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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2672 Session of  
2022

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INTRODUCED BY MILLARD, BOBACK, NEILSON, ISAACSON, N. NELSON,  
CIRESI AND RADER, JUNE 14, 2022

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 14, 2022

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AN ACT

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

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

7 Section 1. Short title.

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

10 Section 2. Definitions.

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

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

16 "Commonwealth agency." A department, board, commission,  
17 authority or other officer or agency of the Commonwealth. The  
18 term does not include any court or other officer or agency of  
19 the unified judicial system or the General Assembly or an

1 officer or agency of the General Assembly.

2 "Fund." The Rebuild Pennsylvania Fund established under  
3 section 6.

4 "Program." The Rebuild Pennsylvania Program established  
5 under section 4.

6 Section 3. Rebuild Pennsylvania Board.

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

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

13 (1) One individual appointed by the Governor.

14 (2) One individual appointed by the President pro  
15 tempore of the Senate.

16 (3) One individual appointed by the Minority Leader of  
17 the Senate.

18 (4) One individual appointed by the Speaker of the House  
19 of Representatives.

20 (5) One individual appointed by the Minority Leader of  
21 the House of Representatives.

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

26 (d) Meetings.--The board shall meet at the call of the  
27 chairperson.

28 (e) Quorum.--All members of the board shall be necessary to  
29 constitute a quorum. The consent of all members of the board  
30 shall be necessary to take an action of the board.

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

3 (g) Participation and voting.--The following apply:

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

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

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

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

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

28 Section 4. Establishment of program.

29 The Rebuild Pennsylvania Program is established within the  
30 board. The program shall provide financial assistance in the

1 form of grants, loans or other forms of financing or funding for  
2 the eligible uses specified under section 5.

3 Section 5. Use of program funds.

4 (a) Allocation of program funds.--The following apply:

5 (1) The board shall allocate program funds among all of  
6 the following categories:

7 (i) Flood control infrastructure.

8 (ii) Disaster response.

9 (iii) Green infrastructure.

10 (iv) Redevelopment, repairs and blight demolition.

11 (v) Storm water infrastructure.

12 (vi) Brownfield cleanup.

13 (vii) Contaminant remediation in schools and child-  
14 care centers.

15 (viii) Business development and site selection.

16 (ix) Energy efficiency.

17 (x) Transportation infrastructure.

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

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

27 (c) Use.--The following apply:

28 (1) For flood control infrastructure, program funds may  
29 be used as follows:

30 (i) For the Stream Improvement Program administered

1 by the Department of Environmental Protection, to provide  
2 grants to municipalities and county conservation  
3 districts for stream restoration and maintenance  
4 projects.

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

17 (2) For disaster response measures, program funds may be  
18 used by the Pennsylvania Emergency Management Agency as  
19 follows:

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

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

1 effect at the time of the grant award.

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

6 (ii) To establish the Pipeline Preparedness and  
7 Response Fund for the following purposes:

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

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

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

26 (3) For green infrastructure, program funds may be used  
27 as follows:

28 (i) By the Department of Environmental Protection  
29 for existing programs for watershed protection.

30 (ii) By the Department of Conservation and Natural

1 Resources for existing programs to improve State parks  
2 and State forests, watershed restoration and open space  
3 preservation and to provide community park and recreation  
4 grants.

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

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

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

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

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

23 (i) Main Street and downtown redevelopment.

24 (ii) A program to develop and maintain affordable  
25 housing.

26 (iii) The Keystone Communities program.

27 (iv) Establishing a whole home repair program.

28 (v) Establishing the Blight Demolition and  
29 Redevelopment Fund for the purpose of providing grants,  
30 loans or other forms of financing to local entities,

1 including land banks, counties, cities, municipalities,  
2 redevelopment authorities, economic development groups,  
3 community development agencies and others for the  
4 planning, demolition, remediation and redevelopment of  
5 blighted areas.

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

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

27 (7) For contaminant remediation in schools and child-  
28 care centers, defined as the premises where care is provided  
29 at any one time for seven or more children unrelated to the  
30 operator, program funds may be used as follows:



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

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

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

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

14 (9) For energy efficiency, program funds may be used as  
15 follows:

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

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

24 (10) For transportation infrastructure, program funds  
25 may be used as follows:

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

29 (A) The construction, reconstruction or  
30 maintenance of any roads and bridges owned or

1 maintained by a county, municipality, person,  
2 association or corporation, other than a highway or  
3 bridge owned, controlled or maintained by the  
4 Department of Transportation or any tolling  
5 authority.

6 (B) To increase bike and pedestrian paths and  
7 access.

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

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

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

21 (d) Diversity.--

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

28 (2) When a Commonwealth agency uses a competitive grant  
29 process as the method for providing financial assistance, the  
30 Commonwealth agency shall provide outreach and educational

1 programming to encourage and support the submission of  
2 applications from varying types of communities.

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

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

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

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

19 Section 6. Rebuild Pennsylvania Fund.

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

25 (b) Appropriation.--All money deposited into the fund are  
26 appropriated to the departments, and for the purposes, specified  
27 in section 5. The sum of \$3,000,000,000 is transferred from the  
28 General Fund to the Rebuild Pennsylvania Fund for fiscal year  
29 2022-2023.

30 Section 7. Effective date.

1 This act shall take effect immediately.