The General Assembly of Pennsylvania

House Bill

No. 1300 Session of 2023

Introduced by Mehaffie, Kim, Madden, Hill-Evans, Khan, Schlossberg, Dellos, Guenst, Ciresi, Sanchez, Green, Kenyatta, T. Davis and Webster, May 30, 2023

Senator Martin, Appropriations, in Senate, Re-reported as Amended, August 30, 2023

An Act

Amending the act of November 24, 2015 (P.L.232, No.64), entitled "An act establishing the Pennsylvania Long-term Care Council; providing for its powers and duties; and repealing related provisions of the Public Welfare Code," further providing for Pennsylvania Long-term Care Council.

Amending the act of April 9, 1929 (P.L.343, No.176), entitled "An Act relating to the finances of the state government; providing for cancer control, prevention and research, for ambulatory surgical center data collection, for the joint underwriting association, for entertainment business financial management firms, for private dam financial assurance and for reinstatement of item vetoes; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the commonwealth, the collection and recovery of fees and other money or property due or belonging to the commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the commonwealth, and the settlement of claims against the commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the commonwealth, auditing the accounts of the commonwealth and all agencies thereof, of all public officers collecting moneys payable to the commonwealth, or any agency thereof, and all receipts of appropriations from the commonwealth, authorizing the commonwealth to issue tax anticipation notes to defray current expenses, implementing the provisions of section 7(a) of article VIII of the constitution of Pennsylvania authorizing and restricting the incurring of certain debt and imposing penalties; affecting every
DEPARTMENT, BOARD, COMMISSION, AND OFFICER OF THE STATE
GOVERNMENT, EVERY POLITICAL SUBDIVISION OF THE STATE, AND
CERTAIN OFFICERS OF SUCH SUBDIVISIONS, EVERY PERSON,
ASSOCIATION, AND CORPORATION REQUIRED TO PAY, ASSESS, OR
COLLECT TAXES, OR TO MAKE RETURNS OR REPORTS UNDER THE LAWS
IMPOSING TAXES FOR STATE PURPOSES, OR TO PAY LICENSE FEES OR
OTHER MONEYS TO THE COMMONWEALTH, OR ANY AGENCY THEREOF,
every state depository and every debtor or creditor of the
COMMONWEALTH," IN DISPOSITION OF ABANDONED AND UNCLAIMED
PROPERTY, FURTHER PROVIDING FOR CLAIM FOR PROPERTY PAID OR
DELIVERED; IN OIL AND GAS WELLS, FURTHER PROVIDING FOR OIL
AND GAS LEASE FUND; IN HUMAN SERVICES, PROVIDING FOR CHILD
SUPPORT COSTS AND FEES; PROVIDING FOR STATEWIDE QUALITY CARE
ASSESSMENT AND FOR PENNSYLVANIA LONG-TERM CARE COUNCIL; IN
ADDITIONAL SPECIAL FUNDS AND RESTRICTED ACCOUNTS, FURTHER
PROVIDING FOR ESTABLISHMENT OF SPECIAL FUND AND ACCOUNT, FOR
USE OF FUND AND FOR DISTRIBUTIONS FOR PENNSYLVANIA RACE HORSE
DEVELOPMENT FUND, REPEALING PROVISIONS RELATING TO ENHANCED
REVENUE COLLECTION ACCOUNT; IN ADDITIONAL SPECIAL FUNDS AND
RESTRICTED ACCOUNTS, FURTHER PROVIDING FOR CLEAN STREAMS FUND
AND FOR DEFINITIONS, RENAMING THE SPORTS TOURISM AND
MARKETING ACCOUNT TO THE SPORTS, MARKETING AND TOURISM
ACCOUNT, FURTHER PROVIDING FOR TRANSFER OF FUNDS AND
PROVIDING FOR FACILITY TRANSITION ACCOUNT AND FOR GAME FUND;
IN GENERAL BUDGET IMPLEMENTATION, FURTHER PROVIDING FOR
DEPARTMENT OF AGRICULTURE, FOR DEPARTMENT OF CONSERVATION AND
NATURAL RESOURCES, FOR DEPARTMENT OF EDUCATION, FOR
PENNSYLVANIA STATE POLICE, FOR SURCHARGES, FOR FEDERAL AND
COMMONWEALTH USE OF FOREST LAND AND FOR MULTIMODAL
TRANSPORTATION FUND AND REPEALING PROVISIONS RELATING TO
SALES BY DISTILLERIES; PROVIDING FOR 2023-2024 BUDGET
IMPLEMENTATION, FOR 2023-2024 RESTRICTIONS ON APPROPRIATIONS
FOR FUNDS AND ACCOUNTS AND FOR PRIOR YEAR APPROPRIATIONS;
IMPOSING PENALTIES; MAKING REPEALS; AND MAKING AN EDITORIAL
CHANGE.

THE GENERAL ASSEMBLY FINDS AND DECLARES AS FOLLOWS:

(1) THE INTENT OF THIS ACT IS TO PROVIDE FOR THE
IMPLEMENTATION OF THE 2023-2024 COMMONWEALTH BUDGET.

(2) THE CONSTITUTION OF PENNSYLVANIA CONFERS NUMEROUS
EXPRESS DUTIES UPON THE GENERAL ASSEMBLY, INCLUDING THE
PASSAGE OF A BALANCED BUDGET FOR THE COMMONWEALTH.

(3) SECTION 24 OF ARTICLE III OF THE CONSTITUTION OF
PENNSYLVANIA REQUIRES THE GENERAL ASSEMBLY TO ADOPT ALL
APPROPRIATIONS FOR THE OPERATION OF GOVERNMENT IN THIS
COMMONWEALTH, REGARDLESS OF THEIR SOURCE. THE SUPREME COURT
HAS REPEATEDLY AFFIRMED THAT "IT IS FUNDAMENTAL WITHIN
PENNSYLVANIA'S TRIPARTITE SYSTEM THAT THE GENERAL ASSEMBLY

20230HB1300PN1943 - 2 -
ENACTS THE LEGISLATION ESTABLISHING THOSE PROGRAMS WHICH THE
STATE PROVIDES FOR ITS CITIZENS AND APPROPRIATES THE FUNDS
NECESSARY FOR THEIR OPERATION."

(4) PURSUANT TO SECTION 13 OF ARTICLE VIII OF THE
CONSTITUTION OF PENNSYLVANIA, THE GENERAL ASSEMBLY IS
EXPLICITLY REQUIRED TO ADOPT A BALANCED COMMONWEALTH BUDGET.
GIVEN THE UNPREDICTABILITY AND POTENTIAL INSUFFICIENCY OF
REVENUE COLLECTIONS, VARIOUS CHANGES IN STATE LAW RELATING TO
SOURCES OF REVENUE, THE COLLECTION OF REVENUE AND THE
IMPLEMENTATION OF STATUTES WHICH IMPACT REVENUE MAY BE
REQUIRED TO DISCHARGE THIS CONSTITUTIONAL OBLIGATION.

(5) SECTION 11 OF ARTICLE III OF THE CONSTITUTION OF
PENNSYLVANIA REQUIRES THE ADOPTION OF A GENERAL APPROPRIATION
ACT THAT EMBRACES "NOTHING BUT APPROPRIATIONS." WHILE ACTUAL
ITEMS OF APPROPRIATION CAN BE CONTAINED IN A GENERAL
APPROPRIATION ACT, THE ACHIEVEMENT AND IMPLEMENTATION OF A
COMPREHENSIVE BUDGET INVOLVES MORE THAN SUBJECTS OF
APPROPRIATIONS AND DOLLAR AMOUNTS. ULTIMATELY, THE BUDGET HAS
TO BE BALANCED UNDER SECTION 13 OF ARTICLE VIII OF THE
CONSTITUTION OF PENNSYLVANIA. THIS MAY NECESSITATE CHANGES TO
SOURCES OF FUNDING AND ENACTMENT OF STATUTES TO ACHIEVE FULL
COMPLIANCE WITH THESE CONSTITUTIONAL PROVISIONS.

(6) FOR THE REASONS UNDER PARAGRAPHS (1), (2), (3), (4)
AND (5), IT IS THE INTENT OF THE GENERAL ASSEMBLY THROUGH
THIS ACT TO PROVIDE FOR THE IMPLEMENTATION OF THE 2023-2024
COMMONWEALTH BUDGET.

(7) EVERY PROVISION OF THIS ACT RELATES TO THE
IMPLEMENTATION OF THE OPERATING BUDGET OF THE COMMONWEALTH
FOR THIS FISCAL YEAR, ADDRESSING IN VARIOUS WAYS THE FISCAL
OPERATIONS, REVENUES AND POTENTIAL LIABILITIES OF THE

20230HB1300PN1943 - 3 -
COMMONWEALTH. TO THAT END, THIS ACT IS INTENDED TO IMPLEMENT
THE 2023-2024 COMMONWEALTH BUDGET WITHOUT SPECIFICALLY
APPROPRIATING PUBLIC MONEY FROM THE GENERAL FUND. THIS ACT
PROVIDES ACCOUNTABILITY FOR SPENDING AND MAKES TRANSFERS OR
OTHER CHANGES NECESSARY TO IMPACT THE AVAILABILITY OF REVENUE
IN ORDER TO MEET THE REQUIREMENTS OF SECTION 13 OF ARTICLE
VIII OF THE CONSTITUTION OF PENNSYLVANIA AND TO IMPLEMENT THE
ACT OF AUGUST 3, 2023 (P.L. , NO.1A), KNOWN AS THE GENERAL
APPROPRIATION ACT OF 2023.

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

Section 1. Section 3(b)(10) of the act of November 24, 2015
(P.L.232, No.64), known as the Pennsylvania Long-term Care
Council Act, is amended by adding a subparagraph to read:


* * *

(b) Membership.--The council shall be composed of and
appointed in accordance with the following:

* * *

(10) The following members to be appointed by the
Governor, in consultation with the Secretary of Aging:

* * *

(xii) One member who represents the Office of the
State Long-Term Care Ombudsman within the department.

* * *

Section 2. This act shall take effect immediately.

SECTION 1. SECTION 1301.19 OF THE ACT OF APRIL 9, 1929
(P.L.343, NO.176), KNOWN AS THE FISCAL CODE, IS AMENDED TO READ:

SECTION 1301.19. CLAIM FOR PROPERTY PAID OR DELIVERED.--(A)
ANY PERSON CLAIMING AN INTEREST IN ANY PROPERTY PAID OR
DELIVERED TO THE COMMONWEALTH UNDER THIS ARTICLE MAY FILE A
CLAIM THERETO OR TO THE PROCEEDS FROM THE SALE THEREOF ON THE
FORM PRESCRIBED BY THE STATE TREASURER.

(B) REGARDLESS OF WHETHER A CLAIM IS FILED UNDER SUBSECTION
(A), THE STATE TREASURER MAY PAY OR DELIVER ANY PROPERTY PAID OR
DELIVERED TO THE COMMONWEALTH UNDER THIS ARTICLE, OR THE
PROCEEDS FROM THE SALE OF THE PROPERTY, TO A PERSON IF THE STATE
TREASURER FINDS THAT A REPORT FILED UNDER SECTION 1301.11
IDENTIFIES THE PERSON AS THE SOLE OWNER OF THE PROPERTY AND THE
VALUE OF THE PROPERTY OR PROCEEDS IS LESS THAN FIVE THOUSAND
DOLLARS ($5,000).

SECTION 2. SECTION 1601.2-E(E)(1)(II) OF THE ACT, AMENDED
JULY 11, 2022 (P.L.540, NO.54), IS AMENDED TO READ:
SECTION 1601.2-E. OIL AND GAS LEASE FUND.

* * *

(E) ANNUAL TRANSFERS.--THE FOLLOWING APPLY:

(1) * * *

(II) NO AMOUNT SHALL BE TRANSFERRED FROM THE FUND TO
THE MARCELLUS LEGACY FUND FOR DISTRIBUTION TO THE
ENVIRONMENTAL STEWARDSHIP FUND FOR THE 2019-2020, 2020-
2021, 2021-2022, 2022-2023 AND 2023-2024 FISCAL
YEAR.

* * *

SECTION 3. THE ACT IS AMENDED BY ADDING A SECTION TO READ:
SECTION 1607-T. CHILD SUPPORT COSTS AND FEES.

(A) COSTS AND FEES.--IF AN OBLIGEE PREVAILS IN A PROCEEDING
TO ESTABLISH PATERNITY OR TO OBTAIN A SUPPORT ORDER, A COURT MAY
ASSESS AGAINST THE OBLIGOR FILING FEES, REASONABLE ATTORNEY FEES
AND NECESSARY TRAVEL AND OTHER REASONABLE COSTS AND EXPENSES
INCURRED BY THE OBLIGEE AND THE OBLIGEE'S WITNESSES. ATTORNEY
FEES MAY BE TAXED AS COSTS AND SHALL BE ORDERED TO BE PAID DIRECTLY TO THE ATTORNEY, WHO MAY ENFORCE THE ORDER IN THE ATTORNEY'S OWN NAME. PAYMENT OF SUPPORT OWED TO THE OBLIGEE SHALL HAVE PRIORITY OVER FEES, COSTS AND EXPENSES.

(B) ANNUAL FEE.--THE COMMONWEALTH SHALL IMPOSE A FEE OF $35 IN EACH CASE IN WHICH AN INDIVIDUAL HAS NEVER RECEIVED ASSISTANCE UNDER 42 U.S.C. CH. 7 SUBCH. I (RELATING TO GRANTS TO STATES FOR OLD-AGE ASSISTANCE) AND FOR WHOM THE COMMONWEALTH HAS COLLECTED AT LEAST $550 OF SUPPORT IN A FEDERAL FISCAL YEAR. THE COMMONWEALTH SHALL PAY THE $35 FEE FOR THOSE CASES IN WHICH THE ANNUAL COLLECTION IS BETWEEN $550 AND $1,999.99. THE $35 FEE SHALL BE COLLECTED FROM THE CUSTODIAL PARENT IN CASES WHERE ANNUAL COLLECTIONS EQUAL $2,000 OR MORE.

(C) FAILURE TO PAY ON TIME.--IF A COURT DETERMINES THAT AN INDIVIDUAL SUBJECT TO A CHILD SUPPORT ORDER DID NOT HAVE GOOD CAUSE FOR FAILING TO MAKE CHILD SUPPORT PAYMENTS ON TIME, THE COURT MAY FURTHER ASSESS COSTS AND REASONABLE ATTORNEY FEES INCURRED BY THE PARTY SEEKING TO ENFORCE THE ORDER.

SECTION 4. THE ACT IS AMENDED BY ADDING ARTICLES TO READ:

ARTICLE XVI-U

STATEWIDE QUALITY CARE ASSESSMENT

SECTION 1601-U. DEFINITIONS.

THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

"ASSESSMENT." THE FEE, KNOWN AS THE QUALITY CARE ASSESSMENT, AUTHORIZED TO BE IMPLEMENTED UNDER THIS ARTICLE ON EVERY COVERED HOSPITAL.

"BAD DEBT EXPENSE." THE COST OF CARE FOR WHICH A HOSPITAL EXPECTED PAYMENT FROM THE PATIENT OR A THIRD-PARTY PAYER, BUT
WHICH THE HOSPITAL SUBSEQUENTLY DETERMINES TO BE UNCOLLECTIBLE,
AS FURTHER DESCRIBED IN THE MEDICARE PROVIDER REIMBURSEMENT
MANUAL PUBLISHED BY THE UNITED STATES DEPARTMENT OF HEALTH AND
HUMAN SERVICES.

"CHARITY CARE EXPENSE." THE COST OF CARE FOR WHICH A
HOSPITAL ORDINARILY CHARGES A FEE BUT WHICH IS PROVIDED FREE OR
AT A REDUCED RATE TO PATIENTS WHO CANNOT AFFORD TO PAY BUT WHO
ARE NOT ELIGIBLE FOR PUBLIC PROGRAMS, AND FROM WHOM THE HOSPITAL
DID NOT EXPECT PAYMENT IN ACCORDANCE WITH THE HOSPITAL'S CHARITY
CARE POLICY, AS FURTHER DESCRIBED IN THE MEDICARE PROVIDER
REIMBURSEMENT MANUAL PUBLISHED BY THE UNITED STATES DEPARTMENT
OF HEALTH AND HUMAN SERVICES.

"CONTRACTUAL ALLOWANCE." THE DIFFERENCE BETWEEN WHAT A
HOSPITAL CHARGES FOR SERVICES AND THE AMOUNTS THAT CERTAIN
PAYERS HAVE AGREED TO PAY FOR THE SERVICES AS FURTHER DESCRIBED
IN THE MEDICARE PROVIDER REIMBURSEMENT MANUAL PUBLISHED BY THE
UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES.

"COVERED HOSPITAL." A HOSPITAL OTHER THAN AN EXEMPT
HOSPITAL.

"CRITICAL ACCESS HOSPITAL." ANY HOSPITAL THAT HAS QUALIFIED
UNDER 42 U.S.C. § 1395X(MM)(1) (RELATING TO DEFINITIONS) AS A
CRITICAL ACCESS HOSPITAL UNDER MEDICARE.

"DEPARTMENT." THE DEPARTMENT OF HUMAN SERVICES OF THE
COMMONWEALTH.

"EXEMPT HOSPITAL." ANY OF THE FOLLOWING:

(1) A FEDERAL VETERANS' AFFAIRS HOSPITAL.
(2) A HOSPITAL THAT PROVIDES CARE, INCLUDING INPATIENT
HOSPITAL SERVICES, TO ALL PATIENTS FREE OF CHARGE.
(3) A PRIVATE PSYCHIATRIC HOSPITAL.
(4) A STATE-OWNED PSYCHIATRIC HOSPITAL.
(5) A CRITICAL ACCESS HOSPITAL.

(6) A LONG-TERM ACUTE CARE HOSPITAL.

(7) A FREE-STANDING ACUTE CARE HOSPITAL ORGANIZED
PRIMARILY FOR THE TREATMENT OF AND RESEARCH ON CANCER IN
WHICH AT LEAST 30% OF THE INPATIENT ADMISSIONS HAD CANCER AS
THE PRINCIPAL DIAGNOSIS BASED ON PENNSYLVANIA HEALTH CARE
COST CONTAINMENT COUNCIL CY 2014 INPATIENT DISCHARGE DATA.
FOR THE PURPOSES OF MEETING THIS DEFINITION, ONLY DISCHARGES
WITH ICD-9-CM PRINCIPAL DIAGNOSES CODES OF 140 THROUGH 239,
V58.0, V58.1, V66.1, V66.2 OR 990 ARE CONSIDERED.

"HOSPITAL." A FACILITY LICENSED AS A HOSPITAL UNDER 28 PA.
CODE PT. IV SUBPT. B (RELATING TO GENERAL AND SPECIAL
HOSPITALS).

"LONG-TERM ACUTE CARE HOSPITAL." A HOSPITAL OR UNIT OF A
HOSPITAL WHOSE PATIENTS HAVE A LENGTH OF STAY OF GREATER THAN 25
DAYS AND THAT PROVIDES SPECIALIZED ACUTE CARE OF MEDICALLY
COMPLEX PATIENTS WHO ARE CRITICALLY ILL.

"MEDICAL ASSISTANCE MANAGED CARE ORGANIZATION." A MEDICAID
MANAGED CARE ORGANIZATION AS DEFINED IN 42 U.S.C. §
1396B(M)(1)(A) (RELATING TO PAYMENTS TO STATES) THAT IS A PARTY
TO A MEDICAID MANAGED CARE CONTRACT WITH THE DEPARTMENT. THE
TERM SHALL NOT INCLUDE A BEHAVIORAL HEALTH MANAGED CARE
ORGANIZATION THAT IS A PARTY TO A MEDICAID MANAGED CARE CONTRACT
WITH THE DEPARTMENT.

"NET INPATIENT REVENUE." GROSS REVENUES RECEIVED OR EARNED
BY A HOSPITAL FOR INPATIENT SERVICES, INCLUDING MEDICAL
ASSISTANCE SUPPLEMENTAL REVENUES RECEIVED BY THE HOSPITAL FOR
INPATIENT HOSPITAL SERVICES, LESS ANY DEDUCTED AMOUNTS FOR BAD
DEBT EXPENSE, CHARITY CARE EXPENSE AND CONTRACTUAL ALLOWANCES AS
IDENTIFIED IN THE HOSPITAL'S RECORDS AND REPORTED ON FORMS
20230HB1300PN1943
"NET OUTPATIENT REVENUE." GROSS REVENUES RECEIVED OR EARNED
BY A HOSPITAL FOR OUTPATIENT SERVICES, INCLUDING MEDICAL
ASSISTANCE SUPPLEMENTAL REVENUES RECEIVED BY THE HOSPITAL FOR
OUTPATIENT HOSPITAL SERVICES, LESS ANY DEDUCTED AMOUNTS FOR BAD
DEBT EXPENSE, CHARITY CARE EXPENSE AND CONTRACTUAL ALLOWANCES AS
IDENTIFIED IN THE HOSPITAL'S RECORDS AND REPORTED ON FORMS
SPECIFIED BY THE DEPARTMENT.

"PROGRAM." THE COMMONWEALTH'S MEDICAL ASSISTANCE PROGRAM AS
AUTHORIZED UNDER ARTICLE IV OF THE ACT OF JUNE 13, 1967 (P.L.31,
NO.21), KNOWN AS THE HUMAN SERVICES CODE.

"SECRETARY." THE SECRETARY OF HUMAN SERVICES OF THE
COMMONWEALTH.

SECTION 1602-U. MEDICAL ASSISTANCE PAYMENTS FOR INSTITUTIONAL
CARE.

NOTWITHSTANDING SECTION 443.1(1.1)(I) OF THE ACT OF JUNE 13,
1967 (P.L.31, NO.21), KNOWN AS THE HUMAN SERVICES CODE, AND
SUBJECT TO SECTION 1614-U, FOR INPATIENT HOSPITAL SERVICES
PROVIDED DURING A FISCAL YEAR IN WHICH AN ASSESSMENT IS IMPOSED
UNDER THIS ARTICLE, PAYMENTS UNDER THE MEDICAL ASSISTANCE FEE-
FOR-SERVICE PROGRAM SHALL BE DETERMINED IN ACCORDANCE WITH THE
DEPARTMENT'S REGULATIONS, EXCEPT IF THE COMMONWEALTH'S APPROVED
TITLE XIX STATE PLAN FOR INPATIENT HOSPITAL SERVICES IN EFFECT
FOR THE PERIOD OF JULY 1, 2010, THROUGH JUNE 30, 2028, SPECIFIES
A METHODOLOGY FOR CALCULATING PAYMENTS THAT IS DIFFERENT FROM
THE DEPARTMENT'S REGULATIONS OR AUTHORIZES ADDITIONAL PAYMENTS
NOT SPECIFIED IN THE DEPARTMENT'S REGULATIONS, INCLUDING
INPATIENT DISPROPORTIONATE SHARE PAYMENTS AND DIRECT MEDICAL
EDUCATION PAYMENTS, THE DEPARTMENT SHALL FOLLOW THE METHODOLOGY
OR MAKE THE ADDITIONAL PAYMENTS AS SPECIFIED IN THE APPROVED
TITLE XIX STATE PLAN.

SECTION 1603-U. AUTHORIZATION.

IN ORDER TO GENERATE ADDITIONAL REVENUES FOR THE PURPOSE OF ASSURING THAT MEDICAL ASSISTANCE RECIPIENTS HAVE ACCESS TO HOSPITAL SERVICES, THE DEPARTMENT SHALL IMPLEMENT A MONETARY ASSESSMENT, KNOWN AS THE QUALITY CARE ASSESSMENT, ON EACH COVERED HOSPITAL SUBJECT TO THE CONDITIONS AND REQUIREMENTS SPECIFIED IN THIS ARTICLE, INCLUDING SECTION 1614-U.

SECTION 1604-U. IMPLEMENTATION.

(A) HEALTH CARE-RELATED FEE.--THE ASSESSMENT AUTHORIZED UNDER THIS ARTICLE, ONCE IMPOSED, SHALL BE IMPLEMENTED AS A HEALTH CARE-RELATED FEE UNDER 42 U.S.C. § 1396B(W)(3)(B) (RELATING TO PAYMENT TO STATES) OR ANY AMENDMENTS THERETO AND MAY BE COLLECTED ONLY TO THE EXTENT AND FOR THE PERIODS THAT THE SECRETARY DETERMINES THAT REVENUES GENERATED BY THE ASSESSMENT WILL QUALIFY AS THE STATE SHARE OF PROGRAM EXPENDITURES ELIGIBLE FOR FEDERAL FINANCIAL PARTICIPATION.

(B) ASSESSMENT PERCENTAGE.--SUBJECT TO SUBSECTION (C), EACH COVERED HOSPITAL SHALL BE ASSESSED AS FOLLOWS:

(1) FOR FISCAL YEAR 2010-2011, EACH COVERED HOSPITAL SHALL BE ASSESSED AN AMOUNT EQUAL TO 2.69% OF THE NET INPATIENT REVENUE OF THE COVERED HOSPITAL.


(4) FOR FISCAL YEAR 2018-2019, AN AMOUNT EQUAL TO 2.98% OF THE NET INPATIENT REVENUE OF THE COVERED HOSPITAL AND
1.55% of the net outpatient revenue of the covered hospital.

(5) For fiscal years 2019-2020, 2020-2021, 2021-2022 and 2022-2023, an amount equal to 3.32% of the net inpatient revenue of the covered hospital and 1.73% of the net outpatient revenue of the covered hospital.

(6) For fiscal year 2023-2024, an amount equal to 3.54% of the net inpatient revenue of the covered hospital and 1.78% of the net outpatient revenue of the covered hospital.

