
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 224 Session of
2023

INTRODUCED BY ISAACSON, GALLAGHER, T. DAVIS, CONKLIN, BURGOS,
CEPEDA-FREYTIZ, HILL-EVANS, HOWARD, KINKEAD, MADDEN,
N. NELSON, OTTEN, PARKER, PROBST, SANCHEZ AND WAXMAN,
MARCH 8, 2023

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
MARCH 8, 2023

AN ACT

1 Establishing the Rebuild Pennsylvania Board, the Rebuild
2 Pennsylvania Program and the Rebuild Pennsylvania Fund;
3 providing for powers and duties of the board and for use of
4 program money; and making an interfund transfer.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Rebuild
9 Pennsylvania Act.

10 Section 2. Definitions.

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

14 "Board." The Rebuild Pennsylvania Board established under
15 section 3.

16 "Commonwealth agency." A department, board, commission,
17 authority or other officer or agency of the Commonwealth. The

1 term does not include any court or other officer or agency of
2 the unified judicial system or the General Assembly or an
3 officer or agency of the General Assembly.

4 "Fund." The Rebuild Pennsylvania Fund established under
5 section 6.

6 "Program." The Rebuild Pennsylvania Program established
7 under section 4.

8 Section 3. Rebuild Pennsylvania Board.

9 (a) Establishment.--The Rebuild Pennsylvania Board is
10 established as an independent administrative board. The
11 Department of Community and Economic Development shall provide
12 administrative assistance to the board.

13 (b) Composition.--The board shall be composed of the
14 following members:

15 (1) One individual appointed by the Governor.

16 (2) One individual appointed by the President pro
17 tempore of the Senate.

18 (3) One individual appointed by the Minority Leader of
19 the Senate.

20 (4) One individual appointed by the Speaker of the House
21 of Representatives.

22 (5) One individual appointed by the Minority Leader of
23 the House of Representatives.

24 (c) Chairperson.--The Governor shall select a member of the
25 board to serve as chairperson. The members of the board shall
26 select from among themselves any other officers as they shall
27 determine.

28 (d) Meetings.--The board shall meet at the call of the
29 chairperson.

30 (e) Quorum.--All members of the board shall be necessary to

1 constitute a quorum. The consent of all members of the board
2 shall be necessary to take an action of the board.

3 (f) Bylaws.--The board shall adopt bylaws as the board deems
4 necessary governing the conduct of the board.

5 (g) Participation and voting.--

6 (1) Members of the board may participate in a meeting by
7 telephone conference or other electronic technology by means
8 in which all individuals participating in the meeting can
9 hear each other.

10 (2) Members of the board may delegate votes to designees
11 acting on their behalf only after informing the chairperson
12 in writing.

13 (h) Compensation.--The members of the board shall receive no
14 compensation for their services as members of the board, but
15 shall be reimbursed for all necessary and reasonable expenses
16 incurred in connection with the performance of their duties as
17 members of the board.

18 (i) Appointments.--Appointing authorities shall appoint
19 initial members to the board within 30 days of the effective
20 date of this subsection. Any appointee to the board may be
21 removed with or without cause by the appointing authority. When
22 a vacancy occurs in the board, the appointing authority shall
23 appoint a successor member within 30 days of the vacancy.

24 (j) Dissolution.--The board shall dissolve when all money
25 available for the purposes of this act has been exhausted and
26 all applicable duties and responsibilities under law have been
27 completed. Prior to dissolution, the board shall transmit notice
28 of the dissolution to the Legislative Reference Bureau for
29 publication in the Pennsylvania Bulletin.

30 Section 4. Establishment of program.

1 The Rebuild Pennsylvania Program is established within the
2 board. The program shall provide financial assistance in the
3 form of grants, loans or other forms of financing or funding for
4 the eligible uses specified under section 5.

5 Section 5. Use of program money.

6 (a) Allocation of program money.--

7 (1) The board shall allocate program money among all of
8 the following categories:

9 (i) Flood control infrastructure.

10 (ii) Disaster response.

11 (iii) Green infrastructure.

12 (iv) Redevelopment, repairs and blight demolition.

13 (v) Storm water infrastructure.

14 (vi) Brownfield cleanup.

15 (vii) Contaminant remediation in schools and child-
16 care centers.

17 (viii) Business development and site selection.

18 (ix) Energy efficiency.

19 (x) Transportation infrastructure.

20 (2) Within 15 days of the determination of the
21 allocations under paragraph (1), the board shall provide the
22 Secretary of the Budget with a written notification of the
23 allocations of program money.

24 (b) Financial assistance.--After the board provides the
25 written notification required under subsection (a)(2), program
26 money shall be used to provide financial assistance in the form
27 of grants, loans or other forms of financing or funding as
28 provided under subsection (c).

