

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 537 Session of 2021

INTRODUCED BY CIRESI, SNYDER, LONGIETTI, SANCHEZ, SCHLOSSBERG, GALLOWAY, BENHAM, GUENST, D. WILLIAMS, HOHENSTEIN, ISAACSON, MERSKI, SAPPEY, HILL-EVANS, SCHWEYER, CONKLIN, FREEMAN, MALAGARI, KIRKLAND, NEILSON, GUZMAN, DeLUCA, FRANKEL, WEBSTER, DEASY, PASHINSKI, PISCIOTTANO, O'MARA, INNAMORATO, KULIK, DELLOSO, WARREN, SIMS AND LEE, FEBRUARY 16, 2021

REFERRED TO COMMITTEE ON COMMERCE, FEBRUARY 16, 2021

AN ACT

1 Amending the act of April 9, 1929 (P.L.343, No.176), entitled  
 2 "An act relating to the finances of the State government;  
 3 providing for cancer control, prevention and research, for  
 4 ambulatory surgical center data collection, for the Joint  
 5 Underwriting Association, for entertainment business  
 6 financial management firms, for private dam financial  
 7 assurance and for reinstatement of item vetoes; providing for  
 8 the settlement, assessment, collection, and lien of taxes,  
 9 bonus, and all other accounts due the Commonwealth, the  
 10 collection and recovery of fees and other money or property  
 11 due or belonging to the Commonwealth, or any agency thereof,  
 12 including escheated property and the proceeds of its sale,  
 13 the custody and disbursement or other disposition of funds  
 14 and securities belonging to or in the possession of the  
 15 Commonwealth, and the settlement of claims against the  
 16 Commonwealth, the resettlement of accounts and appeals to the  
 17 courts, refunds of moneys erroneously paid to the  
 18 Commonwealth, auditing the accounts of the Commonwealth and  
 19 all agencies thereof, of all public officers collecting  
 20 moneys payable to the Commonwealth, or any agency thereof,  
 21 and all receipts of appropriations from the Commonwealth,  
 22 authorizing the Commonwealth to issue tax anticipation notes  
 23 to defray current expenses, implementing the provisions of  
 24 section 7(a) of Article VIII of the Constitution of  
 25 Pennsylvania authorizing and restricting the incurring of  
 26 certain debt and imposing penalties; affecting every  
 27 department, board, commission, and officer of the State  
 28 government, every political subdivision of the State, and  
 29 certain officers of such subdivisions, every person,  
 30 association, and corporation required to pay, assess, or

1 collect taxes, or to make returns or reports under the laws  
2 imposing taxes for State purposes, or to pay license fees or  
3 other moneys to the Commonwealth, or any agency thereof,  
4 every State depository and every debtor or creditor of the  
5 Commonwealth," providing for small business grant program,  
6 imposing duties on the Department of Community and Economic  
7 Development; and making an appropriation.

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

10 Section 1. The act of April 9, 1929 (P.L.343, No.176), known  
11 as The Fiscal Code, is amended by adding an article to read:

12 ARTICLE I-D

13 SMALL BUSINESS GRANT PROGRAM

14 Section 101-D. Definitions.

15 The following words and phrases when used in this article  
16 shall have the meanings given to them in this section unless the  
17 context clearly indicates otherwise:

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

20 "Regional network." A department economic development  
21 service provider, including, but not limited to, industrial  
22 development organizations, local development districts and small  
23 business development centers.

24 "Small business." A retail or personal service employer  
25 within this Commonwealth:

26 (1) whose gross annual receipts for the prior fiscal  
27 year did not exceed \$1,500,000; or

28 (2) that employs no more than 10 full-time employees.

