm water as a product of erosion.

18 "Small farm." An agricultural operation, except for a CAFO
19 as defined in 25 Pa. Code § 92a.2 (relating to definitions).

20 "TMDL." Total maximum daily load.

21 "Verification plan." A written plan that details the method
22 that a qualified bidder will use to verify performance of a best
23 management practice for nutrient or sediment reduction in
24 accordance with a protocol approved or accepted by the
25 department.

26 "Verified nutrient or sediment reduction." Nutrient or
27 sediment reduction measured in pounds created by a best
28 management practice pursuant to a verification plan and approved
29 by the department.

30 Section 1603-S. Establishment.

1 The Clean Water Procurement Program is established and shall
2 provide for the purchase of a verified nutrient or sediment
3 reduction through a competitive bidding process consistent with
4 62 Pa.C.S. Pt. I (relating to Commonwealth Procurement Code).
5 Section 1604-S. Sources of funding.

6 Funding for the program may be provided through any of the
7 following:

8 (1) Money appropriated for the purposes of the program.

9 (2) Amounts made available from the Cleans Streams Fund
10 under section 1712-A.2(c)(2).

11 (3) Federal money appropriated to or authorized for the
12 purposes of the program.

13 (4) Money received from another governmental agency
14 through an interagency agreement or memorandum of
15 understanding.

16 (5) A gift or other contribution from a public or
17 private source.

18 (6) Return on money dedicated to the program, including,
19 but not limited to, interest on loans, investment interest or
20 refunds.

21 Section 1605-S. Administrative expenses.

22 No more than 4% of the money appropriated for the program may
23 be used by the department to implement the program.

24 Section 1606-S. Duties of authority.

25 The authority shall have all of the following duties:

26 (1) Issue a request for proposals or initiate a
27 competitive bidding process under 62 Pa.C.S. Pt. I (relating
28 to Commonwealth Procurement Code) for the supply of a
29 verified nutrient or sediment reduction toward the
30 achievement of the Chesapeake Bay TMDL. The authority shall

1 require that a response to the request for proposals or
2 competitive bidding process shall include:

3 (i) The legal name, address and contact information,
4 including, where available, a telephone number and email
5 address of the person submitting the proposal.

6 (ii) A description of the project or practices to be
7 used or implemented to achieve the proposed nutrient or
8 sediment reduction, including an estimate of the amount
9 of reduction in pounds per year for each year of the
10 contract and the basis for estimates.

11 (iii) The location where the projects or practices
12 will be used or implemented.

13 (iv) The expected life of each reduction that will
14 be achieved as a result of the proposed projects or
15 practices.

16 (v) A description of the ownership, or written
17 agreement with the owner, of each parcel of land or
18 facility that will be used in implementing the projects
19 or practices.

20 (vi) A description of the measures to be used to
21 quantify, by measurement or modeling, the amounts of the
22 reductions of nutrients or sediment resulting from the
23 proposed projects or practices, and a verification plan
24 to verify the reductions, at such times or intervals as
25 the authority or the department shall specify.

26 (vii) A suggested payment schedule.

27 (viii) A statement of the qualified bidder's
28 qualification, experience and resources.

29 (ix) A statement of the qualified bidder's proposed
30 surety and other financial assurances.

1 (2) Evaluate, in consultation with the department and
2 the commission, the responses to the request for proposals or
3 competitive bidding process under paragraph (1).

4 (3) Execute a contract with a qualified bidder. A
5 contract under this paragraph:

6 (i) May not be for a term of more than 10 years.

7 (ii) Shall require periodic submissions from a
8 qualified bidder in accordance with a verification plan
9 approved by the department.

10 (iii) Shall require that payment be conditioned on
11 the achievement of specific outcomes based on defined
12 performance targets in accordance with a verification
13 plan approved by the department.

14 (iv) Shall specify measures that the authority will
15 take in the event of a failure by the qualified bidder to
16 meet or satisfy any performance obligation, or otherwise
17 fail to comply with any term or condition of the
18 contract, including the withholding of payments or
19 portions of payments that would otherwise be made, the
20 use of payment adjustments and time schedules, including
21 the extension of any target date, if performance targets
22 or schedules are not met, cancellation of the contract in
23 the event of a substantial failure of performance that
24 cannot be readily corrected or mitigated, and other
25 measures as may be appropriate.

26 (4) After the department has verified a nutrient or
27 sediment reduction, purchase a verified nutrient or sediment
28 reduction in accordance with the terms of a contract under
29 paragraph (3).

30 Section 1607-S. Publicly funded reductions.

1 A verified nutrient or sediment reduction funded entirely by
2 public funding shall not be eligible to be purchased under the
3 program. If a percentage of a verified nutrient or sediment
4 reduction is funded by public funding, the percentage of the
5 remaining verified nutrient or sediment reduction that is
6 eligible to be purchased shall be commensurate with the
7 percentage of the verified nutrient or sediment reduction that
8 is not provided by public funding.

9 Section 1608-S. Criteria.

10 The criteria for the evaluation of responses to the request
11 for proposals or competitive bidding process under section 1606-
12 S(1) and the weighted percentage to be applied to each factor in
13 the evaluation of the responses shall be determined by the
14 authority in consultation with the department and commission and
15 be published as part of the request for proposals or competitive
16 bidding process under section 1606-S(1). The criteria to be
17 considered must include all of the following:

18 (1) A verified nutrient or sediment reduction in a
19 locally impaired watershed.

20 (2) A verified nutrient or sediment reduction in a
21 county designated by the department as a Tier 1 Chesapeake
22 Bay county.

23 (3) The dollar cost per pound of nutrient or sediment
24 removed.

25 (4) The extent to which the project includes small
26 farms.

27 (5) The quantity of nutrient or sediment loads
28 anticipated to be reduced.

29 (6) The extent to which the project would provide
30 additional community and environmental benefits, including

1 mitigation of flooding, human exposure to toxic substances
2 and climate change.

3 (7) Any additional criteria determined relevant and
4 necessary by the authority, department and commission.

5 Section 1609-S. Annual report.

6 The authority shall publish and make available to the public
7 an annual report on the program detailing all of following for
8 the prior year:

9 (1) The total cost of the program.

10 (2) The best management practices implemented which
11 resulted in nutrient or sediment reductions.

12 (3) The verified nutrient or sediment reductions
13 achieved toward the satisfaction of the Chesapeake Bay TMDL.

14 (4) The total cost for each verified nutrient or
15 sediment reduction.

16 (5) The participation of small farms in the program.

17 Section 1610-S. Duties of department.

18 The department shall:

19 (1) Advise the authority as the authority establishes
20 criteria under section 1608-S.

21 (2) Review and approve a verification plan submitted
22 with a response to a request for proposals or competitive
23 bidding process under section 1606-S(1) and advise the
24 authority regarding the acceptability of a verification plan,
25 including what changes, if any, must be made in order for it
26 to be acceptable. To be approved, a verification plan must
27 describe the procedures that can be easily used by the
28 bidder, the department or a technically qualified inspection
29 contractor engaged by the department, to inspect any projects
30 or practices utilized by a bidder and determine the amount of

1 any reduction of nutrients or sediment being achieved under
2 the terms of the contract.

3 (3) Evaluate the responses to the request for proposals
4 or competitive bidding process based on the criteria under
5 section 1608-S and advise the authority regarding the
6 acceptability of the responses.

7 (4) In accordance with a contract under section 1606-
8 S(3), ensure, through inspections, compliance audits or other
9 means, that a qualified bidder is in compliance with an
10 approved verification plan. The department may enter into an
11 agreement with a third party to perform the duty under this
12 paragraph.

13 Section 1611-S. Duties of commission.

14 The commission shall:

15 (1) Advise the authority as it establishes criteria
16 under section 1608-S.

17 (2) Review a response to a request for proposals or
18 competitive bidding process under section 1606-S(1) and
19 advise the authority accordingly.

20 Section 1612-S. Regulations.

21 The department may promulgate regulations necessary to
22 administer the provisions of this article. A lack of regulations
23 promulgated under this section shall not preclude the
24 department, the commission or the authority from administering
25 and implementing the provisions of this article.

26 Section 1613-S. Expiration.

27 This article shall expire 10 years after the effective date
28 of this section.

29 ARTICLE XVI-T

30 HUMAN SERVICES

<--

1 SECTION 1601-T. ELIGIBILITY FOR PUBLIC ASSISTANCE.

2 NOTWITHSTANDING ANY PROVISION OF LAW, BEGINNING IN STATE
3 FISCAL YEAR 2022-2023, THE MONTHLY STATE SUPPLEMENTAL ASSISTANCE
4 AMOUNTS FOR RESIDENTS OF A DOMICILIARY CARE HOME, AS DEFINED IN
5 SECTION 2202-A OF THE ACT OF APRIL 9, 1929 (P.L.177, NO.175),
6 KNOWN AS THE ADMINISTRATIVE CODE OF 1929, OR A PERSONAL CARE
7 HOME AS DEFINED IN SECTION 1001 OF THE ACT OF JUNE 13, 1967
8 (P.L.31, NO.21), KNOWN AS THE HUMAN SERVICES CODE, SHALL BE AS
9 FOLLOWS:

	<u>INDIVIDUAL</u>	<u>COUPLE</u>	
10			
11	<u>DOMICILIARY CARE HOME</u>	<u>\$634.30</u>	<u>\$1,347.40</u>
12	<u>PERSONAL CARE HOME</u>	<u>\$639.30</u>	<u>\$1,357.40</u>

13 SECTION 1602-T. MEDICAL ASSISTANCE PAYMENTS FOR INSTITUTIONAL
14 CARE.

15 NOTWITHSTANDING SECTION 443.1(7)(IV) OF THE ACT OF JUNE 13,
16 1967 (P.L.31, NO.21), KNOWN AS THE HUMAN SERVICES CODE:

17 (1) PAYMENTS TO COUNTY AND NONPUBLIC NURSING FACILITIES
18 ENROLLED IN THE MEDICAL ASSISTANCE PROGRAM AS PROVIDERS OF
19 NURSING FACILITY SERVICES SHALL BE DETERMINED IN ACCORDANCE
20 WITH THE METHODOLOGIES FOR ESTABLISHING PAYMENT RATES FOR
21 COUNTY AND NONPUBLIC NURSING FACILITIES SPECIFIED IN THE
22 DEPARTMENT OF HUMAN SERVICES'S REGULATIONS AND THE
23 COMMONWEALTH'S APPROVED TITLE XIX STATE PLAN FOR NURSING
24 FACILITY SERVICES IN EFFECT AFTER JUNE 30, 2007. THE
25 FOLLOWING SHALL APPLY:

26 (I) SUBJECT TO FEDERAL APPROVAL OF SUCH AMENDMENTS
27 AS MAY BE NECESSARY TO THE COMMONWEALTH'S APPROVED TITLE
28 XIX STATE PLAN, THE DEPARTMENT OF HUMAN SERVICES SHALL
29 APPLY A REVENUE ADJUSTMENT NEUTRALITY FACTOR TO COUNTY
30 AND NONPUBLIC NURSING FACILITY PAYMENT RATES SO THAT THE

1 ESTIMATED STATEWIDE DAY-WEIGHTED AVERAGE PAYMENT RATE IN
2 EFFECT FOR THAT FISCAL YEAR IS LIMITED TO THE AMOUNT
3 PERMITTED BY THE FUNDS APPROPRIATED BY THE GENERAL
4 APPROPRIATION ACT FOR THE FISCAL YEAR. THE REVENUE
5 ADJUSTMENT NEUTRALITY FACTOR SHALL REMAIN IN EFFECT UNTIL
6 THE SOONER OF JUNE 30, 2026, OR THE DATE ON WHICH A NEW
7 RATE-SETTING METHODOLOGY FOR MEDICAL ASSISTANCE NURSING
8 FACILITY SERVICES WHICH REPLACES THE RATE-SETTING
9 METHODOLOGY CODIFIED IN 55 PA. CODE CHS. 1187 (RELATING
10 TO NURSING FACILITY SERVICES) AND 1189 (RELATING TO
11 COUNTY NURSING FACILITY SERVICES) TAKES EFFECT.

12 (II) SUBJECT TO FEDERAL APPROVAL AS MAY BE
13 NECESSARY, THE FOLLOWING SHALL APPLY TO NONPUBLIC AND
14 COUNTY NURSING FACILITY PAYMENT RATES, TO THE EXTENT
15 FUNDS ARE APPROPRIATED FOR THE PURPOSE OF RATE INCREASES
16 FOR INCREASED DIRECT RESIDENT CARE REQUIREMENTS AND
17 RESIDENT CARE AND RELATED COSTS:

18 (A) BEGINNING JANUARY 1, 2023, THE DEPARTMENT OF
19 HUMAN SERVICES SHALL MAKE CAPITATION PAYMENTS TO
20 MEDICAL ASSISTANCE COMMUNITY HEALTHCHOICES MANAGED
21 CARE ORGANIZATIONS THAT INCLUDE AMOUNTS EXCLUSIVELY
22 FOR THE PURPOSE OF MAKING PAYMENTS TO NONPUBLIC
23 NURSING FACILITIES AND COUNTY NURSING FACILITIES AS
24 PROVIDED UNDER CLAUSE (B) (I).

25 (B) THE DEPARTMENT OF HUMAN SERVICES SHALL ADOPT
26 A MINIMUM PAYMENT RATE FOR PAYMENTS FOR SERVICES
27 RENDERED TO MEDICAL ASSISTANCE RECIPIENTS UNDER THE
28 COMMUNITY HEALTHCHOICES PROGRAM, EFFECTIVE WITH DATES
29 OF SERVICE OF JANUARY 1, 2023, THROUGH DECEMBER 31,
30 2025, AS FOLLOWS:

1 (I) COMMUNITY HEALTHCHOICES MANAGED CARE
2 ORGANIZATIONS SHALL APPLY NO LESS THAN THE
3 MINIMUM PAYMENT RATE TO MAKE PAYMENTS TO
4 NONPUBLIC NURSING FACILITIES AND COUNTY NURSING
5 FACILITIES FOR SERVICES RENDERED TO MEDICAL
6 ASSISTANCE RECIPIENTS UNDER THE COMMUNITY
7 HEALTHCHOICES PROGRAM.

8 (II) THE MINIMUM PAYMENT RATE SHALL BE
9 GREATER THAN OR EQUAL TO THE FOLLOWING AMOUNTS:

10 (A) FOR NONPUBLIC NURSING FACILITIES,
11 THE NURSING FACILITY CASE-MIX RATES
12 CALCULATED IN ACCORDANCE WITH 55 PA. CODE CH.
13 1187 (RELATING TO NURSING FACILITY SERVICES)
14 AND THE COMMONWEALTH'S APPROVED TITLE XIX
15 STATE PLAN IN EFFECT FOR THE DATES OF
16 SERVICE.

17 (B) FOR COUNTY NURSING FACILITIES, THE
18 COUNTY NURSING FACILITY RATES IN ACCORDANCE
19 WITH 55 PA. CODE CH. 1189 (RELATING TO COUNTY
20 NURSING FACILITY SERVICES) AND THE
21 COMMONWEALTH'S APPROVED TITLE XIX STATE PLAN
22 IN EFFECT FOR THE DATES OF SERVICE.

23 (2) (RESERVED.)