(7) For fiscal years 2024-2025, 2025-2026, 2026-2027 and 2027-2028, an amount equal to 4.36% of the net inpatient revenue of the covered hospital and 2.20% of the net outpatient revenue of the covered hospital.

(C) Adjustments to assessment percentage. -- The secretary may adjust the assessment percentage specified in subsection (b) for all or part of the fiscal year for inpatient services, outpatient services or both, provided that, before implementing an adjustment, the secretary submits a notice to the legislative reference bureau for publication in the next available issue of the Pennsylvania bulletin that specifies the proposed assessment percentage and identifies the aggregate impact on covered hospitals subject to the assessment. Interested parties shall have 30 days in which to submit comments to the secretary. Upon expiration of the 30-day comment period, the secretary, after consideration of the comments, shall submit a second notice to the legislative reference bureau for publication in the next available issue of the Pennsylvania bulletin announcing the assessment percentage.

(D) Rebasining net inpatient revenue and net outpatient revenue amounts on amounts owed for fiscal years prior to 2023-2024. -- For purposes of calculating the annual assessment amount
and 2022-2023, the secretary may require the use of net
inpatient revenue and net outpatient revenue amounts as
identified in the records of covered hospitals for a state
fiscal year commencing on or after july 1, 2015. if the
secretary decides that the net inpatient revenue and net
outpatient revenue amounts should be based on a state fiscal
year commencing on or after july 1, 2015, the secretary shall
submit a notice to the legislative reference bureau for
publication in the next available issue of the pennsylvania
bulletin specifying the state fiscal year for which the net
inpatient revenue and net outpatient revenue amounts will be
used at least 30 days prior to the date on which an assessment
amount calculated with the rebased amounts is due to be paid to
the department.

(e) rebasing net inpatient revenue and net outpatient
revenue amounts on amounts owed for fiscal year 2023-2024 and
thereafter.--for purposes of calculating the annual assessment
amount owed on or after july 1, 2023, the secretary may require
the use of net inpatient revenue and net outpatient revenue
amounts as identified in the records of covered hospitals for a
state fiscal year commencing on or after july 1, 2018. if the
secretary decides that the net inpatient revenue and net
outpatient revenue amounts should be based on a state fiscal
year commencing on or after july 1, 2018, the secretary shall
submit a notice to the legislative reference bureau for
publication in the next available issue of the pennsylvania
bulletin specifying the state fiscal year for which the net
inpatient revenue and net outpatient revenue amounts will be
used at least 30 days prior to the date on which an assessment
20230hb1300pn1943 - 12 -
AMOUNT CALCULATED WITH THE REBASED AMOUNTS IS DUE TO BE PAID TO THE DEPARTMENT.

(F) MAXIMUM AMOUNT.--IN EACH YEAR IN WHICH THE ASSESSMENT IS IMPLEMENTED, THE ASSESSMENT SHALL BE SUBJECT TO THE MAXIMUM AGGREGATE AMOUNT THAT MAY BE ASSESSED UNDER 42 CFR 433.68(F)(3)(I) (RELATING TO PERMISSIBLE HEALTH CARE-RELATED TAXES) OR ANY OTHER MAXIMUM ESTABLISHED UNDER FEDERAL LAW.

(G) LIMITED REVIEW.--EXCEPT AS PERMITTED UNDER SECTION 1611-U, THE SECRETARY'S DETERMINATION OF THE ASSESSMENT PERCENTAGE UNDER SUBSECTION (B) SHALL NOT BE SUBJECT TO ADMINISTRATIVE OR JUDICIAL REVIEW UNDER 2 PA.C.S. CHS. 5 SUBCH. A (RELATING TO PRACTICE AND PROCEDURE OF COMMONWEALTH AGENCIES) AND 7 SUBCH. A (RELATING TO JUDICIAL REVIEW OF COMMONWEALTH AGENCY ACTION) OR ANY OTHER PROVISION OF LAW. ASSESSMENTS IMPLEMENTED UNDER THIS ARTICLE OR FORMS OR REPORTS REQUIRED TO BE COMPLETED BY COVERED HOSPITALS IN ACCORDANCE WITH THIS ARTICLE SHALL NOT BE SUBJECT TO THE ACT OF JULY 31, 1968 (P.L.769, NO.240), REFERRED TO AS THE COMMONWEALTH DOCUMENTS LAW, THE ACT OF OCTOBER 15, 1980 (P.L.950, NO.164), KNOWN AS THE COMMONWEALTH ATTORNEYS ACT, AND THE ACT OF JUNE 25, 1982 (P.L.633, NO.181), KNOWN AS THE REGULATORY REVIEW ACT.

SECTION 1605-U. ADMINISTRATION.

(A) CALCULATION AND NOTICE OF ASSESSMENT AMOUNT.--USING THE ASSESSMENT PERCENTAGE ESTABLISHED UNDER SECTION 1604-U AND COVERED HOSPITALS' NET INPATIENT REVENUE AND NET OUTPATIENT REVENUE, THE DEPARTMENT SHALL CALCULATE AND NOTIFY EACH COVERED HOSPITAL OF THE ASSESSMENT AMOUNT OWED FOR THE FISCAL YEAR. NOTIFICATION UNDER THIS SUBSECTION MAY BE MADE IN WRITING OR ELECTRONICALLY, AT THE DISCRETION OF THE DEPARTMENT.

(B) CALCULATION OF ASSESSMENT WITH CHANGES OF OWNERSHIP.--
(1) IF A SINGLE COVERED HOSPITAL CHANGES OWNERSHIP OR
CONTROL, THE DEPARTMENT SHALL CALCULATE THE ASSESSMENT AS
FOLLOWS:

(I) IF THE CHANGE OF OWNERSHIP OCCURS BEFORE JULY 1,
2018, THE DEPARTMENT SHALL CALCULATE THE ASSESSMENT USING
THE HOSPITAL'S NET INPATIENT REVENUE AND NET OUTPATIENT
REVENUE AMOUNTS FOR STATE FISCAL YEAR 2018-2019, OR A
LATER FISCAL YEAR THAT HAS BEEN SPECIFIED BY THE
SECRETARY IN ACCORDANCE WITH SECTION 1604-U(E).

(II) IF THE CHANGE OF OWNERSHIP OCCURS ON OR AFTER
JULY 1, 2018, THE DEPARTMENT SHALL CALCULATE THE
ASSESSMENT USING THE HOSPITAL'S NET INPATIENT REVENUE AND
NET OUTPATIENT REVENUE AMOUNTS FOR STATE FISCAL YEAR
2018-2019, OR A LATER FISCAL YEAR THAT HAS BEEN SPECIFIED
BY THE SECRETARY IN ACCORDANCE WITH SECTION 1604-U(E); OR

(III) IF THE NET INPATIENT REVENUE AND NET
OUTPATIENT REVENUE AMOUNTS FOR THE STATE FISCAL YEAR
2018-2019, OR A LATER FISCAL YEAR THAT HAS BEEN SPECIFIED
BY THE SECRETARY IN ACCORDANCE WITH SECTION 1604-U(E), ARE UNAVAILABLE DUE TO A COVERED HOSPITAL'S ESTABLISHMENT
AS A NEW HOSPITAL UNDER SUBSECTION (D), THE DEPARTMENT
SHALL CALCULATE THE ASSESSMENT USING THE HOSPITAL'S NET
INPATIENT REVENUE AND NET OUTPATIENT REVENUE AMOUNTS
UNDER SUBSECTION (D).

(2) THE COVERED HOSPITAL SHALL BE LIABLE FOR ANY
OUTSTANDING ASSESSMENT AMOUNTS, INCLUDING OUTSTANDING AMOUNTS
RELATED TO PERIODS PRIOR TO THE CHANGE OF OWNERSHIP OR
CONTROL.

(3) IF TWO OR MORE HOSPITALS MERGE OR CONSOLIDATE INTO A
SINGLE COVERED HOSPITAL AS A RESULT OF A CHANGE IN OWNERSHIP
OR CONTROL, THE DEPARTMENT SHALL CALCULATE THE ASSESSMENT AMOUNT OWED BY THE SINGLE COVERED HOSPITAL RESULTING FROM THE MERGER OR CONSOLIDATION AS FOLLOWS:

(I) IF THE MERGER OR CONSOLIDATION OCCURS BEFORE JULY 1, 2018, THE DEPARTMENT SHALL CALCULATE THE ASSESSMENT USING THE MERGED OR CONSOLIDATED HOSPITALS' COMBINED NET INPATIENT REVENUE AND NET OUTPATIENT REVENUE AMOUNTS FOR STATE FISCAL YEAR 2018-2019, OR A LATER FISCAL YEAR THAT HAS BEEN SPECIFIED BY THE SECRETARY IN ACCORDANCE WITH SECTION 1604-U(E);

(II) IF THE MERGER OR CONSOLIDATION OCCURS ON OR AFTER JULY 1, 2018, THE DEPARTMENT SHALL CALCULATE THE ASSESSMENT USING THE MERGED OR CONSOLIDATED HOSPITALS' COMBINED NET INPATIENT REVENUE AND NET OUTPATIENT REVENUE AMOUNTS FOR STATE FISCAL YEAR 2018-2019, OR A LATER FISCAL YEAR THAT HAS BEEN SPECIFIED BY THE SECRETARY IN ACCORDANCE WITH SECTION 1604-U(E); OR

(III) IF ONE OR MORE HOSPITALS' NET INPATIENT REVENUE AND NET OUTPATIENT REVENUE AMOUNTS FOR THE STATE FISCAL YEAR 2018-2019, OR A LATER FISCAL YEAR THAT HAS BEEN SPECIFIED BY THE SECRETARY IN ACCORDANCE WITH SECTION 1604-U(E), IS UNAVAILABLE DUE TO THE HOSPITAL'S ESTABLISHMENT AS A NEW HOSPITAL UNDER SUBSECTION (D), THE FOLLOWING SHALL APPLY:

(A) THE DEPARTMENT SHALL CALCULATE A NEW HOSPITAL'S NET INPATIENT REVENUE AND NET OUTPATIENT REVENUE AMOUNTS UNDER SUBSECTION (D).

(B) FOR A HOSPITAL THAT IS NOT A NEW HOSPITAL, THE DEPARTMENT SHALL CALCULATE THE HOSPITAL'S NET INPATIENT REVENUE AND NET OUTPATIENT REVENUE AMOUNTS.
FOR STATE FISCAL YEAR 2018-2019, OR A LATER FISCAL YEAR THAT HAS BEEN SPECIFIED BY THE SECRETARY IN ACCORDANCE WITH SECTION 1604-U(E).

(C) THE DEPARTMENT SHALL COMBINE THE AMOUNT CALCULATED UNDER CLAUSE (A) WITH THE AMOUNT CALCULATED UNDER CLAUSE (B) TO DETERMINE THE COMBINED NET INPATIENT REVENUE AND NET OUTPATIENT REVENUE AMOUNTS FOR THE MERGED OR CONSOLIDATED HOSPITALS.

(4) A SINGLE COVERED HOSPITAL IS LIABLE FOR ANY OUTSTANDING ASSESSMENT AMOUNTS, INCLUDING OUTSTANDING AMOUNTS RELATED TO PERIODS PRIOR TO THE CHANGE OF OWNERSHIP OR CONTROL, OF ANY COVERED HOSPITAL THAT WAS MERGED OR CONSOLIDATED.

(C) CALCULATION OF ASSESSMENT WITH CLOSURES OR OTHER CHANGES IN OPERATION.--EXCEPT AS PROVIDED IN SUBSECTION (B)(3), A COVERED HOSPITAL THAT CLOSES OR THAT BECOMES AN EXEMPT HOSPITAL DURING A FISCAL YEAR IS LIABLE FOR BOTH:

(1) THE ANNUAL ASSESSMENT AMOUNT FOR THE FISCAL YEAR IN WHICH THE CLOSURE OR CHANGE OCCURS PRORATED BY THE NUMBER OF DAYS IN THE FISCAL YEAR DURING WHICH THE COVERED HOSPITAL WAS IN OPERATION; AND

(2) ANY OUTSTANDING ASSESSMENT AMOUNTS RELATED TO PERIODS PRIOR TO THE CLOSURE OR CHANGE IN OPERATION.

(D) CALCULATION OF ASSESSMENT FOR NEW HOSPITALS.--A HOSPITAL THAT BEGINS OPERATION AS A COVERED HOSPITAL AFTER JULY 1, 2018, SHALL BE ASSESSED AS FOLLOWS:

(1) DURING THE STATE FISCAL YEAR IN WHICH A COVERED HOSPITAL BEGINS OPERATION OR IN WHICH A HOSPITAL BECOMES A COVERED HOSPITAL, THE COVERED HOSPITAL SHALL NOT BE SUBJECT TO THE ASSESSMENT.
(2) FOR THE STATE FISCAL YEAR FOLLOWING THE STATE FISCAL YEAR UNDER PARAGRAPH (1), THE DEPARTMENT SHALL CALCULATE THE COVERED HOSPITAL'S ASSESSMENT AMOUNT USING THE NET INPATIENT REVENUE AND NET OUTPATIENT REVENUE FROM THE STATE FISCAL YEAR IN WHICH THE COVERED HOSPITAL BEGAN OPERATION OR BECAME A COVERED HOSPITAL THROUGH THE END OF THE STATE FISCAL YEAR.

(3) FOR THE STATE FISCAL YEAR FOLLOWING THE FIRST FULL STATE FISCAL YEAR UNDER PARAGRAPH (2), THE DEPARTMENT SHALL CALCULATE THE COVERED HOSPITAL'S ASSESSMENT AMOUNT USING THE NET INPATIENT REVENUE AND NET OUTPATIENT REVENUE FROM THE PRIOR STATE FISCAL YEAR. FOR SUBSEQUENT STATE FISCAL YEARS, THE DEPARTMENT SHALL USE THE NET INPATIENT REVENUE AND NET OUTPATIENT REVENUE CALCULATED UNDER THIS PARAGRAPH OR A LATER FISCAL YEAR THAT HAS BEEN SPECIFIED BY THE SECRETARY IN ACCORDANCE WITH SECTION 1604-U(E).

(4) IF ESTIMATED NET INPATIENT REVENUE AND NET OUTPATIENT REVENUE IS USED IN CALCULATING A COVERED HOSPITAL'S ASSESSMENT UNDER THIS SUBSECTION, THE DEPARTMENT SHALL RECONCILE ANY AMOUNTS RECEIVED BASED ON REPORTED ACTUAL NET INPATIENT REVENUES AND NET OUTPATIENT REVENUES.

(E) PAYMENT.—A COVERED HOSPITAL SHALL PAY THE ASSESSMENT AMOUNT DUE FOR A FISCAL YEAR IN FOUR QUARTERLY INSTALLMENTS. PAYMENT OF A QUARTERLY INSTALLMENT SHALL BE MADE ELECTRONICALLY ON OR BEFORE THE FIRST DAY OF THE SECOND MONTH OF THE QUARTER OR 30 DAYS FROM THE DATE OF THE NOTICE OF THE QUARTERLY ASSESSMENT AMOUNT, WHICHERVER IS LATER.

(F) RECORDS.—UPON REQUEST BY THE DEPARTMENT, A COVERED HOSPITAL SHALL FURNISH TO THE DEPARTMENT ANY RECORDS AS THE DEPARTMENT MAY SPECIFY IN ORDER FOR THE DEPARTMENT TO VALIDATE THE NET INPATIENT REVENUE AND NET OUTPATIENT REVENUE AMOUNTS.
REPORTED BY THE COVERED HOSPITAL OR TO DETERMINE THE ASSESSMENT FOR A FISCAL YEAR OR THE AMOUNT OF THE ASSESSMENT DUE FROM THE COVERED HOSPITAL OR TO VERIFY THAT THE COVERED HOSPITAL HAS PAID THE CORRECT AMOUNT DUE.


SECTION 1606-U. RESTRICTED ACCOUNT.

(A) ESTABLISHMENT.--THERE IS ESTABLISHED A RESTRICTED ACCOUNT, KNOWN AS THE QUALITY CARE ASSESSMENT ACCOUNT, IN THE GENERAL FUND FOR THE RECEIPT AND DEPOSIT OF REVENUES COLLECTED UNDER THIS ARTICLE. FUNDS IN THE ACCOUNT ARE APPROPRIATED TO THE DEPARTMENT FOR THE FOLLOWING:

(1) MAKING MEDICAL ASSISTANCE PAYMENTS TO HOSPITALS FOR INPATIENT SERVICES IN ACCORDANCE WITH SECTION 443.1(1.1) OF THE ACT OF JUNE 13, 1967 (P.L.31, NO.21), KNOWN AS THE HUMAN SERVICES CODE, AND OUTPATIENT SERVICES, INCLUDING FOR OBSERVATION SERVICES IN ACCORDANCE WITH SECTION 443.3(A)(1.1) OF THE HUMAN SERVICES CODE AND AS OTHERWISE SPECIFIED IN THE COMMONWEALTH'S APPROVED TITLE XIX STATE PLAN.
(2) MAKING PAYMENTS TO MEDICAL ASSISTANCE MANAGED CARE ORGANIZATIONS FOR ADDITIONAL PAYMENTS FOR INPATIENT HOSPITAL SERVICES IN ACCORDANCE WITH SECTION 443.1(1.2), (1.3) AND (1.4) OF THE HUMAN SERVICES CODE AND OUTPATIENT SERVICES.

(3) ANY OTHER PURPOSE APPROVED BY THE SECRETARY FOR INPATIENT HOSPITAL, OUTPATIENT HOSPITAL AND HOSPITAL-RELATED SERVICES.

(B) LIMITATIONS.--

(1) FOR THE FIRST YEAR OF THE ASSESSMENT, THE AMOUNT USED FOR THE MEDICAL ASSISTANCE PAYMENTS FOR HOSPITALS AND MEDICAID MANAGED CARE ORGANIZATIONS MAY NOT EXCEED THE AGGREGATE AMOUNT OF ASSESSMENT FUNDS COLLECTED FOR THE YEAR LESS $121,000,000.

(2) FOR THE SECOND YEAR OF THE ASSESSMENT, THE AMOUNT USED FOR THE MEDICAL ASSISTANCE PAYMENTS FOR HOSPITALS AND MEDICAL ASSISTANCE MANAGED CARE ORGANIZATIONS MAY NOT EXCEED THE AGGREGATE AMOUNT OF ASSESSMENT FUNDS COLLECTED FOR THE YEAR LESS $109,000,000.

(3) (RESERVED).


(6) FOR STATE FISCAL YEARS 2015-2016, 2016-2017 AND
2017-2018, the amount used for the medical assistance payment for hospitals and medical assistance managed care organizations may not exceed the aggregate amount of the assessment funds collected for the year less $220,000,000.

(7) For state fiscal years 2018-2019, 2019-2020 and 2020-2021, the amount used for the medical assistance payment for hospitals and medical assistance managed care organizations may not exceed the aggregate amount of the assessment funds collected for the year less $295,000,000.

(8) For state fiscal years 2021-2022 and 2022-2023, the amount used for the medical assistance payment for hospitals and medical assistance managed care organizations may not exceed the aggregate amount of the assessment funds collected for the year less $300,000,000.

(9) For state fiscal year 2023-2024, the amount used for the medical assistance payment for hospitals and medical assistance managed care organizations may not exceed the aggregate amount of the assessment funds collected for the year less $368,000,000.

(10) For state fiscal years 2024-2025, 2025-2026, 2026-2027 and 2027-2028, the amount used for the medical assistance payment for hospitals and medical assistance managed care organizations may not exceed the aggregate amount of the assessment funds collected for the year less $452,000,000.

(11) The amounts retained by the department under paragraphs (1), (2), (4), (5), (6), (7), (8), (9) and (10) and any additional amounts remaining in the restricted accounts after the payments described in subsection (A)(1) and (2) are made shall be used for purposes approved by the...
SECRETARY UNDER SUBSECTION (A)(3), SUBJECT TO PARAGRAPH (13).

(12) NOT LATER THAN 180 DAYS FOLLOWING THE END OF THE STATE FISCAL YEAR, THE DEPARTMENT SHALL PREPARE A REVENUE RECONCILIATION SCHEDULE FOR THE PRIOR STATE FISCAL YEAR THAT INCLUDES INFORMATION SUPPORTING THE AMOUNTS RECEIVED OR DEPOSITED INTO AND PAID OUT OF THE RESTRICTED ACCOUNT TO SUPPORT ACTUAL PAYMENTS TO HOSPITALS AND MANAGED CARE ORGANIZATIONS IN ACCORDANCE WITH SUBSECTION (A)(1) AND (2).

(13) ANY POSITIVE BALANCE REMAINING IN THE RESTRICTED ACCOUNT IN EXCESS OF $10,000,000 ANNUALLY THAT IS NOT USED BY THE COMMONWEALTH TO OBTAIN FEDERAL MATCHING FUNDS AND PAID OUT FOR HOSPITAL PAYMENTS SHALL BE FACTORED INTO THE CALCULATION OF A NEW ASSESSMENT RATE BY REDUCING THE AMOUNT OF HOSPITAL ASSESSMENT FUNDS THAT MUST BE GENERATED DURING THE NEXT FISCAL YEAR IN WHICH THE DEPARTMENT IS ABLE TO CALCULATE A NEW RATE. IF A NEW ASSESSMENT RATE IS NOT CALCULATED, THE FUNDS REMAINING IN THE RESTRICTED ACCOUNT SHALL BE REFUNDED TO THE COVERED HOSPITAL THAT PAID THE ASSESSMENT IN PROPORTION TO THE COVERED HOSPITAL'S ASSESSMENT AMOUNT PAID IN THE FISCAL YEAR.

(C) LAPSE.--FUNDS IN THE QUALITY CARE ASSESSMENT ACCOUNT SHALL NOT LAPSE TO THE GENERAL FUND AT THE END OF A FISCAL YEAR. IF THIS ARTICLE EXPIRES, THE DEPARTMENT SHALL USE ANY REMAINING FUNDS FOR THE PURPOSES STATED IN THIS SECTION UNTIL THE FUNDS IN THE QUALITY CARE ASSESSMENT ACCOUNT ARE EXHAUSTED.

SECTION 1607-U. NO HOLD HARMLESS.

NO COVERED HOSPITAL SHALL BE DIRECTLY GUARANTEED A REPAYMENT OF ITS ASSESSMENT IN DEROGATION OF 42 CFR 433.68(F) (RELATING TO PERMISSIBLE HEALTH CARE-RELATED TAXES), EXCEPT THAT, IN EACH FISCAL YEAR IN WHICH AN ASSESSMENT IS IMPLEMENTED, THE
DEPARTMENT SHALL USE THE FUNDS RECEIVED UNDER THIS ARTICLE FOR
THE PURPOSES OUTLINED UNDER SECTION 1606-U TO THE EXTENT
PERMISSIBLE UNDER FEDERAL AND STATE LAW OR REGULATION AND
WITHOUT CREATING AN INDIRECT GUARANTEE TO HOLD HARMLESS, AS
THOSE TERMS ARE USED UNDER 42 CFR 433.68(F)(3)(I). THE SECRETARY
SHALL SUBMIT TO THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN
SERVICES ANY STATE MEDICAID PLAN AMENDMENTS THAT ARE NECESSARY
TO MAKE THE PAYMENTS AUTHORIZED UNDER SECTION 1606-U.
SECTION 1608-U. FEDERAL WAIVER.
TO THE EXTENT NECESSARY IN ORDER TO IMPLEMENT THIS ARTICLE,
THE DEPARTMENT SHALL SEEK A WAIVER UNDER 42 CFR 433.68(E)
(RELATING TO PERMISSIBLE HEALTH CARE-RELATED TAXES) FROM THE
CENTERS FOR MEDICARE AND MEDICAID SERVICES OF THE UNITED STATES
DEPARTMENT OF HEALTH AND HUMAN SERVICES. THE DEPARTMENT SHALL
NOT IMPLEMENT THE ASSESSMENT UNTIL APPROVAL OF THE WAIVER IS
OBTAINED. UPON APPROVAL OF THE WAIVER, THE ASSESSMENT SHALL BE
IMPLEMENTED RETROACTIVE TO THE FIRST DAY OF THE FISCAL YEAR TO
WHICH THE WAIVER APPLIES.
SECTION 1609-U. TAX EXEMPTION.
(A) PROHIBITION.--NOTWITHSTANDING ANY EXEMPTIONS GRANTED BY
ANY OTHER FEDERAL, STATE OR LOCAL TAX OR OTHER LAW, NO COVERED
HOSPITAL OTHER THAN AN EXEMPT HOSPITAL SHALL BE EXEMPT FROM THE
ASSESSMENT.
(B) INTERPRETATION.--THE ASSESSMENT IMPOSED UNDER THIS
ARTICLE SHALL BE RECOGNIZED BY THE COMMONWEALTH AS UNCOMPENSATED
GOODS AND SERVICES UNDER THE ACT OF NOVEMBER 26, 1997 (P.L.508,
NO.55), KNOWN AS THE INSTITUTIONS OF PURELY PUBLIC CHARITY ACT,
AND SHALL BE CONSIDERED A COMMUNITY BENEFIT FOR PURPOSES OF ANY
REQUIRED OR VOLUNTARY COMMUNITY BENEFIT REPORT FILED OR PREPARED
BY A COVERED HOSPITAL.
SECTION 1610-U. REMEDIES.

IN ADDITION TO ANY OTHER REMEDY PROVIDED BY LAW, THE
DEPARTMENT MAY ENFORCE THIS ARTICLE BY IMPOSING ONE OR MORE OF
THE FOLLOWING REMEDIES:

(1) WHEN A COVERED HOSPITAL FAILS TO PAY AN ASSESSMENT
OR PENALTY IN THE AMOUNT OR ON THE DATE REQUIRED BY THIS
ARTICLE, THE DEPARTMENT SHALL ADD INTEREST AT THE RATE
PROVIDED IN SECTION 806 TO THE UNPAID AMOUNT OF THE
ASSESSMENT OR PENALTY FROM THE DATE SPECIFIED FOR THE
ASSESSMENT'S PAYMENT UNTIL THE DATE ON WHICH IT IS PAID.