29 (c) Use.--

30 (1) For flood control infrastructure, program money may

1 be used as follows:

2 (i) For the Stream Improvement Program administered
3 by the Department of Environmental Protection, to provide
4 grants to municipalities and county conservation
5 districts for stream restoration and maintenance
6 projects.

7 (ii) For grants from the Pennsylvania Infrastructure
8 Investment Authority, to Commonwealth agencies and
9 political subdivisions for the acquisition, construction,
10 improvement, including the installation of security
11 measures, expansion, repair or rehabilitation of all or
12 part of a flood control system. As used in this
13 subparagraph, the term "flood control system" includes
14 levees, dikes, walls, culverts, revetment and dams,
15 including high-hazard unsafe dams, lakes, reservoirs and
16 other works and improvements deemed necessary to prevent
17 floods or control, preserve, restore and regulate the
18 flow of rivers and streams.

19 (2) For disaster response measures, program money may be
20 used by the Pennsylvania Emergency Management Agency as
21 follows:

22 (i) To establish the Disaster Assistance Program for
23 the purpose of providing grants, limited to expenses or
24 needs that are not covered by private insurance or do not
25 qualify for Federal assistance, to:

26 (A) Meet disaster-related necessary expenses or
27 serious needs of individuals or families directly
28 affected by a declared disaster emergency under 35
29 Pa.C.S. Ch. 73 Subch. A (relating to the Governor and
30 disaster emergencies), regardless of whether a

1 presidential disaster declaration was issued for the
2 area or the disaster emergency declaration remains in
3 effect at the time of the grant award.

4 (B) Address landslide damage where damages to
5 private property collectively exceed \$500,000,
6 regardless of whether a disaster emergency was
7 declared.

8 (ii) To establish the Pipeline Preparedness and
9 Response Fund for the following purposes:

10 (A) Funding State-administered emergency
11 response training, planning and coordination for
12 county or municipal employees, volunteer firefighters
13 or volunteer emergency medical technicians.

14 (B) Providing grants to counties, municipalities
15 and school districts where a natural gas or hazardous
16 liquid pipeline is located in a high-consequence area
17 as determined by the Pennsylvania Emergency
18 Management Agency. Grants under this clause shall be
19 awarded for emergency planning, coordination,
20 communication and implementation, training and
21 equipment acquisition.

22 (iii) To provide reimbursement for the costs
23 incurred by a county or municipality during a response to
24 an emergency relating to pipelines within the county or
25 municipality. The costs eligible for reimbursement may
26 include police and fire protection costs for the county
27 or municipality during the response.

28 (3) For green infrastructure, program money may be used
29 as follows:

30 (i) By the Department of Environmental Protection

1 for existing programs for watershed protection.

2 (ii) By the Department of Conservation and Natural
3 Resources for existing programs to improve State parks
4 and State forests, watershed restoration and open space
5 preservation and to provide community park and recreation
6 grants.

7 (iii) By the Department of Agriculture for existing
8 programs for county-based farmland preservation and for
9 transfer to the State Conservation Commission to provide
10 financial and technical assistance grants to conservation
11 districts for the implementation of best management
12 practices on farms within this Commonwealth.

13 (iv) By the Pennsylvania Fish and Boat Commission
14 for capital improvement projects for existing lands and
15 facilities.

16 (v) By the Pennsylvania Game Commission for capital
17 improvement projects to existing lands and facilities.

18 (vi) By the Department of Transportation and the
19 Department of Conservation and Natural Resources for the
20 purpose of funding the development of new all-terrain
21 vehicle trails, connectors and feasibility studies.

22 (4) For redevelopment, repairs and blight demolition,
23 program money may be used by the Department of Community and
24 Economic Development for:

25 (i) Main Street and downtown redevelopment.

26 (ii) A program to develop and maintain affordable
27 housing.

28 (iii) The Keystone Communities program.

29 (iv) Establishing a whole home repair program.

30 (v) Establishing the Blight Demolition and

1 Redevelopment Fund for the purpose of providing grants,
2 loans or other forms of financing to local entities,
3 including land banks, counties, cities, municipalities,
4 redevelopment authorities, economic development groups,
5 community development agencies and others for the
6 planning, demolition, remediation and redevelopment of
7 blighted areas.

8 (5) For storm water infrastructure, program money may be
9 used by the Department of Environmental Protection for the
10 establishment of the Storm Water Control Grant Program for
11 the purpose of providing grants to authorities and
12 municipalities with separate storm sewers as defined by 40
13 CFR 122.26(b) (8) (relating to storm water discharges) to
14 implement pollution reduction plans and for compliance with
15 the act of October 4, 1978 (P.L.864, No.167), known as the
16 Storm Water Management Act. Priority for participation in the
17 Storm Water Control Grant Program shall be given to eligible
18 applicants that are currently subject to a Federal or State
19 court or agency order, consent decree or new permit discharge
20 requirements and eligible applicants that propose to work to
21 achieve cost-effective compliance as part of a regional
22 collaborative approach.