29 Section 102-D. Grants and funding.

30 (a) Purpose.--The department shall provide grants in  
31 accordance with this article to regional networks for the  
32 purpose of administering and funding a regional small business  
33 grant program pursuant to which grants will be provided to small

1 businesses that are adversely affected financially due to the  
2 coronavirus pandemic and the proclamation of disaster emergency  
3 issued by the Governor on March 6, 2020, published in 50 Pa.B.  
4 1644 (March 21, 2020), and any renewal of the state of disaster  
5 emergency.

6 (b) Regional small business grant program.--Regional  
7 networks awarded a grant under this article shall operate their  
8 regional small business grant program in accordance with  
9 guidelines developed by the department under section 107-D.

10 (c) Amount.--Subject to the availability of State money, a  
11 grant from a regional network to a small business under this  
12 section shall not exceed \$15,000.

13 Section 103-D. Application form.

14 (a) Development of forms.--The department shall develop a  
15 regional small business grant application form for small  
16 businesses to apply to regional networks for a grant under this  
17 article.

18 (b) Contents of form.--At a minimum, the regional small  
19 business grant application form shall contain the following  
20 information:

21 (1) The name, address and contact information of the  
22 small business.

23 (2) The amount of grant money requested.

24 (3) The proposed use for the grant money requested.

25 (4) The financial impact of the coronavirus pandemic and  
26 the proclamation of disaster emergency issued by the Governor  
27 on March 6, 2020, published in 50 Pa.B. 1644 (March 21,  
28 2020), and any renewal of the state of disaster emergency, on  
29 the small business.

30 (5) Any other information that the department deems

1 necessary and appropriate.

2 Section 104-D. Public notice.

3 The department shall provide information regarding the  
4 availability and award of grant money on the department's  
5 publicly accessible Internet website.

6 Section 105-D. Award of grants.

7 (a) Criteria.--After review of the information specified  
8 under section 103-D and within 20 days of the submission of the  
9 grant application, the regional network shall determine whether  
10 to award grant money to the small business and, if so, the  
11 amount of the grant money awarded.

12 (b) Considerations.--In awarding grant money to a small  
13 business, the regional network:

14 (1) Shall consider the geographic and demographic  
15 diversity of the small businesses applying for the grant  
16 money.

17 (2) Shall consider how the small business and other  
18 persons would be served through the award of the grant to the  
19 small business.

20 (3) May require documentation of gross annual receipts  
21 and employee information for the small business.

22 (c) Notice.--

23 (1) The regional network shall provide written notice to  
24 the small business of the award or denial of the grant money.

25 (2) Notice of the award of grant money shall include the  
26 amount of the grant money awarded and any conditions or  
27 restrictions on the use of the grant money.

28 (3) Notice of the denial of all or part of the grant  
29 money requested shall include the reasons for the full or  
30 partial denial.

1           (4) The regional network shall provide copies of all  
2           notices to the department when they are provided to the small  
3           businesses and shall provide other documents, information and  
4           data to the department immediately upon request.

5 Section 106-D. Reports.

6           (a) Preparation.--By September 30, 2021, or 60 days after  
7           the expiration of this article, whichever occurs later, the  
8           department shall prepare a report that lists each regional  
9           network and small business that received grant money under this  
10           article and a summary of the information specified under section  
11           103-D(b).

12           (b) Publication.--The report under this section shall be  
13           posted on the department's publicly accessible Internet website.

14 Section 107-D. Guidelines.

15           The department may promulgate guidelines for the  
16           implementation and administration of this article.

17 Section 108-D. Appropriation.

18           A disposition in the sum of \$50,000,000 is hereby  
19           appropriated to the department in accordance with section 1703-A  
20           from the Budget Stabilization Reserve Fund established in  
21           section 1701-A to administer and fund the grant program created  
22           by this article.

23 Section 109-D. Expiration.

24           This article shall expire on September 30, 2021, or 30 days  
25           after the termination of the declaration of disaster emergency  
26           under 35 Pa.C.S. § 7301(c) (relating to general authority of  
27           Governor), whichever occurs later.

28           Section 2. This act shall take effect immediately.