(2) WHEN A COVERED HOSPITAL FAILS TO FILE A REPORT OR TO
FURNISH RECORDS TO THE DEPARTMENT AS REQUIRED BY THIS
ARTICLE, THE DEPARTMENT SHALL IMPOSE A PENALTY AGAINST THE
COVERED HOSPITAL IN THE AMOUNT OF $1,000, PLUS AN ADDITIONAL
AMOUNT OF $200 PER DAY FOR EACH ADDITIONAL DAY THAT THE
FAILURE TO FILE THE REPORT OR FURNISH THE RECORDS CONTINUES.

(3) WHEN A COVERED HOSPITAL THAT IS A MEDICAL ASSISTANCE
PROVIDER, OR THAT IS RELATED THROUGH COMMON OWNERSHIP OR
CONTROL AS THOSE TERMS ARE DEFINED IN 42 CFR 413.17(B)
(RELATING TO COST TO RELATED ORGANIZATIONS) TO A MEDICAL
ASSISTANCE PROVIDER, FAILS TO PAY ALL OR PART OF AN
ASSESSMENT OR PENALTY WITHIN 60 DAYS OF THE DATE THAT PAYMENT
IS DUE, THE DEPARTMENT MAY DEDUCT THE UNPAID ASSESSMENT OR
PENALTY AND ANY INTEREST OWED THEREON FROM ANY MEDICAL
ASSISTANCE PAYMENTS DUE TO THE COVERED HOSPITAL OR TO ANY
RELATED MEDICAL ASSISTANCE PROVIDER UNTIL THE FULL AMOUNT IS
RECOVERED. THE DEDUCTION SHALL BE MADE ONLY AFTER WRITTEN
NOTICE TO THE COVERED HOSPITAL AND MEDICAL ASSISTANCE
PROVIDER AND MAY BE TAKEN IN INSTALLMENTS OVER A PERIOD OF
TIME, TAKING INTO ACCOUNT THE FINANCIAL CONDITION OF THE
MEDICAL ASSISTANCE PROVIDER.


(5) THE SECRETARY MAY WAIVE ALL OR PART OF THE INTEREST OR PENALTIES ASSESSED AGAINST A COVERED HOSPITAL IN ACCORDANCE WITH THIS ARTICLE FOR GOOD CAUSE AS SHOWN BY THE COVERED HOSPITAL.

SECTION 1611-U. REQUEST FOR REVIEW.

A COVERED HOSPITAL THAT IS AGGRIEVED BY A DETERMINATION OF THE DEPARTMENT AS TO THE AMOUNT OF THE ASSESSMENT DUE FROM THE COVERED HOSPITAL OR A REMEDY IMPOSED UNDER SECTION 1610-U MAY FILE A REQUEST FOR REVIEW OF THE DECISION OF THE DEPARTMENT BY THE BUREAU OF HEARINGS AND APPEALS, WHICH SHALL HAVE EXCLUSIVE JURISDICTION IN SUCH MATTERS. THE PROCEDURES AND REQUIREMENTS OF 67 PA.C.S. CH. 11 (RELATING TO MEDICAL ASSISTANCE HEARINGS AND APPEALS) SHALL APPLY TO REQUESTS FOR REVIEW FILED IN ACCORDANCE WITH THIS SECTION, EXCEPT THAT, IN THE REQUEST FOR REVIEW, A COVERED HOSPITAL MAY NOT CHALLENGE AN ASSESSMENT PERCENTAGE DETERMINED BY THE SECRETARY UNDER SECTION 1604-U(B) BUT ONLY WHETHER THE DEPARTMENT CORRECTLY DETERMINED THE ASSESSMENT.
AMOUNT DUE FROM THE COVERED HOSPITAL USING THE ASSESSMENT PERCENTAGE IN EFFECT FOR THE FISCAL YEAR. A NOTICE OF REVIEW FILED UNDER THIS SECTION SHALL NOT OPERATE AS A STAY OF THE COVERED HOSPITAL'S OBLIGATION TO PAY THE ASSESSMENT AMOUNT DUE FOR A FISCAL YEAR AS SPECIFIED IN SECTION 1605-U(E).

SECTION 1612-U. LIENS.

ANY ASSESSMENTS IMPLEMENTED AND INTEREST AND PENALTIES ASSESSED AGAINST A COVERED HOSPITAL UNDER THIS ARTICLE SHALL BE A LIEN ON THE REAL AND PERSONAL PROPERTY OF THE COVERED HOSPITAL IN THE MANNER PROVIDED BY SECTION 1401, MAY BE ENTERED BY THE DEPARTMENT IN THE MANNER PROVIDED BY SECTION 1404 AND SHALL CONTINUE AND RETAIN PRIORITY IN THE MANNER PROVIDED IN SECTION 1404.1.

SECTION 1613-U. REGULATIONS.

THE DEPARTMENT MAY PROMULGATE REGULATIONS AND ISSUE ORDERS AS MAY BE NECESSARY TO IMPLEMENT THE ASSESSMENT IN ACCORDANCE WITH THE REQUIREMENTS OF THIS ARTICLE.

SECTION 1614-U. CONDITIONS FOR PAYMENTS.

THE DEPARTMENT SHALL NOT BE REQUIRED TO MAKE PAYMENTS AS SPECIFIED IN SECTION 443.1(1.1), (1.2), (1.3) AND (1.4) OF THE ACT OF JUNE 13, 1967 (P.L.31, NO. 21), KNOWN AS THE HUMAN SERVICES CODE, AND A COVERED HOSPITAL SHALL NOT BE REQUIRED TO PAY THE ASSESSMENT AS SPECIFIED IN SECTION 1605-U(E) UNLESS ALL OF THE FOLLOWING HAVE OCCURRED:

(1) THE DEPARTMENT RECEIVES FEDERAL APPROVAL OF A WAIVER UNDER 42 CFR 433.68(E) (RELATING TO PERMISSIBLE HEALTH CARE-RELATED TAXES) AUTHORIZING THE DEPARTMENT TO IMPLEMENT THE ASSESSMENT AS SPECIFIED IN THIS ARTICLE.

(2) THE DEPARTMENT RECEIVES FEDERAL APPROVAL OF A STATE PLAN AMENDMENT AUTHORIZING THE CHANGES TO ITS PAYMENT METHODS.
AND STANDARDS SPECIFIED IN SECTION 443.1(1.1)(II) OF THE
HUMAN SERVICES CODE.

(3) THE DEPARTMENT RECEIVES FEDERAL APPROVAL OF
AMENDMENTS TO ITS MEDICAL ASSISTANCE MANAGED CARE
ORGANIZATION CONTRACTS AUTHORIZING ADJUSTMENTS TO ITS
CAPITATION PAYMENTS FUNDED IN ACCORDANCE WITH SECTION 1606-U.

SECTION 1615-U. REPORT.

NOT LATER THAN 180 DAYS PRIOR TO THE EXPIRATION DATE
SPECIFIED IN SECTION 1616-U, THE DEPARTMENT SHALL PREPARE AND
SUBMIT A REPORT TO THE CHAIRPERSON AND MINORITY CHAIRPERSON OF
THE APPROPRIATIONS COMMITTEE OF THE SENATE, THE CHAIRPERSON AND
MINORITY CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE
HOUSE OF REPRESENTATIVES, THE CHAIRPERSON AND MINORITY
CHAIRPERSON OF THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE
SENATE AND THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE HUMAN
SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES. THE REPORT
SHALL INCLUDE THE FOLLOWING:

(1) THE NAME, ADDRESS AND AMOUNT OF ASSESSMENT FOR EACH
COVERED HOSPITAL SUBJECT TO THE ASSESSMENT.

(2) THE TOTAL AMOUNT OF ASSESSMENT REVENUE COLLECTED FOR
EACH YEAR.

(3) THE AMOUNT OF ASSESSMENT PAID BY EACH COVERED
HOSPITAL, INCLUDING ANY INTEREST AND PENALTIES PAID.

(4) THE NAME AND ADDRESS OF EACH HOSPITAL RECEIVING
SUPPLEMENTAL PAYMENTS INSTITUTED AS A RESULT OF THE
ASSESSMENT.

(5) THE PAYMENT AMOUNT AND TYPE OF SUPPLEMENTAL PAYMENT
RECEIVED BY EACH HOSPITAL.

(6) THE TOTAL AMOUNT OF FEE-FOR-SERVICE INPATIENT ACUTE
CARE PAYMENT MADE TO EACH HOSPITAL.
(7) THE NUMBER OF MEDICAL ASSISTANCE PATIENT DAYS AND
   DISCHARGES BY HOSPITAL.

(8) ANY PROPOSED CHANGES TO THE PAYMENT METHODOLOGIES
   AND STANDARDS.

SECTION 1616-U. EXPIRATION.
THE ASSESSMENT UNDER THIS ARTICLE SHALL EXPIRE JUNE 30, 2028.

ARTICLE XVI-W
PENNSYLVANIA LONG-TERM CARE COUNCIL

SECTION 1601-W. DEFINITIONS.
THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
CONTEXT CLEARLY INDICATES OTHERWISE:
"COUNCIL." THE PENNSYLVANIA LONG-TERM CARE COUNCIL
ESTABLISHED UNDER SECTION 1602-W(A).

"DEPARTMENT." THE DEPARTMENT OF AGING OF THE COMMONWEALTH.

SECTION 1602-W. PENNSYLVANIA LONG-TERM CARE COUNCIL.
(A) ESTABLISHMENT.--THE PENNSYLVANIA LONG-TERM CARE COUNCIL
IS ESTABLISHED WITHIN THE DEPARTMENT.

(B) MEMBERSHIP.--THE COUNCIL SHALL BE COMPOSED OF AND
APPOINTED IN ACCORDANCE WITH THE FOLLOWING:

(1) THE SECRETARY OF AGING.

(2) THE SECRETARY OF HEALTH.

(3) THE SECRETARY OF HUMAN SERVICES.

(4) THE INSURANCE COMMISSIONER.

(5) THE ADJUTANT GENERAL.

(6) THE SECRETARY OF TRANSPORTATION.

(7) THE EXECUTIVE DIRECTOR OF THE PENNSYLVANIA HOUSING
   FINANCE AGENCY.

(8) TWO MEMBERS OF THE SENATE, ONE APPOINTED BY THE
   PRESIDENT PRO TEMPORE AND ONE APPOINTED BY THE MINORITY
LEADER.

(9) TWO MEMBERS OF THE HOUSE OF REPRESENTATIVES, ONE
APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND
ONE APPOINTED BY THE MINORITY LEADER.

(10) THE FOLLOWING MEMBERS TO BE APPOINTED BY THE
GOVERNOR, IN CONSULTATION WITH THE SECRETARY OF AGING:

(I) ONE REPRESENTATIVE FROM THE PENNSYLVANIA COUNCIL
ON AGING.

(II) ONE MEMBER WHO REPRESENTS THE LOCAL AREA
AGENCIES ON AGING.

(III) SIX MEMBERS WHO REPRESENT CONSUMER ADVOCACY
GROUPS, WITH AT LEAST TWO BEING CONSUMERS OF LONG-TERM
CARE SERVICES.

(IV) ONE MEMBER WHO REPRESENTS THE ELDER LAW SECTION
OF THE PENNSYLVANIA BAR ASSOCIATION.

(V) ONE MEMBER WHO IS A LICENSED INSURANCE PRODUCER
WITH AT LEAST 10 YEARS' EXPERIENCE IN THE LONG-TERM CARE
INSURANCE MARKET.

(VI) SEVEN MEMBERS WHO REPRESENT PROVIDERS
THROUGHOUT THE LONG-TERM CARE CONTINUUM, WITH NO MORE
THAN ONE MEMBER REPRESENTING A SINGLE PROVIDER GROUP, AS
FOLLOWS:

(A) ONE MEMBER REPRESENTING NONPROFIT SKILLED
NURSING FACILITIES.

(B) ONE MEMBER REPRESENTING FOR-PROFIT SKILLED
NURSING FACILITIES.

(C) ONE MEMBER REPRESENTING ASSISTED LIVING
RESIDENCES OR PERSONAL CARE HOMES.

(D) ONE MEMBER REPRESENTING HOME CARE OR
HOSPICE.
(E) ONE MEMBER REPRESENTING OLDER ADULT DAILY LIVING CENTERS.

(F) ONE MEMBER REPRESENTING SENIOR COMMUNITY CENTERS.

(G) ONE MEMBER REPRESENTING LONG-TERM CARE MANAGED CARE.

(VII) TWO MEMBERS WITH CAREGIVER EXPERIENCE, AT LEAST ONE OF WHOM HAS PERSONAL EXPERIENCE AS A FAMILY CAREGIVER.

(VIII) TWO MEMBERS WHO REPRESENT THE MEDICAL COMMUNITY, ONE OF WHOM MUST BE A PHYSICIAN WITH AT LEAST FIVE YEARS’ EXPERIENCE IN A LONG-TERM CARE SETTING AND THE OTHER OF WHOM MUST BE A NURSE WITH AT LEAST FIVE YEARS’ EXPERIENCE IN A LONG-TERM CARE SETTING.

(IX) TWO MEMBERS WHO REPRESENT AN ACADEMIC RESEARCH INSTITUTION.

(X) ONE MEMBER WHO REPRESENTS THE COUNTY COMMISSIONERS ASSOCIATION OF PENNSYLVANIA.

(XI) THE CHAIR OF THE STATE VETERANS COMMISSION OR A DESIGNEE.

(XII) ONE MEMBER WHO REPRESENTS THE OFFICE OF THE STATE LONG-TERM CARE OMBUDSMAN WITHIN THE DEPARTMENT.

(C) DESIGNEE.--WITH THE EXCEPTION OF THE CHAIRPERSON, GOVERNMENTAL MEMBERS MAY APPOINT A DESIGNEE TO ATTEND AND VOTE AT MEETINGS OF THE COUNCIL. EACH GOVERNMENTAL MEMBER WHO APPOINTS A DESIGNEE SHALL DO SO BY SENDING A LETTER TO THE CHAIRPERSON STATING THE NAME OF THAT DESIGNEE.

(D) CHAIRPERSON.--THE SECRETARY OF AGING SHALL SERVE AS CHAIRPERSON.

(E) EXECUTIVE DIRECTOR.--THE SECRETARY OF AGING SHALL
APPOINT AN EXECUTIVE DIRECTOR OF THE COUNCIL.

(F) TERMS OF MEMBERS.--

(1) The terms of those members who serve in accordance with subsection (B)(1), (2), (3), (4), (5), (6) and (7) shall be concurrent with their service in the office from which they derive their membership.

(2) Members appointed in accordance with subsection (B)(8) and (9) shall serve terms conterminous with their respective appointing authorities.

(3) Of the members appointed by the governor, no less than one-third of the members shall be appointed to serve a two-year initial term, no less than one-third of the members shall be appointed to serve a three-year initial term, and the remaining members shall serve a four-year term. Members of the council shall serve for terms of four years after completion of the initial terms as designated in this section.

(4) Members shall be eligible for reappointment but shall serve no more than two consecutive full terms. Members shall serve until their successors are appointed and qualified, provided they represent the interests of the membership class for which they were appointed.

(G) VACANCIES.--Any vacancy on the council shall be filled by the original appointing authority. An individual appointed to fill a vacancy shall serve the balance of the previous member's term.

(H) REMOVAL.--In addition to the provisions of subsection (F)(1) and (2), members may be removed from the board for the following reasons:

(1) A member who fails to attend three consecutive
MEETINGS SHALL FORFEIT HIS OR HER SEAT UNLESS THE CHAIRMAN,
UPON WRITTEN REQUEST FROM THE MEMBER, FINDS THAT THE MEMBER
SHOULD BE EXCUSED FROM A MEETING.

(2) A MEMBER SHALL FORFEIT HIS OR HER SEAT IF HE OR SHE
NO LONGER REPRESENTS THE INTERESTS OF THE MEMBERSHIP CLASS
FOR WHICH HE OR SHE WAS APPOINTED. SPECIFICALLY, A MEMBER
MEETING THIS THRESHOLD SHALL NO LONGER BE EMPLOYED OR
ASSOCIATED WITH THE INTERESTS OF THE RESPECTIVE QUALIFICATION
FOR WHICH HE OR SHE WAS APPOINTED.

(I) EXPENSES.--MEMBERS MAY NOT RECEIVE COMPENSATION OR
REMUNERATION FOR THEIR SERVICE AS COUNCIL MEMBERS OR AS
COMMITTEE MEMBERS. NONGOVERNMENTAL COUNCIL MEMBERS SHALL BE
ENTITLED TO REIMBURSEMENT FOR TRAVEL AND RELATED ACTUAL EXPENSES
ACCRUED IN THE PERFORMANCE OF THEIR DUTIES AS MEMBERS, IN
ACCORDANCE WITH COMMONWEALTH TRAVEL POLICY. COMMITTEE MEMBERS
WHO ARE NOT MEMBERS OF THE COUNCIL MAY NOT RECEIVE
REIMBURSEMENT.

SECTION 1603-W. POWERS AND DUTIES OF COUNCIL.

(A) GENERAL RULE.--THE COUNCIL SHALL HAVE THE FOLLOWING
POWERS AND DUTIES:

(1) TO CONSULT WITH VARIOUS DEPARTMENTS AND AGENCIES AND
TO MAKE RECOMMENDATIONS ON REGULATIONS, LICENSURE, FINANCING
OR ANY OTHER RESPONSIBILITIES OF THOSE DEPARTMENTS OR
AGENCIES RELATING TO LONG-TERM CARE.

(2) TO PERFORM SUCH OTHER DUTIES AS THE GOVERNOR MAY
ASSIGN RELATING TO LONG-TERM CARE.

(3) TO APPROVE REPORTS PRODUCED BY ANY COMMITTEE
ESTABLISHED UNDER SECTION 1604-W BEFORE RELEASE TO THE PUBLIC
OR THE GENERAL ASSEMBLY.

(4) TO DEVELOP AND ADOPT RULES FOR CONDUCTING COUNCIL

MEETINGS, INCLUDING, BUT NOT LIMITED TO, THE PROCEDURE FOR
FORMALLY ADOPTING THE APPROVAL OF COMMITTEE REPORTS BEFORE
RELEASE TO THE PUBLIC.

(5) TO DEVELOP AND ADOPT RULES FOR CONDUCTING COMMITTEE
MEETINGS. THIS POWER INCLUDES, BUT IS NOT LIMITED TO,
DETERMINING THE SCOPE OF RESPONSIBILITIES FOR EACH COMMITTEE,
THE NUMBER OF MEMBERS FOR EACH COMMITTEE AND THE PROCEDURE
FOR FORMALLY ADOPTING THE APPROVAL OF COMMITTEE REPORTS
BEFORE RELEASE TO THE COUNCIL.

(6) TO ASSIGN TOPICS FOR RESEARCH AND STUDY TO EACH
COMMITTEE. NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO
PROHIBIT A COMMITTEE FROM PROPOSING TOPICS FOR CONSIDERATION
TO THE COUNCIL.

(B) SCOPE.--ALL THE POWERS AND DUTIES ENUMERATED IN THIS
SECTION SHALL BE PERFORMED IN A MANNER THAT ADDRESSES ALL AREAS
OF LONG-TERM CARE, INCLUDING, BUT NOT LIMITED TO, INSTITUTIONAL
CARE AND HOME-BASED AND COMMUNITY-BASED SERVICES.

SECTION 1604-W. COUNCIL COMMITTEES.

(A) ESTABLISHMENT.--THE COUNCIL SHALL ESTABLISH COMMITTEES
WHICH MAY RESEARCH AND STUDY THE FOLLOWING AREAS:

   (1) REGULATORY REVIEW AND ACCESS TO QUALITY CARE.

   (2) COMMUNITY ACCESS AND PUBLIC EDUCATION.

   (3) LONG-TERM CARE SERVICES MODELS AND DELIVERY.

   (4) WORK FORCE.

   (5) HOUSING.

   (6) BEHAVIORAL HEALTH ISSUES OF SENIOR CITIZENS WHO ARE
       AT LEAST 60 YEARS OF AGE.

(B) COMPOSITION.--THE COUNCIL CHAIRPERSON SHALL APPOINT
COMMITTEE MEMBERS, WHO MAY INCLUDE THOSE WHO ARE NOT MEMBERS OF
THE COUNCIL AND WHO HAVE EXPERTISE PERTAINING TO THE SPECIFIC
TOPICS AND TASKS ASSIGNED.

(C) CHAIRPERSONS AND VICE CHAIRPERSONS.--THE CHAIRPERSON OF THE COUNCIL SHALL APPOINT COUNCIL MEMBERS TO SERVE AS CHAIRPERSON AND, AS NEEDED, VICE CHAIRPERSON FOR EACH COMMITTEE.

(D) DUTIES.--THE COUNCIL COMMITTEES SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

(1) TO STUDY AND REPORT ON THE TOPICS ASSIGNED BY THE COUNCIL.

(2) TO FACILITATE THE CREATION OF THE REPORTS AND, WITH THE PERMISSION OF THE COUNCIL, INVITE INDIVIDUALS TO ASSIST IN PREPARATION OF REPORTS FOR THE COUNCIL.

(3) TO APPROVE REPORTS AND RECOMMENDATIONS FOR SUBMISSION TO THE COUNCIL. ONLY MEMBERS APPOINTED TO EACH COMMITTEE MAY PARTICIPATE IN APPROVING REPORTS AND RECOMMENDATIONS TO THE COUNCIL.

(E) CONSTRUCTION.--NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PROHIBIT THE CHAIRPERSON, WITH CONCURRENCE BY THE COUNCIL, FROM ESTABLISHING ADDITIONAL COMMITTEES OR AD HOC WORK GROUPS TO ASSIST THE COUNCIL OR COMMITTEES.

SECTION 5. SECTIONS 1712-A.1(A)(2)(II) AND 1713-A.1(B)(1.8) OF THE ACT, AMENDED JULY 11, 2022 (P.L.540, NO.54), ARE AMENDED TO READ:

SECTION 1712-A.1. ESTABLISHMENT OF SPECIAL FUND AND ACCOUNT.

(A) TOBACCO SETTLEMENT FUND.--

* * *

(2) THE FOLLOWING SHALL BE DEPOSITED INTO THE TOBACCO SETTLEMENT FUND:

* * *

THE ANNUAL DEBT SERVICE DUE IN THE FISCAL YEAR AS
CERTIFIED BY THE SECRETARY OF THE BUDGET PURSUANT TO
SECTION 2804 OF THE TAX REFORM CODE OF 1971, AS PUBLISHED
IN THE PENNSYLVANIA BULLETIN ON MARCH 3, 2018, AT 48
PA.B. 1406, SHALL BE TRANSFERRED TO THE FUND FROM THE
TAXES COLLECTED UNDER ARTICLE XII OF THE TAX REFORM CODE
OF 1971 BY APRIL 30 FOLLOWING THE BEGINNING OF THE FISCAL
YEAR. A DEPOSIT UNDER THIS PARAGRAPH SHALL OCCUR PRIOR TO
THE DEPOSITS AND TRANSFERS UNDER SECTION 1296 OF THE TAX
REFORM CODE OF 1971.

* * *

SECTION 1713-A.1. USE OF FUND.

* * *

(B) APPROPRIATIONS.—THE FOLLOWING SHALL APPLY:

* * *

(1.8) FOR FISCAL YEARS 2021-2022, 2022-2023 AND 2023-2024, THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY IN
THE FUND IN ACCORDANCE WITH THE FOLLOWING PERCENTAGES BASED
ON THE SUM OF THE PORTION OF THE ANNUAL PAYMENT DEPOSITED AND
THE AMOUNT DEPOSITED UNDER SECTION 1712-A.1(A)(2)(II) IN THE
FISCAL YEAR:

(I) FOUR AND FIVE-TENTHS PERCENT FOR TOBACCO USE
PREVENTION AND CESSATION PROGRAMS UNDER CHAPTER 7 OF THE
TOBACCO SETTLEMENT ACT.

(II) TWELVE AND SIX-TENTHS PERCENT TO BE ALLOCATED
AS FOLLOWS:

(A) SEVENTY PERCENT TO FUND RESEARCH UNDER
SECTION 908 OF THE TOBACCO SETTLEMENT ACT.

(B) THIRTY PERCENT AS FOLLOWS:

(I) ONE MILLION DOLLARS FOR SPINAL CORD
INJURY RESEARCH PROGRAMS UNDER SECTION 909.1 OF THE TOBACCO SETTLEMENT ACT.

(II) FROM THE AMOUNT REMAINING AFTER THE AMOUNT UNDER SUBCLAUSE (I) HAS BEEN DETERMINED:

(A) SEVENTY-FIVE PERCENT FOR PEDIATRIC CANCER RESEARCH INSTITUTIONS WITHIN THIS COMMONWEALTH THAT ARE EQUIPPED AND ACTIVELY CONDUCTING PEDIATRIC CANCER RESEARCH DESIGNATED BY THE SECRETARY OF HEALTH TO BE ELIGIBLE TO RECEIVE CONTRIBUTIONS. NO MORE THAN $2,500,000 IN A FISCAL YEAR SHALL BE MADE AVAILABLE TO ANY ONE PEDIATRIC CANCER RESEARCH INSTITUTION.

