

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, LEE AND HERRIN, FEBRUARY 16, 2021

AS REPORTED FROM COMMITTEE ON COMMERCE, HOUSE OF REPRESENTATIVES, AS AMENDED, MAY 5, 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

1 certain officers of such subdivisions, every person,
2 association, and corporation required to pay, assess, or
3 collect taxes, or to make returns or reports under the laws
4 imposing taxes for State purposes, or to pay license fees or
5 other moneys to the Commonwealth, or any agency thereof,
6 every State depository and every debtor or creditor of the
7 Commonwealth," ~~providing for small business grant program,~~ <--
8 ~~imposing duties on the Department of Community and Economic~~
9 ~~Development; and making an appropriation.~~ IN EMERGENCY COVID- <--
10 19 RESPONSE, ESTABLISHING THE COUNTY BLOCK GRANT - SMALL
11 BUSINESS GRANT PROGRAM.

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

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

16 ARTICLE I D

17 SMALL BUSINESS GRANT PROGRAM

18 Section 101 D. Definitions.

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

22 "Department." The Department of Community and Economic
23 Development of the Commonwealth.

24 "Regional network." A department economic development
25 service provider, including, but not limited to, industrial
26 development organizations, local development districts and small
27 business development centers.

28 "Small business." A retail or personal service employer
29 within this Commonwealth:

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

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

33 Section 102 D. Grants and funding.

34 (a) Purpose. The department shall provide grants in
35 accordance with this article to regional networks for the

1 ~~purpose of administering and funding a regional small business~~
2 ~~grant program pursuant to which grants will be provided to small~~
3 ~~businesses that are adversely affected financially due to the~~
4 ~~coronavirus pandemic and the proclamation of disaster emergency~~
5 ~~issued by the Governor on March 6, 2020, published in 50 Pa.B.~~
6 ~~1644 (March 21, 2020), and any renewal of the state of disaster~~
7 ~~emergency.~~

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

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

15 ~~Section 103 D. Application form.~~

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

20 ~~(b) Contents of form. At a minimum, the regional small~~
21 ~~business grant application form shall contain the following~~
22 ~~information:~~

23 ~~(1) The name, address and contact information of the~~
24 ~~small business.~~

25 ~~(2) The amount of grant money requested.~~

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

27 ~~(4) The financial impact of the coronavirus pandemic and~~
28 ~~the proclamation of disaster emergency issued by the Governor~~
29 ~~on March 6, 2020, published in 50 Pa.B. 1644 (March 21,~~
30 ~~2020), and any renewal of the state of disaster emergency, on~~

1 ~~the small business.~~

2 ~~(5) Any other information that the department deems~~
3 ~~necessary and appropriate.~~

4 ~~Section 104 D. Public notice.~~

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

8 ~~Section 105 D. Award of grants.~~

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

14 ~~(b) Considerations. In awarding grant money to a small~~
15 ~~business, the regional network:~~

16 ~~(1) Shall consider the geographic and demographic~~
17 ~~diversity of the small businesses applying for the grant~~
18 ~~money.~~

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

22 ~~(3) May require documentation of gross annual receipts~~
23 ~~and employee information for the small business.~~

24 ~~(c) Notice.—~~

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

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

30 ~~(3) Notice of the denial of all or part of the grant~~

1 ~~money requested shall include the reasons for the full or~~
2 ~~partial denial.~~

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

7 ~~Section 106 D. Reports.~~

8 ~~(a) Preparation. By September 30, 2021, or 60 days after~~
9 ~~the expiration of this article, whichever occurs later, the~~
10 ~~department shall prepare a report that lists each regional~~
11 ~~network and small business that received grant money under this~~
12 ~~article and a summary of the information specified under section~~
13 ~~103-D(b).~~

14 ~~(b) Publication. The report under this section shall be~~
15 ~~posted on the department's publicly accessible Internet website.~~

16 ~~Section 107 D. Guidelines.~~

17 ~~The department may promulgate guidelines for the~~
18 ~~implementation and administration of this article.~~

19 ~~Section 108 D. Appropriation.~~

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

25 ~~Section 109 D. Expiration.~~

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

30 ~~Section 2. This act shall take effect immediately.~~

1 SECTION 1. THE ACT OF APRIL 9, 1929 (P.L.343, NO.176), KNOWN <--
2 AS THE FISCAL CODE, IS AMENDED BY ADDING A SECTION TO READ:
3 SECTION 135-C. SMALL BUSINESS GRANT PROGRAM.