24 SECTION 1603-T. RESIDENT CARE AND RELATED COSTS.

25 (A) COUNTY AND NONPUBLIC NURSING FACILITY.--THE FOLLOWING
26 APPLIES TO A COUNTY AND NONPUBLIC NURSING FACILITY ENROLLED IN
27 THE MEDICAL ASSISTANCE PROGRAM:

28 (1) THE COUNTY OR NONPUBLIC NURSING FACILITY SHALL
29 DEMONSTRATE ON ITS SUBMITTED MA-11 THAT 70% OF ITS TOTAL
30 COSTS, AS REPORTED BY THE FACILITY, ARE RESIDENT CARE COSTS

1 OR OTHER RESIDENT-RELATED COSTS UNDER 55 PA. CODE §
2 1187.51 (E) (1) AND (2) (RELATING TO SCOPE).

3 (2) EXCEPT AS PROVIDED UNDER PARAGRAPH (3), THE
4 DEPARTMENT OF HUMAN SERVICES SHALL USE THE FOLLOWING
5 METHODOLOGY TO DETERMINE THE FACILITY'S COMPLIANCE WITH
6 PARAGRAPH (1):

7 (I) ADD THE FACILITY'S UNALLOCATED TOTAL NET
8 OPERATING COSTS REPORTED AS TOTAL EXPENSES ON THE
9 FACILITY'S SCHEDULE C OF THE MA-11, PLUS THE FOLLOWING
10 CAPITAL COSTS REPORTED BY THE FACILITY ON ITS SCHEDULE C,
11 TO DETERMINE THE FACILITY'S TOTAL COSTS:

12 (A) REAL ESTATE TAXES.

13 (B) NURSING FACILITY ASSESSMENT/HAI ASSESSMENT.

14 (C) DEPRECIATION.

15 (D) INTEREST ON CAPITAL INDEBTEDNESS.

16 (E) RENT ON FACILITY.

17 (F) AMORTIZATION CAPITAL COSTS.

18 (II) ADD THE FACILITY'S UNALLOCATED TOTAL RESIDENT
19 CARE COSTS REPORTED AS TOTAL EXPENSES ON THE FACILITY'S
20 SCHEDULE C AND THE UNALLOCATED TOTAL OTHER RESIDENT
21 RELATED COSTS REPORTED AS TOTAL EXPENSES ON THE
22 FACILITY'S SCHEDULE C TO DETERMINE THE FACILITY'S TOTAL
23 RESIDENT COST OF CARE.

24 (III) DIVIDE THE FACILITY'S TOTAL RESIDENT COST OF
25 CARE UNDER SUBPARAGRAPH (II) BY THE FACILITY'S TOTAL
26 COSTS UNDER SUBPARAGRAPH (I) TO DETERMINE THE PERCENTAGE
27 OF TOTAL COSTS RELATED TO RESIDENT CARE COSTS AND OTHER
28 RESIDENT-RELATED COSTS.

29 (3) WHEN A COUNTY OR NONPUBLIC NURSING FACILITY IS
30 AFFILIATED WITH A CONTINUING CARE RETIREMENT COMMUNITY, THE

1 FOLLOWING SHALL APPLY:

2 (I) THE FACILITY SHALL SUBMIT A SUPPLEMENTAL COST
3 REPORT FORM APPORTIONING THE CAPITAL COSTS RELATED TO THE
4 NURSING FACILITY, IN A FORM AND MANNER AS PRESCRIBED BY
5 THE DEPARTMENT OF HUMAN SERVICES.

6 (II) THE DEPARTMENT OF HUMAN SERVICES SHALL USE THE
7 FOLLOWING METHODOLOGY TO DETERMINE THE FACILITY'S
8 COMPLIANCE WITH PARAGRAPH (1):

9 (A) ADD THE FACILITY'S UNALLOCATED TOTAL NET
10 OPERATING COSTS REPORTED AS TOTAL EXPENSES ON THE
11 FACILITY'S SCHEDULE C OF THE MA-11, PLUS THE
12 FOLLOWING CAPITAL COSTS, REPORTED BY THE FACILITY ON
13 ITS SUPPLEMENTAL COST REPORT FORM UNDER SUBPARAGRAPH
14 (I), TO DETERMINE THE FACILITY'S TOTAL COSTS:

15 (I) REAL ESTATE TAXES.

16 (II) NURSING FACILITY ASSESSMENT/HAI
17 ASSESSMENT.

18 (III) DEPRECIATION.

19 (IV) INTEREST ON CAPITAL INDEBTEDNESS.

20 (V) RENT ON FACILITY.

21 (VI) AMORTIZATION CAPITAL COSTS.

22 (B) ADD THE FACILITY'S UNALLOCATED
23 TOTAL RESIDENT CARE COSTS REPORTED AS TOTAL EXPENSES
24 ON THE FACILITY'S SCHEDULE C AND THE UNALLOCATED
25 TOTAL OTHER RESIDENT RELATED COSTS REPORTED AS TOTAL
26 EXPENSES ON THE FACILITY'S SCHEDULE C TO DETERMINE
27 THE FACILITY'S TOTAL RESIDENT COST OF CARE.

28 (C) DIVIDE THE FACILITY'S TOTAL RESIDENT COST OF
29 CARE UNDER CLAUSE (B) BY THE FACILITY'S TOTAL COSTS
30 UNDER CLAUSE (A) TO DETERMINE THE PERCENTAGE OF TOTAL

1 COSTS RELATED TO RESIDENT CARE AND OTHER RESIDENT-
2 RELATED COSTS.

3 (B) PENALTY.--

4 (1) IF IN ANY 12-MONTH COST-REPORTING PERIOD A COUNTY OR
5 NONPUBLIC NURSING FACILITY ENROLLED IN THE MEDICAL ASSISTANCE
6 PROGRAM FAILS TO MEET THE RESIDENT CARE PERCENTAGE UNDER
7 SUBSECTION (A) (1), THE DEPARTMENT OF HUMAN SERVICES MAY
8 IMPOSE A PENALTY ON THE FACILITY UP TO THE DIFFERENCE BETWEEN
9 THE 70% OF TOTAL COSTS REQUIREMENT UNDER PARAGRAPH (2) AND
10 THE PERCENTAGE SPENT BY THE FACILITY ON RESIDENT CARE COSTS
11 OR OTHER RESIDENT-RELATED COSTS, BUT NO MORE THAN 5%.

12 (2) THE FORMULA FOR DETERMINING THE MAXIMUM PENALTY
13 AMOUNT IS AS FOLLOWS:

14 (I) DETERMINE THE PERCENTAGE DIFFERENCE FROM THE 70%
15 RESIDENT CARE REQUIREMENT BY SUBTRACTING THE PERCENTAGE
16 OF TOTAL COSTS RELATED TO RESIDENT CARE AND OTHER
17 RESIDENT-RELATED COSTS UNDER SUBSECTION (A) (2) (III) OR
18 (3) (II) (C) FROM 70%.

19 (II) DETERMINE THE PENALTY AMOUNT AS FOLLOWS:

20 (A) USE THE LESSER OF THE FOLLOWING:

21 (I) FIVE.

22 (II) THE DIFFERENCE UNDER SUBPARAGRAPH (I).

23 (B) MULTIPLY THE LOWEST NUMERAL UNDER CLAUSE (A)
24 BY ONE HUNDREDTH (.01).

25 (C) MULTIPLY THE PRODUCT UNDER CLAUSE (B) BY THE
26 COUNTY OR NONPUBLIC NURSING FACILITY'S FEE-FOR-
27 SERVICE PER DIEM PAYMENT RATE AS OF JUNE 30, 2022.

28 (D) MULTIPLY THE PRODUCT UNDER CLAUSE (C) BY THE
29 TOTAL MA RESIDENT DAYS OF CARE ON THE FACILITY'S MA-
30 11.

1 (3) A PENALTY IMPOSED UNDER THIS SECTION SHALL BE
2 TRANSMITTED BY THE FACILITY TO THE DEPARTMENT OF HUMAN
3 SERVICES FOR DEPOSIT INTO THE NURSING FACILITY QUALITY
4 IMPROVEMENT FUND.

5 (4) THE DEPARTMENT OF HUMAN SERVICES SHALL ENFORCE THE
6 PENALTY PROVISIONS UNDER THIS SUBSECTION AGAINST FULL 12-
7 MONTH COST REPORTS WITH REPORTING PERIODS THAT BEGIN ON OR
8 AFTER JANUARY 1, 2023, AFTER MAKING THE FIRST PAYMENT OF THE
9 INCREASED COUNTY AND NONPUBLIC NURSING FACILITY RATES, UNDER
10 BOTH THE FEE-FOR-SERVICE PROGRAM AND THE COMMUNITY
11 HEALTHCHOICES PROGRAM, BEGINNING JANUARY 1, 2023. IF THE
12 FIRST PAYMENT OF THE INCREASED COUNTY AND NONPUBLIC NURSING
13 FACILITY RATES, INCLUDING PAYMENTS UNDER BOTH THE FEE-FOR-
14 SERVICE PROGRAM AND THE COMMUNITY HEALTHCHOICES PROGRAM, IS
15 AFTER JUNE 30, 2023, THE ENFORCEMENT OF THE PENALTY
16 PROVISIONS OF THIS SUBSECTION SHALL COMMENCE WITH THE FIRST
17 FULL 12-MONTH COST REPORT AFTER PAYMENT OF THE INCREASED
18 COUNTY AND NONPUBLIC NURSING FACILITY RATES.

19 (5) PARAGRAPH (4) SHALL EXPIRE DECEMBER 31, 2025.

20 (C) NURSING FACILITY QUALITY IMPROVEMENT FUND.--

21 (1) THE NURSING FACILITY QUALITY IMPROVEMENT FUND IS
22 ESTABLISHED AS A SEPARATE FUND IN THE STATE TREASURY AND
23 SHALL BE ADMINISTERED BY THE DEPARTMENT OF HUMAN SERVICES.

24 (2) ALL INTEREST EARNED FROM THE INVESTMENT OR DEPOSIT
25 OF MONEY ACCUMULATED IN THE FUND SHALL BE DEPOSITED INTO THE
26 FUND FOR THE SAME USE.

27 (3) MONEY IN THE FUND SHALL BE EXPENDED BY THE
28 DEPARTMENT OF HUMAN SERVICES FOR THE FOLLOWING PURPOSES:

29 (I) TO ADMINISTER AND ENFORCE THIS SECTION.

30 (II) TO PROVIDE FUNDING FOR NURSING FACILITY QUALITY

1 IMPROVEMENT.

2 (D) GUIDELINES.--THE DEPARTMENT OF HUMAN SERVICES MAY
3 PROMULGATE GUIDELINES, AS NECESSARY, TO IMPLEMENT THIS
4 SECTION. THE GUIDELINES SHALL BE TRANSMITTED TO THE LEGISLATIVE
5 REFERENCE BUREAU FOR PUBLICATION IN THE PENNSYLVANIA BULLETIN.
6 PRIOR TO PUBLICATION OF THE GUIDELINES, THE DEPARTMENT OF HUMAN
7 SERVICES SHALL CONSULT INTERESTED PARTIES. THE GUIDELINES UNDER
8 THIS SECTION SHALL NOT BE SUBJECT TO:

9 (1) SECTIONS 201, 202, 203, 204 AND 205 OF THE ACT OF
10 JULY 31, 1968 (P.L.769, NO.240), REFERRED TO AS THE
11 COMMONWEALTH DOCUMENTS LAW.

12 (2) SECTIONS 204(B) AND 301(10) OF THE ACT OF OCTOBER
13 15, 1980 (P.L.950, NO.164), KNOWN AS THE COMMONWEALTH
14 ATTORNEYS ACT.

15 (3) THE ACT OF JUNE 25, 1982 (P.L.633, NO.181), KNOWN AS
16 THE REGULATORY REVIEW ACT.

17 (E) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
18 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
19 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

20 "HAI." HOSPITAL ACQUIRED INFECTION.

21 "MA-11." THE MEDICAL ASSISTANCE FINANCIAL AND STATISTICAL
22 REPORT FOR NURSING FACILITIES AND SERVICES SUBMITTED TO THE
23 DEPARTMENT OF HUMAN SERVICES BY EITHER A COUNTY NURSING FACILITY
24 OR A NONPUBLIC NURSING FACILITY FOR A 12-MONTH COST REPORT
25 PERIOD.

26 "NONPUBLIC NURSING FACILITY." A NURSING FACILITY OTHER THAN
27 A COUNTY NURSING FACILITY OR A FACILITY OWNED OR OPERATED BY THE
28 FEDERAL OR STATE GOVERNMENT.

29 "SCHEDULE C." THE COMPUTATION AND ALLOCATION OF ALLOWABLE
30 COSTS SCHEDULE.

1 "TOTAL MA RESIDENT DAYS OF CARE." THE NURSING FACILITY MA
2 FEE-FOR-SERVICE DAYS OF CARE AND THE NURSING FACILITY MA
3 COMMUNITY HEALTHCHOICES DAYS OF CARE, AS REPORTED ON THE MA-11.
4 SECTION 1604-T. LIFE PROGRAM.

5 (A) APPLICABILITY.--THIS SECTION SHALL APPLY NOTWITHSTANDING
6 SECTION 602 OF THE ACT OF JUNE 13, 1967 (P.L.31, NO.21), KNOWN
7 AS THE HUMAN SERVICES CODE.

8 (A.1) INFORMATION MATERIALS.--INFORMATIONAL MATERIALS AND
9 DEPARTMENT OF HUMAN SERVICES CORRESPONDENCE USED BY THE
10 DEPARTMENT OF HUMAN SERVICES AND THE INDEPENDENT ENROLLMENT
11 BROKER TO EDUCATE OR NOTIFY AN ELIGIBLE INDIVIDUAL ABOUT LONG-
12 TERM CARE SERVICES AND SUPPORTS, INCLUDING AN INDIVIDUAL'S
13 RIGHTS, RESPONSIBILITIES AND CHOICE OF MANAGED CARE ORGANIZATION
14 TO COVER LONG-TERM CARE SERVICES AND SUPPORTS, SHALL INCLUDE THE
15 FOLLOWING:

16 (1) A DESCRIPTION OF THE LIFE PROGRAM.

17 (2) A STATEMENT THAT AN ELIGIBLE INDIVIDUAL HAS THE
18 OPTION TO ENROLL IN THE LIFE PROGRAM OR A MANAGED CARE
19 ORGANIZATION UNDER THE COMMUNITY HEALTHCHOICES PROGRAM.

20 (3) CONTACT INFORMATION FOR LIFE PROVIDERS.

21 (B) TRAINING.--THE DEPARTMENT OF HUMAN SERVICES SHALL
22 CONTINUE TO PROVIDE TRAINING TO THE INDEPENDENT ENROLLMENT
23 BROKER ON THE LIFE PROGRAM THROUGH THE INDEPENDENT ENROLLMENT
24 BROKER LIFE MODULE TO BETTER EDUCATE THE INDEPENDENT ENROLLMENT
25 BROKER AND TO REQUIRE THAT THE LIFE PROGRAM IS OFFERED EQUALLY
26 TO ELIGIBLE INDIVIDUALS.

27 (C) REPORT.--AT THE END OF EACH QUARTER, THE DEPARTMENT OF
28 HUMAN SERVICES SHALL ISSUE A REPORT TO THE CHAIRPERSON AND
29 MINORITY CHAIRPERSON OF THE HEALTH AND HUMAN SERVICES COMMITTEE
30 OF THE SENATE AND THE CHAIRPERSON AND MINORITY CHAIRPERSON OF

1 THE HUMAN SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES
2 THAT TRACKS BY COUNTY THE ENROLLMENT OF ELIGIBLE INDIVIDUALS IN
3 LONG-TERM CARE SERVICE PROGRAMS BY THE INDEPENDENT ENROLLMENT
4 BROKER, INCLUDING MANAGED CARE ORGANIZATIONS AND LIFE PROGRAMS.
5 THE REPORT SHALL ALSO INCLUDE DOCUMENTATION OF COMPLIANCE WITH
6 SUBSECTIONS (A) AND (B).

7 SECTION 1605-T. LIMITS ON REIMBURSEMENTS TO COUNTIES.

8 MONEY APPROPRIATED FOR COMMUNITY-BASED FAMILY CENTERS MAY NOT
9 BE CONSIDERED AS PART OF THE BASE FOR CALCULATION OF A COUNTY'S
10 CHILD WELFARE NEEDS-BASED BUDGET FOR A FISCAL YEAR.