(B) TWENTY-FIVE PERCENT FOR CAPITAL AND EQUIPMENT GRANTS TO BE ALLOCATED BY THE DEPARTMENT OF HEALTH TO ENTITIES ENGAGING IN BIOTECHNOLOGY RESEARCH, INCLUDING ENTITIES ENGAGING IN REGENERATIVE MEDICINE RESEARCH, REGENERATIVE MEDICINE MEDICAL TECHNOLOGY RESEARCH, HEPATITIS AND VIRAL RESEARCH, DRUG RESEARCH AND CLINICAL TRIALS RELATED TO CANCER, RESEARCH RELATING TO PULMONARY EMBOLISM AND DEEP VEIN THROMBOSIS, GENETIC AND MOLECULAR RESEARCH FOR DISEASE IDENTIFICATION AND ERADICATION, VACCINE IMMUNE RESPONSE DIAGNOSTICS, NANOTECHNOLOGY RESEARCH AND THE COMMERCIALIZATION OF APPLIED RESEARCH.

(III) ONE PERCENT FOR HEALTH AND RELATED RESEARCH UNDER SECTION 909 OF THE TOBACCO SETTLEMENT ACT.
(IV) Eight and eighteen hundredths percent for the uncompensated care payment program under Chapter 11 of the Tobacco Settlement Act.

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

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

* * *

SECTION 6. Section 1723-A.1(A)(2)(I.8) of the Act is amended by adding a clause and paragraph (3) is amended by adding a subparagraph to read:

SECTION 1723-A.1. DISTRIBUTIONS FROM PENNSYLVANIA RACE HORSE DEVELOPMENT FUND.

(A) DISTRIBUTIONS.—FUNDS IN THE FUND ARE APPROPRIATED TO THE DEPARTMENT ON A CONTINUING BASIS FOR THE PURPOSES SET FORTH IN THIS SUBSECTION AND SHALL BE DISTRIBUTED TO EACH ACTIVE AND OPERATING CATEGORY 1 LICENSEE CONDUCTING LIVE RACING AS FOLLOWS:

* * *

(2) DISTRIBUTIONS FROM THE FUND SHALL BE ALLOCATED AS FOLLOWS:

* * *

(I.8) THE FOLLOWING APPLY:

* * *

(C) FOR FISCAL YEAR 2023-2024, THE SUM OF $9,309,000 IN THE FUND SHALL BE TRANSFERRED TO THE ACCOUNT IN EQUAL WEEKLY AMOUNTS SUFFICIENT TO COMPLETE THE TOTAL TRANSFER BY JUNE 30, 2024.

* * *
(3) THE FOLLOWING SHALL APPLY:

* * *

(VIII) FOR FISCAL YEAR 2023-2024, THE DEPARTMENT SHALL TRANSFER $10,066,000 FROM THE FUND TO THE STATE RACING FUND UNDER SUBSECTION (B).

* * *

SECTION 7. SUBARTICLE G OF ARTICLE XVII-A.1 OF THE ACT IS REPEALED:

[SUBARTICLE G

ENHANCED REVENUE COLLECTION ACCOUNT

SECTION 1761-A.1. DEFINITIONS.

THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS SUBARTICLE SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

"ACCOUNT." THE ENHANCED REVENUE COLLECTION ACCOUNT CONTINUED UNDER SECTION 1762-A.1.

"DEPARTMENT." THE DEPARTMENT OF REVENUE OF THE COMMONWEALTH.

SECTION 1762-A.1. ENHANCED REVENUE COLLECTION ACCOUNT.

THE ENHANCED REVENUE COLLECTION ACCOUNT IS CONTINUED AS A RESTRICTED ACCOUNT WITHIN THE GENERAL FUND. REVENUES COLLECTED AND THE AMOUNT OF REFUNDS AVOIDED AS A RESULT OF EXPANDED TAX RETURN REVIEWS AND TAX COLLECTION ACTIVITIES BY THE DEPARTMENT SHALL BE DEPOSITED INTO THE ACCOUNT.

SECTION 1763-A.1. USE OF ACCOUNT.

(A) APPROPRIATION.--THE GENERAL ASSEMBLY MAY APPROPRIATE MONEY IN THE ACCOUNT TO THE DEPARTMENT TO FUND THE COSTS ASSOCIATED WITH EXPANDED TAX RETURN REVIEWS AND TAX COLLECTION ACTIVITIES.

(B) RETURN.--EXCEPT FOR AMOUNTS APPROPRIATED UNDER SUBSECTION (A), MONEY IN THE ACCOUNT SHALL BE RETURNED

1. A DETAILED BREAKDOWN OF THE DEPARTMENT'S ADMINISTRATIVE COSTS IN IMPLEMENTING EXPANDED TAX RETURN REVIEWS AND TAX COLLECTION ACTIVITIES.

SECTION 8. SECTION 1712-A.2(C) INTRODUCTORY PARAGRAPH OF THE ACT, ADDED JULY 11, 2022 (P.L.540, NO.54), IS AMENDED AND THE SECTION IS AMENDED BY ADDING SUBSECTIONS TO READ:

SECTION 1712-A.2. CLEAN STREAMS FUND.

(C) DISTRIBUTION FOR FISCAL YEAR 2022-2023.--[MONEY] FOR FISCAL YEAR 2022-2023, MONEY DEPOSITED INTO THE FUND [UNDER SUBSECTION (B)] SHALL BE DISTRIBUTED AS FOLLOWS:

* * *

(D) ADDITIONAL DISTRIBUTIONS.--FOR FISCAL YEAR 2023-2024 AND EACH YEAR THEREAFTER, MONEY DEPOSITED INTO THE FUND SHALL BE DISTRIBUTED AS FOLLOWS:

(1) EIGHTY PERCENT TO THE STATE CONSERVATION COMMISSION...
ESTABLISHED UNDER THE CONSERVATION DISTRICT LAW, TO IMPLEMENT
THE AGRICULTURE CONSERVATION ASSISTANCE PROGRAM UNDER ARTICLE
XVI-R.

(2) EIGHT PERCENT TO THE PENNSYLVANIA INFRASTRUCTURE
INVESTMENT AUTHORITY TO IMPLEMENT THE PENNSYLVANIA CLEAN
WATER PROCUREMENT PROGRAM UNDER ARTICLE XVI-S.

(3) EIGHT PERCENT TO THE NUTRIENT MANAGEMENT FUND
ESTABLISHED UNDER 3 PA.C.S. § 512.

(4) FOUR PERCENT TO THE DEPARTMENT OF ENVIRONMENTAL
PROTECTION FOR GRANTS AND REIMBURSEMENTS TO MUNICIPALITIES
AND COUNTIES UNDER SECTION 17 OF THE STORM WATER MANAGEMENT
ACT.

(E) UNEXPENDED MONEY.--PRIOR TO EXPENDING MONEY DISTRIBUTED
UNDER SUBSECTION (D), THE DEPARTMENT OF AGRICULTURE, THE
PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY AND THE
DEPARTMENT OF ENVIRONMENTAL PROTECTION SHALL EXPEND NO LESS THAN
75% OF THE MONEY APPROPRIATED FROM COVID RELIEF - ARPA -
TRANSFER TO THE CLEAN STREAMS FUND AND DISTRIBUTED UNDER
SUBSECTION (B).

SECTION 8.1. SUBARTICLE C HEADING OF ARTICLE XVII-A.2 OF THE
ACT IS AMENDED TO READ:

SUBARTICLE C

SPORTS [TOURISM AND MARKETING], MARKETING AND TOURISM ACCOUNT

SECTION 9. THE DEFINITION OF "ELIGIBLE APPLICANT" IN SECTION
1721-A.2 OF THE ACT, ADDED JULY 11, 2022 (P.L.540, NO.54), IS
AMENDED AND THE SECTION IS AMENDED BY ADDING DEFINITIONS TO
READ:

SECTION 1721-A.2. DEFINITIONS.

THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS SUBARTICLE
SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
CONTEXT CLEARLY INDICATES OTHERWISE:

"ACCOUNT." THE SPORTS, MARKETING AND TOURISM ACCOUNT

ESTABLISHED UNDER SECTION 1722-A.2(A).

* * *

"ELIGIBLE APPLICANT." ANY OF THE FOLLOWING:

(1) A MUNICIPALITY, A LOCAL AUTHORITY, A NONPROFIT
ORGANIZATION OR A LEGAL ENTITY THAT IS PARTICIPATING OR PLANS
TO PARTICIPATE IN A COMPETITIVE SELECTION PROCESS CONDUCTED
BY A SITE SELECTION ORGANIZATION NOT LOCATED IN THIS
COMMONWEALTH FOR THE PURPOSE OF SECURING A SINGLE YEAR OR
MULTIYEAR COMMITMENT FROM THE SITE SELECTION ORGANIZATION TO
CONDUCT THE SPORTING EVENT AT ONE OR MORE LOCATIONS IN THIS
COMMONWEALTH.

(2) A NONPROFIT ENTITY THAT HAS BEEN DESIGNATED TO
MANAGE AND ORGANIZE AN INTERNATIONAL SPORTING EVENT.

* * *

"INTERNATIONAL SPORTING EVENT." A SPORTING EVENT IN THE CITY
OF THE FIRST CLASS AS WELL AS OTHER CITIES IN NORTH AMERICA

THAT:

(1) IS NO LESS THAN 25 DAYS IN LENGTH;

(2) HAS NO LESS THAN FIVE COMPETITION DAYS IN THIS
COMMONWEALTH; AND

(3) WILL ATTRACT INTERNATIONAL TEAMS FROM NO FEWER THAN
40 COUNTRIES.

* * *

SECTION 10. SECTIONS 1722-A.2 HEADING, (A), (B), (C)(2), (D)
AND (E)(2) AND 1723-A.2 OF THE ACT, ADDED JULY 11, 2022
(P.L.540, NO.54), ARE AMENDED TO READ:

SECTION 1722-A.2. SPORTS [TOURISM AND], MARKETING AND TOURISM
ACCOUNT.
(A) Establishment.--The [Sports Tourism and Marketing Account] is established in the Pennsylvania Gaming Economic Development and Tourism Fund as a restricted account. The purpose of the [Sports Tourism and Marketing Account] shall be to attract high-quality, amateur and professional sporting and esports events to this Commonwealth for the purposes of advancing and promoting year-round tourism, economic impact and quality of life through sport and to promote tourism and tourism activities within this Commonwealth.

(B) Administration and Distribution.--The [Sports Tourism and Marketing Account] shall be administered by the Department.

(C) Duties of Department.--The Department shall:

   * * *

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

   * * *

(D) Use of Funds.--

   (1) The Department may award financial assistance in the form of a single year or multiyear award for any of the following:

      [(1)] (I) The costs relating to the preparations necessary for conducting the event.

      [(2)] (II) The costs of conducting the event at the venue, including costs of an improvement or renovation to an existing facility at the venue. The financial assistance under this section shall be limited to 20% of the total cost of an improvement or renovation to an existing facility, except if the facility is publicly

20230HB1300PN1943 - 41 -
OWNED.

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

(4) (IV) Paid advertising and media buys within this commonwealth related to the event.

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

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

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

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

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

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

(2) The department may use up to $10,000,000 in the form of single or multiyear awards to an eligible applicant for costs related to the preparation necessary for conducting an international sporting event, including costs associated with the event venue, promotion, advertising, site rentals, infrastructure upgrades, on-site hospitality, community engagement programming across this commonwealth and public safety planning and improvements.

(3) The department may use up to $15,000,000 for
ACTIVITIES RELATED TO A STATEWIDE MARKETING STRATEGY.

(E) PROHIBITIONS.--

* * *

(2) PARAGRAPH (1) SHALL NOT PROHIBIT A DISBURSEMENT FROM THE [SPORTS TOURISM AND MARKETING ACCOUNT] ACCOUNT FOR THE CONSTRUCTION OF TEMPORARY STRUCTURES WITHIN AN ARENA, STADIUM OR INDOOR OR OUTDOOR VENUE WHERE THE SPORTING EVENT WILL BE CONDUCTED THAT ARE NECESSARY FOR THE CONDUCT OF AN EVENT OR TEMPORARY MAINTENANCE OF A FACILITY THAT IS NECESSARY FOR THE PREPARATION FOR OR CONDUCT OF AN EVENT.

SECTION 1723-A.2. TRANSFER OF FUNDS.

(A) FISCAL YEAR 2022-2023.--NOTWITHSTANDING 4 PA.C.S. § 13C62(B)(3) (RELATING TO SPORTS WAGERING TAX), FOR FISCAL YEAR 2022-2023, AN AMOUNT EQUAL TO 5% OF THE TAX REVENUE GENERATED BY THE TAX IMPOSED UNDER 4 PA.C.S. § 13C62 OR $2,500,000, WHICHEVER IS GREATER, SHALL BE TRANSFERRED TO THE [SPORTS TOURISM AND MARKETING ACCOUNT] ACCOUNT FOR USE BY THE DEPARTMENT IN ACCORDANCE WITH THIS SUBARTICLE. THE AMOUNT TRANSFERRED UNDER THIS SECTION MAY NOT EXCEED $5,000,000.

(B) FISCAL YEAR 2023-2024.--NOTWITHSTANDING 4 PA.C.S. § 1407 (RELATING TO PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND TOURISM FUND) OR ANY OTHER PROVISION OF LAW, THE SUM OF $25,000,000 SHALL BE TRANSFERRED FROM THE PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND TOURISM FUND TO THE ACCOUNT FOR USE BY THE DEPARTMENT IN ACCORDANCE WITH THIS SUBARTICLE.

SECTION 11. ARTICLE XVII-A.2 OF THE ACT IS AMENDED BY ADDING SUBARTICLES TO READ:

SUBARTICLE E

FACILITY TRANSITION ACCOUNT

SECTION 1741-A.2. FACILITY TRANSITION ACCOUNT.
(A) ESTABLISHMENT.--THE FACILITY TRANSITION ACCOUNT IS ESTABLISHED IN THE GENERAL FUND AS A RESTRICTED ACCOUNT.

(B) DEPOSITS.--THE FOLLOWING SHALL BE DEPOSITED INTO THE ACCOUNT:

(1) MONEY APPROPRIATED TO THE STATE SYSTEM OF HIGHER EDUCATION FOR FACILITY TRANSITION.

(2) (RESERVED).

(C) USE OF MONEY.--MONEY IN THE ACCOUNT IS APPROPRIATED ON A CONTINUING BASIS TO THE STATE SYSTEM OF HIGHER EDUCATION FOR THE PAYMENT OF DEBT SERVICE, INCLUDING EARLY REPAYMENT OF DEBT ON FACILITIES OWNED BY THE STATE SYSTEM OF HIGHER EDUCATION LOCATED AT PENNSYLVANIA WESTERN UNIVERSITY. MONEY APPROPRIATED UNDER THIS SUBSECTION SHALL ONLY BE USED TO MAKE PAYMENTS RELATED TO PENNSYLVANIA WESTERN UNIVERSITY PROJECTS ASSOCIATED WITH THE FOLLOWING BOND ISSUANCES:

(1) SERIES AO.

(2) SERIES AP.

(3) SERIES AQ.

(4) SERIES AR.

(5) SERIES AS.

(6) SERIES AT.

(7) SERIES AU.

(8) SERIES AV.

(9) SERIES AW.

(10) SERIES AX.

(11) SERIES AY.

(D) REMAINING MONEY.--ANY MONEY REMAINING IN THE ACCOUNT AFTER FINAL PAYMENTS ARE MADE UNDER SUBSECTION (C) SHALL LAPSE INTO THE GENERAL FUND.

SUBARTICLE F

20230HB1300PN1943 - 44 -
GAME FUND

SECTION 1751-A.2. FUND TRANSFER.

NOTWITHSTANDING ANY OTHER LAW, FOR FISCAL YEAR 2023-2024,
FROM GAS AND OIL LEASE REVENUE DEPOSITED INTO THE GAME FUND
BEGINNING IN FISCAL YEAR 2019-2020, $150,000,000 SHALL BE
TRANSFERRED FROM THE GAME FUND TO THE CLEAN STREAMS FUND. THE
TRANSFER UNDER THIS SECTION SHALL BE MADE BY OCTOBER 15.

SECTION 12. SECTION 1718-E(A) OF THE ACT IS AMENDED BY
ADDING A PARAGRAPH TO READ:

SECTION 1718-E. DEPARTMENT OF AGRICULTURE.

(A) APPROPRIATIONS.--THE FOLLOWING SHALL APPLY TO
APPROPRIATIONS FOR THE DEPARTMENT OF AGRICULTURE:

* * *

(3) NO MONEY APPROPRIATED FROM THE MOTOR LICENSE FUND
FOR MAINTENANCE AND IMPROVEMENT OF DIRT, GRAVEL AND LOW-
VOLUME STATE AND MUNICIPAL ROADS UNDER 75 PA.C.S. § 9106
(RELATING TO DIRT, GRAVEL AND LOW-VOLUME ROAD MAINTENANCE)
MAY BE USED ON LAND OWNED OR OTHERWISE UNDER THE CONTROL OF
THE PENNSYLVANIA GAME COMMISSION.

* * *

SECTION 13. SECTION 1720-E(B)(9) OF THE ACT IS AMENDED, THE
SUBSECTION IS AMENDED BY ADDING A PARAGRAPH AND THE SECTION IS
AMENDED BY ADDING A SUBSECTION TO READ:

SECTION 1720-E. DEPARTMENT OF CONSERVATION AND NATURAL
RESOURCES.

* * *

(B) REGIONAL ATV PILOT PROGRAM FOR DEPARTMENT LANDS.--

* * *

(5.1) THE DEPARTMENT SHALL PROVIDE ACCESS TO THE
DEPARTMENT ATV PILOT AREA FOR AT LEAST THE 2024 AND 2025
SUMMER ATV RIDING SEASON FROM THE FRIDAY BEFORE MEMORIAL DAY THROUGH THE LAST FULL WEEKEND IN SEPTEMBER, IN ADDITION TO AN EXTENDED SEASON TO BE DETERMINED BY THE DEPARTMENT BASED ON LOCAL CONDITIONS.

* * *

(9) THE DEPARTMENT SHALL MONITOR THE USE, ENFORCEMENT, MAINTENANCE NEEDS AND ANY ASSOCIATED IMPACTS TO STATE FOREST LAND RESOURCES, VALUE AND FOREST USERS RESULTING FROM THE DEPARTMENT ATV PILOT AREA. ON OR BEFORE DECEMBER 31, 2023, AND EVERY THREE YEARS THEREAFTER, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE GENERAL ASSEMBLY ON THE DEPARTMENT ATV PILOT AREA.

* * *

(C) PENNSYLVANIA GAME COMMISSION LANDS.--NO MONEY APPROPRIATED FROM THE MOTOR LICENSE FUND FOR THE MAINTENANCE AND MITIGATION OF DUST AND SEDIMENT POLLUTION FROM PARKS AND FORESTRY ROADS UNDER 75 PA.C.S. § 9106 (RELATING TO DIRT, GRAVEL AND LOW-VOLUME ROAD MAINTENANCE) MAY BE USED ON LANDS OWNED OR OTHERWISE UNDER THE CONTROL OF THE PENNSYLVANIA GAME COMMISSION.

SECTION 14. SECTION 1722-E OF THE ACT IS AMENDED BY ADDING A SUBSECTION TO READ:

* * *

(H) DRUG AND ALCOHOL RECOVERY HIGH SCHOOL PROGRAM.--

(1) A STUDENT MAY ENROLL IN THE RECOVERY HIGH SCHOOL UNDER THE PROGRAM ESTABLISHED IN SECTION 1402-A OF THE PUBLIC SCHOOL CODE OF 1949 IF THE FOLLOWING APPLY:

(I) SUBJECT TO SUBPARAGRAPH (II), THE STUDENT RESIDES IN A SCHOOL DISTRICT OF THE FIRST CLASS AND THE STUDENT'S PARENT OR GUARDIAN HAS APPLIED FOR ENROLLMENT
(II) If fewer than 20 students residing in a school district of the first class enroll in the Recovery High School under the program at any time under subparagraph (I), a student who resides in a school district other than a school district of the first class may enroll in the Recovery High School under the program if the student's parent or guardian has applied for enrollment in the Recovery High School on the student's behalf.

(2) The Department of Education shall pay any tuition due to the Recovery High School by subtracting the amount from state subsidies payable to the student's school district of residence.

Section 15. Section 1733-E of the Act is amended by adding a paragraph to read:

Section 1733-E. Pennsylvania State Police.

The following shall apply to appropriations for the Pennsylvania State Police:

* * *

(3) For fiscal years beginning 2023-2024,

Notwithstanding section 205 of the Act of April 9, 1929 (P.L.177, No.175), known as the Administrative Code of 1929, the Pennsylvania State Police shall consist of a number of officers and enlisted members and shall be organized in a manner as the Commissioner of the Pennsylvania State Police, with the approval of the Governor, shall determine. The number of officers and enlisted members beginning in fiscal year 2023-2024 shall not exceed in the aggregate at any time 4,410 individuals. Pennsylvania State Police officers and enlisted members assigned to duty with the Pennsylvania
TURNPIKE COMMISSION, DELAWARE RIVER JOINT TOLL BRIDGE
COMMISSION, GAMING ENFORCEMENT AND LIQUOR CONTROL ENFORCEMENT
SHALL NOT BE COUNTED IN DETERMINING THE TOTAL NUMBER OF
OFFICERS AND ENLISTED MEMBERS IN THE PENNSYLVANIA STATE
POLICE UNDER THIS PARAGRAPH.

SECTION 16. SECTION 1795.1-E(B)(3), (C)(1)(IV) AND (2) OF
THE ACT, ADDED JULY 11, 2022 (P.L.540, NO.54), AND SUBSECTIONS
(B)(3) AND (C)(1)(IV) EXPIRED JULY 31, 2023, ARE AMENDED,
SUBSECTION (B) IS AMENDED BY ADDING A PARAGRAPH AND SUBSECTION
(C)(3) IS AMENDED BY ADDING A SUBPARAGRAPH TO READ:

SECTION 1795.1-E. SURCHARGES.

* * *

(B) IMPOSITION.--

* * *

[(3) AN ADDITIONAL SURCHARGE OF $10 SHALL BE CHARGED AND
COLLECTED BY A DIVISION OF THE UNIFIED JUDICIAL SYSTEM. THIS
PARAGRAPH SHALL EXPIRE JULY 31, 2023. THE ADDITIONAL
SURCHARGE UNDER THIS PARAGRAPH SHALL BE DEPOSITED INTO THE
JUDICIAL DEPARTMENT OPERATIONS AUGMENTATION ACCOUNT UNDER
SUBSECTION (D).]

(4) AN ADDITIONAL SURCHARGE OF $10 SHALL BE CHARGED AND
COLLECTED BY A DIVISION OF THE UNIFIED JUDICIAL SYSTEM. THIS
PARAGRAPH SHALL EXPIRE JULY 31, 2025. THE ADDITIONAL
SURCHARGE UNDER THIS PARAGRAPH SHALL BE DEPOSITED INTO THE
JUDICIAL DEPARTMENT OPERATIONS AUGMENTATION ACCOUNT UNDER
SUBSECTION (D).

(C) OTHER SURCHARGE AND FEES.--

(1) IN ADDITION TO THE FEES IMPOSED UNDER 42 PA.C.S. §§
3733(A.1) AND 3733.1 (RELATING TO SURCHARGE), EXCEPT AS SET
FORTH IN PARAGRAPH (2), THE FOLLOWING APPLY:

20230HB1300PN1943 - 48 -

(V) A SURCHARGE OF $11.25 SHALL BE CHARGED AND COLLECTED BY A DIVISION OF THE UNIFIED JUDICIAL SYSTEM. THIS SUBPARAGRAPH SHALL EXPIRE JULY 31, 2025. THE SURCHARGE UNDER THIS SUBPARAGRAPH SHALL BE DEPOSITED INTO THE JUDICIAL DEPARTMENT OPERATIONS AUGMENTATION ACCOUNT UNDER SUBSECTION (D).

(2) PARAGRAPH [(1) DOES] (1)(II) AND (III) SHALL NOT APPLY TO A CONVICTION OR GUILTY PLEA BASED ON THE FILING OF A TRAFFIC CITATION CHARGING AN OFFENSE UNDER 75 PA.C.S. (RELATING TO VEHICLES) THAT IS CLASSIFIED AS A SUMMARY OFFENSE UNDER A STATE STATUTE OR LOCAL ORDINANCE AS PROVIDED IN THE PENNSYLVANIA RULES OF CRIMINAL PROCEDURE.

* * *

SECTION 17. SECTION 1798.1-E OF THE ACT IS AMENDED TO READ:

SECTION 1798.1-E. FEDERAL AND COMMONWEALTH USE OF FOREST LAND.

(A) SCOPE.--THIS SECTION APPLIES TO THE FOLLOWING:

(1) REAL PROPERTY ACQUIRED FOR FOREST RESERVES BY ANY OF THE FOLLOWING:

(I) THE FEDERAL GOVERNMENT;

(II) THE COMMONWEALTH.

(2) TAX-EXEMPT REAL PROPERTY ACQUIRED BY THE FEDERAL GOVERNMENT OR BY THE COMMONWEALTH FOR THE PURPOSE OF PRESERVING, PERPETUATING AND MAINTAINING ANY PORTION OF THE
ORIGINAL FORESTS OF THIS COMMONWEALTH AS PUBLIC PLACES AND PARKS.

(3) REAL PROPERTY:

(I) WHICH IS ACQUIRED FOR THE PURPOSE OF
CONSERVATION OF WATER OR THE PREVENTION OF FLOOD
CONDITIONS; AND

(II) UPON WHICH THERE IS AN IMPOSED TAX PAYABLE BY
THE COMMONWEALTH.

