
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1838 Session of
2023

INTRODUCED BY KAUFER, PICKETT, COOK AND RADER, NOVEMBER 13, 2023

REFERRED TO COMMITTEE ON COMMERCE, NOVEMBER 13, 2023

AN ACT

1 Amending Title 12 (Commerce and Trade) of the Pennsylvania
2 Consolidated Statutes, providing for Commonwealth Economic
3 Development Action Team.

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

6 Section 1. Title 12 of the Pennsylvania Consolidated
7 Statutes is amended by adding a chapter to read:

8 CHAPTER 9

9 COMMONWEALTH ECONOMIC DEVELOPMENT ACTION TEAM

10 Sec.

11 901. Scope of chapter.

12 902. Definitions.

13 903. Commonwealth Economic Development Action Team.

14 904. Powers and duties of team.

15 905. Assistance for qualified businesses.

16 906. Duties of executive agencies.

17 907. Commonwealth Economic Development Selection and

18 Organization Committee.

19 908. Annual report.

1 § 901. Scope of chapter.

2 This chapter relates to the Commonwealth Economic Development
3 Action Team.

4 § 902. Definitions.

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

8 "Committee." The Commonwealth Economic Development Selection
9 and Organization Committee established under section 907(a)
10 (relating to Commonwealth Economic Development Selection and
11 Organization Committee).

12 "Executive agency." A department, board or commission of the
13 Executive Department which is under the policy supervision and
14 control of the Governor.

15 "Executive director." The executive director of the team
16 appointed under section 903(b) (relating to Commonwealth
17 Economic Development Action Team).

18 "Permit." An authorization issued by an executive agency to
19 perform an activity regulated by the executive agency.

20 "Project." An effort by a qualified business which will
21 result in any of the following:

22 (1) A meaningful increase in the number of jobs in this
23 Commonwealth.

24 (2) A substantial increase in the amount of tax revenue
25 collected by the Commonwealth.

26 "Qualified business." A business that is authorized to do
27 business in this Commonwealth and has received an evaluation
28 under section 904(c) (relating to powers and duties of team).

29 "Team." The Commonwealth Economic Development Action Team
30 established under section 903(a).

1 "Team member." An employee of the department who has been
2 appointed as staff of the team under section 903(c).
3 § 903. Commonwealth Economic Development Action Team.

4 (a) Establishment.--The Commonwealth Economic Development
5 Action Team is established as an office within the department.

6 (b) Executive director.--The team shall be directed by an
7 executive director. Within 90 days of the effective date of this
8 section, the committee shall appoint an executive director to
9 direct the team. The Executive Board established under section
10 204 of the act of April 9, 1929 (P.L.177, No.175), known as The
11 Administrative Code of 1929, shall set the compensation of the
12 executive director.

13 (c) Staffing.--The executive director shall appoint
14 individuals, including experienced economic development
15 professionals, to act as staff of the team as may be
16 appropriate. The executive director may contract for additional
17 services as necessary for the performance of the executive
18 director's duties.

19 (d) Legal services.--The Office of General Counsel shall
20 provide legal services as necessary to the team.

21 (e) Administrative services.--

22 (1) The department shall provide administrative services
23 and staff to the team. The team shall reimburse the
24 department for the cost of providing the administrative
25 services and staff under this paragraph.

26 (2) The executive director may enter into an agreement
27 with the department specifying the rights and obligations of
28 the team and the department in carrying out their duties to
29 each other under this chapter and to further the intent of
30 this chapter.

1 (f) Appropriation.--The appropriation for the team shall be
2 in a separate line item and shall be under the jurisdiction of
3 the executive director.

4 § 904. Powers and duties of team.

5 (a) Single point of contact.--The team shall serve as a
6 single point of contact for a business considering moving to,
7 considering expanding in or seeking to maintain operations in
8 this Commonwealth.

9 (b) Regional offices.--The executive director shall
10 establish appropriate regions and regional offices for the team
11 across this Commonwealth.

12 (c) Needs evaluation.--Upon the request of a business, the
13 team shall evaluate the needs of the business and a proposed
14 project, including all of the following:

15 (1) The overall economic impact of the proposed project.

16 (2) The financial condition of the business.

17 (3) The strength of the business model of the business.

18 (4) The strength of the commitments for private
19 financing for the proposed project.

20 (5) The competitive posture of the proposed project.

21 (d) Assignment of team members.--The team shall assign a
22 team member for a qualified business, who shall serve as the
23 primary point of contact for the qualified business and the
24 team.

25 (e) Referrals for assistance.--Upon completing an evaluation
26 under subsection (c), the team may refer a qualified business
27 for assistance under section 905 (relating to assistance for
28 qualified businesses) and other economic development programs.

29 (f) Survey and feedback.--The team shall annually survey
30 qualified businesses and provide an opportunity to submit

1 feedback on the assistance provided under this chapter. The team
2 shall provide the survey results and feedback under this
3 subsection to the committee.

4 (g) Performance metrics.--The team shall collect and compile
5 performance metrics relating to the actions of the team,
6 including the data necessary to compile the annual report under
7 section 908 (relating to annual report).

8 § 905. Assistance for qualified businesses.

9 (a) Site selection.--The team shall do all of the following:

10 (1) Maintain a site selection database on a publicly
11 accessible Internet website, which shall include a voluntary
12 registration of business site locations and information on
13 available resources.

