
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1012 Session of
2022

INTRODUCED BY SANTARSIERO, KEARNEY, HUGHES, FONTANA,
TARTAGLIONE, COSTA, KANE, MUTH, CAPPELLETTI, STREET AND
COMITTA, JANUARY 25, 2022

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
JANUARY 25, 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
31 collect taxes, or to make returns or reports under the laws
32 imposing taxes for State purposes, or to pay license fees or

1 other moneys to the Commonwealth, or any agency thereof,
2 every State depository and every debtor or creditor of the
3 Commonwealth," providing for utility company assistance; and
4 making an appropriation.

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

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

9 ARTICLE I-I

10 UTILITY COMPANY ASSISTANCE

11 Section 101-I. Definitions.

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

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

17 "Program." The COVID-19 Utility Relief Grant Program
18 established under section 102-I(a).

19 "Residential utility service." Service delivered to a
20 residential customer, including a multifamily dwelling unit,
21 from utility facilities for electric power, natural gas, heating
22 oil, liquid propane, drinking water and wastewater.

23 "Utility company." Any of the following that provides
24 residential utility service:

25 (1) An electric distribution company.

26 (2) A natural gas distribution company.

27 (3) A heating oil company.

28 (4) A liquid propane company, including a manufactured
29 home community owner that bills separately for utility
30 service.

31 (5) A water company, including a municipal-owned water
32 authority and a manufactured home community owner that bills

1 separately for utility service.

2 (6) A wastewater company, including a municipal-owned
3 wastewater authority and a manufactured home community owner
4 that bills separately for utility service.

5 (7) A municipal-owned authority.

6 (8) An electric cooperative.

7 (9) A broadband Internet service provider.

8 Section 102-I. COVID-19 Utility Relief Grant Program.

9 (a) Establishment of program.--The COVID-19 Utility Relief
10 Grant Program is established within the department.

11 (b) Use of funds.--Money appropriated to the department for
12 utility assistance as specified under this act shall be used to
13 make grants to utility companies under this article.

14 (c) Guidelines.--The department, in cooperation with the
15 Pennsylvania Public Utility Commission and the Pennsylvania
16 Infrastructure Investment Authority, shall establish guidelines
17 for the program that are consistent with the provisions of this
18 article within 30 days of the effective date of this section.
19 The guidelines shall be submitted to the Legislative Reference
20 Bureau for publication in the Pennsylvania Bulletin and posted
21 on the department's publicly accessible Internet website.

22 (d) Program requirements.--The following apply:

23 (1) A utility company shall submit the names and
24 addresses of residential customers seeking utility assistance
25 under the program to the department and any additional
26 information deemed necessary by the department to administer
27 the program.

28 (2) Utility assistance under the program may be awarded
29 to a utility company that provides residential utility
30 service to residential customers who:

1 (i) began receiving unemployment compensation on or
2 after March 1, 2020; or

3 (ii) on or after March 1, 2020, had their annual
4 household income reduced by 30% as a result of the COVID-
5 19 pandemic.

6 (3) A utility company shall require a residential
7 customer that meets the one or both of the criteria specified
8 under paragraph (2) to provide a certification that the
9 residential customer meets one or both of the criteria
10 specified under paragraph (2).

11 (e) Application.--The following apply:

12 (1) The department shall develop a standard application
13 for a utility company to apply for utility assistance under
14 the program on behalf of the utility company's residential
15 customers within 30 days of the effective date of this
16 section.

17 (2) A utility company must attest to all of the
18 following in an application for utility assistance under the
19 program:

20 (i) The utility company will not terminate service
21 of a residential customer for failure to make a payment
22 until 60 days after the last month for which utility
23 assistance was applied to the residential customer's
24 account under the program.

25 (ii) (Reserved).

26 (iii) Funding received by a utility company under
27 the program will not be used for the utility company's
28 administrative costs.

29 (iv) Funding received by a utility company under the
30 program will be applied fully to the accounts of

1 residential customers who are late on payments or
2 delinquent as a result of COVID-19 pandemic.

3 (3) The application shall be made available and posted
4 on the department's publicly accessible Internet website and
5 be in a form that can be completed and returned by a utility
6 company electronically or through mail.