11 SECTION 1606-T. NURSING FACILITY ASSESSMENT TIME PERIODS.

12 NOTWITHSTANDING SECTION 815-A OF THE ACT OF JUNE 13, 1967
13 (P.L.31, NO.21), KNOWN AS THE HUMAN SERVICES CODE, THE
14 ASSESSMENT AUTHORIZED IN ARTICLE VIII-A OF THE HUMAN SERVICES
15 CODE SHALL BE IMPOSED JULY 1, 2003, THROUGH JUNE 30, 2026.

16 Section 17. Section 1702-A(b) (1) of the act is amended by
17 adding a subparagraph to read:

18 Section 1702-A. Funding.

19 * * *

20 (b) Transfer of portion of surplus.--

21 (1) Except as may be provided in paragraph (2), for
22 fiscal years beginning after June 30, 2002, the following
23 apply:

24 * * *

25 (xiii) If the Secretary of the Budget certifies that
26 there is a surplus in the General Fund for the 2021-2022
27 fiscal year, the amount of \$2,100,000,000 shall be
28 deposited by the end of the next succeeding quarter into
29 the Budget Stabilization Reserve Fund.

30 * * *

1 Section 18. Section 1711-A of the act is amended to read:

2 Section 1711-A. Transfer.

3 (a) Transfer.--Notwithstanding section 704 of the act of
4 July 6, 1989 (P.L.169, No.32), known as the Storage Tank and
5 Spill Prevention Act, the Secretary of the Budget shall, by
6 October 15, 2002, transfer the sum of \$100,000,000 from the
7 Underground Storage Tank Indemnification Fund to the General
8 Fund.

9 (b) Repayment.--The sum transferred under this section shall
10 be repaid to the Underground Storage Tank Indemnification Fund
11 after June 30, 2004, and before July 1, 2029, plus interest.

12 (c) Annual payment amount.--An annual payment amount shall
13 be included in the budget submission required pursuant to
14 section 613 of the act of April 9, 1929 (P.L.177, No.175), known
15 as The Administrative Code of 1929.

16 (d) Notice and expiration.--Upon determination by the
17 Secretary of the Budget that the money transferred from the
18 Underground Storage Tank Indemnification Fund under subsection
19 (a) has been repaid to the Underground Storage Tank
20 Indemnification Fund, the Secretary of the Budget shall transmit
21 a notice to the Legislative Reference Bureau for publication in
22 the Pennsylvania Bulletin. This subarticle shall expire upon
23 publication of the notice under this subsection.

24 Section 19. Section 1772.1-A(a) of the act is amended and
25 the section is amended by adding a subsection to read:

26 Section 1772.1-A. H2O PA Account.

27 (a) Establishment.--There is established in the Gaming
28 Economic Development and Tourism Fund a restricted account to be
29 known as the H2O PA Account, which shall contain the following:

30 (1) Moneys available from transfers under section 1772-A

1 and Chapter 5 of the act of July 9, 2008 (P.L.908, No.63),
2 known as the H2O PA Act.

3 (2) Moneys available from transfers under 58 Pa.C.S. §
4 2315(a.1)(4) (relating to Statewide initiatives).

5 (2.1) Of the money appropriated for COVID Relief - ARPA
6 - Transfer to Commonwealth Financing Authority - Water and
7 Sewer Projects, \$214,400,000 shall be deposited in the
8 account.

9 (3) Other appropriations or transfers made to the
10 account.

11 * * *

12 (d) Application of Federal law.--Notwithstanding any
13 provision of this subarticle or the H2O PA Act to the contrary,
14 grants awarded from money deposited in the account under
15 subsection (a)(2.1) shall be made in accordance with applicable
16 Federal law.

17 Section 20. Section 1774.1-A of the act is amended by adding
18 a subsection to read:

19 Section 1774.1-A. Other grants.

20 * * *

21 (a.4) Additional water and sewer projects.--Of the money
22 appropriated for COVID Relief - ARPA - Transfer to Commonwealth
23 Financing Authority - Water and Sewer Projects, \$105,600,000
24 shall be transferred to the authority for distribution or
25 reimbursement for water and sewer projects with a cost of not
26 less than \$30,000 and not more than \$500,000. In determining the
27 grant amount for the purpose of this subsection, the authority
28 shall not include the matching funds requirement in the
29 calculation of the cost of the project. Notwithstanding any
30 provisions of this subarticle to the contrary, grants awarded

1 under this section shall be made in accordance with applicable
2 Federal law.

3 * * *

4 Section 21. Sections 1712-A.1(a)(2)(ii) and 1713-A.1(b)(1.8)
5 of the act, amended or added June 30, 2021 (P.L.62, No.24), are
6 amended to read:

7 Section 1712-A.1. Establishment of special fund and account.

8 (a) Tobacco Settlement Fund.--

9 * * *

10 (2) The following shall be deposited into the Tobacco
11 Settlement Fund:

12 * * *

13 (ii) For fiscal years 2019-2020, 2020-2021 [and],
14 2021-2022 and 2022-2023, an amount equal to the annual
15 debt service due in the fiscal year as certified by the
16 Secretary of the Budget pursuant to section 2804 of the
17 Tax Reform Code of 1971, as published in the Pennsylvania
18 Bulletin on March 3, 2018, at 48 Pa.B. 1406, shall be
19 transferred to the fund from the taxes collected under
20 Article XII of the Tax Reform Code of 1971 by April 30
21 following the beginning of the fiscal year. A deposit
22 under this paragraph shall occur prior to the deposits
23 and transfers under section 1296 of the Tax Reform Code
24 of 1971.

25 * * *

26 Section 1713-A.1. Use of fund.

27 * * *

28 (b) Appropriations.--The following shall apply:

29 * * *

30 (1.8) For fiscal [year] years 2021-2022 and 2022-2023,

1 the General Assembly shall appropriate money in the fund in
2 accordance with the following percentages based on the sum of
3 the portion of the annual payment deposited and the amount
4 deposited under section 1712-A.1(a)(2)(ii) in the fiscal
5 year:

6 (i) Four and five-tenths percent for tobacco use
7 prevention and cessation programs under Chapter 7 of the
8 Tobacco Settlement Act.

9 (ii) Twelve and six-tenths percent to be allocated
10 as follows:

11 (A) Seventy percent to fund research under
12 section 908 of the Tobacco Settlement Act.

13 (B) Thirty percent as follows:

14 (I) One million dollars for spinal cord
15 injury research programs under section 909.1 of
16 the Tobacco Settlement Act.

17 (II) From the amount remaining after the
18 amount under subclause (I) has been determined:

19 (a) Seventy-five percent for pediatric
20 cancer research institutions within this
21 Commonwealth that are equipped and actively
22 conducting pediatric cancer research
23 designated by the Secretary of Health to be
24 eligible to receive contributions. No more
25 than \$2,500,000 in a fiscal year shall be
26 made available to any one pediatric cancer
27 research institution.

28 (b) Twenty-five percent for capital and
29 equipment grants to be allocated by the
30 Department of Health to entities engaging in

1 biotechnology research, including entities
2 engaging in regenerative medicine research,
3 regenerative medicine medical technology
4 research, hepatitis and viral research, drug
5 research and clinical trials related to
6 cancer, research relating to pulmonary
7 embolism and deep vein thrombosis, genetic
8 and molecular research for disease
9 identification and eradication, vaccine
10 immune response diagnostics, nanotechnology
11 research and the commercialization of applied
12 research.

13 (iii) One percent for health and related research
14 under section 909 of the Tobacco Settlement Act.

15 (iv) Eight and eighteen hundredths percent for the
16 uncompensated care payment program under Chapter 11 of
17 the Tobacco Settlement Act.

18 (v) Thirty percent for the purchase of Medicaid
19 benefits for workers with disabilities under Chapter 15
20 of the Tobacco Settlement Act.

21 (vi) Forty-three and seventy-two hundredths percent
22 shall remain in the fund to be separately appropriated
23 for health-related purposes.

24 * * *

25 Section 22. Section 1723-A.1(a)(2)(i.8) and (3)(v) and (b)
26 of the act, amended June 30, 2021 (P.L.62, No.24), are amended
27 and subsection (a)(3) is amended by adding a subparagraph to
28 read:

29 Section 1723-A.1. Distributions from Pennsylvania Race Horse
30 Development Fund.

1 (a) Distributions.--Funds in the fund are appropriated to
2 the department on a continuing basis for the purposes set forth
3 in this subsection and shall be distributed to each active and
4 operating Category 1 licensee conducting live racing as follows:

5 * * *

6 (2) Distributions from the fund shall be allocated as
7 follows:

8 * * *

9 (i.8) The following apply:

10 (A) For fiscal year 2021-2022, the sum of
11 \$19,659,000 in the fund shall be transferred to the
12 account in 22 equal weekly amounts beginning on [the
13 effective date of this subparagraph.] July 1, 2021.

14 (B) For fiscal year 2022-2023, the sum of
15 \$14,659,000 in the fund shall be transferred to the
16 account in 22 equal weekly amounts beginning on the
17 effective date of this clause.

18 * * *

19 (3) The following shall apply:

20 * * *

21 (v) For fiscal year 2020-2021, the department shall
22 transfer \$10,066,000 from the fund to the State Racing
23 Fund pursuant to 3 Pa.C.S. § 9374(a). [3 Pa.C.S. §
24 9374(a) shall expire June 30, 2022.]

25 * * *

26 (vii) For fiscal year 2022-2023, the department
27 shall transfer \$10,066,000 from the fund to the State
28 Racing Fund under subsection (b).

29 (b) [(Reserved).] Annual transfers to State Racing Fund.--
30 The General Assembly shall authorize the transfer of funds from

1 the fund to the State Racing Fund to provide for each cost
2 associated with the collection and research of and testing for
3 medication, which shall include the cost of necessary personnel,
4 equipment, supplies and facilities, except holding barns or
5 stables, to be located at horse race facilities, grounds or
6 enclosures or at other locations designated by the commission.
7 All such costs shall be reviewed and approved by the commission.
8 The transfer shall be made in 52 equal weekly installments
9 during the fiscal year before any other distribution from the
10 fund. This subsection shall expire on June 30, 2025.

11 Section 23. Section 1738-A.1 of the act, added February 5,
12 2021 (P.L.1, No.1), is amended to read:

13 Section 1738-A.1. Workers' Compensation Security Fund transfer
14 to COVID-19 Response Restricted Account.

15 (a) Repayment.--Any amount transferred from the Workers'
16 Compensation Security Fund under section 1726-M(e) which is not
17 deposited under section 134-C(c) shall be repaid to the Workers'
18 Compensation Security Fund by July 1, 2029. If the Commonwealth
19 receives a payment of at least \$145,000,000 from the Federal
20 Government for the mitigation of general revenue losses incurred
21 as a result of the public health emergency with respect to the
22 Coronavirus Disease 2019, \$145,000,000 of the payment shall be
23 used to repay the Workers' Compensation Security Fund within 180
24 days of receipt from the Federal Government.

25 (b) Notice and expiration.--Upon determination by the
26 Secretary of the Budget that the money transferred from the
27 Workers' Compensation Security Fund under subsection (a) has
28 been repaid to the Workers' Compensation Security Fund, the
29 Secretary of the Budget shall transmit a notice to the
30 Legislative Reference Bureau for publication in the Pennsylvania

1 Bulletin. This section shall expire upon publication of the
2 notice under this subsection.

3 Section 24. Section 1792-A.1 of the act, added June 30, 2021
4 (P.L.62, No.24), is amended to read:

5 Section 1792-A.1. Opioid Settlement Restricted Account.

6 (a) Establishment.--The Opioid Settlement Restricted Account
7 is established within the General Fund as a restricted account.

8 (b) Deposits.--Money received by a State agency as a result
9 of a settlement, litigation [or an], enforcement action [related
10 to] or a court-ordered distribution pursuant to a
11 Bankruptcy Code (11 U.S.C. § 101 et seq.) approved plan, arising
12 from claims made by the Commonwealth [relating to] related to
13 the marketing, manufacturing, sale, promotion, distribution,
14 prescribing or dispensing of opioids shall be deemed funds of
15 the Commonwealth and shall, upon receipt, be deposited into the
16 account. Interest earned on money in the account shall be
17 deposited into the account.

18 (b.1) Exclusion.--Money received by county, municipal or
19 local governments and agencies, including district attorneys,
20 arising from claims concerning the marketing, manufacturing,
21 sale, promotion, distribution, prescribing or dispensing of
22 opioids shall not be deemed funds of the Commonwealth and shall
23 not be deposited into the account.

24 (c) Use.--Money in the account may only be used upon
25 appropriation by the General Assembly.

26 Section 25. The act is amended by adding an article to read:

27 ARTICLE XVII-A.2

28 ADDITIONAL SPECIAL FUNDS AND RESTRICTED ACCOUNTS

29 SUBARTICLE A

30 FEDERAL INFRASTRUCTURE PROJECT ACCOUNT

1 Section 1701-A.2. Definitions.

2 The following words and phrases when used in this article
3 shall have the meanings given to them in this section unless the
4 context clearly indicates otherwise:

5 "Account." The Federal Infrastructure Project Account
6 continued under section 1702-A.2(a).

7 Section 1702-A.2. Federal Infrastructure Project Account.

8 (a) Continuation.--The account established under section
9 6105.1 of the act of June 30, 2021 (P.L.499, No.1A), known as
10 the General Appropriation Act of 2021, is continued as a
11 restricted account within the General Fund.

12 (b) Deposits.--Money appropriated to or transferred to the
13 account shall be deposited into the account.

14 (c) Use.--Money in the account may only be used upon
15 appropriation by the General Assembly.

16 SUBARTICLE B

17 CLEAN STREAMS FUND

18 Section 1711-A.2. Definitions.

19 The following words and phrases when used in this subarticle
20 shall have the meanings given to them in this section unless the
21 context clearly indicates otherwise:

22 "Fund." The Clean Streams Fund established under section
23 1712-A.2(a).

24 Section 1712-A.2. Clean Streams Fund.

25 (a) Establishment.--The Clean Streams Fund is established in
26 the State Treasury.

27 (b) Deposits.--The following shall be deposited into the
28 fund:

29 (1) Money appropriated to the fund for COVID Relief -
30 ARPA - Transfer to the Clean Streams Fund.

1 (2) Money appropriated for purposes of the fund.

2 (3) Federal money appropriated or authorized for
3 purposes of the fund.

4 (4) Money received from a governmental agency through an
5 interagency agreement or memorandum of understanding.

6 (5) A gift or other contribution from a public or
7 private source.

8 (6) Return on money dedicated for the fund, including,
9 but not limited to, interest on loans, investment interest or
10 refunds.

11 (c) Distribution.--Money deposited into the fund under
12 subsection (b) shall be distributed as follows:

13 (1) Seventy percent to the State Conservation Commission
14 established under the act of May 15, 1945 (P.L.547, No.217),
15 known as the Conservation District Law, to implement the
16 Agriculture Conservation Assistance Program under Article
17 XVI-R.

18 (2) Ten percent to the Pennsylvania Infrastructure
19 Investment Authority to implement the Pennsylvania Clean
20 Water Procurement Program under Article XVI-S.

21 (3) Ten percent to the Nutrient Management Fund
22 established under 3 Pa.C.S. § 512 (relating to Nutrient
23 Management Fund).

24 (4) Four percent to the Department of Environmental
25 Protection for grants and reimbursements to municipalities
26 and counties under section 17 of the act of October 4, 1978
27 (P.L.864, No.167), known as the Storm Water Management Act.

28 (5) Four percent to the Department of Conservation and
29 Natural Resources for the Keystone Tree Restricted Account
30 established under 27 Pa.C.S. § 6602 (relating to

1 establishment).

2 (6) Two percent to the Acid Mine Drainage Abatement and
3 Treatment Fund.