14 (2) Provide individualized site selection assistance for
15 a qualified business.

16 (b) Interagency coordination.--The team shall do all of the
17 following:

18 (1) Coordinate the involvement of executive agencies in
19 a project.

20 (2) Facilitate introductions with relevant executive
21 agencies.

22 (3) To the extent permitted by law and policy of an
23 executive agency, facilitate the permit review and approval
24 for a project.

25 (c) Economic development referral.--The team shall refer a
26 qualified business to economic development programs and other
27 grant programs that are available to the qualified business.

28 (d) General development consultations.--At the request of a
29 qualified business, consult with an executive agency about
30 applications by the qualified business for a program or permit

1 administered by the executive agency.

2 (e) Designation for expedited permit review.--At the request
3 of a qualified business, the team may designate a project as
4 being critical for the Commonwealth's overall economic strategy.
5 The team may make a designation under this subsection based on
6 the need for the projected growth or job creation which would be
7 generated by the successful completion of the project and the
8 viability of the project. Upon making a designation under this
9 subsection, the team shall notify the executive agencies with
10 which the qualified business is seeking a permit.

11 § 906. Duties of executive agencies.

12 (a) Consultation with team members.--Except as otherwise
13 provided by Federal law or an applicable duty or privilege, an
14 executive agency shall agree to consult with a team member for
15 the purpose of section 905(d) (relating to assistance for
16 qualified businesses). The executive agency may require a
17 qualified business to request the consultation under this
18 subsection in writing.

19 (b) Review of permits under expedited permit review.--Upon
20 notification of a designation under section 905(e), an executive
21 agency shall provide expedited permit review for all
22 applications for permits submitted by the qualified business for
23 the project which is the subject of the designation. The
24 expedited permit review under this subsection shall include
25 providing priority review and approval of the permit, to the
26 extent feasible and permitted by Federal law.

27 § 907. Commonwealth Economic Development Selection and
28 Organization Committee.

29 (a) Establishment.--The Commonwealth Economic Development
30 Selection and Organization Committee is established as a

1 committee within the team.

2 (b) Duties.--The committee shall establish all of the
3 following:

4 (1) Procedures to select the executive director.

5 (2) The operational budget of the team.

6 (c) Composition.--The committee shall be comprised of the
7 following members:

8 (1) The Governor or a designee.

9 (2) The State Treasurer or a designee.

10 (3) The Auditor General or a designee.

11 (4) The Majority Leader of the Senate or a designee.

12 (5) The Minority Leader of the Senate or a designee.

13 (6) The Majority Leader of the House of Representatives
14 or a designee.

15 (7) The Minority Leader of the House of Representatives
16 or a designee.

17 (d) Operations.--

18 (1) The committee shall conduct a meeting to organize
19 within 30 days of the effective date of this paragraph.

20 (2) The members of the committee shall select a member
21 of the committee to serve as chair. The chair shall call
22 meetings of the committee.

23 (3) The committee shall act upon a vote of the majority
24 of the members of the committee.

25 § 908. Annual report.

26 (a) Report.--No later than March 31, 2024, and each March 31
27 thereafter, the executive director shall publish an annual
28 report on the team.

29 (b) Contents.--The annual report under subsection (a) shall
30 include all of the following information:

1 (1) The number of businesses that used the team as a
2 single point of contact under section 904(a) (relating to
3 powers and duties of team) during the prior calendar year.

4 (2) The number of businesses that were evaluated under
5 section 904(c) during the prior calendar year.

6 (3) The number of qualified businesses which received
7 assistance from the team during the prior calendar year.

8 (4) To the extent possible, all of the following
9 information:

10 (i) The number of jobs retained in this Commonwealth
11 for projects that received assistance from the team.

12 (ii) The number of jobs added in this Commonwealth
13 for projects that received assistance from the team.

14 (iii) The amount of additional capital investment in
15 this Commonwealth for projects that received assistance
16 from the team.

17 Section 2. The Governor's Action Team is abolished. All
18 personnel, allocations, appropriations, equipment, files,
19 records, contracts, agreements, obligations and other materials
20 which are used, employed or expended in connection with the
21 functions of the Governor's Action Team are transferred to the
22 Commonwealth Economic Development Action Team, with the same
23 force and effect as if:

24 (1) The allocations and appropriations had been made to
25 the Commonwealth Economic Development Action Team in the
26 first instance.

27 (2) The personnel, equipment, files, records and other
28 materials of the Governor's Action Team had been the
29 personnel and property of the Commonwealth Economic
30 Development Action Team in the first instance.

1 (3) The contracts, agreements and obligations of the
2 Governor's Action Team had been incurred or entered into by
3 the Commonwealth Economic Development Action Team.

4 Section 3. Except as otherwise provided under 12 Pa.C.S. Ch.
5 9, all activities initiated by the Governor's Action Team prior
6 to the effective date of this section shall continue and remain
7 in full force and effect and may be completed by the
8 Commonwealth Economic Development Action Team. Orders,
9 regulations, rules and decisions which were made prior to the
10 effective date of this section and which are in effect on the
11 effective date of this section shall remain in full force and
12 effect until revoked, vacated or modified by the Commonwealth
13 Economic Development Action Team. Contracts, obligations and
14 collective bargaining agreements entered into by the Governor's
15 Action Team are not affected nor impaired by this act.

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