(B) CHARGE.--

(1) FOR LAND OWNED BY THE DEPARTMENT OF CONSERVATION AND
NATURAL RESOURCES, SUBJECT TO SUBSECTION (C), REAL PROPERTY
UNDER SUBSECTION (A) SHALL BE SUBJECT TO AN ANNUAL CHARGE OF
ALL OF THE FOLLOWING:

(I) $2 TWO DOLLARS AND FORTY CENTS PER ACRE FOR
THE BENEFIT OF EACH COUNTY WHERE THE REAL PROPERTY IS
LOCATED. ONE DOLLAR AND TWENTY CENTS SHALL BE PAID BY
THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES AND
$1.20 SHALL BE PAID FROM MONEY AVAILABLE UNDER 4 PA.C.S.
§ 1403 (RELATING TO ESTABLISHMENT OF STATE GAMING FUND
AND NET SLOT MACHINE REVENUE DISTRIBUTION).

(II) $2 TWO DOLLARS AND FORTY CENTS PER ACRE FOR
THE BENEFIT OF THE SCHOOLS IN EACH SCHOOL DISTRICT WHERE
THE REAL PROPERTY IS LOCATED; AND, ONE DOLLAR AND
TWENTY CENTS SHALL BE PAID BY THE DEPARTMENT OF
CONSERVATION AND NATURAL RESOURCES AND $1.20 SHALL BE
PAID FROM MONEY AVAILABLE UNDER 4 PA.C.S. § 1403.

(III) $2 TWO DOLLARS AND FORTY CENTS PER ACRE FOR
THE BENEFIT OF THE TOWNSHIP WHERE THE REAL PROPERTY IS
LOCATED. ONE DOLLAR AND TWENTY CENTS SHALL BE PAID BY THE
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES AND
$1.20 SHALL BE PAID FROM MONEY AVAILABLE UNDER 4 PA.C.S. § 1403.

(2) FOR LAND OWNED BY THE PENNSYLVANIA GAME COMMISSION OR THE PENNSYLVANIA FISH AND BOAT COMMISSION, REAL PROPERTY UNDER SUBSECTION (A) SHALL BE SUBJECT TO AN ANNUAL CHARGE OF ALL OF THE FOLLOWING:


(3) [SUBJECT TO SUBSECTION (F), THE] THE CHARGE UNDER PARAGRAPH (1) SHALL BE PAYABLE BY THE COMMONWEALTH BEFORE SEPTEMBER 2.

(C) DURATION.--

(1) EXCEPT AS SET FORTH IN PARAGRAPH (2), THE ANNUAL CHARGE PAYABLE BY THE COMMONWEALTH ON REAL PROPERTY UNDER SUBSECTION (A)(1)(I) SHALL CONTINUE ONLY UNTIL THE RECEIPT OF MONEY BY TREASURERS AND TOWNSHIP SUPERVISORS OF THE POLITICAL
SUBDIVISIONS UNDER SUBSECTION (B)(1), IN ACCORDANCE WITH THE
ACT OF APRIL 27, 1925 (P.L.324, NO.185), ENTITLED "AN ACT FOR
THE DISTRIBUTION BY THE COMMONWEALTH AND COUNTIES TO
TOWNSHIPS AND SCHOOL DISTRICTS OF MONEYS RECEIVED FROM THE
UNITED STATES FROM FOREST RESERVES WITHIN THE COMMONWEALTH,"
EQUALS OR EXCEEDS THE AMOUNT PAID BY THE COMMONWEALTH IN LIEU
OF TAXES.

(2) PARAGRAPH (1) [DOES] SHALL NOT APPLY TO THE
FOLLOWING:

(I) [THE] THE ANNUAL CHARGE PER ACRE FOR THE BENEFIT
OF THE COUNTY WHERE REAL PROPERTY UNDER SUBSECTION (A)(1)
(I) IS LOCATED FOR CALENDAR YEARS 1953, 1954, 1955 AND
1956[; AND].

(II) THE AMOUNT OF $0.025 OF THE ANNUAL CHARGE PER
ACRE FOR THE BENEFIT OF THE COUNTY WHERE THE REAL
PROPERTY UNDER SUBSECTION (A)(1)(I) IS LOCATED FOR EACH
YEAR AFTER 1956.

(3) THE COMMONWEALTH SHALL ANNUALLY PAY THE CHARGES
EXEMPTED UNDER PARAGRAPH (2).

(D) CERTIFICATION.--UPON APPLICATION OF THE TREASURER OR
TOWNSHIP SUPERVISOR, THE SECRETARY OF CONSERVATION AND NATURAL
RESOURCES SHALL CERTIFY TO THE RESPECTIVE COUNTIES, SCHOOL
DISTRICTS AND TOWNSHIPS WHERE REAL PROPERTY UNDER SUBSECTION (A)
IS LOCATED AND TO THE STATE TREASURER:

(1) THE NUMBER OF ACRES OWNED BY THE FEDERAL GOVERNMENT
AND BY THE COMMONWEALTH IN THE POLITICAL SUBDIVISION; AND

(2) THE CHARGE AGAINST THE REAL PROPERTY.

(E) PAYMENT.--THE STATE TREASURER SHALL PAY TO POLITICAL
SUBDIVISIONS UNDER SUBSECTION (D) THE AMOUNT DUE UNDER
SUBSECTION (B) UPON:
(1) REQUISITION OF THE SECRETARY OF CONSERVATION AND
NATURAL RESOURCES; AND
(2) APPLICATION BY THE APPROPRIATE TREASURER OR TOWNSHIP
SUPERVISORS.

[(F) SOURCE OF PAYMENT.--FOR REAL PROPERTY OWNED BY THE
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES, THE
PENNSYLVANIA GAME COMMISSION OR THE PENNSYLVANIA FISH AND BOAT
COMMISSION, OF THE CHARGE PER ACRE UNDER SUBSECTION (B):
(1) $2.40 SHALL BE PAID FROM MONEY AVAILABLE UNDER 4
PA.C.S. § 1403 (RELATING TO ESTABLISHMENT OF STATE GAMING
FUND AND NET SLOT MACHINE REVENUE DISTRIBUTION); AND
(2) THE REMAINDER SHALL BE PAID BY THE COMMONWEALTH
AGENCY WHICH OWNS THE PROPERTY.]

SECTION 18. SECTION 1798.3-E OF THE ACT, AMENDED JULY 11,
2022 (P.L.540, No.54), IS AMENDED TO READ:
SECTION 1798.3-E. MULTIMODAL TRANSPORTATION FUND.
(A) DEPARTMENT OF TRANSPORTATION.--
(1) FROM FUNDS AVAILABLE TO THE DEPARTMENT OF
TRANSPORTATION UNDER 74 PA.C.S. § 2104(A)(2) (RELATING TO USE
OF MONEY IN FUND), THE LOCAL MATCH UNDER 74 PA.C.S. § 2106
(RELATING TO LOCAL MATCH) MAY BE WAIVED BY THE SECRETARY OF
TRANSPORTATION FOR GOOD CAUSE IF THE APPLICANT FOR ASSISTANCE
IS A MUNICIPALITY.
(2) FROM FUNDS AVAILABLE TO THE DEPARTMENT OF
TRANSPORTATION UNDER 74 PA.C.S. § 2104(A)(2), THE LOCAL MATCH
UNDER 74 PA.C.S. § 2106 MAY BE WAIVED BY THE SECRETARY OF
TRANSPORTATION FOR GOOD CAUSE IF THE APPLICANT FOR ASSISTANCE
IS A PORT AUTHORITY.
(B) COMMONWEALTH FINANCING AUTHORITY.--NOTWITHSTANDING THE
PROVISIONS OF 74 PA.C.S. § 2106, A MUNICIPALITY OR PORT
AUTHORITY RECEIVING FINANCIAL ASSISTANCE UNDER 74 PA.C.S. § 2104(A)(4) MAY NOT BE REQUIRED TO PROVIDE A LOCAL MATCH.

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

"MUNICIPALITY." A COUNTY, CITY, BOROUGH, INCORPORATED TOWN, TOWNSHIP OR LOCAL, REGIONAL OR METROPOLITAN TRANSPORTATION AUTHORITY.

"PORT AUTHORITY." A PORT AUTHORITY AS ESTABLISHED UNDER THE ACT OF JULY 10, 1989 (P.L.291, NO.50), KNOWN AS THE PHILADELPHIA REGIONAL PORT AUTHORITY ACT.

(D) EXPIRATION.--THIS SECTION SHALL EXPIRE DECEMBER 31, [2023] 2024.

SECTION 19. SECTION 1799.5-E OF THE ACT IS REPEALED:

[SECTION 1799.5-E. SALES BY DISTILLERIES,]

(A) GENERAL RULE.--NOTWITHSTANDING ANY PROVISION OF THE ACT OF APRIL 12, 1951 (P.L.90, NO.21), KNOWN AS THE LIQUOR CODE, TO THE CONTRARY, THE HOLDER OF A DISTILLERY OR LIMITED DISTILLERY LICENSE MAY SELL LIQUOR TO THE BOARD AND TO PERSONS NOT LICENSED BY THE BOARD. A DISTILLERY OR LIMITED DISTILLERY LICENSE HOLDER MAY ALSO DIRECTLY SELL LIQUOR TO ANY LICENSE OR PERMIT HOLDER THAT IS OTHERWISE AUTHORIZED TO SELL LIQUOR. HOWEVER, AGGREGATE SALES TO THE LICENSE AND PERMIT HOLDERS MAY NOT EXCEED 50,000 GALLONS DURING A CALENDAR YEAR. A LICENSE OR PERMIT HOLDER THAT WISHES TO ACQUIRE LIQUOR PRODUCED BY A DISTILLERY OR LIMITED DISTILLERY LICENSE HOLDER AFTER THE PRODUCER HAS REACHED ITS AGGREGATE 50,000-GALLON LIMIT MAY STILL ACQUIRE THE PRODUCT IF IT IS AVAILABLE FROM THE BOARD. IF A PERSON HOLDS MORE THAN ONE DISTILLERY OR LIMITED DISTILLERY LICENSE, EITHER DIRECTLY OR THROUGH A WHOLLY OWNED SUBSIDIARY, THE SALES FROM ALL SUCH
LICENSES SHALL BE CONSIDERED WHEN DETERMINING WHETHER THE
50,000-GALLON LIMIT HAS BEEN REACHED.

(B) DEFINITION.--AS USED IN THIS SECTION, THE TERM "BOARD"
MEANS THE PENNSYLVANIA LIQUOR CONTROL BOARD.

SECTION 20. THE ACT IS AMENDED BY ADDING ARTICLES TO READ:

ARTICLE XVII-F.3

2023-2024 BUDGET IMPLEMENTATION

SUBARTICLE A

PRELIMINARY PROVISIONS

SECTION 1701-F.3. APPLICABILITY.

EXCEPT AS SPECIFICALLY PROVIDED IN THIS ARTICLE, THIS ARTICLE
APPLIES TO THE GENERAL APPROPRIATION ACT OF 2023 AND ALL OTHER
APPROPRIATION ACTS OF 2023.

SECTION 1702-F.3. DEFINITIONS.

THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
CONTEXT CLEARLY INDICATES OTHERWISE:

"GENERAL APPROPRIATION ACT OF 2023." THE ACT OF AUGUST 3,
2023 (P.L. 1A, NO.1A), KNOWN AS THE GENERAL APPROPRIATION ACT OF
2023.

"HUMAN SERVICES CODE." THE ACT OF JUNE 13, 1967 (P.L.31,
NO.21), KNOWN AS THE HUMAN SERVICES CODE.

"PUBLIC SCHOOL CODE OF 1949." THE ACT OF MARCH 10, 1949

"SECRETARY." THE SECRETARY OF THE BUDGET OF THE
COMMONWEALTH.

"TANFBG." TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
GRANT.

SECTION 1703-F.3. (RESERVED).

SECTION 1704-F.3. (RESERVED).
SUBARTICLE B

EXECUTIVE DEPARTMENTS

SECTION 1711-F.3. GOVERNOR (RESERVED).

SECTION 1712-F.3. EXECUTIVE OFFICES.

THE FOLLOWING APPLY TO APPROPRIATIONS FOR THE EXECUTIVE OFFICES:

(1) THE FOLLOWING APPLY TO MONEY APPROPRIATED FOR THE PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY:

(I) NO LESS THAN THE AMOUNT USED IN THE 2014-2015 FISCAL YEAR SHALL BE USED TO SUPPORT THE STATEWIDE AUTOMATED VICTIM INFORMATION AND NOTIFICATION SYSTEM (SAVIN) TO PROVIDE OFFENDER INFORMATION THROUGH COUNTY JAILS.

(II) NO LESS THAN THE AMOUNT USED IN THE 2014-2015 FISCAL YEAR SHALL BE USED FOR A RESIDENTIAL TREATMENT COMMUNITY FACILITY FOR AT-RISK YOUTH LOCATED IN A COUNTY OF THE FIFTH CLASS.

(III) FROM THE AMOUNT APPROPRIATED, $400,000 SHALL BE USED FOR AN INNOVATIVE POLICE DATA SHARING POINTER INDEX SYSTEM THAT WILL ALLOW PARTICIPATING LAW ENFORCEMENT AGENCIES ACCESS TO INCIDENT REPORT DATA.

(IV) FROM THE AMOUNT APPROPRIATED, $600,000 SHALL BE USED FOR A DIVERSION PROGRAM FOR FIRST-TIME NONVIOLENT OFFENDERS FACING PRISON SENTENCES. THE DIVERSION PROGRAM MUST INCLUDE EDUCATION AND EMPLOYMENT SERVICES, CASE MANAGEMENT AND MENTORING.

(V) NO LESS THAN $3,000,000 SHALL BE AVAILABLE AS A PILOT PROGRAM TO OFFSET COSTS INCURRED BY A CITY OF THE FIRST CLASS AND A COUNTY OF THE SECOND CLASS THAT IS ALSO A HOME RULE COUNTY IN CONNECTION WITH HIRING
ADDITIONAL ASSISTANT DISTRICT ATTORNEYS DESIGNATED AS A
SPECIAL UNITED STATES ATTORNEY BY A UNITED STATES
ATTORNEY'S OFFICE THROUGH PARTICIPATION IN THE PROJECT
SAFE NEIGHBORHOODS PROGRAM AND WHO WILL EXCLUSIVELY
PROSECUTE CRIMES UNDER 18 U.S.C. § 922(G) (RELATING TO
UNLAWFUL ACTS).

(VI) $500,000 SHALL BE USED TO SUPPORT A STATEWIDE
CHILD PREDATOR UNIT.

(VII) $500,000 SHALL BE USED FOR TRAINING AND
EQUIPMENT NEEDS TO SUPPORT IMPROVEMENTS IN THE
IDENTIFICATION, INVESTIGATION AND PROSECUTION OF 18
PA.C.S. § 6312 (RELATING TO SEXUAL ABUSE OF CHILDREN).

(VIII) NO LESS THAN $1,750,000 SHALL BE USED FOR
NONNARCOTIC MEDICATION SUBSTANCE USE DISORDER TREATMENT
FOR ELIGIBLE OFFENDERS, WHICH SHALL INCLUDE THE
ESTABLISHMENT AND ADMINISTRATION OF A NONNARCOTIC
MEDICATION ASSISTED SUBSTANCE GRANT PROGRAM TO PROVIDE
ANNUAL GRANTS TO COUNTY CORRECTIONS INSTITUTIONS. AS USED
IN THIS SUBPARAGRAPH, THE TERM "ELIGIBLE OFFENDER" MEANS
A DEFENDANT OR INMATE CONVICTED OF A CRIMINAL OFFENSE WHO
WILL BE COMMITTED TO THE CUSTODY OF THE COUNTY AND WHO
MEETS THE CLINICAL CRITERIA FOR AN OPIOID OR ALCOHOL USE
DISORDER AS DETERMINED BY A PHYSICIAN.

(IX) (RESERVED).

(X) (RESERVED).

(2) FROM MONEY APPROPRIATED FOR VIOLENCE AND DELINQUENCY
PREVENTION PROGRAMS:

(I) NO LESS THAN THE AMOUNT USED IN THE 2014-2015
FISCAL YEAR SHALL BE USED FOR PROGRAMS IN A CITY OF THE
SECOND CLASS; AND
(II) NO LESS THAN THE AMOUNT USED IN THE 2014-2015 FISCAL YEAR SHALL BE USED FOR BLUEPRINT MENTORING PROGRAMS THAT ADDRESS REDUCING YOUTH VIOLENCE IN CITIES OF THE FIRST, SECOND AND THIRD CLASS WITH PROGRAMS IN CITIES OF THE SECOND CLASS AND THIRD CLASS ALSO RECEIVING A PROPORTIONAL SHARE OF $350,000.

(3) MONEY APPROPRIATED FOR VIOLENCE INTERVENTION AND PREVENTION SHALL BE USED SOLELY TO PROVIDE GRANTS AND TECHNICAL ASSISTANCE TO COMMUNITY-BASED ORGANIZATIONS, INSTITUTIONS OF HIGHER EDUCATION, MUNICIPALITIES, DISTRICT ATTORNEYS AND OTHER ENTITIES IN ACCORDANCE WITH SECTION 1306-B(B) OF THE PUBLIC SCHOOL CODE OF 1949 AND NOTWITHSTANDING SECTION 1306-B(H)(7) OF THE PUBLIC SCHOOL CODE OF 1949 FOR PROGRAMS ELIGIBLE UNDER SECTION 1306-B(J)(22) OF THE PUBLIC SCHOOL CODE OF 1949.

(4) MONEY APPROPRIATED FOR COUNTY INTERMEDIATE 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.3. LIEUTENANT GOVERNOR (RESERVED).

SECTION 1714-F.3. ATTORNEY GENERAL.
THE FOLLOWING APPLY TO APPROPRIATIONS TO THE ATTORNEY GENERAL:

(1) THE SUM OF $8,431,000 SHALL BE DISTRIBUTED BETWEEN THE ATTORNEY GENERAL AND THE DISTRICT ATTORNEY'S OFFICE IN A CITY OF THE FIRST CLASS FOR COSTS ASSOCIATED WITH THE OPERATION OF THE JOINT LOCAL-STATE FIREARM TASK FORCE IN THE CITY OF THE FIRST CLASS. NO MORE THAN 20% MAY BE ALLOCATED FOR THE DISTRICT ATTORNEY'S OFFICE IN A CITY OF THE FIRST CLASS.

(2) THE SUM OF $4,000,048 SHALL BE DISTRIBUTED TO THE ATTORNEY GENERAL FOR COSTS ASSOCIATED WITH A JOINT LOCAL-STATE FIREARM TASK FORCE IN A CITY OF THE FIRST CLASS.

(2.1) THE SUM OF $1,537,952 SHALL BE USED TO COVER THE COSTS ASSOCIATED WITH ESTABLISHING AND OPERATING A JOINT LOCAL-STATE FIREARM TASK FORCE IN A COUNTY OF THE SECOND CLASS.

(3) THE ATTORNEY GENERAL MAY EXPEND UP TO $2,000,000 IN TOTAL FROM THE FOLLOWING RESTRICTED ACCOUNTS FOR BUILDING MAINTENANCE AND RENOVATION COSTS FOR A REGIONAL OFFICE OF THE ATTORNEY GENERAL LOCATED IN A CITY OF THE FIRST CLASS:

(I) THE CRIMINAL ENFORCEMENT RESTRICTED ACCOUNT ESTABLISHED UNDER SECTION 1713-A.1.


(IV) THE STRAW PURCHASE PREVENTION EDUCATION FUND ESTABLISHED UNDER 18 PA.C.S. § 6186 (RELATING TO STRAW
PURCHASE PREVENTION EDUCATION FUND).

(V) THE RESTRICTED ACCOUNT ESTABLISHED UNDER SECTION 4 OF THE ACT OF DECEMBER 4, 1996 (P.L.911, NO.147), KNOWN AS THE TELEMARKETER REGISTRATION ACT.

SECTION 1715-F.3. AUDITOR GENERAL (RESERVED).

SECTION 1716-F.3. TREASURY DEPARTMENT (RESERVED).

SECTION 1717-F.3. DEPARTMENT OF AGING (RESERVED).

SECTION 1718-F.3. DEPARTMENT OF AGRICULTURE.

THE FOLLOWING APPLY TO APPROPRIATIONS FOR THE DEPARTMENT OF AGRICULTURE:

(1) FROM MONEY APPROPRIATED FOR GENERAL GOVERNMENT OPERATIONS, THE FOLLOWING APPLY:

(I) (RESERVED).

(II) NO LESS THAN $250,000 SHALL BE USED FOR THE COMMISSION FOR AGRICULTURAL EDUCATION EXCELLENCE TO ASSIST IN THE DEVELOPMENT AND IMPLEMENTATION OF AGRICULTURAL EDUCATION PROGRAMMING.

(2) FROM MONEY APPROPRIATED FOR AGRICULTURAL PREPAREDNESS AND RESPONSE, THE FOLLOWING SHALL APPLY:

(I) NO LESS THAN $25,000,000 SHALL BE USED FOR THE FOLLOWING COSTS ASSOCIATED WITH PREPARING FOR AND RESPONDING TO AN OUTBREAK OF HIGHLY PATHOGENIC AVIAN INFLUENZA:

(A) GRANTS TO ASSIST WITH INCOME LOSSES AND COSTS ASSOCIATED WITH WORKFORCE PAYROLL AND BENEFITS, MORTGAGE INTEREST AND RENT PAYMENTS, UTILITY PAYMENTS, COSTS OF DELAYED REPOPULATING AND REOPENING FACILITIES AND OTHER LOSSES OR COSTS ASSOCIATED WITH RESPONSE NOT OTHERWISE ELIGIBLE FOR OR COVERED BY FEDERAL FUNDING, INSURANCE, CONTRACTS OR OTHER
FUNDING SOURCES.

(B) THE ESTABLISHMENT AND OPERATIONS OF A HIGHLY PATHOGENIC AVIAN INFLUENZA RAPID RESPONSE TEAM. THE AMOUNT UTILIZED UNDER THIS CLAUSE MAY NOT EXCEED $2,000,000.

(II) NO LESS THAN $6,000,000 SHALL BE USED FOR COSTS INCURRED BY THE PENNSYLVANIA ANIMAL DIAGNOSTIC LABORATORY SYSTEM IN PREPARING FOR AND RESPONDING TO AN OUTBREAK OF HIGHLY PATHOGENIC AVIAN INFLUENZA.

(3) (RESERVED).

(4) FROM MONEY APPROPRIATED FOR AGRICULTURAL RESEARCH, THE FOLLOWING APPLY:

(I) NO LESS THAN $300,000 SHALL BE USED FOR AN AGRICULTURAL RESOURCE CENTER.

(II) NO LESS THAN $100,000 SHALL BE USED FOR AGRICULTURAL LAW RESEARCH PROGRAMS, INCLUDING THOSE ADDRESSING ENERGY DEVELOPMENT, IN CONJUNCTION WITH A LAND-GRANT UNIVERSITY.

(5) FROM MONEY APPROPRIATED FOR HARDWOODS RESEARCH AND PROMOTION, AT LEAST 80% OF THE MONEY SHALL BE EQUALLY DISTRIBUTED AMONG THE HARDWOOD UTILIZATION GROUPS OF THIS COMMONWEALTH ESTABLISHED PRIOR TO THE EFFECTIVE DATE OF THIS SECTION.

(6) MONEY APPROPRIATED FOR THE ANIMAL HEALTH AND DIAGNOSTIC COMMISSION SHALL BE EQUALLY DISTRIBUTED TO THE ANIMAL DIAGNOSTIC LABORATORY SYSTEM LABORATORIES LOCATED AT A LAND-GRANT UNIVERSITY AND AT A SCHOOL OF VETERINARY MEDICINE LOCATED WITHIN THIS COMMONWEALTH.

SECTION 1719-F.3. DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.
THE FOLLOWING APPLY TO APPROPRIATIONS FOR THE DEPARTMENT OF
COMMUNITY AND ECONOMIC DEVELOPMENT:

(1) FROM MONEY APPROPRIATED FOR GENERAL GOVERNMENT
OPERATIONS, NO LESS THAN $1,900,000 SHALL BE USED TO SUPPORT
A MANUFACTURING TECHNOLOGY DEVELOPMENT EFFORT, TO ASSIST
PENNSYLVANIA SMALL BUSINESSES WITH ENHANCED CYBER SECURITY
AND TO TEST COAL ASH REFUSE EXTRACTION OF RARE EARTH METALS
FOR DOMESTIC CHIP MANUFACTURING IN A COUNTY OF THE FOURTH
CLASS WITH A POPULATION OF AT LEAST 130,000 BUT NOT MORE THAN
135,000, UNDER THE MOST RECENT FEDERAL DECENNIAL CENSUS.

(2) (RESERVED).

(3) FROM MONEY APPROPRIATED FOR MARKETING TO ATTRACT
TOURISTS:

(I) $4,145,000 TO FUND THE ACTIVITIES OF THE TOURISM
OFFICE WITHIN THE DEPARTMENT; AND

(II) THE REMAINING MONEY INCLUDES AN ALLOCATION TO
BE USED TO PLAN, MARKET AND CONDUCT A SERIES OF ARTS AND
CULTURAL ACTIVITIES THAT GENERATE STATEWIDE AND REGIONAL
ECONOMIC IMPACT, AND $1,000,000 SHALL BE USED FOR AN
ANNUAL STATEWIDE COMPETITION SERVING APPROXIMATELY 2,000
ATHLETES WITH INTELLECTUAL DISABILITIES FROM ACROSS THIS
COMMONWEALTH TO BE HELD IN A COUNTY OF THE FOURTH CLASS.

