

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1028 Session of
2025

INTRODUCED BY CEPEDA-FREYTIZ, HILL-EVANS, PIELLI, KHAN, SANCHEZ,
GIRAL, BURGOS, POWELL, DONAHUE, FREEMAN, KENYATTA, STEELE,
GREEN, BOROWSKI AND HANBIDGE, MARCH 24, 2025

REFERRED TO COMMITTEE ON COMMERCE, MARCH 24, 2025

AN ACT

1 Establishing the Small Business Road Construction Mitigation
2 Grant Program; and providing for duties of the Department of
3 Community and Economic Development.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Small
8 Business Road Construction Mitigation Grant Program Act.

9 Section 2. Definitions.

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

13 "Construction mitigation zone." A geographic area with a
14 high concentration of qualified businesses that are designated
15 by the department as being impacted by a public utility road
16 construction project.

17 "Department." The Department of Community and Economic
18 Development of the Commonwealth.

1 "Program." The Small Business Road Construction Mitigation
2 Grant Program established under section 3.

3 "Public utility road construction project." A road
4 construction project conducted by a public utility, which occurs
5 for a period of more than 90 days.

6 "Qualified business." An entity that is engaged in a for-
7 profit business enterprise, employs no more than 10 full-time or
8 part-time employees and is located in a construction mitigation
9 zone.

10 Section 3. Establishment of program.

11 The Small Business Road Construction Mitigation Grant Program
12 is established within the department. The department shall award
13 grants under the program to qualified businesses for the purpose
14 of maintaining each qualified business within a construction
15 mitigation zone.

16 Section 4. Application.

17 (a) Application.--The department shall develop an
18 application form and a process for awarding grants under the
19 program. In order to apply for a grant under the program, a
20 qualified business shall use the application form developed by
21 the department and submit the application in a manner specified
22 by the department.

23 (b) Eligibility.--In order to be eligible for a grant under
24 the program, a qualified business shall demonstrate in the
25 application submitted under subsection (a) that the qualified
26 business experienced a significant decline in revenue, including
27 the time period when the public utility road construction
28 project contributed to the significant decline in revenue, in a
29 manner specified by the department. The department shall, upon
30 request, assist a qualified business in preparing the

1 documentation necessary to demonstrate that the qualified
2 business experienced a significant decline in revenue as
3 required under this subsection.

4 Section 5. Award of grants.

5 The department shall prioritize the award of each grant under
6 the program on a case-by-case basis using all of the following
7 criteria:

8 (1) Rate of decline in revenue.

9 (2) Duration of public utility road construction
10 project.

11 (3) Proximity to public utility road construction
12 project.

13 (4) Severity of traffic disruption.

14 (5) Lack of access to parking.

15 (6) Lack of access for pedestrian traffic.

16 (7) Any other relevant criteria as determined by the
17 department.

18 Section 6. Penalty.

19 If a qualified business knowingly submits false or fraudulent
20 documentation to the department for the purpose of receiving a
21 grant under the program, the department may impose a penalty on
22 the qualified business for an amount equal to two times the
23 amount of the grant received. The penalty shall be payable in
24 one lump sum or in installments, with or without interest, as
25 the department deems appropriate. The provisions of 2 Pa.C.S.
26 Chs. 5 (relating to practice and procedure) and 7 (relating to
27 judicial review) shall apply to this section.

28 Section 7. Limitations.

29 The department may not award a grant under the program to a
30 qualified business in excess of the decline in revenue

demonstrated by the qualified business under section 4(b) or \$15,000 per calendar year, whichever is less.

Section 8. Report.

(a) Annual report.--No later than September 1, 2026, and each September 1 thereafter, the department shall post an annual report regarding the program on the department's publicly accessible Internet website. The annual report shall include the following information:

(1) The name and address of each qualified business that received a grant under the program.

(2) The amount awarded to each qualified business that received a grant under the program.

(3) The name and contact information of each public utility that has impacted a qualified business within a construction mitigation zone.

(b) Submission.--The department shall submit the annual report under subsection (a) to all of the following:

(1) The Pennsylvania Public Utility Commission.

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

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

(4) The chairperson and minority chairperson of the Community, Economic and Recreational Development Committee of the Senate.

(5) The chairperson and minority chairperson of the Commerce Committee of the House of Representatives.

Section 9. Guidelines.

Within 180 days of the effective date of this section, the department shall develop written guidelines for the

- 1 administration of the program.
- 2 Section 10. Effective date.
- 3 This act shall take effect in 60 days.