4 SUBARTICLE C

5 SPORTS TOURISM AND MARKETING ACCOUNT

6 Section 1721-A.2. Definitions.

7 The following words and phrases when used in this subarticle
8 shall have the meanings given to them in this section unless the
9 context clearly indicates otherwise:

10 "Department." The Department of Community and Economic
11 Development of this Commonwealth.

12 "Eligible applicant." A municipality, a local authority, a
13 nonprofit organization or a legal entity that is participating
14 or plans to participate in a competitive selection process
15 conducted by a site selection organization not located in this
16 Commonwealth for the purpose of securing a single year or
17 multiyear commitment from the site selection organization to
18 conduct the sporting event at one or more locations in this
19 Commonwealth.

20 "Financial assistance." A grant, loan or loan guarantee
21 awarded by the department.

22 "High quality, amateur and professional sporting or esports
23 event." The term includes, but is not limited to, any of the
24 following and any activity related to or associated with the
25 following:

26 (1) The Amateur Athletic Union Junior Olympic Games.

27 (2) The Breeders' Cup World Championships.

28 (3) A game of the National Collegiate Athletic
29 Association College Football Playoff or its successor.

30 (4) A National Collegiate Athletic Association college

1 football bowl game.

2 (5) A Formula One automobile race.

3 (6) The Major League Baseball All-Star Game.

4 (7) The Major League Soccer All-Star Game or the Major
5 League Soccer Cup.

6 (8) A mixed martial arts championship.

7 (9) The Moto Grand Prix of the United States.

8 (10) A National Association for Stock Car Auto Racing
9 All-Star Race or season-ending Championship Race.

10 (11) The National Basketball Association All-Star Game.

11 (12) A National Collegiate Athletic Association Final
12 Four tournament game, including men's and women's basketball
13 and ice hockey.

14 (13) A National Collegiate Athletic Association men's or
15 women's individual or team championship game or tournament.

16 (14) A national collegiate championship of an amateur
17 sport sanctioned by the national governing body of the sport
18 that is recognized by the United States Olympic Committee.

19 (15) A Triple Crown Horse Race or a Triple Crown Harness
20 Race.

21 (16) The National Hockey League All-Star Game.

22 (17) An Olympic activity, including a Junior or Senior
23 activity, training program or feeder program sanctioned by
24 the United States Olympic Committee's Community Olympic
25 Development Program.

26 (18) A Super Bowl.

27 (19) A United States Golf Association professional or
28 amateur championship.

29 (20) The Ryder Cup, Walker Cup or Solheim Cup.

30 (21) The Professional Golfers' Association Championship.

1 (22) A World Cup soccer game or the World Cup soccer
2 tournament.

3 (23) The World Games.

4 (24) The X Games.

5 (25) The Invictus Games.

6 "Site selection organization." The term includes:

7 (1) The Amateur Athletic Union.

8 (2) The College Football Playoff Administration or its
9 successor.

10 (3) The Entertainment and Sports Programming Network or
11 an affiliate.

12 (4) The Federation Internationale de Football
13 Association.

14 (5) The International World Games Association.

15 (6) Major League Baseball.

16 (7) Major League Soccer.

17 (8) The National Association for Stock Car Auto Racing.

18 (9) The National Basketball Association.

19 (10) The National Collegiate Athletic Association.

20 (11) The National Cutting Horse Association.

21 (12) The National Football League.

22 (13) The National Hockey League.

23 (14) The Ultimate Fighting Championship.

24 (15) The United States Golf Association.

25 (16) The Professional Golfers' Association of America.

26 (17) The United States Olympic Committee.

27 (18) The national governing body of a sport that is
28 recognized by:

29 (i) The Federation Internationale de l'Automobile.

30 (ii) Formula One Management Limited.

1 (iii) The National Thoroughbred Racing Association.

2 (iv) The United States Olympic Committee.

3 Section 1722-A.2. Sports Tourism and Marketing Account.

4 (a) Establishment.--The Sports Tourism and Marketing Account
5 is established in the Pennsylvania Gaming Economic Development
6 and Tourism Fund as a restricted account. The purpose of the
7 Sports Tourism and Marketing Account shall be to attract high-
8 quality, amateur and professional sporting and esports events to
9 this Commonwealth for the purposes of advancing and promoting
10 year-round tourism, economic impact and quality of life through
11 sport.

12 (b) Administration and distribution.--The Sports Tourism and
13 Marketing Account shall be administered by the department.

14 (c) Duties of department.--The department shall:

15 (1) Issue program guidelines to implement this section.

16 (2) Establish procedures for eligible applicants to
17 apply for financial assistance from the Sports Tourism and
18 Marketing Account.

19 (3) Determine the form and manner by which an applicant
20 can apply for financial assistance with the department.

21 (4) Award financial assistance to eligible applicants in
22 accordance with this section. The department shall make
23 payments to recipients in accordance with an agreement
24 executed between the recipient and the department.

25 (d) Use of funds.--The department may award financial
26 assistance in the form of a single year or multiyear award for
27 any of the following:

28 (1) The costs relating to the preparations necessary for
29 conducting the event.

30 (2) The costs of conducting the event at the venue,

1 including costs of an improvement or renovation to an
2 existing facility at the venue. The financial assistance
3 under this section shall be limited to 20% of the total cost
4 of an improvement or renovation to an existing facility,
5 except if the facility is publicly owned.

6 (3) Promotion, marketing and programming costs
7 associated with the event.

8 (4) Paid advertising and media buys within this
9 Commonwealth related to the event.

10 (5) Production and technical expenses related to the
11 event.

12 (6) Site fees and costs, such as labor, rentals,
13 insurance, security and maintenance.

14 (7) Machinery and equipment purchases associated with
15 the conduct of the event.

16 (8) Public infrastructure upgrades or public safety
17 improvements that will directly or indirectly benefit the
18 conduct of the event.

19 (9) Costs related to land acquisition directly related
20 to the conduct of the event. The financial assistance under
21 this section shall be limited to 20% of the total acquisition
22 cost, except if the venue at which the event will be
23 conducted is publicly owned.

24 (10) On-site hospitality during the conduct of the
25 event.

26 (e) Prohibitions.--

27 (1) Except as provided under paragraph (2), financial
28 assistance awarded under this section may not be used for any
29 of the following:

30 (i) To solicit the relocation of a professional

1 sports franchise located in this Commonwealth.

2 (ii) To construct an arena, stadium, playing field,
3 racetrack, golf course or any other venue or surface upon
4 which the sporting event will take place.

5 (iii) To conduct usual and customary maintenance of
6 the facility or venue where the sporting event will take
7 place.

8 (2) Paragraph (1) shall not prohibit a disbursement from
9 the Sports Tourism and Marketing Account for the construction
10 of temporary structures within an arena, stadium or indoor or
11 outdoor venue where the sporting event will be conducted that
12 are necessary for the conduct of an event or temporary
13 maintenance of a facility that is necessary for the
14 preparation for or conduct of an event.

15 Section 1723-A.2. Transfer of funds.

16 Notwithstanding 4 Pa.C.S. § 13C62(b) (3) (relating to sports
17 wagering tax), for fiscal year 2022-2023, an amount equal to 5%
18 of the tax revenue generated by the tax imposed under 4 Pa.C.S.
19 § 13C62 or \$2,500,000, whichever is greater, shall be
20 transferred to the Sports Tourism and Marketing Account for use
21 by the department in accordance with this subarticle. The amount
22 transferred under this section may not exceed \$5,000,000.

23 Section 1724-A.2. Study of economic impact.

24 No later than nine months after the completion of an event
25 conducted in this Commonwealth that received funds under this
26 subarticle, the Independent Fiscal Office shall complete a
27 report analyzing the direct and indirect economic impact the
28 event had on the Commonwealth, the county and geographic region
29 in which the event was conducted. The report shall be provided
30 to the chairperson and minority chairperson of the

1 Appropriations Committee of the Senate and the chairperson and
2 minority chairperson of the Appropriations Committee of the
3 House of Representatives and shall be posted on the Independent
4 Fiscal Office's publicly accessible Internet website.

5 SUBARTICLE D

6 ELECTION INTEGRITY RESTRICTED ACCOUNT

7 Section 1731-A.2. (Reserved).

8 Section 1732-A.2. Election Integrity Restricted Account.

9 (a) Establishment.--The Election Integrity Restricted
10 Account is established in the General Fund as a restricted
11 account.

12 (b) Annual transfer.--No later than August 1, 2022, and each
13 August 1 thereafter, the sum of \$45,000,000 shall be transferred
14 from funds received under the authority of Article III of the
15 act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code
16 of 1971, to the Election Integrity Restricted Account.

17 (c) Limitation on use.--Money in the Election Integrity
18 Restricted Account may only be expended upon enactment of a
19 statute to provide for the use of the money in the account and
20 upon appropriation by the General Assembly.

21 Section 26. Sections 1712-B(2)(v) and 1729-B(8) and (9) of
22 the act, repealed and added June 30, 2021 (P.L.62, No.24), are
23 amended to read:

24 Section 1712-B. Executive offices.

25 The following apply to appropriations for the Pennsylvania
26 Commission on Crime and Delinquency:

27 * * *

28 (2) The following apply:

29 * * *

30 [(v) From the amount appropriated, \$250,000 shall be

1 available to the Judicial Computer System Financial Audit
2 Committee to carry out its duties pursuant to legislation
3 enacted by the Commonwealth after the effective date of
4 this subparagraph.]

5 * * *

6 Section 1729-B. Department of Human Services.

7 The following apply to appropriations for the Department of
8 Human Services:

9 * * *

10 (8) From the appropriation for 2-1-1 Communications,
11 \$750,000 shall be allocated for a Statewide 2-1-1 System
12 Grant Program, and \$4,000,000 shall be used for nonrecurring
13 infrastructure enhancements to the Statewide 2-1-1 System.

14 (9) The appropriation for services for the visually
15 impaired includes the following:

16 (i) an allocation of [~~\$2,584,000~~] \$3,084,000 for
17 Statewide professional services provider association for
18 the blind to provide training and supportive services for
19 individuals who are blind and preschool vision screenings
20 and eye safety education; and

21 (ii) an allocation of [~~\$518,000~~] \$618,000 to provide
22 specialized services and prevention of blindness services
23 in cities of the first class.

24 * * *

25 Section 27. Section 1712-E of the act is amended by adding a
26 subsection to read:

27 Section 1712-E. Executive Offices.

28 * * *

29 (d) Non-State financial participation.--For the purpose of
30 determining non-State financial participation for a

1 redevelopment assistance capital project as defined under
2 section 302 of the act of February 9, 1999 (P.L.1, No.1), known
3 as the Capital Facilities Debt Enabling Act, money distributed
4 to counties under 58 Pa.C.S. § 2314(d) (relating to distribution
5 of fee) may not be considered State funds if the redevelopment
6 assistance capital project serves a purpose which is an eligible
7 use under 58 Pa.C.S. § 2314(g).

8 Section 28. Section 1721-E of the act is amended to read:

9 Section 1721-E. Department of Corrections.

10 (a) Appropriations.--The following shall apply to
11 appropriations for the Department of Corrections:

12 (1) When making expenditures from appropriations for the
13 operation of State correctional institutions, the Department
14 of Corrections shall give consideration to minimum relief
15 factor values calculated when determining staffing levels for
16 corrections officers and food service instructors at each
17 State correctional institution.

18 (2) [(Reserved).] The annual general government
19 operations funding for the Pennsylvania Parole Board shall be
20 appropriated to the Department of Corrections via a separate
21 line item appropriation.

22 (3) The annual general government operations funding for
23 the Board of Pardons shall be appropriated to the Department
24 of Corrections via a separate line item appropriation.

25 (b) (Reserved).

26 Section 29. Sections 1722-E and 1725-E of the act are
27 amended by adding subsections to read:

28 Section 1722-E. Department of Education.

29 * * *

30 (f) Payments from basic education funding or school

1 employees' Social Security appropriations prohibited.--
2 Notwithstanding section 1724-A of the Public School Code of 1949
3 or 24 Pa.C.S. § 8329 (relating to payments on account of social
4 security deductions from appropriations), no payments shall be
5 made to charter schools, regional charter schools or cyber
6 charter schools authorized under Article XVII-A of the Public
7 School Code of 1949 to provide for Social Security and Medicare
8 contributions from money appropriated for basic education
9 funding or school employees' Social Security.

10 (g) Payments from required contributions for public school
11 employees' retirement appropriations prohibited.--
12 Notwithstanding section 1724-A of the Public School Code of 1949
13 or 24 Pa.C.S. §§ 8326 (relating to contributions by the
14 Commonwealth) and 8535 (relating to payments to school entities
15 by Commonwealth), no payments shall be made to charter schools,
16 regional charter schools or cyber charter schools authorized
17 under Article XVII-A of the Public School Code of 1949 from
18 money appropriated for payment of required contributions for
19 public school employees' retirement.

20 Section 1725-E. Department of Health.

21 * * *

22 (d) Repayment by Rural Health Redesign Center Authority.--No
23 later than 15 days after the effective date of this subsection,
24 the Secretary of Health and the Chair of the Rural Health
25 Redesign Center Authority shall enter into an agreement to amend
26 the Intergovernmental Agreement dated June 1, 2020, in
27 accordance with the following:

28 (1) The Rural Health Redesign Center Authority shall
29 repay the entire balance owed to the Department of Health no
30 later than June 30, 2024.

1 (2) The Rural Health Redesign Center Authority shall not
2 be required to make partial repayments prior to June 30,
3 2024.

4 Section 30. Sections 1727-E(c) and 1728-E of the act are
5 amended to read:

6 Section 1727-E. Department of Labor and Industry.

7 * * *

8 (c) Reemployment Fund.--Five percent of the contributions on
9 wages paid under section 301.4 of the act of December 5, 1936
10 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment
11 Compensation Law, from July 1, 2018, through September 30,
12 [2022] 2024, shall be deposited into the Reemployment Fund to
13 the extent the contributions are paid on or before December 31,
14 [2022] 2024. The department may deposit contributions in
15 accordance with section 301.4(e)(2) of the Unemployment
16 Compensation Law before depositing contributions in accordance
17 with this subsection and section 301.4(e)(3) of the Unemployment
18 Compensation Law.

19 Section 1728-E. Department of Military and Veterans Affairs.

20 (a) Distributed generation systems.--The definition of
21 "customer-generator" in section 2 of the act of November 30,
22 2004 (P.L.1672, No.213), known as the Alternative Energy
23 Portfolio Standards Act, shall include net-metered distributed
24 generation systems owned, operated or supporting the Department
25 of Military and Veterans Affairs on property owned or leased and
26 operated by the department with a nameplate capacity not to
27 exceed the department's annual electric needs to support the
28 department's facilities on its property.

29 (b) Contracts for burial details for veterans.--The
30 Department of Military and Veterans Affairs may enter into

1 contracts with a Statewide nonprofit fraternal society that
2 represents various veterans' groups or may request the services
3 of members of the Pennsylvania National Guard for the purpose of
4 providing the burial details authorized by 51 Pa.C.S. § 705
5 (relating to burial details for veterans). If a contract under
6 this subsection is executed, the department shall pay an amount
7 not exceeding \$250 for each day that the burial detail is
8 provided, and no other expenses shall be paid by the department
9 under the contract. Other terms of the contract shall be in
10 accordance with 51 Pa.C.S. § 705.

11 (c) Pay of Pennsylvania National Guard and Pennsylvania
12 Guard.--Notwithstanding any provision of the current Armed
13 Forces Pay and Allowance Act under 37 U.S.C. (relating to pay
14 and allowances of the uniformed services) or a successor statute
15 or 51 Pa.C.S. § 3101 (relating to pay of officers and enlisted
16 personnel on special duty) or 3102 (relating to pay of officers
17 and enlisted personnel in active State service), the base pay of
18 members of the Pennsylvania National Guard or Pennsylvania Guard
19 ordered to duty under 51 Pa.C.S. § 3101 or 3102 shall not be
20 less than \$180 per day.