23 (6) For brownfield cleanup, program money may be
24 deposited into the Hazardous Sites Cleanup Fund established
25 under section 1761-A of the act of April 9, 1929 (P.L.343,
26 No.176), known as The Fiscal Code, and for uses consistent
27 with the act of October 18, 1988 (P.L.756, No.108), known as
28 the Hazardous Sites Cleanup Act.

29 (7) For contaminant remediation in schools and child-
30 care centers, defined as the premises where care is provided

1 at any one time for seven or more children unrelated to the
2 operator, program money may be used as follows:

3 (i) By the Department of Health to provide grants to
4 abate lead contaminated paint found in schools, child-
5 care centers and residences in this Commonwealth.

6 (ii) By the Department of Education and the
7 Department of Human Services to provide grants to
8 remediate lead contamination in the drinking water of
9 schools and child-care centers in this Commonwealth.

10 (iii) By the Department of Education to provide
11 grants for asbestos abatement in schools.

12 (8) For business development and site selection, program
13 money may be used for the Business in Our Sites Program
14 established under 64 Pa.C.S. § 1551 (relating to Business in
15 Our Sites Program) to provide financial assistance.

16 (9) For energy efficiency, program money may be used as
17 follows:

18 (i) By the Department of Community and Economic
19 Development for the Alternative and Clean Energy Program
20 to provide grants or loans for the utilization,
21 development and construction of alternative and clean
22 energy projects in this Commonwealth.

23 (ii) To provide money to the Natural Gas
24 Infrastructure Development Fund established under section
25 1742-A.1 of The Fiscal Code.

26 (10) For transportation infrastructure, program money
27 may be used as follows:

28 (i) By the Department of Transportation to provide
29 money to the Multimodal Transportation Fund for all of
30 the following purposes:

1 (A) The construction, reconstruction or
2 maintenance of any roads and bridges owned or
3 maintained by a county, municipality, person,
4 association or corporation, other than a highway or
5 bridge owned, controlled or maintained by the
6 Department of Transportation or any tolling
7 authority.

8 (B) To increase bike and pedestrian paths and
9 access.

10 (ii) By the Department of Transportation to fund the
11 maintenance of State-owned four-digit roads in counties
12 with a population of less than 150,000 based on the 2020
13 Federal decennial census.

14 (iii) By the Department of Conservation and Natural
15 Resources and the State Conservation Commission to
16 provide grants for dirt, gravel and low-volume road
17 maintenance as provided under 75 Pa.C.S. § 9106 (relating
18 to dirt, gravel and low-volume road maintenance).

19 (iv) To provide money to the Public Transportation
20 Trust Fund to provide financial assistance for programs
21 of Statewide significance under 74 Pa.C.S. § 1516
22 (relating to programs of Statewide significance).

23 (d) Diversity.--

24 (1) In providing financial assistance in the form of
25 grants, loans or other forms of financing or funding under
26 subsection (b), a Commonwealth agency shall consider regional
27 and socioeconomic diversity. The board shall develop regional
28 and socioeconomic diversity guidelines for each Commonwealth
29 agency to consider when providing financial assistance.

30 (2) When a Commonwealth agency uses a competitive grant

1 process as the method for providing financial assistance, the
2 Commonwealth agency shall provide outreach and educational
3 programming to encourage and support the submission of
4 applications from varying types of communities.

5 (e) Matching funds.--Except as otherwise provided by the
6 laws of this Commonwealth, the following apply:

7 (1) A Commonwealth agency may require that financial
8 assistance provided under this section be matched with other
9 funds. When matching is required, the Commonwealth agency
10 shall establish criteria for the amount and type of matching
11 funds.

12 (2) An applicant or recipient of funding received as a
13 result of this act, or a Commonwealth agency, may use funding
14 resulting from this act as matching funds for other Federal
15 or State grant opportunities and may use other Federal or
16 State funds as matching funds for the funding resulting from
17 this section.

18 (f) Applications.--To the extent feasible, Commonwealth
19 agencies may permit an applicant to apply to more than one grant
20 program in one application.

21 Section 6. Rebuild Pennsylvania Fund.

22 (a) Establishment.--The Rebuild Pennsylvania Fund is
23 established as a separate fund in the State Treasury for the
24 purpose of implementing the program. All money deposited into
25 the fund shall not lapse. The amount of loans repaid under
26 section 5 shall be deposited into the fund.

27 (b) Appropriation and transfer.--All money deposited into
28 the fund is appropriated to the departments, and for the
29 purposes, specified in section 5. The sum of \$3,000,000,000 is
30 transferred from the General Fund to the fund for fiscal year

1 2023-2024.

2 Section 7. Effective date.

3 This act shall take effect immediately.