7 (4) The deadline for submitting applications to the
8 department for participation in the program shall be
9 September 15, 2023, or until funding for the program has been
10 completely expended, whichever is earlier.

11 (5) A utility company shall, when appropriate, work with
12 a residential customer to develop a repayment plan for any
13 outstanding utility debt owed. A residential customer who is
14 enrolled in a customer assistance program shall be eligible
15 for a repayment plan under this paragraph. A repayment plan
16 under this paragraph for a residential customer to resolve an
17 unpaid balance on an account may not be less than the
18 following:

19 (i) Five years for a residential customer with a
20 gross monthly household income level at or below 150% of
21 the Federal poverty level.

22 (ii) Three years for a residential customer with a
23 gross monthly household income level more than 150% of
24 the Federal poverty level but not more than 250% of the
25 Federal poverty level.

26 (iii) Two years for a residential customer with a
27 gross monthly household income level more than 250% of
28 the Federal poverty level but not more than 350% of the
29 Federal poverty level.

30 (iv) One year for a residential customer with a

1 gross monthly household income level more than 350% of
2 the Federal poverty level.

3 (6) Notwithstanding any other provision of law, the
4 Public Utility Commission may establish a new payment
5 arrangement for any payment arrangement entered into by a
6 utility company and a residential customer under 66 Pa.C.S. §
7 1405 (relating to payment arrangements). A payment
8 arrangement entered into under this paragraph shall comply
9 with the provisions of 66 Pa.C.S. § 1405(b).

10 (f) Payments.--The following apply:

11 (1) The department shall only make payments under the
12 program directly to utility companies.

13 (2) A utility company that receives funding under the
14 program shall comply with any Federal or State audits.

15 (3) The department shall notify a residential customer
16 of the amount of payment made to the utility company on
17 behalf of the residential customer.

18 (4) The department shall make payments under the program
19 as follows:

20 (i) Except as provided under subparagraph (ii), an
21 amount equal to 100% of the residential customer's
22 monthly utility bill, but not to exceed \$100 per month
23 per utility, for each month the residential customer
24 seeks utility assistance under the program for a maximum
25 of six months.

26 (ii) For a utility company that bills quarterly, an
27 amount equal to 100% of the residential customer's
28 quarterly bill, but not to exceed \$300 per quarter for
29 each quarter the residential customer seeks utility
30 assistance under the program, for a maximum of two

1 quarters.

2 (iii) Payments under subparagraphs (i) and (ii)
3 shall be made no later than September 15, 2023.

4 (5) The department shall only make payments under the
5 program on behalf of households with an annualized current
6 income of no more than the upper limit of "median income" as
7 defined in the guidelines published annually by the United
8 States Department of Housing and Urban Development.

9 (g) Report.--No later than the first day of each month after
10 utility assistance is provided under the program, the department
11 shall issue a report to the chair and minority chair of the
12 Appropriations Committee of the Senate and the chair and
13 minority chair of the Appropriations Committee of the House of
14 Representatives and post the report on the department's publicly
15 accessible Internet website. The report shall include the
16 following information:

17 (1) The total number of utility companies who applied
18 for utility assistance under the program.

19 (2) The total amount of utility assistance that was
20 applied for under the program.

21 (3) The average amount of utility assistance that was
22 applied for under the program.

23 (4) The average amount of utility assistance that was
24 provided under the program.

25 (5) The total number of residential utility companies,
26 designated by county, who received utility assistance under
27 the program.

28 (6) The total allocation of utility assistance under the
29 program, designated by county.

30 Section 2. Appropriations are as follows:

1 (1) The following Federal amounts are appropriated from
2 the COVID-19 Response Restricted Account as follows:

3 (i) The sum of \$25,000,000 is appropriated to the
4 Department of Human Services to provide assistance under
5 the LIHEAP program.

6 (ii) The sum of \$75,000,000 is appropriated to the
7 Department of Community and Economic Development to
8 provide grants under the COVID-19 Utility Relief Grant
9 Program.

10 (2) The money appropriated under paragraph (1) shall not
11 lapse.

12 Section 3. This act shall take effect immediately.