21 Section 31. Section 1729-E introductory paragraph of the act
22 is amended and the section is amended by adding a subsection to
23 read:

24 Section 1729-E. Department of Human Services.

25 (a) Appropriations.--The following shall apply to
26 appropriations for the Department of Human Services:

27 * * *

28 (b) Home and Community-Based Services for Individuals with
29 Intellectual Disabilities Augmentation Account.--

30 (1) A restricted account is established in the General

1 Fund to be known as the Home and Community-Based Services for
2 Individuals with Intellectual Disabilities Augmentation
3 Account.

4 (2) Money in the account shall not lapse.

5 (3) The following shall be deposited in the account:

6 (i) The net proceeds of the sale of real property
7 which served as a state center for individuals with
8 intellectual disabilities.

9 (ii) An annual transfer from the General Fund to the
10 account in accordance with the following:

11 (A) If the amount of the appropriation for state
12 centers for individuals with intellectual
13 disabilities in a fiscal year is less than the amount
14 of the appropriation for the prior fiscal year, the
15 Secretary of the Budget shall certify the difference
16 as the amount to be transferred.

17 (B) The transfer under this subparagraph shall
18 be made no later than last day of the first quarter
19 of a fiscal year.

20 (iii) Any amounts appropriated or transferred to the
21 account.

22 (4) Money in the account is hereby appropriated to the
23 Department of Human Services to provide home and community-
24 based supports, including quality direct support professional
25 capacity, to provide housing supports for individuals with
26 intellectual disabilities and to provide home and community-
27 based supports for people on the emergency waiting list as
28 determined by the department after receiving input from the
29 Office of Developmental Programs and the Information Sharing
30 and Advisory Committee.

1 Section 32. Section 1730-E(c) (2) and (3) of the act are
2 amended and the subsection is amended by adding a paragraph to
3 read:

4 Section 1730-E. Department of Revenue.

5 * * *

6 (c) Military installation remediation program.--

7 Notwithstanding Chapter 3-A of the act of December 8, 2004
8 (P.L.1801, No.238), known as the Transit Revitalization
9 Investment District Act, and any law providing for the
10 confidentiality of tax records, the following shall apply:

11 * * *

12 (2) The qualified authority shall have access to State
13 or local tax information filed on or after November 27, 2019,
14 by a qualified business for a designated parcel under section
15 301-A(a) (4) of the Transit Revitalization Investment District
16 Act solely for the purpose of documenting the certification
17 required under Chapter 3-A of the Transit Revitalization
18 Investment District Act[.] or determining the amount
19 allocated to any uses specified under section 303-A(a) of the
20 Transit Revitalization Investment District Act. Any other use
21 of the tax information described in this subsection shall be
22 prohibited as provided under law.

23 (2.1) The following apply to a qualified authority:

24 (i) The terms of members of the governing body of a
25 qualified authority serving as of December 31, 2022,
26 shall terminate on December 31, 2022.

27 (ii) Notwithstanding 53 Pa.C.S. § 5610(a) (relating
28 to governing body), beginning on January 1, 2023, the
29 governing body of a qualified authority shall be composed
30 of the following members, who shall be appointed by the

1 qualified municipality:

2 (A) Five permanent residents of the qualified
3 municipality.

4 (B) Two permanent residents of a municipality
5 that has within its geographic bounds a former
6 military installation where activities caused per-
7 and polyfluoroalkyl public drinking water
8 contamination and which municipality is immediately
9 adjacent to a qualified municipality.

10 (iii) The terms of members of the board of the
11 qualified authority who are appointed under subparagraph
12 (ii) after December 31, 2022, shall be staggered as
13 provided under 53 Pa.C.S. § 5610.

14 (3) As used in this [section] subsection, the following
15 words and phrases shall have the meanings given to them in
16 this paragraph unless the context clearly indicates
17 otherwise:

18 "Military installation remediation project." As defined
19 in section 103 of the Transit Revitalization Investment
20 District Act.

21 "Qualified authority." As defined in section 103 of the
22 Transit Revitalization Investment District Act.

23 "Qualified municipality." As defined in section 103 of
24 the Transit Revitalization Investment District Act.

25 "Qualified tax." As defined in section 103 of the
26 Transit Revitalization Investment District Act.

27 "Qualified taxpayer." As defined in section 103 of the
28 Transit Revitalization Investment District Act.

29 Section 33. Sections 1740-E, 1742-E, 1743-E, 1744-E and
30 1745-E of the act are amended to read:

1 Section 1740-E. Pennsylvania Infrastructure Investment

2 Authority [(Reserved)].

3 (a) Use of certain Federal funds.--

4 (1) Federal funds received by the Commonwealth pursuant
5 to the Infrastructure Investment and Jobs Act of 2021 (Public
6 Law 117-58) or the Water Infrastructure Improvements for the
7 Nation Act of 2016 (Public Law 114-322) and which are
8 appropriated to the Pennsylvania Infrastructure Investment
9 Authority for water projects under paragraph (2) shall be
10 administered by the Pennsylvania Infrastructure Investment
11 Authority in accordance with the Infrastructure Investment
12 and Jobs Act of 2021 and the Water Infrastructure
13 Improvements for the Nation Act of 2016.

14 (2) Paragraph (1) shall apply to Federal funds
15 appropriated to the Pennsylvania Infrastructure Investment
16 Authority for the following purposes:

17 (i) From amounts appropriated from Clean Water State
18 Revolving Fund for programs to address emerging
19 contaminants.

20 (ii) From amounts appropriated from Drinking Water
21 State Revolving Fund for programs to address lead service
22 line replacement and emerging contaminants.

23 (iii) From amounts appropriated for Water
24 Infrastructure Improvements for the Nation Act of 2016
25 for programs to address small and underserved communities
26 and emerging contaminants.

27 (iv) Other Federal amounts that are made available
28 under the Infrastructure Investment and Jobs Act of 2021
29 or the Water Infrastructure Improvements for the Nation
30 Act of 2016 which are eligible to be awarded as a grant

1 or principal forgiveness.

2 (3) Awards of Federal funds by the Pennsylvania
3 Infrastructure Investment Authority under paragraph (1) shall
4 not be subject to the provisions of sections 10(e), 10(i) and
5 any other conflicting provision of the act of March 1, 1988
6 (P.L.82, No.16), known as the Pennsylvania Infrastructure
7 Investment Authority Act.

8 (4) The Pennsylvania Infrastructure Investment Authority
9 shall issue guidance on the implementation of paragraphs (1)
10 and (3).

11 (b) (Reserved).

12 Section 1742-E. [Pennsylvania Board of Probation and Parole]
13 (Reserved).

14 Section 1743-E. [Pennsylvania Public Television Network
15 Commission] (Reserved).

16 Section 1744-E. [Pennsylvania Securities Commission]
17 (Reserved).

18 Section 1745-E. [State Tax Equalization Board] (Reserved).

19 Section 34. The act is amended by adding a section to read:

20 Section 1754-E. State-related universities.

21 (a) Appropriations.--The following shall apply to
22 appropriations to State-related universities:

23 (1) Money appropriated to State-related universities
24 shall only be used for costs directly related to the
25 provision of instruction for graduate and undergraduate
26 students and costs incurred in providing student-related
27 services and community outreach services, consistent with the
28 existing laws of this Commonwealth.

29 (2) (Reserved).

30 (b) (Reserved).

1 Section 35. Section 1795.1-E(c) (3) (i) of the act is amended,
2 subsection (b) is amended by adding a paragraph, subsection (c)
3 (1) is amended by adding a subparagraph and the section is
4 amended by adding a subsection to read:

5 Section 1795.1-E. Surcharges.

6 * * *

7 (b) Imposition.--

8 * * *

9 (3) An additional surcharge of \$10 shall be charged and
10 collected by a division of the unified judicial system. This
11 paragraph shall expire July 31, 2023. The additional
12 surcharge under this paragraph shall be deposited into the
13 Judicial Department Operations Augmentation Account under
14 subsection (d).

15 (c) Other surcharge and fees.--

16 (1) In addition to the fees imposed under 42 Pa.C.S. §§
17 3733(a.1) and 3733.1 (relating to surcharge), except as set
18 forth in paragraph (2), the following apply:

19 * * *

20 (iv) A surcharge of \$11.25 shall be charged and
21 collected by a division of the unified judicial system.
22 This subparagraph shall expire July 31, 2023. The
23 surcharge under this subparagraph shall be deposited into
24 the Judicial Department Operations Augmentation Account
25 under subsection (d).

26 * * *

27 (3) The following apply:

28 [(i) The separate reserve account within the
29 Judicial Computer System Augmentation Account established
30 under 42 Pa.C.S. § 3733.1(c) (1) is continued, and the

1 surcharge under paragraph (1)(i) shall be deposited into
2 the separate reserve account. Notwithstanding 42 Pa.C.S.
3 § 3732 (relating to utilization of funds in account),
4 money deposited under this paragraph is appropriated to
5 the Supreme Court, upon compliance with Article XV, for
6 the operation of the Judicial Department.]

7 * * *

8 (d) Judicial Department Operations Augmentation Account.--

9 The separate reserve account within the Judicial Computer System
10 Augmentation Account established under the former 42 Pa.C.S. §
11 3733.1(c)(1) is reestablished as a restricted revenue account in
12 the General Fund to be known as the Judicial Department
13 Operations Augmentation Account. Notwithstanding 42 Pa.C.S. §
14 3732 (relating to utilization of funds in account), money
15 deposited in the restricted revenue account is appropriated to
16 the Supreme Court, upon compliance with Article XV, for the
17 operation of the Judicial Department.

18 Section 36. Section 1798.3-E(d) of the act, amended June 30,
19 2021 (P.L.62, No.24), is amended to read:

20 Section 1798.3-E. Multimodal Transportation Fund.

21 * * *

22 (d) Expiration.--This section shall expire December 31,
23 [2022] 2023.

24 Section 37. The act is amended by adding articles to read:

25 ARTICLE XVII-F.1

26 2022-2023 BUDGET IMPLEMENTATION

27 SUBARTICLE A

28 PRELIMINARY PROVISIONS

29 Section 1701-F.1. Applicability.

30 Except as specifically provided in this article, this article

1 applies to the General Appropriation Act of 2022 and all other
2 appropriation acts of 2022.

3 Section 1702-F.1. Definitions.

4 The following words and phrases when used in this article
5 shall have the meanings given to them in this section unless the
6 context clearly indicates otherwise:

7 "General Appropriation Act of 2022." The act of _____,
8 2022 (P.L. _____, No. _____), known as the General Appropriation Act of
9 2022.

10 "Human Services Code." The act of June 13, 1967 (P.L.31,
11 No.21), known as the Human Services Code.

12 "Most recent Federal decennial census." The population
13 figures for the most recent Federal decennial census as
14 published by the Department of General Services in the most
15 recent Pennsylvania Manual as of the effective date of this
16 section.

17 "Public School Code of 1949." The act of March 10, 1949
18 (P.L.30, No.14), known as the Public School Code of 1949.

19 "Secretary." The Secretary of the Budget of the
20 Commonwealth.

21 "TANFBG." Temporary Assistance for Needy Families Block
22 Grant.

23 Section 1703-F.1. (Reserved).

24 Section 1704-F.1. (Reserved).

25 SUBARTICLE B

26 EXECUTIVE DEPARTMENTS

27 Section 1711-F.1. Governor (Reserved).

28 Section 1712-F.1. Executive offices.

29 The following apply to appropriations for the executive
30 offices:

1 (1) The following apply to money appropriated for the
2 Pennsylvania Commission on Crime and Delinquency:

3 (i) No less than the amount used in the 2014-2015
4 fiscal year shall be used to support the Statewide
5 Automated Victim Information and Notification System
6 (SAVIN) to provide offender information through county
7 jails.

8 (ii) No less than the amount used in the 2014-2015
9 fiscal year shall be used for a residential treatment
10 community facility for at-risk youth located in a county
11 of the fifth class.

12 (iii) From the amount appropriated, \$400,000 shall
13 be used for an innovative police data sharing pointer
14 index system that will allow participating law
15 enforcement agencies access to incident report data.

16 (iv) From the amount appropriated, \$600,000 shall be
17 used for a diversion program for first-time nonviolent
18 offenders facing prison sentences. The diversion program
19 must include education and employment services, case
20 management and mentoring.

21 (v) No less than \$3,000,000 shall be available as a
22 pilot program to offset costs incurred by a city of the
23 first class and a county of the second class A that is
24 also a home rule county in connection with hiring
25 additional assistant district attorneys designated as a
26 Special United States Attorney by a United States
27 Attorney's office through participation in the Project
28 Safe Neighborhoods program and who will exclusively
29 prosecute crimes under 18 U.S.C. § 922(g) (relating to
30 unlawful acts).

1 (vi) \$500,000 shall be used to support a Statewide
2 child predator unit.

3 (vii) \$500,000 shall be used for training and
4 equipment needs to support improvements in the
5 identification, investigation and prosecution of 18
6 Pa.C.S. § 6312 (relating to sexual abuse of children).

7 (viii) \$100,000 shall be allocated for criminal
8 indigent defense training.

9 (2) From money appropriated for violence and delinquency
10 prevention programs:

11 (i) no less than the amount used in the 2014-2015
12 fiscal year shall be used for programs in a city of the
13 second class; and

14 (ii) no less than the amount used in the 2014-2015
15 fiscal year shall be used for blueprint mentoring
16 programs that address reducing youth violence in cities
17 of the first, second and third class with programs in
18 cities of the second class and third class also receiving
19 a proportional share of \$200,000.

20 (3) Money appropriated for violence intervention and
21 prevention shall be used solely to provide grants and
22 technical assistance to community-based organizations,
23 institutions of higher education, municipalities, district
24 attorneys and other entities in accordance with section 1306-
25 B(b) of the Public School Code of 1949 and notwithstanding
26 section 1306-B(h) (7) of the Public School Code of 1949 for
27 programs eligible under section 1306-B(j) (22) of the Public
28 School Code of 1949.

29 (4) Money appropriated for county intermediate
30 punishment shall be distributed to counties for county adult

probation supervision and drug and alcohol and mental health treatment programs for offenders sentenced to restrictive conditions of probation imposed under 42 Pa.C.S. § 9763(c) or (d) (relating to conditions of probation) and are certified in accordance with 42 Pa.C.S. § 2154.1(b) (relating to adoption of guidelines for restrictive conditions). The portion of money for drug and alcohol and mental health treatment programs shall be based on national statistics that identify the percentage of incarcerated individuals that are in need of treatment for substance issues but in no case shall be less than 80% of the amount appropriated.

Section 1713-F.1. Lieutenant Governor (Reserved).

Section 1714-F.1. Attorney General.

The following shall apply to appropriations to the Attorney General:

(1) From amounts appropriated for a joint local-State firearm task force in a city of the first class, no more than 20% may be allocated for a district attorney in a city of the first class.

(2) (Reserved).

Section 1715-F.1. Auditor General.

The following shall apply to appropriations to the Department of the Auditor General:

(1) From money appropriated for special financial audits, \$500,000 shall be used for the financial auditing of entities that receive money through contracts with the Department of Human Services from money appropriated for Medical Assistance - Capitation, Medical Assistance Community HealthChoices, Medical Assistance - Long-term Living, Mental Health Services or the Intellectual Disabilities - Community

1 Waiver Program.

2 (2) Appropriations made to the Department of Auditor
3 General shall include funding to conduct an audit of a school
4 district in which the school board has approved a motion to
5 request an audit by the Auditor General within the six months
6 prior to the effective date of this paragraph. The audit
7 shall be conducted as provided by law. To the extent
8 possible, the audit shall include a review of the books,
9 contracts and transactions of the school district, including
10 those related to Federal and State funding of the school
11 district for the previous five school years.