(4) FROM MONEY APPROPRIATED FOR PENNSYLVANIA FIRST, NO
LESS THAN $8,000,000 SHALL BE USED TO FUND THE WORKFORCE AND
ECONOMIC DEVELOPMENT NETWORK OF PENNSYLVANIA (WEDNETPA) FOR
WORKFORCE TRAINING GRANTS PROVIDED THROUGH AN ALLIANCE OF
EDUCATIONAL PROVIDERS, INCLUDING, BUT NOT LIMITED TO, STATE
SYSTEM OF HIGHER EDUCATION UNIVERSITIES, THE PENNSYLVANIA
COLLEGE OF TECHNOLOGY AND COMMUNITY COLLEGES LOCATED IN THIS
COMMONWEALTH.
(5) FROM MONEY APPROPRIATED FOR KEYSTONE COMMUNITIES:

(I) $6,405,000 SHALL BE USED TO FUND THE MAIN STREET PROGRAM, ELM STREET PROGRAM, ENTERPRISE ZONE PROGRAM AND ACCESSIBLE HOUSING. THE ALLOCATION FOR THE MAIN STREET PROGRAM, ELM STREET PROGRAM, ENTERPRISE ZONE PROGRAM AND ACCESSIBLE HOUSING SHALL BE DISTRIBUTED IN THE SAME PROPORTION AS AMOUNTS ALLOCATED IN FISCAL YEAR 2012-2013.

(II) THE REMAINING MONEY SHALL BE USED FOR PROJECTS SUPPORTING ECONOMIC GROWTH, COMMUNITY DEVELOPMENT AND MUNICIPAL ASSISTANCE THROUGHOUT THIS COMMONWEALTH.

(6) (RESERVED).


(8) MONEY APPROPRIATED FOR LOCAL MUNICIPAL RELIEF SHALL INCLUDE AN ALLOCATION TO PROVIDE STATE ASSISTANCE TO INDIVIDUALS, PERSONS OR POLITICAL SUBDIVISIONS DIRECTLY AFFECTED BY NATURAL OR MANMADE DISASTERS, PUBLIC SAFETY EMERGENCIES, OTHER SITUATIONS THAT POSE A PUBLIC SAFETY DANGER OR OTHER SITUATIONS AT THE DISCRETION OF THE DEPARTMENT. STATE ASSISTANCE MAY BE LIMITED TO GRANTS FOR PROJECTS THAT DO NOT QUALIFY FOR FEDERAL ASSISTANCE TO HELP REPAIR DAMAGES TO PRIMARY RESIDENCES, PERSONAL PROPERTY AND PUBLIC FACILITIES AND STRUCTURES. GRANTS SHALL BE MADE AVAILABLE FOR REIMBURSEMENT IN A DISASTER EMERGENCY AREA ONLY WHEN A PRESIDENTIAL DISASTER DECLARATION DOES NOT COVER THE
AREA OR WHEN THE DEPARTMENT OF COMMUNITY AND ECONOMIC
DEVELOPMENT DETERMINES THAT A PUBLIC SAFETY EMERGENCY HAS
OCCURRED.

(9) (RESERVED).

(10) MONEY APPROPRIATED FOR HOSPITAL AND HEALTH SYSTEM
EMERGENCY RELIEF SHALL INCLUDE AN ALLOCATION TO PROVIDE STATE
ASSISTANCE TO HOSPITAL AND HEALTH CARE SYSTEMS THAT
EXPERIENCE UNEXPECTED FINANCIAL IMPACT SITUATIONS. STATE
ASSISTANCE MAY BE LIMITED TO GRANTS TO STABILIZE FINANCES
THAT DO NOT QUALIFY FOR FEDERAL PARTICIPATION OR MATCHING
FUNDS UNDER THE MEDICAL ASSISTANCE PROGRAM.

(11) MONEY APPROPRIATED FOR COMMUNITY AND ECONOMIC
ASSISTANCE SHALL INCLUDE AN ALLOCATION TO PROVIDE STATE
ASSISTANCE IN THE FORM OF GRANTS TO ASSIST IN COMMUNITY AND
ECONOMIC DEVELOPMENT, INCLUDING PROJECTS IN THE PUBLIC
INTEREST.

(12) FROM MONEY APPROPRIATED TO THE DEPARTMENT OF
COMMUNITY AND ECONOMIC DEVELOPMENT, THE DEPARTMENT OF
COMMUNITY AND ECONOMIC DEVELOPMENT SHALL PAY ONE-THIRD OF THE
COST FOR THE COMMISSION ON EDUCATION AND ECONOMIC
COMPETITIVENESS TO IMPLEMENT A CONTRACT FOR A NONPROFIT
ENTITY THAT HAS EXPERIENCE IN THE CREATION OF LONG-TERM
EDUCATION PLANNING EFFORTS AS REQUIRED UNDER SECTION 123.1(G)
of the Act of March 10, 1949 (P.L.30. No.14), known as the
PUBLIC SCHOOL CODE OF 1949. A PROCUREMENT UNDER THIS
PARAGRAPH SHALL NOT BE SUBJECT TO THE REQUIREMENTS OF 62
PA.C.S. (RELATING TO PROCUREMENT). THE DEPARTMENT OF
COMMUNITY AND ECONOMIC DEVELOPMENT SHALL COLLABORATE WITH ANY
OTHER STATE AGENCY AS NECESSARY TO IMPLEMENT A PROCUREMENT
UNDER THIS PARAGRAPH.
(13) Money appropriated for workforce development shall be distributed in the same proportion as distributed in fiscal year 2022-2023.

Section 1720-F.3. Department of conservation and natural resources.

The following apply to appropriations for the department of conservation and natural resources:

(1) (Reserved).

(2) Money appropriated for parks, forests and recreation projects shall be used for grants for projects to enhance parks, forests and recreation activities.

Section 1721-F.3. Department of corrections (Reserved).

Section 1722-F.3. Department of drug and alcohol programs (Reserved).

Section 1723-F.3. Department of education.

The following apply to appropriations to the department of education:

(1) (Reserved).

(2) From an appropriation for adult and family literacy programs, summer reading programs and the adult high school diplomas program. The following apply:

(I) no less than the amount allocated in the 2014-2015 fiscal year shall be allocated for an after-school learning program servicing low-income students located in a county of the sixth class with a population, based on the most recent federal decennial census, of at least 64,730 but not more than 65,558; and

(II) no less than the amount allocated in the 2016-2017 fiscal year shall be used for an after-school learning program servicing low-income students located in...
A COUNTY OF THE THIRD CLASS WITH A POPULATION, BASED ON
THE MOST RECENT FEDERAL DECENNIAL CENSUS, OF AT LEAST
320,000 BUT NOT MORE THAN 330,000.

(III) FROM MONEY APPROPRIATED FOR ADULT AND FAMILY
LITERACY, AT LEAST $1,050,000 SHALL BE USED TO DEVELOP
AND ADMINISTER A PROGRAM TO SUBSIDIZE THE COST OF HIGH
SCHOOL EQUIVALENCY TESTING THAT LEADS TO A COMMONWEALTH
SECONDARY SCHOOL DIPLOMA CREDENTIAL FOR INDIVIDUALS WHO
MEET REQUIREMENTS ESTABLISHED BY THE DEPARTMENT.

(3) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE
APPROPRIATION FOR PUPIL TRANSPORTATION MAY NOT BE REDIRECTED
FOR ANY PURPOSE.

(4) FROM MONEY APPROPRIATED FOR PENNSYLVANIA CHARTERED
SCHOOLS FOR DEAF AND BLIND CHILDREN, THE FOLLOWING APPLY:

(I) UPON DISTRIBUTION OF THE FINAL TUITION PAYMENT
FOR THE FISCAL YEAR, THE BALANCE OF THE APPROPRIATION,
EXCLUDING AMOUNTS UNDER SUBPARAGRAPH (II), SHALL BE USED
TO PAY THE SCHOOLS' INCREASED SHARE OF REQUIRED
CONTRIBUTIONS FOR PUBLIC SCHOOL EMPLOYEES' RETIREMENT AND
SHALL BE DISTRIBUTED PRO RATA BASED ON EACH SCHOOL'S
CONTRIBUTIONS FOR THE PRIOR FISCAL YEAR.

(II) $1,000,000 IS INCLUDED FOR CAPITAL-RELATED
COSTS AND DEFERRED MAINTENANCE TO BE DIVIDED EQUALLY
BETWEEN EACH SCHOOL.

(5) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE
AMOUNT OF MONEY SET ASIDE UNDER SECTION 2509.8 OF THE PUBLIC
SCHOOL CODE OF 1949 SHALL BE ALLOCATED TO EACH APPROVED
PRIVATE SCHOOL WITH A DAY TUITION RATE DETERMINED TO BE LESS
 THAN $32,000 DURING THE 2010-2011 SCHOOL YEAR. THE ALLOCATION
SHALL BE NO LESS THAN THE AMOUNT ALLOCATED IN THE 2015-2016
(6) Money appropriated for regional community college services shall be distributed to each entity that received funding in fiscal year 2022-2023 in an amount equal to the amount received in that fiscal year.

(7) Notwithstanding any other provision of law, money appropriated for community education councils shall be distributed in a manner that each community education council which received funding in fiscal year 2022-2023 shall receive an amount equal to the amount received in that fiscal year.

(7.1) From money appropriated for parent pathways, the department of education shall expand the parent pathways learning network pilot program to assist parenting students in pursuing postsecondary pathways to postsecondary degree or certificate completion. The department of education shall provide financial and technical assistance to postsecondary institutions to remove barriers to postsecondary degree or certificate completion and increase access to family sustaining wages and in-demand occupations.

(8) Notwithstanding section 123(k) of the act of March 10, 1949 (P.L.30, No.14), known as the public school code of 1949, the basic education funding commission is reconstituted and shall issue an interim report to the recipients listed in section 123(i)(12) of the public school code of 1949 not later than January 30, 2024, and a final report to to the recipients not later than April 30, 2024.

(9) Notwithstanding any other provision of law, for the 2023-2024 fiscal year, the department may not accept or approve new school building construction or reconstruction project applications under subarticle (c) of article VII of 20230HB1300PN1943.
THE PUBLIC SCHOOL CODE OF 1949.


(11) FROM MONEY APPROPRIATED FOR SAFE SCHOOL INITIATIVES, THE COMBINED AMOUNT OF GRANTS AWARDED TO INTERMEDIATE UNITS ON BEHALF OF NONPUBLIC SCHOOLS UNDER SECTION 1302-A(C) OF THE PUBLIC SCHOOL CODE OF 1949 AND GRANTS AWARDED FOR COSTS ASSOCIATED WITH A NONPUBLIC SCHOOL OBTAINING THE SERVICES OF A SCHOOL POLICE OFFICER UNDER SECTION 1302-A(C.1) OF THE PUBLIC SCHOOL CODE OF 1949 SHALL BE NO LESS THAN $14,550,571.

(12) FROM MONEY APPROPRIATED FOR THE PRE-K COUNTS PROGRAM, THE FOLLOWING SHALL APPLY:

(I) BEGINNING DECEMBER 31, 2023, AND ON THE LAST DAY OF EACH MONTH THEREAFTER, AN APPROVED PROVIDER SHALL SUBMIT A MONTHLY REPORT OF THE FOLLOWING PROGRAM INFORMATION TO THE DEPARTMENT OF EDUCATION:

(A) THE NUMBER OF STUDENTS FOR WHICH THE APPROVED PROVIDER IS RECEIVING GRANT FUNDS.

(B) THE NUMBER OF STUDENTS ENROLLED DURING THE MONTH.

(C) THE AVERAGE DAILY MEMBERSHIP OF STUDENTS ENROLLED.

(D) THE NUMBER OF STUDENTS SEEKING SERVICES BUT NOT ENROLLED.

(II) NO LATER THAN 30 DAYS AFTER RECEIVING THE REQUIRED REPORTS FROM APPROVED PROVIDERS UNDER SUBPARAGRAPH (I) THE DEPARTMENT OF EDUCATION SHALL MAKE A

(A) THE INFORMATION RECEIVED UNDER SUBPARAGRAPH (I).

(B) THE AMOUNT OF FUNDS TO BE RECOVERED UNDER SUBPARAGRAPH (III).

(C) THE NUMBER OF STUDENTS FOR WHICH FUNDS TO BE RECOVERED UNDER SUBPARAGRAPH (III) WERE INTENDED TO PROVIDE SERVICES.

(D) THE AMOUNT OF FUNDS TO BE REALLOCATED UNDER SUBPARAGRAPH (IV).

(E) THE NUMBER OF STUDENTS THAT FUNDS TO BE REALLOCATED UNDER SUBPARAGRAPH (IV) WILL ALLOW TO RECEIVE SERVICES.

(F) THE AMOUNT OF FUNDS RECOVERED AND NOT REALLOCATED UNDER SUBPARAGRAPH (IV).

(III) GRANT FUNDS RECEIVED BY AN APPROVED PROVIDER SHALL BE RECOVERED BY THE DEPARTMENT OF EDUCATION WITHIN 15 DAYS OF A REPORT MADE UNDER SUBPARAGRAPH (I) THAT FINDS THE NUMBER OF STUDENTS FOR WHICH THE APPROVED PROVIDER IS RECEIVING GRANT FUNDS IS GREATER THAN THE NUMBER OF STUDENTS ENROLLED DURING THE MONTH. THE AMOUNT OF GRANT FUNDS TO BE RECOVERED SHALL BE DETERMINED BY SUBTRACTING THE NUMBER OF STUDENTS ENROLLED DURING THE MONTH FROM THE NUMBER OF STUDENTS FOR WHICH THE APPROVED PROVIDER IS RECEIVING GRANT FUNDS.
PROVIDER IS RECEIVING GRANT FUNDS AND MULTIPLYING THE
DIFFERENCE BY THE PORTION OF THE PER-STUDENT GRANT AWARD
AMOUNT PAID TO THE APPROVED PROVIDER FOR THE PERIOD FOR
WHICH THE REPORT WAS MADE.

(IV) GRANT FUNDS RECOVERED UNDER SUBPARAGRAPH (III)
SHALL BE REALLOCATED PROPORTIONALLY TO APPROVED PROVIDERS
BASED ON THE NUMBER OF STUDENTS SEEKING SERVICES BUT NOT
ENROLLED AS REPORTED IN SUBPARAGRAPH (I). GRANT FUNDS MAY
NOT BE REALLOCATED IN EXCESS OF THE NUMBER OF STUDENTS
SEEKING SERVICES BUT NOT ENROLLED. ANY RECOVERED GRANT
FUNDS REMAINING AT THE END OF THE FISCAL YEAR SHALL LAPSE
TO THE GENERAL FUND.

(V) THE SECRETARY OF EDUCATION AND THE SECRETARY OF
HUMAN SERVICES SHALL REPORT, ON A QUARTERLY BASIS, IN
PERSON TO THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
APPROPRIATIONS COMMITTEE OF THE SENATE AND THE
CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES
OR THEIR DESIGNEES, THE INFORMATION REPORTED UNDER
SUBPARAGRAPH (I) AND INFORMATION DOCUMENTING THE RECOVERY
OF FUNDS UNDER SUBPARAGRAPH (III) AND THE REALLOCATION OF
FUNDS AND FUNDS REMAINING AVAILABLE UNDER SUBPARAGRAPH
(IV).

(13) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE
CONTRARY, FROM MONEY APPROPRIATED FOR PAYMENT OF APPROVED
OPERATING EXPENSES OF COMMUNITY COLLEGES, EACH COMMUNITY
COLLEGE SHALL RECEIVE AN AMOUNT EQUAL TO THE FOLLOWING:

(I) FOR THE 2023-2024 FISCAL YEAR, EACH COMMUNITY
COLLEGE SHALL RECEIVE AN AMOUNT EQUAL TO THE FOLLOWING:

(A) AN AMOUNT EQUAL TO THE REIMBURSEMENT FOR
OPERATING COSTS RECEIVED IN FISCAL YEAR 2022-2023
UNDER SECTION 1913-A(B)(1.6)(XVI)(A) AND (C) AND
(XVII) OF THE PUBLIC SCHOOL CODE OF 1949.

(B) AN AMOUNT EQUAL TO THE ECONOMIC DEVELOPMENT
STIPEND RECEIVED IN FISCAL YEAR 2022-2023 UNDER
SECTION 1913-A(B)(1.6)(XVI)(B) OF THE PUBLIC SCHOOL
CODE OF 1949.

(C) FOR EACH COMMUNITY COLLEGE THAT RECEIVES
FUNDING UNDER CLAUSE (A) OR (B), AN ADDITIONAL AMOUNT
FOR OPERATING COSTS DETERMINED FOR EACH COMMUNITY
COLLEGE, AS FOLLOWS:

(I) MULTIPLY THE AUDITED FULL-TIME
EQUIVALENT ENROLLMENT AS VERIFIED UNDER SECTION
1913-B(K.1) FOR THE MOST RECENT YEAR AVAILABLE
FOR THE COMMUNITY COLLEGE BY $5,130,000.

(II) DIVIDE THE PRODUCT IN SUBCLAUSE (I) BY
THE SUM OF THE AUDITED FULL-TIME EQUIVALENT
ENROLLMENT AS VERIFIED UNDER SECTION 1913-A(K.1)
OF THE PUBLIC SCHOOL CODE OF 1949 FOR THE MOST
RECENT YEAR AVAILABLE FOR ALL COMMUNITY COLLEGES.

(II) (RESERVED).

(14) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE
CONTRARY, FROM MONEY APPROPRIATED FOR A SUBSIDY TO PUBLIC
LIBRARIES FUNDS SHALL BE DISTRIBUTED AS FOLLOWS:

(I) THE STATE LIBRARIAN SHALL DISTRIBUTE $6,717 TO
EACH DISTRICT LIBRARY CENTER THAT RECEIVED LESS THAN THE
AMOUNT SPECIFIED UNDER 24 PA.C.S. § 9338(B)(2) (RELATING
TO DISTRICT LIBRARY CENTER AID) IN FISCAL YEAR 2022-2023
FROM FUNDS ALLOCATED UNDER SECTION 2326(1) OF THE PUBLIC
SCHOOL CODE OF 1949.

20230HB1300PN1943 - 71 -
(II) ALL FUNDS REMAINING AFTER THE DISTRIBUTION
UNDER SUBPARAGRAPH (I) SHALL BE DISTRIBUTED TO EACH
LIBRARY UNDER THE FOLLOWING FORMULA:

(A) DIVIDE THE SUM OF THE AMOUNT OF FUNDING THE
LIBRARY RECEIVED IN FISCAL YEAR 2022-2023 UNDER
SECTION 2326(1) OF THE PUBLIC SCHOOL CODE OF 1949 AND
SUBPARAGRAPH (I) BY THE SUM OF THE TOTAL AMOUNT OF
STATE AID PROVIDED UNDER SECTION 2326(1) OF THE
PUBLIC SCHOOL CODE OF 1949 AND SUBPARAGRAPH (I).

(B) MULTIPLY THE QUOTIENT UNDER CLAUSE (A) BY
$70,422,981.

(III) FOLLOWING DISTRIBUTION OF FUNDS APPROPRIATED
FOR STATE AID TO LIBRARIES UNDER SUBPARAGRAPHS (I) AND
(II), ANY REMAINING FUNDS MAY BE DISTRIBUTED AT THE
DISCRETION OF THE STATE LIBRARIAN.

(IV) IF FUNDS APPROPRIATED FOR STATE AID TO
LIBRARIES IN FISCAL YEAR 2023-2024 ARE LESS THAN FUNDS
APPROPRIATED IN FISCAL YEAR 2002-2003, THE STATE
LIBRARIAN MAY WAIVE STANDARDS AS PRESCRIBED IN 24 PA.C.S.
CH. 93 (RELATING TO PUBLIC LIBRARY CODE).

(V) EACH LIBRARY SYSTEM RECEIVING STATE AID UNDER
THIS PARAGRAPH MAY DISTRIBUTE THE LOCAL LIBRARY SHARE OF
THAT AID IN A MANNER AS DETERMINED BY THE BOARD OF
DIRECTORS OF THE LIBRARY SYSTEM.

(VI) IN THE CASE OF A LIBRARY SYSTEM THAT CONTAINS A
LIBRARY OPERATING IN A CITY OF THE SECOND CLASS, CHANGES
TO THE DISTRIBUTION OF STATE AID TO THE LIBRARY SHALL BE
MADE BY MUTUAL AGREEMENT BETWEEN THE LIBRARY AND THE
LIBRARY SYSTEM.

(VII) IN THE EVENT OF A CHANGE IN DISTRICT LIBRARY
CENTER POPULATION PRIOR TO THE EFFECTIVE DATE OF THIS
SECTION AS A RESULT OF:

(A) A CITY, BOROUGH, TOWN, TOWNSHIP, SCHOOL
DISTRICT OR COUNTY MOVING FROM ONE LIBRARY CENTER TO
ANOTHER; OR

(B) A TRANSFER OF DISTRICT LIBRARY CENTER STATUS
TO A COUNTY LIBRARY SYSTEM;

FUNDING OF DISTRICT LIBRARY CENTER AID SHALL BE PAID
BASED ON THE POPULATION OF THE NEWLY ESTABLISHED OR
RECONFIGURED DISTRICT LIBRARY CENTER.

(VIII) IN THE EVENT OF A CHANGE IN DIRECT SERVICE
AREA FROM ONE LIBRARY TO ANOTHER, THE STATE LIBRARIAN,
UPON AGREEMENT OF THE AFFECTED LIBRARIES, MAY
REDISTRIBUTE THE LOCAL LIBRARY SHARE OF AID TO THE
LIBRARY CURRENTLY SERVICING THE AREA.

(15) FROM MONEY APPROPRIATED FOR READY-TO-LEARN BLOCK
GRANT FOR THE 2023-2024 SCHOOL YEAR, EACH SCHOOL ENTITY SHALL
RECEIVE A READY-TO-LEARN BLOCK GRANT IN AN AMOUNT NOT LESS
THAN THE AMOUNT RECEIVED BY THE SCHOOL ENTITY FROM THE
APPROPRIATION FOR THE READY-TO-LEARN BLOCK GRANT DURING THE
2022-2023 FISCAL YEAR.

(16) (RESERVED).

(17) FROM MONEY APPROPRIATED FOR PAYMENTS ON ACCOUNT OF
SPECIAL EDUCATION OF EXCEPTIONAL CHILDREN, 5.5% OF THE AMOUNT
SHALL BE PAID TO INTERMEDIATE UNITS ON ACCOUNT OF SPECIAL
EDUCATION SERVICES.

(18) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
CONTRARY, FROM MONEY APPROPRIATED FOR CAREER AND TECHNICAL
EDUCATION, PAYMENTS ON ACCOUNT OF PUPILS ENROLLED IN CAREER
AND TECHNICAL EDUCATION CURRICULUMS AS REQUIRED UNDER SECTION
2502.8 OF THE PUBLIC SCHOOL CODE OF 1949 SHALL BY CALCULATED
BY DETERMINING THE INCREASE IN THE WEIGHTED AVERAGE DAILY
MEMBERSHIP BY MULTIPLYING THE NUMBER OF STUDENTS IN AVERAGE
DAILY MEMBERSHIP IN CAREER AND TECHNICAL CURRICULUMS IN AREA
CAREER AND TECHNICAL SCHOOLS BY 0.2668 AND THE NUMBER OF
STUDENTS IN AVERAGE DAILY MEMBERSHIP IN SCHOOL DISTRICT AND
CHARTER SCHOOL CAREER AND TECHNICAL CURRICULUMS BY 0.2178.

(19) (RESERVED).

(20) ARTICLE XXVI-J OF THE PUBLIC SCHOOL CODE OF 1949
SHALL APPLY TO PROJECTS FOR WHICH APPROVAL AND REIMBURSEMENT
IS SOUGHT AND FOR THE PROGRAM BEGINNING JULY 1, 2024.

(21) THE DEPARTMENT OF EDUCATION MAY UTILIZE UP TO
$7,000,000 OF UNDISTRIBUTED FUNDS NOT EXPENDED, ENCUMBERED OR
COMMITTED FROM APPROPRIATIONS FOR GRANTS, SUBSIDIES AND
ASSESSMENTS MADE TO THE DEPARTMENT OF EDUCATION TO ASSIST
SCHOOL DISTRICTS DECLARED TO BE IN FINANCIAL RECOVERY STATUS
UNDER SECTION 621-A OF THE PUBLIC SCHOOL CODE OF 1949,
IDENTIFIED FOR FINANCIAL WATCH STATUS UNDER SECTION 611-A OF
THE PUBLIC SCHOOL CODE OF 1949 OR IDENTIFIED FOR FINANCIAL
WATCH STATUS UNDER SECTION 694-A OF THE PUBLIC SCHOOL CODE OF
1949; EXCEPT THAT THE FUNDS MUST BE FIRST UTILIZED TO
ACCOMPLISH THE PROVISIONS CONTAINED IN SECTION 695-A OF THE
PUBLIC SCHOOL CODE OF 1949. THE FUNDS SHALL BE TRANSFERRED BY
THE SECRETARY OF THE BUDGET TO A RESTRICTED ACCOUNT AS
NECESSARY TO MAKE PAYMENTS UNDER THIS PARAGRAPH AND, WHEN
TRANSFERRED, ARE APPROPRIATED TO CARRY OUT THE PROVISIONS OF
THIS SECTION 2510.3 OF THE PUBLIC SCHOOL CODE OF 1949.

(22) FROM MONEY APPROPRIATED TO THE DEPARTMENT OF
EDUCATION, THE DEPARTMENT OF EDUCATION SHALL PAY ONE-THIRD OF
THE COST FOR THE COMMISSION ON EDUCATION AND ECONOMIC
COMPETITIVENESS TO IMPLEMENT A CONTRACT FOR A NONPROFIT ENTITY THAT HAS EXPERIENCE IN THE CREATION OF LONG-TERM EDUCATION PLANNING EFFORTS AS REQUIRED UNDER SECTION 123.1(G) OF THE PUBLIC SCHOOL CODE OF 1949. A PROCUREMENT UNDER THIS PARAGRAPH SHALL NOT BE SUBJECT TO THE REQUIREMENTS OF 62 PA.C.S. (RELATING TO PROCUREMENT). THE DEPARTMENT OF EDUCATION SHALL COLLABORATE WITH ANY OTHER STATE AGENCY AS NECESSARY TO IMPLEMENT A PROCUREMENT UNDER THIS PARAGRAPH.