12 Section 1716-F.1. Treasury Department (Reserved).

13 Section 1717-F.1. Department of Aging (Reserved).

14 Section 1718-F.1. Department of Agriculture.

15 The following apply to appropriations for the Department of
16 Agriculture:

17 (1) From money appropriated for general government
18 operations, the following apply:

19 (i) No less than the amount transferred in the 2014-
20 2015 fiscal year shall be transferred to the Dog Law
21 Restricted Account.

22 (ii) No less than \$250,000 shall be used for the
23 Commission of Agricultural Education Excellence to assist
24 in development and implementation of agricultural
25 education programming.

26 (2) From money appropriated for agricultural
27 preparedness and response, the following shall apply:

28 (i) No less than \$25,000,000 shall be used for costs
29 associated with preparing for and responding to an
30 outbreak of highly pathogenic avian influenza in the form

1 of grants to assist with income losses and costs
2 associated with workforce payroll and benefits, mortgage
3 interest and rent payments, utility payments, costs of
4 delayed repopulating and reopening facilities and other
5 losses or costs associated with response not otherwise
6 eligible for or covered by Federal funding, insurance,
7 contracts or other funding sources.

8 (ii) no less than \$6,000,000 shall be used for costs
9 incurred by the Pennsylvania Animal Diagnostic Laboratory
10 System in preparing for and responding to an outbreak of
11 highly pathogenic avian influenza.

12 (3) From money appropriated for agricultural excellence
13 programs, no less than \$250,000 shall be allocated to the
14 Center for Beef Excellence for grants to be used for producer
15 education and physical infrastructure development to increase
16 the inventory of beef cattle in this Commonwealth.

17 (4) From money appropriated for agricultural research,
18 the following apply:

19 (i) No less than \$300,000 shall be used for an
20 agricultural resource center.

21 (ii) No less than \$100,000 shall be used for
22 agricultural law research programs, including those
23 addressing energy development, in conjunction with a
24 land-grant university.

25 (5) From money appropriated for hardwoods research and
26 promotion, at least 80% of the money shall be equally
27 distributed among the hardwood utilization groups of this
28 Commonwealth established prior to the effective date of this
29 section.

30 (6) Money appropriated for the Animal Health and

1 Diagnostic Commission shall be equally distributed to the
2 animal diagnostic laboratory system laboratories located at a
3 land grant university and at a school of veterinary medicine
4 located within this Commonwealth.

5 Section 1719-F.1. Department of Community and Economic
6 Development.

7 The following apply to appropriations for the Department of
8 Community and Economic Development:

9 (1) From money appropriated for general government
10 operations, no less than \$1,900,000 shall be used to support
11 a manufacturing technology development effort, to assist
12 Pennsylvania small businesses with enhanced cyber security
13 and to test coal ash refuse extraction of rare earth metals
14 for domestic chip manufacturing in a county of the fourth
15 class with a population of at least 143,679 but not more than
16 144,200, under the most recent Federal decennial census.

17 (2) (Reserved).

18 (3) From money appropriated for marketing to attract
19 tourists:

20 (i) \$4,093,000 to fund the activities of the tourism
21 office within the department; and

22 (ii) the remaining money includes an allocation to
23 be used to plan, market and conduct a series of arts and
24 cultural activities that generate Statewide and regional
25 economic impact, and \$500,000 shall be used for an annual
26 Statewide competition serving approximately 2,000
27 athletes with intellectual disabilities from across this
28 Commonwealth to be held in a county of the fourth class.

29 (4) From money appropriated for Pennsylvania First, no
30 less than \$8,000,000 shall be used to fund the Workforce and

1 Economic Development Network of Pennsylvania (WEDnetPA) for
2 workforce training grants provided through an alliance of
3 educational providers, including, but not limited to, State
4 System of Higher Education universities, the Pennsylvania
5 College of Technology and community colleges located in this
6 Commonwealth.

7 (5) From money appropriated for Keystone Communities:

8 (i) \$6,377,000 shall be used to fund the Main Street
9 Program, Elm Street Program, Enterprise Zone Program and
10 accessible housing. The allocation for the Main Street
11 Program, Elm Street Program, Enterprise Zone Program and
12 accessible housing shall be distributed in the same
13 proportion as amounts allocated in fiscal year 2012-2013.

14 (ii) The remaining money shall be used for projects
15 supporting economic growth, community development and
16 municipal assistance throughout this Commonwealth.

17 (6) From money appropriated for partnerships for
18 regional economic performance, the amount of \$1,000,000 shall
19 be distributed on a pro rata basis for grants and other
20 activities allowed under Department of Community and Economic
21 Development guidelines in effect for fiscal year 2021-2022.

22 (7) Notwithstanding section 4(1) of the act of October
23 11, 1984 (P.L.906, No.179), known as the Community
24 Development Block Grant Entitlement Program for Nonurban
25 Counties and Certain Other Municipalities, the Commonwealth
26 may use up to 3% of the money received pursuant to the
27 Housing and Community Development Act of 1974 (Public Law 93-
28 383, 88 Stat. 633) for administrative costs.

29 (8) Money appropriated for local municipal relief shall
30 include an allocation to provide State assistance to

1 individuals, persons or political subdivisions directly
2 affected by natural or manmade disasters, public safety
3 emergencies, other situations that pose a public safety
4 danger or other situations at the discretion of the
5 department. State assistance may be limited to grants for
6 projects that do not qualify for Federal assistance to help
7 repair damages to primary residences, personal property and
8 public facilities and structures. Grants shall be made
9 available for reimbursement in a disaster emergency area only
10 when a Presidential disaster declaration does not cover the
11 area or when the department determines that a public safety
12 emergency has occurred.

13 Section 1720-F.1. Department of Conservation and Natural
14 Resources (Reserved).

15 Section 1721-F.1. Department of Corrections.

16 The following apply to appropriations for the Department of
17 Corrections:

18 (1) From amounts appropriated for general government
19 operations, no less than \$1,750,000 shall be used for
20 nonnarcotic medication substance use disorder treatment,
21 which may include the establishment and administration of a
22 nonnarcotic medication assisted substance abuse treatment
23 grant program.

24 (2) Notwithstanding any other provision of law to the
25 contrary, for the purposes of any program funded under
26 paragraph (1) and established under 61 Pa.C.S. Ch. 46
27 (relating to nonnarcotic medication assisted substance abuse
28 treatment grant pilot program), the term "eligible offender"
29 means a defendant or inmate convicted of a criminal offense
30 who will be committed to the custody of the county and who

1 meets the clinical criteria for an opioid or alcohol use
2 disorder as determined by a physician.

3 Section 1722-F.1. Department of Drug and Alcohol Programs
4 (Reserved).

5 Section 1723-F.1. Department of Education.

6 The following shall apply to appropriations to the Department
7 of Education:

8 (1) From money appropriated for general government
9 operations, no less than \$1,500,000 shall be used for an
10 educational and professional development online course
11 initiative. The department shall establish a central online
12 clearinghouse in accordance with the Public School Code of
13 1949, which shall include an online database of online
14 courses for students in grades K-12 and online professional
15 development courses, and to make the clearinghouse accessible
16 to school entities, nonpublic schools, home education
17 programs and the general public.

18 (2) From money appropriated for the Pre-K Counts
19 Program, the per-student grant award amount for grants made
20 pursuant to section 1514-D of the Public School Code of 1949
21 shall be increased by 14.3% over the amount paid in fiscal
22 year 2021-2022.

23 (3) From an appropriation for adult and family literacy
24 programs, summer reading programs and the adult high school
25 diplomas program. The following apply:

26 (i) no less than the amount allocated in the 2014-
27 2015 fiscal year shall be allocated for an after-school
28 learning program servicing low-income students located in
29 a county of the sixth class with a population, based on
30 the most recent Federal decennial census, of at least

1 60,000 but not more than 70,000; and

2 (ii) no less than the amount allocated in the 2016-
3 2017 fiscal year shall be used for an after-school
4 learning program servicing low-income students located in
5 a county of the third class with a population, based on
6 the most recent Federal decennial census, of at least
7 320,000 but not more than 321,000.

8 (4) Notwithstanding any other provision of law, the
9 appropriation for pupil transportation may not be redirected
10 for any purpose.

11 (5) From money appropriated for Pennsylvania Chartered
12 Schools for Deaf and Blind Children, the following apply:

13 (i) Upon distribution of the final tuition payment
14 for the fiscal year, the balance of the appropriation,
15 excluding amounts under subparagraph (ii), shall be used
16 to pay the schools' increased share of required
17 contributions for public school employees' retirement and
18 shall be distributed pro rata based on each school's
19 contributions for the prior fiscal year.

20 (ii) \$1,000,000 is included for capital-related
21 costs and deferred maintenance to be divided equally
22 between each approved private school.

23 (6) Notwithstanding any other provision of law, the
24 amount of money set aside under section 2509.8 of the Public
25 School Code of 1949 shall be allocated to each approved
26 private school with a day tuition rate determined to be less
27 than \$32,000 during the 2010-2011 school year. The allocation
28 shall be no less than the amount allocated in the 2015-2016
29 fiscal year.

30 (7) Money appropriated for regional community college

1 services shall be distributed to each entity that received
2 funding in fiscal year 2019-2020 in an amount equal to the
3 amount it received in that fiscal year and a pro rata share
4 of \$85,000.

5 (8) Notwithstanding any other provision of law, money
6 appropriated for community education councils shall be
7 distributed in a manner that each community education council
8 which received funding in fiscal year 2021-2022 shall receive
9 an amount equal to the amount it received in that fiscal year
10 and a pro rata share of \$96,000.

11 Section 1724-F.1. Department of Environmental Protection

12 (Reserved).

13 Section 1725-F.1. Department of General Services.

14 From money appropriated to the Department of General Services
15 for Capitol fire protection, the City of Harrisburg shall use
16 the money to support the provisions of fire services to the
17 Capitol complex.

18 Section 1726-F.1. Department of Health.

19 The following apply to appropriations for the Department of
20 Health:

21 (1) From money appropriated for general government
22 operations, sufficient money is included for the coordination
23 of donated dental services.

24 (2) From money appropriated for diabetes programs,
25 \$100,000 shall be allocated for Type I diabetes awareness,
26 education and outreach.

27 (3) From money appropriated for primary health care
28 practitioner, the following apply:

29 (i) No less than \$3,451,000 shall be used for
30 Primary Care Loan Repayment Grant Awards.

1 (ii) No less than \$1,500,000 shall be used for the
2 Pennsylvania Academy of Family Physicians Residency
3 Program.

4 (iii) Grantees other than as provided under
5 subparagraphs (i) and (ii) that received amounts in the
6 2021-2022 fiscal year shall receive the amount each
7 grantee received in the 2021-2022 fiscal year and a pro
8 rata allocation of \$558,000.

9 (4) Money appropriated for services for children with
10 special needs shall be distributed to grantees in the same
11 proportion as distributed in fiscal year 2019-2020.

12 (5) From money appropriated for adult cystic fibrosis
13 and other chronic respiratory illnesses, the following apply:

14 (i) No less than \$212,000 shall be used for a
15 program promoting cystic fibrosis research in a county of
16 the second class.

17 (ii) No less than \$106,000 shall be used for
18 research related to childhood cystic fibrosis in a city
19 of the first class with a hospital that is nationally
20 accredited as a cystic fibrosis treatment center and
21 specializes in the treatment of children.

22 (iii) Any money not used under subparagraph (i) or
23 (ii) shall be distributed to grantees in the same
24 proportion as distributed in fiscal year 2019-2020.

25 (6) Money appropriated for diagnosis and treatment for
26 Cooley's anemia shall be distributed to grantees in the same
27 proportion as distributed in fiscal year 2019-2020.

28 (7) Money appropriated for hemophilia services shall be
29 distributed to grantees in the same proportion as distributed
30 in fiscal year 2019-2020.

1 (8) Money appropriated for lupus programs shall be
2 distributed proportionately to each entity that received
3 funding in fiscal year 2018-2019.

4 (9) From money appropriated for sickle cell anemia
5 services, including camps for children with sickle cell
6 anemia, the following shall apply:

7 (i) Grantees which received amounts in fiscal year
8 2019-2020 shall receive an amount which is in the same
9 proportion as distributed in fiscal year 2019-2020.

10 (ii) \$75,000 shall be distributed to a qualifying
11 academic medical center located in a county of the third
12 class with a population between 260,000 and 270,000 under
13 the most recent Federal decennial census for expanded
14 care of adult sickle cell disease.

15 (10) Money appropriated for Lyme disease includes
16 \$930,000 for costs related to free tick testing for residents
17 performed in conjunction with a university that is part of
18 the State System of Higher Education, including outreach and
19 marketing.

20 (11) Money appropriated for biotechnology research shall
21 include allocations for regenerative medicine research, for
22 regenerative medicine medical technology, for hepatitis and
23 viral research, for drug research and clinical trials related
24 to cancer, pulmonary embolism and deep vein thrombosis, for
25 genetic and molecular research for disease identification and
26 eradication, for vaccine immune response diagnostics, for
27 nanotechnology and for the commercialization of applied
28 research.

29 (12) From the appropriation for leukemia/lymphoma, the
30 entire amount shall be allocated to a branch of an eastern

1 Pennsylvania chapter of a nonprofit organization, where the
2 branch is located within a city of the third class that is
3 located in two counties of the third class, dedicated to
4 awareness, education, patient assistance and outreach related
5 to blood cancer.

6 Section 1727-F.1. Insurance Department (Reserved).

7 Section 1728-F.1. Department of Labor and Industry.

8 The following apply to appropriations to the Department of
9 Labor and Industry:

10 (1) From money appropriated for Industry Partnerships,
11 no less than the amount allocated in the 2014-2015 fiscal
12 year shall be used for a work force development program that
13 links veterans with employment in a home rule county that was
14 formerly a county of the second class A.

15 (2) (Reserved).

16 Section 1729-F.1. Department of Military and Veterans Affairs

17 (Reserved).

18 Section 1730-F.1. Department of Human Services.

19 The following apply to appropriations for the Department of
20 Human Services:

21 (1) From money appropriated for mental health services
22 or from Federal money, \$580,000 shall be used for the
23 following:

24 (i) The operation and maintenance of a network of
25 web portals that provide comprehensive referral services,
26 support and information relating to early intervention,
27 prevention and support for individuals with mental health
28 or substance abuse issues, county mental health offices,
29 providers and others that provide mental and behavioral
30 health treatment and related services.

1 (ii) The expansion of the existing web portals,
2 including services and resources for military veterans
3 and their families, including comprehensive referral
4 services for transitional, temporary and permanent
5 housing, job placement and career counseling and other
6 services for military veterans returning to civilian
7 life.

8 (2) (Reserved).

9 (3) Subject to the availability of Federal money and
10 eligibility under Federal TANFBG rules, grantees who operated
11 within the PA WorkWear program in the prior fiscal year and
12 who remain in operation shall be offered a grant for the
13 fiscal year to continue service delivery under substantially
14 similar terms as previous PA WorkWear grants unless both
15 parties agree to alternate terms. Nothing in this paragraph
16 shall prohibit the Department of Human Services from offering
17 a grant to a prospective PA WorkWear provider to replace a
18 prior grantee who chooses not to continue to operate in the
19 program.

20 (4) From money appropriated for medical assistance
21 capitation:

22 (i) No less than the amount used in the 2014-2015
23 fiscal year shall be used for prevention and treatment of
24 depression and its complications in older Pennsylvanians
25 in a county of the second class.

26 (ii) Subject to Federal approval as may be necessary
27 and contingent on Federal financial participation,
28 sufficient funds are included to provide rates for
29 ambulance transportation at the following amounts,
30 beginning on January 1, 2023:

1 (A) For basic life support, not less than \$325
2 per loaded trip.

3 (B) For advanced life support, not less than
4 \$400 per loaded trip.

5 (C) For ground mileage, not less than \$4 per
6 mile for each loaded mile beyond 20 loaded miles.