(23) FROM MONEY APPROPRIATED FOR GRANTS TO SCHOOL DISTRICTS TO ASSIST IN MEETING FEDERAL MATCHING REQUIREMENTS FOR GRANTS RECEIVED UNDER 42 U.S.C. CH. 13A (RELATING TO CHILD NUTRITION) AND TO AID IN PROVIDING A FOOD PROGRAM FOR NEEDY CHILDREN, MONEY SHALL BE USED TO REIMBURSE SCHOOLS THAT PARTICIPATE IN THE NATIONAL SCHOOL LUNCH AND SCHOOL BREAKFAST PROGRAMS FOR THE DIFFERENCE BETWEEN THE REIMBURSEMENT RATE FOR A FREE LUNCH AND A REDUCED PRICE LUNCH AND THE DIFFERENCE BETWEEN THE REIMBURSEMENT RATE FOR A FREE BREAKFAST AND A REDUCED PRICE BREAKFAST OR PAID BREAKFAST.

(24) MONEY APPROPRIATED FOR JOB TRAINING AND EDUCATION PROGRAMS SHALL BE USED FOR GRANTS FOR JOB TRAINING AND EDUCATIONAL PROGRAMS.

(25) MONEY APPROPRIATED FOR MOBILE SCIENCE AND MATHEMATICS EDUCATION PROGRAMS SHALL BE USED FOR GRANTS TO SUPPORT MOBILE SCIENCE AND MATHEMATICS EDUCATION PROGRAMS.

SECTION 1724-F.3. DEPARTMENT OF ENVIRONMENTAL PROTECTION (RESERVED).

SECTION 1725-F.3. DEPARTMENT OF GENERAL SERVICES.

FROM MONEY APPROPRIATED TO THE DEPARTMENT OF GENERAL SERVICES FOR CAPITOL FIRE PROTECTION, THE CITY OF HARRISBURG SHALL USE THE MONEY TO SUPPORT THE PROVISIONS OF FIRE SERVICES TO THE 20230HB1300PN1943 - 75 -
THE FOLLOWING APPLY TO APPROPRIATIONS FOR THE DEPARTMENT OF HEALTH:

1. FROM MONEY APPROPRIATED FOR GENERAL GOVERNMENT OPERATIONS, SUFFICIENT MONEY IS INCLUDED FOR THE COORDINATION OF DONATED DENTAL SERVICES.

2. (RESERVED).

3. FROM MONEY APPROPRIATED FOR PRIMARY HEALTH CARE PRACTITIONER, THE FOLLOWING APPLY:
   (I) NO LESS THAN $3,451,000 SHALL BE USED FOR PRIMARY CARE LOAN REPAYMENT GRANT AWARDS.
   (II) NO LESS THAN $1,500,000 SHALL BE USED FOR THE PENNSYLVANIA ACADEMY OF FAMILY PHYSICIANS FAMILY MEDICINE RESIDENCY EXPANSION PROGRAM.
   (III) NO LESS THAN $1,300,000 SHALL BE USED FOR THE PENNSYLVANIA ACADEMY OF FAMILY PHYSICIANS FAMILY MEDICINE RESIDENCY COMMUNITY HEALTH IMPACT GRANT PROGRAM.
   (IV) GRANTEES OTHER THAN AS PROVIDED UNDER SUBPARAGRAPHS (I), (II) AND (III) THAT RECEIVED AMOUNTS IN THE 2022-2023 FISCAL YEAR SHALL RECEIVE THE AMOUNT EACH GRANTEE RECEIVED IN THE 2022-2023 FISCAL YEAR.

4. MONEY APPROPRIATED FOR SERVICES FOR CHILDREN WITH SPECIAL NEEDS SHALL BE DISTRIBUTED TO GRANTEES IN THE SAME PROPORTION AS DISTRIBUTED IN FISCAL YEAR 2019-2020.

5. FROM MONEY APPROPRIATED FOR ADULT CYSTIC FIBROSIS AND OTHER CHRONIC RESPIRATORY ILLNESSES, THE FOLLOWING APPLY:
   (I) NO LESS THAN $212,000 SHALL BE USED FOR A PROGRAM PROMOTING CYSTIC FIBROSIS RESEARCH IN A COUNTY OF THE SECOND CLASS.
(II) NO LESS THAN $106,000 SHALL BE USED FOR RESEARCH RELATED TO CHILDHOOD CYSTIC FIBROSIS IN A CITY OF THE FIRST CLASS WITH A HOSPITAL THAT IS NATIONALLY ACCREDITED AS A CYSTIC FIBROSIS TREATMENT CENTER AND SPECIALIZES IN THE TREATMENT OF CHILDREN.

(III) ANY MONEY NOT USED UNDER SUBPARAGRAPH (I) OR (II) SHALL BE DISTRIBUTED TO GRANTEES IN THE SAME PROPORTION AS DISTRIBUTED IN FISCAL YEAR 2019-2020.

(6) MONEY APPROPRIATED FOR DIAGNOSIS AND TREATMENT FOR COOLEY'S ANEMIA SHALL BE DISTRIBUTED TO GRANTEES IN THE SAME PROPORTION AS DISTRIBUTED IN FISCAL YEAR 2019-2020.

(7) MONEY APPROPRIATED FOR HEMOPHILIA SERVICES SHALL BE DISTRIBUTED TO GRANTEES IN THE SAME PROPORTION AS DISTRIBUTED IN FISCAL YEAR 2019-2020.

(8) MONEY APPROPRIATED FOR LUPUS PROGRAMS SHALL BE DISTRIBUTED PROPORTIONATELY TO EACH ENTITY THAT RECEIVED FUNDING IN FISCAL YEAR 2018-2019.

(9) FROM MONEY APPROPRIATED FOR SICKLE CELL ANEMIA SERVICES, INCLUDING CAMPS FOR CHILDREN WITH SICKLE CELL ANEMIA, THE FOLLOWING SHALL APPLY:


(II) $75,000 SHALL BE DISTRIBUTED TO A QUALIFYING ACADEMIC MEDICAL CENTER LOCATED IN A COUNTY OF THE THIRD CLASS WITH A POPULATION BETWEEN 280,000 AND 300,000 UNDER THE MOST RECENT FEDERAL DECENNIAL CENSUS FOR EXPANDED CARE OF ADULT SICKLE CELL DISEASE.

(10) MONEY APPROPRIATED FOR LYME DISEASE INCLUDES $2,000,000 FOR COSTS RELATED TO FREE TICK TESTING FOR
RESIDENTS PERFORMED IN CONJUNCTION WITH A UNIVERSITY THAT IS PART OF THE STATE SYSTEM OF HIGHER EDUCATION, INCLUDING OUTREACH AND MARKETING.

(11) MONEY APPROPRIATED FOR BIOTECHNOLOGY RESEARCH SHALL INCLUDE ALLOCATIONS FOR REGENERATIVE MEDICINE RESEARCH, FOR REGENERATIVE MEDICINE MEDICAL TECHNOLOGY, FOR HEPATITIS AND VIRAL RESEARCH, FOR DRUG RESEARCH AND CLINICAL TRIALS RELATED TO CANCER, FOR GENETIC AND MOLECULAR RESEARCH FOR DISEASE IDENTIFICATION AND ERADICATION, FOR VACCINE IMMUNE RESPONSE DIAGNOSTICS, FOR NANOTECHNOLOGY AND FOR THE COMMERCIALIZATION OF APPLIED RESEARCH.

SECTION 1727-F.3. INSURANCE DEPARTMENT (RESERVED).

SECTION 1728-F.3. DEPARTMENT OF LABOR AND INDUSTRY.

THE FOLLOWING APPLY TO APPROPRIATIONS TO THE DEPARTMENT OF LABOR AND INDUSTRY:

(1) FROM MONEY APPROPRIATED FOR INDUSTRY PARTNERSHIPS, NO LESS THAN THE AMOUNT ALLOCATED IN THE 2014-2015 FISCAL YEAR SHALL BE USED FOR A WORK FORCE DEVELOPMENT PROGRAM THAT LINKS VETERANS WITH EMPLOYMENT IN A HOME RULE COUNTY THAT WAS FORMERLY A COUNTY OF THE SECOND CLASS A.

AND INDUSTRY SHALL COLLABORATE WITH ANY OTHER STATE AGENCY AS
NECESSARY TO IMPLEMENT A PROCUREMENT UNDER THIS PARAGRAPH.

SECTION 1729-F.3. DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
(RESERVED).

SECTION 1730-F.3. DEPARTMENT OF HUMAN SERVICES.

THE FOLLOWING APPLY TO APPROPRIATIONS FOR THE DEPARTMENT OF
HUMAN SERVICES:

(1) FROM MONEY APPROPRIATED FOR MENTAL HEALTH SERVICES
OR FROM FEDERAL MONEY, $580,000 SHALL BE USED FOR THE
FOLLOWING:

(I) THE OPERATION AND MAINTENANCE OF A NETWORK OF
WEB PORTALS THAT PROVIDE COMPREHENSIVE REFERRAL SERVICES,
SUPPORT AND INFORMATION RELATING TO EARLY INTERVENTION,
PREVENTION AND SUPPORT FOR INDIVIDUALS WITH MENTAL HEALTH
OR SUBSTANCE ABUSE ISSUES, COUNTY MENTAL HEALTH OFFICES,
PROVIDERS AND OTHERS THAT PROVIDE MENTAL AND BEHAVIORAL
HEALTH TREATMENT AND RELATED SERVICES.

(II) THE EXPANSION OF THE EXISTING WEB PORTALS,
INCLUDING SERVICES AND RESOURCES FOR MILITARY VETERANS
AND THEIR FAMILIES, INCLUDING COMPREHENSIVE REFERRAL
SERVICES FOR TRANSITIONAL, TEMPORARY AND PERMANENT
HOUSING, JOB PLACEMENT AND CAREER COUNSELING AND OTHER
SERVICES FOR MILITARY VETERANS RETURNING TO CIVILIAN
LIFE.

(2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FROM THE
MONEY APPROPRIATED FOR MENTAL HEALTH SERVICES, $20,000,000
SHALL BE USED FOR COUNTY MENTAL HEALTH SERVICES IN ADDITION
TO THE COUNTY FUNDING PROVIDED UNDER THE ACT OF OCTOBER 20,
1966 (3RD SP.SESS., P.L.96, NO.6), KNOWN AS THE MENTAL HEALTH
AND INTELLECTUAL DISABILITY ACT OF 1966, AND THE HUMAN
SERVICES BLOCK GRANT PROGRAM UNDER ARTICLE XIV-B OF THE HUMAN SERVICES CODE. THE FOLLOWING APPLY:

(I) Money shall be distributed to each county and county local collaborative arrangement on a pro rata basis based upon fiscal year 2022-2023 mental health community base funded services allocations.

(II) County mental health services shall be provided and reported in accordance with the reporting and monitoring requirements of the Department of Human Services.

(III) Money received under this paragraph may not be included in the calculation of the allocation of funds under the human services block grant program.

(3) Subject to the availability of federal money and eligibility under federal TANF BG rules, grantees who operated within the PA Workwear program in the prior fiscal year and who remain in operation shall be offered a grant for the fiscal year to continue service delivery under substantially similar terms as previous PA Workwear grants unless both parties agree to alternate terms. Nothing in this paragraph shall prohibit the Department of Human Services from offering a grant to a prospective PA Workwear provider to replace a prior grantee who chooses not to continue to operate in the program.

(4) From money appropriated for medical assistance capitation:

(I) No less than the amount used in the 2014-2015 fiscal year shall be used for prevention and treatment of depression and its complications in older Pennsylvanians in a county of the second class.
(II) SUBJECT TO FEDERAL APPROVAL AS MAY BE NECESSARY
AND CONTINGENT ON FEDERAL FINANCIAL PARTICIPATION,
sufficient funds are included to provide reimbursement
for ground mileage for every loaded mile and to provide
the greater of Medicare rates published in the ambulance
fee schedule public use file for calendar year 2023 or
the current Medicaid ambulance fees as updated by Medical
Assistance Bulletin 26-22-07 effective date January 1,
2023, beginning on January 1, 2024.

(5) The following shall apply to amounts appropriated
for Medical Assistance fee-for-service:

(I) Payments to hospitals for Community Access Fund
grants shall be distributed under the formulas utilized
for these grants in fiscal year 2014-2015. If the total
funding available under this subparagraph is less than
that available in fiscal year 2014-2015, payments shall
be made on a pro rata basis.

(II) Amounts allocated from money appropriated for
fee-for-service used for the Selectplan for Women’s
preventative health services shall be used for Women’s
medical services, including noninvasive contraception
supplies.

(III) Notwithstanding any other law, money
appropriated for Medical Assistance payments for fee-for-
service care, exclusive of inpatient services provided
through capitation plans, shall include sufficient money
for two separate all patient refined diagnostic related
group payments for inpatient acute care general hospital
stays for:

(A) normal newborn care; and
(B) MOTHERS' OBSTETRICAL DELIVERY.

(IV) NO LESS THAN $330,000 SHALL BE USED FOR CLEFT
PALATES AND OTHER CRANIOFACIAL ANOMALIES.

(V) NO LESS THAN $800,000 SHALL BE DISTRIBUTED TO A
HOSPITAL FOR CLINICAL OPHTHALMOLOGIC SERVICES LOCATED IN
A CITY OF THE FIRST CLASS.

(VI) (RESERVED).

(VII) NO LESS THAN $5,000,000 SHALL BE DISTRIBUTED
TO A HOSPITAL IN A CITY OF THE THIRD CLASS IN A HOME RULE
COUNTY THAT WAS FORMERLY A COUNTY OF THE SECOND CLASS A,
PROVIDED THAT SERVICES AND SPECIALTIES AVAILABLE ON THE
EFFECTIVE DATE OF THIS PARAGRAPH MUST REMAIN AVAILABLE
UNTIL JULY 1, 2024, AND COMPLIANCE WITH ANY OTHER
REQUIREMENTS IMPOSED BY THE DEPARTMENT OF HUMAN SERVICES.
THE DEPARTMENT OF HUMAN SERVICES MAY RECOUP FUNDS FROM
ANY HOSPITAL FAILING TO MEET THE CONDITIONS UNDER THIS
PARAGRAPH.

(VIII) NO LESS THAN $2,000,000 SHALL BE DISTRIBUTED
TO A UNIVERSITY LOCATED IN A CITY OF THE FIRST CLASS TO
RESEARCH THE IMPACT OF TRAUMA-INFORMED PROGRAMS ON
COMMUNITY VIOLENCE PREVENTION AND HEALTH DISPARITIES.

(IX) NO LESS THAN $3,000,000 SHALL BE DISTRIBUTED TO
AN ENROLLED OUTPATIENT THERAPY SERVICE PROVIDER LOCATED
IN A CITY OF THE SECOND CLASS IN A COUNTY OF THE SECOND
CLASS THAT PROVIDES BEHAVIORAL HEALTH AND MEDICAL
REHABILITATION PEDIATRIC OUTPATIENT SERVICES.

(X) NO LESS THAN $1,250,000 SHALL BE DISTRIBUTED TO
AN ACUTE CARE HOSPITAL IN A CITY OF THE THIRD CLASS WITH
A POPULATION BETWEEN 14,000 AND 15,000 ACCORDING TO THE
MOST RECENT FEDERAL DECENNIAL CENSUS IN A COUNTY OF THE
THIRD CLASS WITH A POPULATION BETWEEN 350,000 AND 370,000
ACCORDING TO THE MOST RECENT FEDERAL DECENNIAL CENSUS.

(XI) SUBJECT TO FEDERAL APPROVAL AS MAY BE NECESSARY
AND CONTINGENT ON FEDERAL FINANCIAL PARTICIPATION,
SUFFICIENT FUNDS ARE INCLUDED TO PROVIDE REIMBURSEMENT
FOR GROUND MILEAGE FOR EVERY LOADED MILE AND TO PROVIDE
THE GREATER OF MEDICARE RATES PUBLISHED IN THE AMBULANCE
FEE SCHEDULE PUBLIC USE FILE FOR CALENDAR YEAR 2023 OR
THE CURRENT MEDICAID AMBULANCE FEES AS UPDATED BY MEDICAL
ASSISTANCE BULLETIN 26-22-07 EFFECTIVE DATE JANUARY 1, 2023, BEGINNING ON JANUARY 1, 2024.

(6) TO SUPPLEMENT THE MONEY APPROPRIATED TO THE
DEPARTMENT FOR MEDICAL ASSISTANCE FOR WORKERS WITH
DISABILITIES, IN ADDITION TO THE MONTHLY PREMIUM UNDER
SECTION 1503(B)(1) OF THE ACT OF JUNE 26, 2001 (P.L.755,
NO.77), KNOWN AS THE TOBACCO SETTLEMENT ACT, THE DEPARTMENT
MAY ADJUST THE PERCENTAGE OF THE PREMIUM UPON APPROVAL OF THE
CENTERS FOR MEDICARE AND MEDICAID SERVICES AS AUTHORIZED
UNDER FEDERAL REQUIREMENTS. FAILURE TO MAKE PAYMENTS IN
ACCORDANCE WITH THIS PARAGRAPH OR SECTION 1503(B)(1) OF THE
TOBACCO SETTLEMENT ACT SHALL RESULT IN THE TERMINATION OF
MEDICAL ASSISTANCE COVERAGE.

(7) QUALIFYING PHYSICIAN PRACTICE PLANS THAT RECEIVED
MONEY FOR FISCAL YEAR 2017-2018 SHALL NOT RECEIVE LESS THAN
THE STATE APPROPRIATION MADE AVAILABLE TO THOSE PHYSICIAN
PRACTICE PLANS DURING FISCAL YEAR 2017-2018.

(8) FEDERAL OR STATE MONEY APPROPRIATED UNDER THE
GENERAL APPROPRIATION ACT OF 2023 IN ACCORDANCE WITH 35
PA.C.S. § 8107.3 (RELATING TO FUNDING) NOT USED TO MAKE
PAYMENTS TO HOSPITALS QUALIFYING AS LEVEL III TRAUMA CENTERS
OR SEEKING ACCREDITATION AS LEVEL III TRAUMA CENTERS SHALL BE
USED TO MAKE PAYMENTS TO HOSPITALS QUALIFYING AS LEVELS I AND
II TRAUMA CENTERS.

(9) QUALIFYING ACADEMIC MEDICAL CENTERS THAT RECEIVED
MONEY FOR FISCAL YEAR 2017-2018 SHALL RECEIVE THE SAME AMOUNT
FROM THE STATE APPROPRIATION MADE AVAILABLE TO THOSE ACADEMIC
MEDICAL CENTERS DURING FISCAL YEAR 2017-2018.

(10) MONEY APPROPRIATED FOR MEDICAL ASSISTANCE
TRANSPORTATION SHALL ONLY BE UTILIZED AS A PAYMENT OF LAST
RECIPIENTS.

(11) (RESERVED).

(12) FROM MONEY APPROPRIATED FOR MEDICAL ASSISTANCE
LONG-TERM LIVING:

(I) NO LESS THAN THE AMOUNT DISTRIBUTED IN THE 2014-2015 FISCAL YEAR SHALL BE DISTRIBUTED TO A COUNTY NURSING
HOME LOCATED IN A HOME RULE COUNTY THAT WAS FORMERLY A
COUNTY OF THE SECOND CLASS A WITH MORE THAN 725 BEDS AND
A MEDICAID ACUITY AT 0.79 AS OF AUGUST 1, 2015.

(II) NO LESS THAN THE AMOUNT USED IN THE 2020-2021
FISCAL YEAR SHALL BE DISTRIBUTED TO A NONPUBLIC NURSING
HOME LOCATED IN A COUNTY OF THE FIRST CLASS WITH MORE
THAN 395 BEDS AND A MEDICAID ACUITY AT 1.06 AS OF AUGUST 1, 2022, TO ENSURE ACCESS TO NECESSARY NURSING CARE IN
THAT COUNTY.

(III) $5,000,000 SHALL BE DISTRIBUTED TO A NONPUBLIC
NURSING HOME LOCATED IN A COUNTY OF THE EIGHTH CLASS WITH
MORE THAN 119 BEDS AND A MEDICAID ACUITY AT 1.11 AS OF
AUGUST 1, 2022, TO ENSURE ACCESS TO NECESSARY NURSING
HOME CARE IN THAT COUNTY.
(IV) AN ADDITIONAL $500,000 SHALL BE PAID IN EQUAL
PAYMENTS TO NURSING FACILITIES WHICH REMAIN OPEN AS OF
THE EFFECTIVE DATE OF THIS SECTION THAT QUALIFIED FOR
SUPPLEMENTAL VENTILATOR CARE AND TRACHEOSTOMY CARE
PAYMENTS IN FISCAL YEAR 2014-2015 WITH A PERCENTAGE OF
MEDICAL ASSISTANCE RECIPIENT RESIDENTS WHO REQUIRED
MEDICALLY NECESSARY VENTILATOR CARE OR TRACHEOSTOMY CARE
GREATER THAN 90%.

(V) SUBJECT TO FEDERAL APPROVAL OF NECESSARY
AMENDMENTS OF THE TITLE XIX STATE PLAN, $16,000,000 IS
ALLOCATED FOR MEDICAL ASSISTANCE DAY-ONE INCENTIVE
PAYMENTS TO QUALIFIED NONPUBLIC NURSING FACILITIES UNDER
METHODOLOGY AND CRITERIA UNDER SECTION 443.1(7)(VI) OF
THE HUMAN SERVICES CODE. THE DEPARTMENT OF HUMAN SERVICES
SHALL DETERMINE A NONPUBLIC NURSING FACILITY'S OVERALL
AND MEDICAL ASSISTANCE OCCUPANCY RATE TO QUALIFY FOR A
MEDICAL ASSISTANCE DAY-ONE INCENTIVE PAYMENT FOR THE
FISCAL YEAR BASED ON A NURSING FACILITY'S RESIDENT DAY
QUARTER ENDING DECEMBER 31, 2019, FOR THE FIRST OF TWO
PAYMENTS AND A NURSING FACILITY'S RESIDENT DAY QUARTER
ENDING MARCH 31, 2020, FOR THE SECOND OF TWO PAYMENTS.

(VI) FOR FISCAL YEAR 2023-2024, THE DEPARTMENT OF
HUMAN SERVICES SHALL CALCULATE EACH NURSING FACILITY'S
CASE-MIX RATE BASED ON THE COST DATABASE AND PEER GROUP
PRICES FOR EACH NET OPERATING COST CENTER USED IN THE
CALCULATION OF EACH NURSING FACILITY'S CASE-MIX FOR
FISCAL YEAR 2022-2023. EACH NURSING FACILITY'S CASE-MIX
RATE SHALL BE ADJUSTED QUARTERLY IN ACCORDANCE WITH 55
PA. CODE § 1187.96(A)(5) (RELATING TO PRICE- AND RATE-
SETTING COMPUTATIONS).
(13) FROM MONEY APPROPRIATED FOR MEDICAL ASSISTANCE COMMUNITY HEALTHCHOICES:

(I) (RESERVED).

(II) SUBJECT TO FEDERAL APPROVAL AS MAY BE NECESSARY AND CONTINGENT ON FEDERAL FINANCIAL PARTICIPATION, SUFFICIENT FUNDS ARE INCLUDED TO PROVIDE REIMBURSEMENT FOR GROUND MILEAGE FOR EVERY LOADED MILE AND TO PROVIDE THE GREATER OF MEDICARE RATES PUBLISHED IN THE AMBULANCE FEE SCHEDULE PUBLIC USE FILE FOR CALENDAR YEAR 2023 OR THE CURRENT MEDICAID AMBULANCE FEES AS UPDATED BY MEDICAL ASSISTANCE BULLETIN 26-22-07 EFFECTIVE DATE JANUARY 1, 2023, BEGINNING ON JANUARY 1, 2024.


(14) FROM MONEY APPROPRIATED FOR AUTISM INTERVENTION AND SERVICES:

(I) $600,000 SHALL BE ALLOCATED TO A BEHAVIORAL HEALTH FACILITY LOCATED IN A COUNTY OF THE FIFTH CLASS WITH A POPULATION BETWEEN 140,000 AND 145,000 UNDER THE MOST RECENT FEDERAL DECENNIAL CENSUS AND SHALL BE DISTRIBUTED TO A HEALTH SYSTEM THAT OPERATES BOTH A GENERAL ACUTE CARE HOSPITAL AND A BEHAVIORAL HEALTH FACILITY THAT HAS A CENTER FOR AUTISM AND DEVELOPMENTAL DISABILITIES LOCATED IN A COUNTY OF THE FIFTH CLASS WITH
A population between 140,000 and 145,000 under the most recent Federal Decennial Census;

(II) $300,000 shall be allocated to an institution of higher education that provides autism education and diagnostic curriculum located in a city of the first class that operates a center for autism in a county of the second class A;

(III) $300,000 shall be allocated to an institution of higher education that provides autism education and diagnostic curriculum and is located in a county of the second class;

(IV) No less than the amount distributed in the 2014-2015 fiscal year shall be allocated for programs to promote the health and fitness of persons with developmental disabilities located in a city of the first class; and

(V) $600,000 shall be allocated for an entity that provides alternative educational services to individuals with autism and developmental disabilities in the county which was most recently designated as a county of the second class A.

(15) (Reserved).