7 (5) The following shall apply to amounts appropriated
8 for medical assistance fee-for-service:

9 (i) Payments to hospitals for Community Access Fund
10 grants shall be distributed under the formulas utilized
11 for these grants in fiscal year 2014-2015. If the total
12 funding available under this subparagraph is less than
13 that available in fiscal year 2014-2015, payments shall
14 be made on a pro rata basis.

15 (ii) Amounts allocated from money appropriated for
16 fee-for-service used for the SelectPlan for Women's
17 preventative health services shall be used for women's
18 medical services, including noninvasive contraception
19 supplies.

20 (iii) Notwithstanding any other law, money
21 appropriated for medical assistance payments for fee-for-
22 service care, exclusive of inpatient services provided
23 through capitation plans, shall include sufficient money
24 for two separate All Patient Refined Diagnostic Related
25 Group payments for inpatient acute care general hospital
26 stays for:

27 (A) normal newborn care; and

28 (B) mothers' obstetrical delivery.

29 (iv) No less than \$330,000 shall be used for cleft
30 palates and other craniofacial anomalies.

1 (v) No less than \$800,000 shall be distributed to a
2 hospital for clinical ophthalmologic services located in
3 a city of the first class.

4 (vi) No less than \$700,000 shall be distributed for
5 improvements to an acute care hospital located in a city
6 of the first class.

7 (vii) No less than \$5,000,000 shall be distributed
8 to a hospital in a city of the third class in a home rule
9 county that was formerly a county of the second class A,
10 provided that services and specialties available on the
11 effective date of this paragraph must remain available
12 until July 1, 2023, and compliance with any other
13 requirements imposed by the Department of Human Services.
14 The Department of Human Services may recoup funds from
15 any hospital failing to meet the conditions under this
16 paragraph.

17 (viii) No less than \$2,000,000 shall be distributed
18 to a university located in a city of the first class to
19 research the impact of trauma-informed programs on
20 community violence prevention and health disparities.

21 (ix) No less than \$3,000,000 shall be distributed to
22 an enrolled outpatient therapy service provider located
23 in a city of the second class in a county of the second
24 class that provides behavioral health and medical
25 rehabilitation pediatric outpatient services.

26 (x) No less than \$2,500,000 shall be distributed to
27 an acute care hospital in a city of the third class with
28 a population between 14,000 and 15,000 according to the
29 most recent Federal decennial census in a county of the
30 third class with a population between 360,000 and 370,000

1 according to the most recent Federal decennial census.

2 (xi) Subject to Federal approval as may be necessary
3 and contingent on Federal financial participation,
4 sufficient funds are included to provide rates for
5 ambulance transportation at the following amounts,
6 beginning on January 1, 2023:

7 (A) For basic life support, not less than \$325
8 per loaded trip.

9 (B) For advanced life support, not less than
10 \$400 per loaded trip.

11 (C) For ground mileage, not less than \$4 per
12 mile for each loaded mile beyond 20 loaded miles.

13 (6) To supplement the money appropriated to the
14 department for medical assistance for workers with
15 disabilities, in addition to the monthly premium under
16 section 1503(b)(1) of the act of June 26, 2001 (P.L.755,
17 No.77), known as the Tobacco Settlement Act, the department
18 may adjust the percentage of the premium upon approval of the
19 Centers for Medicare and Medicaid Services as authorized
20 under Federal requirements. Failure to make payments in
21 accordance with this paragraph or section 1503(b)(1) of the
22 Tobacco Settlement Act shall result in the termination of
23 medical assistance coverage.

24 (7) Qualifying physician practice plans that received
25 money for fiscal year 2017-2018 shall not receive less than
26 the State appropriation made available to those physician
27 practice plans during fiscal year 2017-2018.

28 (8) Federal or State money appropriated under the
29 General Appropriation Act of 2022 in accordance with 35
30 Pa.C.S. § 8107.3 (relating to funding) not used to make

1 payments to hospitals qualifying as Level III trauma centers
2 or seeking accreditation as Level III trauma centers shall be
3 used to make payments to hospitals qualifying as Levels I and
4 II trauma centers.

5 (9) Qualifying academic medical centers that received
6 money for fiscal year 2017-2018 shall receive the same amount
7 from the State appropriation made available to those academic
8 medical centers during fiscal year 2017-2018.

9 (10) Money appropriated for medical assistance
10 transportation shall only be utilized as a payment of last
11 resort for transportation for eligible medical assistance
12 recipients.

13 (11) The following shall apply:

14 (i) Money appropriated for women's service programs
15 grants to nonprofit agencies whose primary function is to
16 promote childbirth and provide alternatives to abortion
17 shall be expended to provide services to women until
18 childbirth and for up to 12 months thereafter, including
19 food, shelter, clothing, health care, counseling,
20 adoption services, parenting classes, assistance for
21 postdelivery stress and other supportive programs and
22 services and for related outreach programs. Agencies may
23 subcontract with other nonprofit entities that operate
24 projects designed specifically to provide all or a
25 portion of these services. Projects receiving money
26 referred to in this subparagraph shall not promote, refer
27 for or perform abortions or engage in any counseling
28 which is inconsistent with the appropriation referred to
29 in this subparagraph and shall be physically and
30 financially separate from any component of any legal

1 entity engaging in such activities.

2 (ii) Federal money appropriated for TANFBG
3 Alternatives to Abortion shall be utilized solely for
4 services to women whose gross family income is below 185%
5 of the Federal poverty guidelines.

6 (12) From money appropriated for medical assistance
7 long-term living:

8 (i) No less than the amount distributed in the 2014-
9 2015 fiscal year shall be distributed to a county nursing
10 home located in a home rule county that was formerly a
11 county of the second class A with more than 725 beds and
12 a Medicaid acuity at 0.79 as of August 1, 2015.

13 (ii) No less than the amount used in the 2020-2021
14 fiscal year shall be distributed to a nonpublic nursing
15 home located in a county of the first class with more
16 than 395 beds and a Medicaid acuity at 1.15 as of August
17 1, 2021, to ensure access to necessary nursing care in
18 that county.

19 (iii) \$5,000,000 shall be distributed to a nonpublic
20 nursing home located in a county of the eighth class with
21 more than 119 beds and a Medicaid acuity at 1.07 as of
22 August 1, 2021, to ensure access to necessary nursing
23 home care in that county.

24 (iv) An additional \$500,000 shall be paid in equal
25 payments to nursing facilities which remain open as of
26 the effective date of this section that qualified for
27 supplemental ventilator care and tracheostomy care
28 payments in fiscal year 2014-2015 with a percentage of
29 medical assistance recipient residents who required
30 medically necessary ventilator care or tracheostomy care

1 greater than 90%.

2 (v) Subject to Federal approval of necessary
3 amendments of the Title XIX State Plan, \$16,000,000 is
4 allocated for medical assistance day-one incentive
5 payments to qualified nonpublic nursing facilities under
6 methodology and criteria under section 443.1(7)(vi) of
7 the Human Services Code. The Department of Human Services
8 shall determine a nonpublic nursing facility's overall
9 and medical assistance occupancy rate to qualify for a
10 medical assistance day-one incentive payment for the
11 fiscal year based on a nursing facility's resident day
12 quarter ending December 31, 2019, for the first of two
13 payments and a nursing facility's resident day quarter
14 ending March 31, 2020, for the second of two payments.

15 (vi) No less than \$500,000 shall be allocated to a
16 special rehabilitation facility in peer group number 13
17 in a city of the third class with a population between
18 115,000 and 120,000 based upon the most recent Federal
19 decennial census.

20 (vii) Subject to Federal approval, sufficient funds
21 are included to provide a 17.5% annualized rate increase
22 effective January 1, 2023, that is calculated in
23 accordance with section 443.1 of the Human Services Code
24 and 55 Pa. Code Chs. 1187 (relating to nursing facility
25 services) and 1189 (relating to county nursing facility
26 services), including for costs associated with compliance
27 with section 443.13 of the Human Services Code SECTION <--
28 1603-T.

29 (13) From money appropriated for Medical Assistance
30 Community HealthChoices, subject to Federal approval,

1 sufficient funds are included to make payments with dates of
2 service beginning January 1, 2023, in accordance with section
3 443.1(7)(iv.1) of the Human Services Code 1602-T(1)(II). <--

4 (14) From money appropriated for autism intervention and
5 services:

6 (i) \$600,000 shall be allocated to a behavioral
7 health facility located in a county of the fifth class
8 with a population between 130,000 and 135,000 under the
9 most recent Federal decennial census and shall be
10 distributed to a health system that operates both a
11 general acute care hospital and a behavioral health
12 facility that has a center for autism and developmental
13 disabilities located in a county of the fifth class with
14 a population between 130,000 and 135,000 under the most
15 recent Federal decennial census;

16 (ii) \$300,000 shall be allocated to an institution
17 of higher education that provides autism education and
18 diagnostic curriculum located in a city of the first
19 class that operates a center for autism in a county of
20 the second class A;

21 (iii) \$300,000 shall be allocated to an institution
22 of higher education that provides autism education and
23 diagnostic curriculum and is located in a county of the
24 second class;

25 (iv) no less than the amount distributed in the
26 2014-2015 fiscal year shall be allocated for programs to
27 promote the health and fitness of persons with
28 developmental disabilities located in a city of the first
29 class;

30 (v) \$500,000 shall be allocated for the expansion of

1 an adult autism program in a county of the third class;
2 and

3 (vi) \$600,000 shall be allocated for an entity that
4 provides alternative educational services to individuals
5 with autism and developmental disabilities in the county
6 which was most recently designated as a county of the
7 second class A.

8 (15) (Reserved).

9 (16) From money appropriated for child-care services, no
10 less than \$25,000,000 shall be allocated to apply an income
11 limit for subsidized child care during redetermination of
12 eligibility to no more than 300% of the Federal poverty
13 income guidelines or 85% of the State median income,
14 whichever is lower. Notwithstanding any other provision of
15 law, the department shall determine copayment amounts for
16 family incomes above 235% of the Federal poverty income
17 guidelines in order to support economic self-sufficiency. The
18 department shall transmit notice of the copayment schedule to
19 the Legislative Reference Bureau for publication in the
20 Pennsylvania Bulletin.

21 (17) (Reserved).

22 (18) Money appropriated for breast cancer screening may
23 be used for women's medical services, including noninvasive
24 contraception supplies.

25 (19) From the appropriation for 2-1-1 Communications,
26 \$750,000 shall be allocated for a Statewide 2-1-1 System
27 Grant Program.

28 (20) The appropriation for services for the visually
29 impaired includes the following:

30 (i) an allocation of \$3,084,000 for a Statewide

1 professional services provider association for the blind
2 to provide training and supportive services for
3 individuals who are blind and preschool vision screenings
4 and eye safety education; and

5 (ii) an allocation of \$618,000 to provide
6 specialized services and prevention of blindness services
7 in cities of the first class.

8 (21) The provisions of 8 U.S.C. §§ 1611 (relating to
9 aliens who are not qualified aliens ineligible for Federal
10 public benefits), 1612 (relating to limited eligibility of
11 qualified aliens for certain Federal programs) and 1642
12 (relating to verification of eligibility for Federal public
13 benefits) shall apply to payments and providers.

14 (22) The following duty shall apply:

15 (i) The Secretary of Human Services shall report on
16 a quarterly basis in person to the secretary, the
17 chairperson and minority chairperson of the
18 Appropriations Committee of the Senate and the
19 chairperson and minority chairperson of the
20 Appropriations Committee of the House of Representatives
21 information documenting each of the following State
22 appropriations and their associated Federal
23 appropriations:

24 (A) Medical Assistance - Capitation.

25 (B) Medical Assistance - Fee-for-Service.

26 (C) Payment to Federal Government - Medicare
27 Drug Program.

28 (D) Medical Assistance - Workers with
29 Disabilities.

30 (E) Medical Assistance - Long-Term Living.

1 (F) Medical Assistance - Community
2 HealthChoices.

3 (G) Long-Term Care Managed Care.

4 (H) Intellectual Disabilities - Intermediate
5 Care Facilities.

6 (I) Intellectual Disabilities - Community Waiver
7 Program.

8 (J) Autism Intervention and Services.

9 (K) Early Intervention.

10 (ii) The information included in a report under
11 subparagraph (i) shall include the following:

12 (A) Number of enrollees by month.

13 (B) Average cost per enrollee.

14 (C) Required payment amounts by appropriation
15 during the fiscal year.

16 (D) Revised estimate of the money needed by
17 appropriation to make required payments for the
18 remainder of the fiscal year.

19 (iii) If revised estimates under subparagraph (ii)
20 (D) indicate supplemental money may be necessary, the
21 secretary shall provide a detailed explanation, in
22 writing, of the reasons the revised estimates differ from
23 the General Appropriation Act of 2022, or information
24 provided previously under this paragraph.

25 (23) The Department of Human Services shall not add non-
26 medically necessary services to the Medical Assistance
27 Program that would result in the need for a supplemental
28 appropriation without the approval of the General Assembly.
29 Each proposed service shall be outlined in the Governor's
30 Executive Budget or subsequent updates provided in writing to

1 the General Assembly.

2 (24) Of the funding appropriated for COVID Relief - ARPA
3 - Adult Mental Health Programs, no funding shall be expended
4 until enabling legislation is enacted by the General
5 Assembly.

6 Section 1731-F.1. Department of Revenue (Reserved).

7 Section 1732-F.1. Department of State (Reserved).

8 Section 1733-F.1. Department of Transportation.

9 The following shall apply to appropriations for the
10 Department of Transportation:

11 (1) From money appropriated for infrastructure projects,
12 \$1,900,000 shall be allocated for costs related to capital
13 equipment for a rural transit service headquartered in this
14 Commonwealth that provides intercity line-run service with at
15 least six different line runs.

16 (2) (Reserved).

17 Section 1734-F.1. Pennsylvania State Police (Reserved).

18 Section 1735-F.1. Pennsylvania Emergency Management Agency.

19 The following shall apply to appropriations for the
20 Pennsylvania Emergency Management Agency:

21 (1) Money appropriated for search and rescue programs
22 shall be used to support programs related to training working
23 service dogs focusing on rescue and public safety.

24 (2) Money appropriated for the State Fire Commissioner
25 includes funding for a Statewide recruitment and retention
26 coordinator and regional technical advisors to develop,
27 implement and deliver recruitment and retention training
28 programs and provide technical assistance to local fire
29 organizations and local governments.

30 (3) Money appropriated for State disaster assistance

1 shall be used to provide individual disaster recovery
2 assistance to assist in the recovery from emergencies and
3 non-federally declared disasters. Amounts under this
4 paragraph may be used for critical needs assistance and to
5 repair damage to residential properties not compensated by
6 insurance or any other funding sources. The agency shall
7 publish guidelines to implement this paragraph.

8 Section 1736-F.1. State-related universities.

9 The following shall apply to appropriations for State-related
10 universities:

11 (1) Representatives from a State-related university
12 which receives funding under the act of , (P.L. , No.) known
13 as the State-related University Nonpreferred Appropriation
14 Act of 2022, shall appear before the Appropriations Committee
15 of the Senate and the Appropriations Committee of the House
16 of Representatives no fewer than three times during the
17 fiscal year.

18 (2) Every tuition invoice that includes a discount due
19 to money appropriated under the State-related University
20 Nonpreferred Appropriation Act of 2022 shall specify that the
21 funding for the discount comes from money appropriated by the
22 General Assembly.

23 Section 1737-F.1. State System of Higher Education (Reserved).

24 Section 1738-F.1. Pennsylvania Higher Education Assistance
25 Agency.

26 The following shall apply to appropriations for the
27 Pennsylvania Higher Education Assistance Agency:

28 (1) The Pennsylvania Higher Education Assistance Agency
29 shall allocate \$500,000 from the Higher Education Assistance
30 Fund for the Cheyney University Keystone Academy.

1 (2) From money appropriated for payment of education
2 assistance grants, the amount of \$1,000,000 shall be
3 allocated to a State-owned university located in Tioga County
4 for merit scholarships.

5 (3) From money appropriated for Pennsylvania Internship
6 Program grants, funds may be used for internship and seminar
7 programs.

8 Section 1739-F.1. Thaddeus Stevens College of Technology.

9 The following shall apply to appropriations for the Thaddeus
10 Stevens College of Technology:

11 (1) From funds appropriated for Thaddeus Stevens College
12 of Technology, the President of the college shall cause to be
13 prepared and submitted to the President Pro Tempore of the
14 Senate, the Speaker of the House of Representatives, the
15 Majority Leader and the Minority Leader of Senate, the
16 Majority Leader and the Minority Leader of the House of
17 Representatives, the chairperson and minority chairperson of
18 the Education Committee of the Senate, the chairperson and
19 minority chairperson of the Education Committee of the House
20 of Representatives and the Secretary of Education a
21 comprehensive report outlining the use of funds appropriated,
22 to specifically include the strategies and use of funds to
23 expand student enrollment.

24 (2) (Reserved).

25 Section 1740-F.1. Pennsylvania Historical and Museum Commission

26 (Reserved).

27 Section 1741-F.1. Environmental Hearing Board (Reserved).

28 Section 1742-F.1. Health Care Cost Containment Council

29 (Reserved).

30 Section 1743-F.1. State Ethics Commission (Reserved).

1 Section 1744-F.1. Commonwealth Financing Authority.

2 Notwithstanding any provision of law or guidelines to the
3 contrary, for the purposes of the Statewide Local Share Account
4 Program, the Department of Community and Economic Development
5 may not deem an application ineligible if it is for a project
6 where a down payment was required and the applicant made the
7 down payment after the application submission date. This section
8 shall apply regardless of when a purchase agreement was
9 executed.

10 SUBARTICLE C

11 STATE GOVERNMENT SUPPORT AGENCIES

12 Section 1751-F.1. Legislative Reference Bureau (Reserved).

13 Section 1752-F.1. Legislative Budget and Finance Committee
14 (Reserved).

15 Section 1753-F.1. Legislative Data Processing Committee
16 (Reserved).

17 Section 1754-F.1. Joint State Government Commission (Reserved).

18 Section 1755-F.1. Local Government Commission (Reserved).

19 Section 1756-F.1. Legislative Audit Advisory Commission
20 (Reserved).

21 Section 1757-F.1. Independent Regulatory Review Commission
22 (Reserved).

23 Section 1758-F.1. Capitol Preservation Committee (Reserved).

24 Section 1759-F.1. Pennsylvania Commission on Sentencing
25 (Reserved).

26 Section 1760-F.1. Center for Rural Pennsylvania (Reserved).

27 Section 1761-F.1. Commonwealth Mail Processing Center
28 (Reserved).

29 Section 1762-F.1. Legislative Reapportionment Commission
30 (Reserved).

1 Section 1763-F.1. Independent Fiscal Office (Reserved).

2 SUBARTICLE D

3 JUDICIAL DEPARTMENT

4 Section 1771-F.1. Supreme Court (Reserved).

5 Section 1772-F.1. Superior Court (Reserved).

6 Section 1773-F.1. Commonwealth Court (Reserved).

7 Section 1774-F.1. Courts of common pleas (Reserved).

8 Section 1775-F.1. Community courts; magisterial district judges
9 (Reserved).

10 Section 1776-F.1. Philadelphia Municipal Court (Reserved).

11 Section 1777-F.1. Judicial Conduct Board (Reserved).

12 Section 1778-F.1. Court of Judicial Discipline (Reserved).

13 Section 1779-F.1. Juror cost reimbursement (Reserved).

14 Section 1780-F.1. County court reimbursement (Reserved).

15 SUBARTICLE E

16 GENERAL ASSEMBLY

17 (Reserved)

18 ARTICLE XVII-F.2

19 2022-2023 RESTRICTIONS ON APPROPRIATIONS

20 FOR FUNDS AND ACCOUNTS

21 Section 1701-F.2. Applicability.

22 Except as specifically provided in this article, this article
23 applies to the act of _____, 2022 (P.L. _____, No. _____), known as
24 the General Appropriation Act of 2022, and all other
25 appropriation acts of 2022.

26 Section 1702-F.2. Definitions.

27 The following words and phrases when used in this article
28 shall have the meanings given to them in this section unless the
29 context clearly indicates otherwise:

30 "General Appropriation Act of 2022." The act of _____, 2022

1 (P.L. , No.), known as the General Appropriation Act of 2022.

2 "Most recent Federal decennial census." The population
3 figures for the most recent Federal decennial census as
4 published by the Department of General Services in the most
5 recent Pennsylvania Manual as of the effective date of this
6 section.

7 Section 1703-F.2. State Lottery Fund.

8 The following apply:

9 (1) Money appropriated for PENNCARE shall not be
10 utilized for administrative costs by the Department of Aging.

11 (2) (Reserved).

12 Section 1704-F.2. Tobacco Settlement Fund (Reserved).

13 Section 1705-F.2. Judicial Computer System Augmentation Account
14 (Reserved).

15 Section 1706-F.2. Emergency Medical Services Operating Fund
16 (Reserved).

17 Section 1707-F.2. The State Stores Fund (Reserved).

18 Section 1708-F.2. Motor License Fund.

19 The following shall apply to appropriations from the Motor
20 License Fund:

21 (1) From money appropriated to the Department of
22 Transportation for municipal traffic signals, \$5,000,000
23 shall be used by the Department of Transportation to provide
24 grants to municipalities to install and maintain traffic
25 signal technologies at traffic control signals which will be
26 connected to a central location using the Commonwealth
27 communications network. Municipalities shall not be required
28 to provide matching funds as a condition of receiving a grant
29 under this paragraph. The following traffic signal
30 technologies shall be eligible for a grant under this

1 paragraph:

2 (i) A system that synchronizes and times traffic
3 signals.

4 (ii) Adaptive signal control technology that
5 utilizes sensors to monitor traffic flow, vehicle delay
6 and queues in order to optimize the timing plan of the
7 traffic signal in real time.

8 (iii) Controller, detection and communication
9 technology to support traffic signal timing and
10 synchronization updates using automated traffic signal
11 performance measures.

12 (iv) Controller and communication technology to
13 support unified command and control.

14 (2) (Reserved).

15 Section 1709-F.2. Aviation Restricted Account (Reserved).

16 Section 1710-F.2. Hazardous Material Response Fund (Reserved).

17 Section 1711-F.2. Milk Marketing Fund (Reserved).

18 Section 1712-F.2. HOME Investment Trust Fund (Reserved).

19 Section 1713-F.2. Tuition Account Guaranteed Savings Program
20 Fund (Reserved).

21 Section 1714-F.2. Banking Fund (Reserved).

22 Section 1715-F.2. Firearm Records Check Fund (Reserved).

23 Section 1716-F.2. Ben Franklin Technology Development Authority
24 Fund (Reserved).

25 Section 1717-F.2. Oil and Gas Lease Fund (Reserved).

26 Section 1718-F.2. Home Improvement Account (Reserved).

27 Section 1719-F.2. Cigarette Fire Safety and Firefighter
28 Protection Act Enforcement Fund (Reserved).

29 Section 1720-F.2. Insurance Regulation and Oversight Fund
30 (Reserved).

1 Section 1721-F.2. Pennsylvania Race Horse Development

2 Restricted Receipts Account (Reserved).

3 Section 1722-F.2. Justice Reinvestment Fund (Reserved).

4 Section 1723-F.2. Multimodal Transportation Fund (Reserved).

5 Section 1724-F.2. State Racing Fund (Reserved).

6 Section 1725-F.2. ABLE Savings Program Fund (Reserved).

7 Section 1726-F.2. Tourism Promotion Fund (Reserved).

8 Section 1727-F.2. Enhanced Revenue Collection Account

9 (Reserved).

10 Section 1728-F.2. (Reserved).

11 Section 1729-F.2. Opioid Settlement Restricted Account.

12 From money appropriated from the Opioid Settlement Restricted

13 Account, the sum of \$1,000,000 shall be distributed to Office of

14 the District Attorney in a county of the third class with a

15 population between 349,000 and 350,000 under the most recent

16 Federal decennial census.

17 Section 1730-F.2. COVID-19 Response Restricted Account

18 (Reserved).

19 Section 1731-F.2. Pennsylvania Preferred® Trademark Licensing

20 Fund.

21 Notwithstanding 3 Pa.C.S. § 4616 (relating to Pennsylvania

22 Preferred® Trademark Licensing Fund), the Department of

23 Agriculture may use money deposited into the Pennsylvania

24 Preferred® Trademark Licensing Fund to promote one or more of

25 the funding objectives under 3 Pa.C.S. § 4616(c) through the

26 awarding of grants.

27 Section 1732-F.2. Agricultural Conservation Easement Purchase

28 Fund.

29 In addition to the uses provided in section 7.3 of the act of

30 June 18, 1982 (P.L.549, No.159), entitled "An act providing for

1 the administration of certain Commonwealth farmland within the
2 Department of Agriculture," the department may use up to a total
3 of \$165,000 in the Agricultural Conservation Easement Purchase
4 Fund under section 7.1 of the act of June 18, 1982 (P.L.549,
5 No.159), entitled "An act providing for the administration of
6 certain Commonwealth farmland within the Department of
7 Agriculture," to issue grants not to exceed \$5,000 each for
8 succession planning to ensure that agricultural operations
9 continue on land subject to agricultural conservation easements.
10 The department, in consultation with the State Agricultural Land
11 Preservation Board, shall establish eligibility criteria for
12 awarding grants under this section.

13 Section 1733-F.2. Restricted receipt accounts.

14 (a) Authority.--The Secretary of the Budget may create
15 restricted receipt accounts for the purpose of administering
16 Federal grants only for the purposes designated in this section.

17 (b) Department of Community and Economic Development.--The
18 following restricted receipt accounts may be established for the
19 Department of Community and Economic Development:

20 (1) ARC Housing Revolving Loan Program.

21 (2) (Reserved).

22 (c) Department of Conservation and Natural Resources.--The
23 following restricted receipt accounts may be established for the
24 Department of Conservation and Natural Resources:

25 (1) Federal Aid to volunteer fire companies.

26 (2) Land and Water Conservation Fund Act of 1965 (Public
27 Law 88-578, 16 U.S.C. § 4601-4 et seq.).

28 (3) National Forest Reserve Allotment.

29 (d) Department of Education.--The following restricted
30 receipt accounts may be established for the Department of

1 Education:

2 (1) Education of the Disabled - Part C.

3 (2) LSTA - Library Grants.

4 (3) The Pennsylvania State University Federal Aid.

5 (4) Emergency Immigration Education Assistance.

6 (5) Education of the Disabled - Part D.

7 (6) Homeless Adult Assistance Program.

8 (7) Severely Handicapped.

9 (8) Medical Assistance Reimbursements to Local Education
10 Agencies.

11 (e) Department of Environmental Protection.--The following
12 restricted receipt accounts may be established for the
13 Department of Environmental Protection:

14 (1) Federal Water Resources Planning Act.

15 (2) Flood Control Payments.

16 (3) Soil and Water Conservation Act - Inventory of
17 Programs.

18 (f) Department of Drug and Alcohol Programs.--The following
19 restricted receipt accounts may be established for the
20 Department of Drug and Alcohol Programs:

21 (1) Share Loan Program.

22 (2) (Reserved).

23 (g) Department of Transportation.--The following restricted
24 receipt accounts may be established for the Department of
25 Transportation:

26 (1) Capital Assistance Elderly and Handicapped Programs.

27 (2) Railroad Rehabilitation and Improvement Assistance.

28 (3) Ridesharing/Van Pool Program - Acquisition.

29 (h) Pennsylvania Emergency Management Agency.--The following
30 restricted receipt accounts may be established for the

1 Pennsylvania Emergency Management Agency:

2 (1) Receipts from Federal Government - Disaster Relief -
3 Disaster Relief Assistance to State and Political
4 Subdivisions.

5 (2) (Reserved).

6 (i) Pennsylvania Historical and Museum Commission.--The
7 following restricted receipt accounts may be established for the
8 Pennsylvania Historical and Museum Commission:

9 (1) Federal Grant - National Historic Preservation Act.

10 (2) (Reserved).

11 (j) Executive offices.--The following restricted receipt
12 accounts may be established for the executive offices:

13 (1) Retired Employees Medicare Part D.

14 (2) Justice Assistance.

15 (3) Juvenile Accountability Incentive.

16 (4) Early Retiree Reinsurance Program.

17 Section 1734-F.2. Fund transfers.

18 (a) Transfer to Environmental Stewardship Fund.--From money
19 received under the authority of Article III of the act of March
20 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, the
21 sum of \$12,317,000 shall be transferred to the Environmental
22 Stewardship Fund.

23 (b) Applicability.--Section 1795.2-E shall not apply to
24 fiscal year 2022-2023.

25 SECTION 37.1. REGULATIONS ARE ABROGATED AS FOLLOWS:

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26 (1) (RESERVED).

27 (2) THE FOLLOWING PROVISIONS OF 55 PA. CODE, RELATING TO
28 PHYSICIAN OR CERTIFIED REGISTERED NURSE PRACTITIONER
29 NOTIFICATION REQUIREMENTS, ARE ABROGATED TO THE EXTENT THEY
30 APPLY TO INDIVIDUALS WITH SYMPTOMS OF COVID-19:

1 (I) SECTION 3270.137 (RELATING TO CHILDREN WITH
2 SYMPTOMS OF DISEASE).

3 (II) SECTION 3270.153 (RELATING TO FACILITY PERSONS
4 WITH SYMPTOMS OF DISEASE).

5 (III) SECTION 3280.137 (RELATING TO CHILDREN WITH
6 SYMPTOMS OF DISEASE).

7 (IV) SECTION 3280.153 (RELATING TO FACILITY PERSONS
8 WITH SYMPTOMS OF DISEASE).

9 (V) SECTION 3290.137 (RELATING TO CHILDREN WITH
10 SYMPTOMS OF DISEASE).

11 (VI) SECTION 3290.153 (RELATING TO FACILITY PERSONS
12 WITH SYMPTOMS OF DISEASE).

13 Section 38. Repeals are as follows:

14 (1) The General Assembly declares that the repeal under
15 paragraph (2) is necessary to effectuate the addition of
16 section 1721-E(a)(2) and (3) of the act.

17 (2) Section 29 of the act of June 30, 2021 (P.L.260,
18 No.59), is repealed.

19 (3) The General Assembly declares that the repeal under
20 paragraph (4) is necessary to effectuate the amendment of
21 section 1728-E(b) of the act.

22 (4) 51 Pa.C.S. § 705(b) is repealed.

23 (5) The General Assembly declares that the repeal under
24 paragraph (6) is necessary to effectuate the addition of
25 section 1730-E(c)(2.1) of the act.

26 (6) Section 305-A(a) and (b) of the act of December 8,
27 2004 (P.L.1801, No.238), known as the Transit Revitalization
28 Investment District Act, is repealed insofar as it is
29 inconsistent with section 1730-E(c)(2.1) of the act.

30 Section 39. The following shall apply retroactively to July

1 1, 2022:

2 (1) The repeal of section 111-C(g) of the act.

3 (2) The addition of Subarticle A of Article XVII-A.2 of
4 the act.

5 (3) The addition of section 1722-E(f) and (g) of the
6 act.

7 (4) The amendment of section 1740-E of the act.

8 (5) The addition of section 1754-E of the act.

9 (6) The addition of Articles XVII-F.1 and XVII-F.2 of
10 the act.

11 SECTION 39.1. THE ADDITION OF SECTIONS 1602-T(1)(I) AND <--
12 1606-T OF THE ACT SHALL APPLY RETROACTIVELY TO JUNE 29, 2022.

13 Section 40. This act shall take effect immediately.