(16) From money appropriated for child-care services, no less than $25,000,000 shall be allocated to apply an income limit for subsidized child care during re-determination of eligibility to no more than 300% of the federal poverty income guidelines or 85% of the state median income, whichever is lower. Notwithstanding any other provision of law, the department shall determine copayment amounts for family incomes above 235% of the federal poverty income.
GUIDELINES IN ORDER TO SUPPORT ECONOMIC SELF-SUFFICIENCY. THE
DEPARTMENT SHALL TRANSMIT NOTICE OF THE COPAYMENT SCHEDULE TO
THE LEGISLATIVE REFERENCE BUREAU FOR PUBLICATION IN THE NEXT
AVAILABLE ISSUE OF THE PENNSYLVANIA BULLETIN.

(17) (RESERVED).

(18) MONEY APPROPRIATED FOR BREAST CANCER SCREENING MAY
BE USED FOR WOMEN'S MEDICAL SERVICES, INCLUDING NONINVASIVE
CONTRACEPTION SUPPLIES.

(19) FROM THE APPROPRIATION FOR 2-1-1 COMMUNICATIONS,
$750,000 SHALL BE ALLOCATED FOR A STATEWIDE 2-1-1 SYSTEM
GRANT PROGRAM.

(20) THE APPROPRIATION FOR SERVICES FOR THE VISUALLY
IMPAIRED INCLUDES THE FOLLOWING:

(I) AN ALLOCATION OF $4,084,000 FOR A STATEWIDE
PROFESSIONAL SERVICES PROVIDER ASSOCIATION FOR THE BLIND
TO PROVIDE TRAINING AND SUPPORTIVE SERVICES FOR
INDIVIDUALS WHO ARE BLIND AND PRESCHOOL VISION SCREENINGS
AND EYE SAFETY EDUCATION; AND

(II) AN ALLOCATION OF $618,000 TO PROVIDE
SPECIALIZED SERVICES AND PREVENTION OF BLINDNESS SERVICES
IN CITIES OF THE FIRST CLASS.

(21) THE PROVISIONS OF 8 U.S.C. §§ 1611 (RELATING TO
ALIENS WHO ARE NOT QUALIFIED ALIENS INELIGIBLE FOR FEDERAL
PUBLIC BENEFITS), 1612 (RELATING TO LIMITED ELIGIBILITY OF
QUALIFIED ALIENS FOR CERTAIN FEDERAL PROGRAMS) AND 1642
(RELATING TO VERIFICATION OF ELIGIBILITY FOR FEDERAL PUBLIC
BENEFITS) SHALL APPLY TO PAYMENTS AND PROVIDERS.

(22) (RESERVED).

(23) THE DEPARTMENT OF HUMAN SERVICES SHALL NOT ADD NON-
MEDICALLY NECESSARY SERVICES TO THE MEDICAL ASSISTANCE
PROGRAM THAT WOULD RESULT IN THE NEED FOR A SUPPLEMENTAL
APPROPRIATION WITHOUT THE APPROVAL OF THE GENERAL ASSEMBLY.
EACH PROPOSED SERVICE SHALL BE OUTLINED IN THE GOVERNOR’S
EXECUTIVE BUDGET OR SUBSEQUENT UPDATES PROVIDED IN WRITING TO
THE GENERAL ASSEMBLY.

(24) NO LATER THAN SIX MONTHS AFTER THE ENACTMENT OF THE
GENERAL APPROPRIATION ACT OF 2023, THE DEPARTMENT OF HUMAN
SERVICES SHALL COMPLETE A REPORT ANALYZING THE WAGES FOR
DIRECT CARE WORKERS PROVIDING SERVICES TO THE DEPARTMENT OF
HUMAN SERVICES. THE FOLLOWING SHALL APPLY:

(I) THE REPORT SHALL INCLUDE ALL OF THE FOLLOWING:

(A) THE AVERAGE WAGES PAID TO DIRECT CARE STAFF
BY EACH PROGRAM OFFICE.

(B) WHETHER WAGES ARE ATTRIBUTED TO STAFFING
SHORTAGES AND RESULTED IN WAITING LISTS.

(II) THE DEPARTMENT OF HUMAN SERVICES SHALL SUBMIT
THE REPORT TO THE CHAIRPERSON AND MINORITY CHAIRPERSON OF
THE APPROPRIATIONS COMMITTEE OF THE SENATE, THE
CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES,
THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE HEALTH
AND HUMAN SERVICES COMMITTEE OF THE SENATE AND THE
CHAIRPERSON AND MINORITY CHAIRPERSON OF THE HUMAN
SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

SECTION 1731-F.3. DEPARTMENT OF REVENUE (RESERVED).
SECTION 1732-F.3. DEPARTMENT OF STATE (RESERVED).
SECTION 1733-F.3. DEPARTMENT OF TRANSPORTATION (RESERVED).
SECTION 1734-F.3. PENNSYLVANIA STATE POLICE (RESERVED).
SECTION 1735-F.3. PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY.

THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE
20230HB1300PN1943
PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY:

(1) Money appropriated for search and rescue programs shall be used to support programs related to training working service dogs focusing on rescue and public safety.

(2) Money appropriated for the state fire commissioner includes funding for a statewide recruitment and retention coordinator and regional technical advisors to develop, implement and deliver recruitment and retention training programs and provide technical assistance to local fire organizations and local governments.

(3) Money appropriated for state disaster assistance shall be used to provide individual disaster recovery assistance to assist in the recovery from emergencies and non-federally declared disasters. Amounts under this paragraph may be used for critical needs assistance and to repair damage to residential properties not compensated by insurance or any other funding sources. The Pennsylvania Emergency Management Agency shall develop guidelines to implement this paragraph and submit the guidelines to the Legislative Reference Bureau for publication in the next available issue of the Pennsylvania Bulletin.

SECTION 1736-F.3. STATE-RELATED UNIVERSITIES (RESERVED).

SECTION 1737-F.3. STATE SYSTEM OF HIGHER EDUCATION.

The following shall apply to appropriations for the state system of higher education:

(1) It shall be a condition of receipt of money appropriated by the Commonwealth that, for the 2023-2024 and 2024-2025 academic years, the tuition level charged by an institution to students who are residents of this Commonwealth shall remain the same as the amount charged to

20230HB1300PN1943 - 90 -
RESIDENTS OF THIS COMMONWEALTH DURING THE 2022-2023 ACADEMIC YEAR. THE DIFFERENCE BETWEEN THE TUITION LEVEL CHARGED FOR RESIDENTS AND NONRESIDENTS MAY BE WAIVED FOR NONRESIDENT STUDENTS FROM STATES CONTIGUOUS TO THIS COMMONWEALTH AT THE DISCRETION OF AN INSTITUTION PRESIDENT.

(2) (RESERVED).

SECTION 1738-F.3. PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY.

THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY:

(1) THE PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY SHALL ALLOCATE $500,000 FROM THE HIGHER EDUCATION ASSISTANCE FUND FOR THE CHEYNEY UNIVERSITY KEYSTONE ACADEMY.

(2) FROM MONEY APPROPRIATED FOR PAYMENT OF EDUCATION ASSISTANCE GRANTS, THE AMOUNT OF $1,000,000 SHALL BE ALLOCATED TO A STATE-OWNED UNIVERSITY LOCATED IN TIOGA COUNTY FOR MERIT SCHOLARSHIPS.

(3) FROM MONEY APPROPRIATED FOR PENNSYLVANIA INTERNSHIP PROGRAM GRANTS, FUNDS MAY BE USED FOR INTERNSHIP AND SEMINAR PROGRAMS.

SECTION 1739-F.3. THADDEUS STEVENS COLLEGE OF TECHNOLOGY.

THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE THADDEUS STEVENS COLLEGE OF TECHNOLOGY:


(2) (RESERVED).

SECTION 1740-F.3. PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION (RESERVED).

SECTION 1741-F.3. ENVIRONMENTAL HEARING BOARD (RESERVED).

SECTION 1742-F.3. HEALTH CARE COST CONTAINMENT COUNCIL (RESERVED).

SECTION 1743-F.3. STATE ETHICS COMMISSION (RESERVED).

SECTION 1744-F.3. COMMONWEALTH FINANCING AUTHORITY (RESERVED).

SUBARTICLE C

STATE GOVERNMENT SUPPORT AGENCIES

SECTION 1751-F.3. LEGISLATIVE REFERENCE BUREAU (RESERVED).

SECTION 1752-F.3. LEGISLATIVE BUDGET AND FINANCE COMMITTEE (RESERVED).

SECTION 1753-F.3. LEGISLATIVE DATA PROCESSING COMMITTEE (RESERVED).

SECTION 1754-F.3. JOINT STATE GOVERNMENT COMMISSION (RESERVED).

SECTION 1755-F.3. LOCAL GOVERNMENT COMMISSION (RESERVED).

SECTION 1756-F.3. LEGISLATIVE AUDIT ADVISORY COMMISSION (RESERVED).

SECTION 1757-F.3. INDEPENDENT REGULATORY REVIEW COMMISSION (RESERVED).

SECTION 1758-F.3. CAPITOL PRESERVATION COMMITTEE (RESERVED).

SECTION 1759-F.3. PENNSYLVANIA COMMISSION ON SENTENCING (RESERVED).
SECTION 1760-F.3. CENTER FOR RURAL PENNSYLVANIA (RESERVED).

SECTION 1761-F.3. COMMONWEALTH MAIL PROCESSING CENTER (RESERVED).

SECTION 1762-F.3. LEGISLATIVE REAPPORTIONMENT COMMISSION (RESERVED).

SECTION 1763-F.3. INDEPENDENT FISCAL OFFICE (RESERVED).

SUBARTICLE D

JUDICIAL DEPARTMENT

SECTION 1771-F.3. SUPREME COURT (RESERVED).

SECTION 1772-F.3. SUPERIOR COURT (RESERVED).

SECTION 1773-F.3. COMMONWEALTH COURT (RESERVED).

SECTION 1774-F.3. COURTS OF COMMON PLEAS (RESERVED).

SECTION 1775-F.3. COMMUNITY COURTS; MAGISTERIAL DISTRICT JUDGES (RESERVED).

SECTION 1776-F.3. PHILADELPHIA MUNICIPAL COURT (RESERVED).

SECTION 1777-F.3. JUDICIAL CONDUCT BOARD (RESERVED).

SECTION 1778-F.3. COURT OF JUDICIAL DISCIPLINE (RESERVED).

SECTION 1779-F.3. JUROR COST REIMBURSEMENT (RESERVED).

SECTION 1780-F.3. COUNTY COURT REIMBURSEMENT (RESERVED).

SUBARTICLE E

GENERAL ASSEMBLY (RESERVED)

ARTICLE XVII-F.4

2023-2024 RESTRICTIONS ON APPROPRIATIONS FOR FUNDS AND ACCOUNTS

SECTION 1701-F.4. APPLICABILITY.

EXCEPT AS SPECIFICALLY PROVIDED IN THIS ARTICLE, THIS ARTICLE APPLIES TO THE GENERAL APPROPRIATION ACT OF 2023 AND ALL OTHER APPROPRIATION ACTS OF 2023.

SECTION 1702-F.4. DEFINITIONS.
THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:


SECTION 1703-F.4. STATE LOTTERY FUND.

THE FOLLOWING APPLY:

(1) MONEY APPROPRIATED FOR PENNCARE MAY NOT BE UTILIZED FOR ADMINISTRATIVE COSTS BY THE DEPARTMENT OF AGING.

(2) (RESERVED).

SECTION 1704-F.4. TOBACCO SETTLEMENT FUND (RESERVED).

SECTION 1705-F.4. JUDICIAL COMPUTER SYSTEM AUGMENTATION ACCOUNT (RESERVED).

SECTION 1706-F.4. EMERGENCY MEDICAL SERVICES OPERATING FUND (RESERVED).

SECTION 1707-F.4. THE STATE STORES FUND (RESERVED).

SECTION 1708-F.4. MOTOR LICENSE FUND (RESERVED).

SECTION 1709-F.4. AVIATION RESTRICTED ACCOUNT (RESERVED).

SECTION 1710-F.4. HAZARDOUS MATERIAL RESPONSE FUND (RESERVED).

SECTION 1711-F.4. MILK MARKETING FUND (RESERVED).

SECTION 1712-F.4. HOME INVESTMENT TRUST FUND (RESERVED).

SECTION 1713-F.4. TUITION ACCOUNT GUARANTEED SAVINGS PROGRAM FUND (RESERVED).

SECTION 1714-F.4. BANKING FUND (RESERVED).

SECTION 1715-F.4. FIREARM RECORDS CHECK FUND (RESERVED).

SECTION 1716-F.4. BEN FRANKLIN TECHNOLOGY DEVELOPMENT AUTHORITY FUND (RESERVED).

SECTION 1717-F.4. OIL AND GAS LEASE FUND (RESERVED).

SECTION 1718-F.4. HOME IMPROVEMENT ACCOUNT (RESERVED).
SECTION 1719-F.4. CIGARETTE FIRE SAFETY AND FIREFIGHTER
PROTECTION ACT ENFORCEMENT FUND (RESERVED).

SECTION 1720-F.4. INSURANCE REGULATION AND OVERSIGHT FUND
(RESERVED).

SECTION 1721-F.4. PENNSYLVANIA RACE HORSE DEVELOPMENT
RESTRICTED RECEIPTS ACCOUNT (RESERVED).

SECTION 1722-F.4. JUSTICE REINVESTMENT FUND (RESERVED).

SECTION 1723-F.4. MULTIMODAL TRANSPORTATION FUND (RESERVED).

SECTION 1724-F.4. STATE RACING FUND (RESERVED).

SECTION 1725-F.4. ABLE SAVINGS PROGRAM FUND (RESERVED).

SECTION 1726-F.4. TOURISM PROMOTION FUND (RESERVED).

SECTION 1727-F.4. ENHANCED REVENUE COLLECTION ACCOUNT
(RESERVED).

SECTION 1728-F.4. (RESERVED).

SECTION 1729-F.4. OPIOID SETTLEMENT RESTRICTED ACCOUNT
(RESERVED).

SECTION 1730-F.4. COVID-19 RESPONSE RESTRICTED ACCOUNT
(RESERVED).

SECTION 1731-F.4. PENNSYLVANIA PREFERRED® TRADEMARK LICENSING
FUND.

NOTWITHSTANDING 3 PA.C.S. § 4616 (RELATING TO PENNSYLVANIA
PREFERRED® TRADEMARK LICENSING FUND), THE DEPARTMENT OF
AGRICULTURE MAY USE MONEY DEPOSITED INTO THE PENNSYLVANIA
PREFERRED® TRADEMARK LICENSING FUND TO PROMOTE ONE OR MORE OF
THE FUNDING OBJECTIVES UNDER 3 PA.C.S. § 4616(C) THROUGH THE
AWARDING OF GRANTS.

SECTION 1732-F.4. AGRICULTURAL CONSERVATION EASEMENT PURCHASE
FUND.

IN ADDITION TO THE USES PROVIDED IN SECTION 7.3 OF THE ACT OF
JUNE 18, 1982 (P.L.549, NO.159), ENTITLED "AN ACT PROVIDING FOR
THE ADMINISTRATION OF CERTAIN COMMONWEALTH FARMLAND WITHIN THE DEPARTMENT OF AGRICULTURE," THE DEPARTMENT MAY USE UP TO A TOTAL OF $165,000 IN THE AGRICULTURAL CONSERVATION EASEMENT PURCHASE FUND UNDER SECTION 7.1 OF THE ACT OF JUNE 18, 1982 (P.L.549, NO.159), ENTITLED "AN ACT PROVIDING FOR THE ADMINISTRATION OF CERTAIN COMMONWEALTH FARMLAND WITHIN THE DEPARTMENT OF AGRICULTURE," TO ISSUE GRANTS NOT TO EXCEED $5,000 EACH FOR SUCCESSION PLANNING TO ENSURE THAT AGRICULTURAL OPERATIONS CONTINUE ON LAND SUBJECT TO AGRICULTURAL CONSERVATION EASEMENTS. THE DEPARTMENT, IN CONSULTATION WITH THE STATE AGRICULTURAL LAND PRESERVATION BOARD, SHALL ESTABLISH ELIGIBILITY CRITERIA FOR AWARDING GRANTS UNDER THIS SECTION.

SECTION 1733-F.4. RESTRICTED RECEIPT ACCOUNTS.

(A) AUTHORITY.--THE SECRETARY OF THE BUDGET MAY CREATE RESTRICTED RECEIPT ACCOUNTS FOR THE PURPOSE OF ADMINISTERING FEDERAL GRANTS ONLY FOR THE PURPOSES DESIGNATED IN THIS SECTION.

(B) DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.--THE FOLLOWING RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT:

(1) ARC HOUSING REVOLVING LOAN PROGRAM.

(2) BROWNFIELDS REVOLVING LOAN FUND.

(C) DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES.--THE FOLLOWING RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES:

(1) FEDERAL AID TO VOLUNTEER FIRE COMPANIES.


(3) NATIONAL FOREST RESERVE ALLOTMENT.

(D) DEPARTMENT OF EDUCATION.--THE FOLLOWING RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE DEPARTMENT OF
EDUCATION:

(1) EDUCATION OF THE DISABLED - PART C.
(2) LSTA - LIBRARY GRANTS.
(3) THE PENNSYLVANIA STATE UNIVERSITY FEDERAL AID.
(4) EMERGENCY IMMIGRATION EDUCATION ASSISTANCE.
(5) EDUCATION OF THE DISABLED - PART D.
(6) HOMELESS ADULT ASSISTANCE PROGRAM.
(7) SEVERELY HANDICAPPED.
(8) MEDICAL ASSISTANCE REIMBURSEMENTS TO LOCAL EDUCATION AGENCIES.

(E) DEPARTMENT OF ENVIRONMENTAL PROTECTION.--THE FOLLOWING RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION:

(1) FEDERAL WATER RESOURCES PLANNING ACT.
(2) FLOOD CONTROL PAYMENTS.
(3) SOIL AND WATER CONSERVATION ACT - INVENTORY OF PROGRAMS.

(F) DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS.--THE FOLLOWING RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS:

(1) SHARE LOAN PROGRAM.
(2) (RESERVED).

(G) DEPARTMENT OF TRANSPORTATION.--THE FOLLOWING RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE DEPARTMENT OF TRANSPORTATION:

(1) CAPITAL ASSISTANCE ELDERLY AND HANDICAPPED PROGRAMS.
(2) RAILROAD REHABILITATION AND IMPROVEMENT ASSISTANCE.
(3) RIDESHARING/VAN POOL PROGRAM - ACQUISITION.

(H) PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY.--THE FOLLOWING RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY:
PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY:

(1) RECEIPTS FROM FEDERAL GOVERNMENT - DISASTER RELIEF -

DISASTER RELIEF ASSISTANCE TO STATE AND POLITICAL
SUBDIVISIONS.

(2) (RESERVED).

(I) PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION.--THE
FOLLOWING RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE
PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION:

(1) FEDERAL GRANT - NATIONAL HISTORIC PRESERVATION ACT.

(2) (RESERVED).

(J) EXECUTIVE OFFICES.--THE FOLLOWING RESTRICTED RECEIPT
ACCOUNTS MAY BE ESTABLISHED FOR THE EXECUTIVE OFFICES:

(1) RETIRED EMPLOYEES MEDICARE PART D.

(2) JUSTICE ASSISTANCE.

(3) JUVENILE ACCOUNTABILITY INCENTIVE.

(4) EARLY RETIREE REINSURANCE PROGRAM.

SECTION 1734-F.4. FUND TRANSFERS.

(A) TRANSFER TO ENVIRONMENTAL STEWARDSHIP FUND.--FROM MONEY
RECEIVED UNDER THE AUTHORITY OF ARTICLE III OF THE ACT OF MARCH
SUM OF $10,538,000 SHALL BE TRANSFERRED TO THE ENVIRONMENTAL
STEWARDSHIP FUND.

(B) APPLICABILITY.--SECTION 1795.2-E SHALL NOT APPLY TO
FISCAL YEAR 2023-2024.

(C) TRANSFER TO THE GENERAL FUND.--FROM MONEY DEPOSITED INTO
THE MEDICAL MARIJUANA PROGRAM FUND, $31,900,000 SHALL BE
TRANSFERRED TO THE GENERAL FUND.

(D) TRANSFER TO SURFACE MINING CONSERVATION AND RECLAMATION
FUND.--FROM MONEY RECEIVED UNDER THE AUTHORITY OF ARTICLE III OF
THE TAX REFORM CODE OF 1971, THE SUM OF $4,000,000 SHALL BE

20230HB1300PN1943 - 98 -
TRANSFERRED TO THE SURFACE MINING CONSERVATION AND RECLAMATION FUND.

ARTICLE XVII-F.5

2023-2024 RESTRICTIONS ON APPROPRIATIONS FOR FUNDS AND ACCOUNTS

SECTION 1701-F.5. APPLICABILITY.

EXCEPT AS SPECIFICALLY PROVIDED IN THIS ARTICLE, THIS ARTICLE APPLIES TO THE GENERAL APPROPRIATION ACT OF 2023.

SECTION 1702-F.5. DEFINITIONS.

THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:


SECTION 1734-F.5. FUND TRANSFERS.

(A) TRANSFER WITHIN HIGHER EDUCATION ASSISTANCE FUND.—THE SUM OF $8,551,000 SHALL BE TRANSFERRED FROM THE SCITECH AND GI BILL RESTRICTED REVENUE ACCOUNT IN THE HIGHER EDUCATION ASSISTANCE FUND TO THE STATE GRANTS RESTRICTED REVENUE ACCOUNT IN THE HIGHER EDUCATION ASSISTANCE FUND.

(B) (RESERVED).

SECTION 1735-F.5. (RESERVED).

ARTICLE XVII-F.6

PRIOR YEAR APPROPRIATIONS

SECTION 1701-F.6. DEFINITIONS.

THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

"GENERAL APPROPRIATION ACT OF 2023." THE ACT OF AUGUST 3,

SECTION 1702-F.6. (RESERVED).

SECTION 1703-F.6. CONSTRUCTION WITH PRIOR YEAR APPROPRIATION ACTS.


SECTION 21. REPEALS ARE AS FOLLOWS:

(1) (RESERVED).

(2) (RESERVED).

(3) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER PARAGRAPH (4) IS NECESSARY TO EFFECTUATE THE ADDITION OF SECTION 1607-T OF THE ACT.

(4) THE PROVISIONS OF 23 PA.C.S. § 4351 ARE REPEALED.

(5) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER PARAGRAPH (6) IS NECESSARY TO EFFECTUATE THE ADDITION OF ARTICLE XVI-U OF THE ACT.


(6.1) THE GENERAL ASSEMBLY FINDS THAT THE REPEAL UNDER PARAGRAPH (6.2) IS NECESSARY TO EFFECTUATE THE ADDITION OF ARTICLE XVI-W OF THE ACT.

(6.2) THE ACT OF NOVEMBER 24, 2015 (P.L.232, NO.64), KNOWN AS THE PENNSYLVANIA LONG-TERM CARE COUNCIL ACT, IS
(7) THE GENERAL ASSEMBLY FINDS THAT THE REPEAL UNDER
PARAGRAPH (8) IS NECESSARY TO EFFECTUATE THE ADDITION OF
SECTION 1722-E(H) OF THE ACT.

(8) SECTION 1403-A(C)(1), (D) AND (E) OF THE PUBLIC
SCHOOL CODE OF 1949 ARE REPEALED.

(9) THE GENERAL ASSEMBLY FINDS THAT THE REPEAL UNDER
PARAGRAPH (10) IS NECESSARY TO EFFECTUATE THE ADDITION OF
SECTION 1723-F.3(8) OF THE ACT.

(10) SECTION 123(K)(2) OF THE PUBLIC SCHOOL CODE OF 1949
IS REPEALED TO THE EXTENT OF ANY INCONSISTENCY WITH SECTION
1723-F.3(8) OF THE ACT.

(11) (RESERVED).

(12) (RESERVED).

(13) THE GENERAL ASSEMBLY FINDS THAT THE REPEAL UNDER
PARAGRAPH (14) IS NECESSARY TO EFFECTUATE THE ADDITION OF
SECTION 1723-F.3(20) OF THE ACT.

(14) SECTION 2608-J OF THE PUBLIC SCHOOL CODE OF 1949 IS
REPEALED.

SECTION 21.1. THE ADDITION OF ARTICLE XVI-U OF THE ACT SHALL
APPLY RETROACTIVELY TO JULY 1, 2023.

SECTION 22. CONTINUATION IS AS FOLLOWS:

(1) THE ADDITION OF ARTICLE XVI-U OF THE ACT IS A
CONTINUATION OF ARTICLE VIII-G OF THE ACT OF JUNE 13, 1967
(P.L.31, NO.21), KNOWN AS THE HUMAN SERVICES CODE. EXCEPT AS
OTHERWISE PROVIDED IN THE ADDITION OF ARTICLE XVI-U OF THE
ACT, ALL ACTIVITIES INITIATED UNDER THE ARTICLE VIII-G OF THE
HUMAN SERVICES CODE SHALL CONTINUE AND REMAIN IN FULL FORCE
AND EFFECT AND MAY BE COMPLETED UNDER THE ADDITION OF ARTICLE
XVI-U OF THE ACT. ORDERS, REGULATIONS, RULES AND DECISIONS


(3) EXCEPT AS SPECIFIED IN PARAGRAPH (4), ANY DIFFERENCE IN LANGUAGE BETWEEN ARTICLE XVI-W OF THE ACT AND THE PENNSYLVANIA LONG-TERM CARE COUNCIL ACT IS INTENDED ONLY TO CONFORM TO THE STYLE OF THE PENNSYLVANIA CONSOLIDATED STATUTES AND IS NOT INTENDED TO CHANGE OR AFFECT THE
(4) Paragraph (3) does not apply to the addition of Section 1602-W(B)(10)(XII) of the Act.

Section 23. This Act shall take effect immediately.