4 (A) COUNTY BLOCK GRANTS.--FROM MONEY APPROPRIATED BY THE
5 GENERAL ASSEMBLY FOR THE DISTRIBUTION OF GRANTS UNDER THIS
6 SECTION, EACH COUNTY SHALL RECEIVE AN AMOUNT EQUAL TO THE
7 POPULATION PROPORTION AMOUNT AS DETERMINED UNDER PARAGRAPH (2).
8 THE FOLLOWING SHALL APPLY:

9 (1) THE DEPARTMENT SHALL DISTRIBUTE FUNDING TO COUNTIES
10 IN ACCORDANCE WITH THIS SUBSECTION NO LATER THAN 21 DAYS
11 AFTER THE STARTING DATE.

12 (2) FOR THE PURPOSE OF THIS SUBSECTION, THE POPULATION
13 PROPORTION AMOUNT SHALL BE DETERMINED AS FOLLOWS:

14 (I) DIVIDE:

15 (A) THE POPULATION ESTIMATE OF THE COUNTY; BY

16 (B) THE SUM OF THE POPULATION ESTIMATES OF ALL
17 COUNTIES; AND

18 (II) MULTIPLY THE QUOTIENT UNDER SUBPARAGRAPH (I) BY
19 THE TOTAL AMOUNT APPROPRIATED BY THE GENERAL ASSEMBLY FOR
20 THE DISTRIBUTION OF GRANTS UNDER THIS SECTION.

21 (3) FOR THE PURPOSE OF THIS SUBSECTION, A COUNTY'S
22 POPULATION SHALL BE EQUAL TO THE PUBLISHED ESTIMATE BY THE
23 UNITED STATES CENSUS BUREAU'S POPULATION ESTIMATES PROGRAM
24 FOR CALENDAR YEAR 2019.

25 (B) SMALL BUSINESS GRANT PROGRAM.--THE COUNTY BLOCK GRANT -
26 SMALL BUSINESS GRANT PROGRAM IS ESTABLISHED WITHIN THE
27 DEPARTMENT FOR THE PURPOSE OF AWARDING GRANTS UNDER THIS
28 SECTION. THE FOLLOWING SHALL APPLY TO THE PROGRAM:

29 (1) NO LATER THAN 22 DAYS AFTER THE STARTING DATE, EACH
30 COUNTY THAT RECEIVES A GRANT UNDER THIS SECTION SHALL

1 CONTRACT WITH AT LEAST ONE CEDO OR CDFI DESIGNATED TO SERVE
2 THAT COUNTY TO AWARD GRANTS UNDER THIS SECTION.

3 (2) SUBJECT TO THE PROHIBITION UNDER SUBPARAGRAPH (II),
4 GRANTS UNDER THIS SECTION MAY BE AWARDED TO ELIGIBLE
5 APPLICANTS FOR THE PURPOSE OF ALLEVIATING REVENUE LOSSES AND
6 PAYING ELIGIBLE OPERATING EXPENSES. THE FOLLOWING SHALL APPLY
7 TO GRANTS AWARDED UNDER THIS SECTION:

8 (I) A GRANT AWARDED TO AN ELIGIBLE APPLICANT MAY NOT
9 EXCEED \$15,000.

10 (II) A GRANT MAY NOT BE AWARDED TO PAY FOR THE SAME
11 ELIGIBLE OPERATING EXPENSES FOR WHICH AN ELIGIBLE
12 APPLICANT RECEIVES OR RECEIVED PAYMENT, REIMBURSEMENT OR
13 LOAN FORGIVENESS FROM THE FOLLOWING SOURCES:

14 (A) MONEY THAT IS NOT REQUIRED TO BE REPAYED TO
15 THE FEDERAL GOVERNMENT UNDER THE CARES ACT OR
16 CONSOLIDATED APPROPRIATIONS ACT, 2021.

17 (B) THE ACT OF MAY 29, 2020 (P.L. , NO.2A),
18 KNOWN AS THE COVID-19 EMERGENCY SUPPLEMENT TO THE
19 GENERAL APPROPRIATION ACT OF 2019.

20 (3) THE RECEIPT OF A LOAN OR GRANT ISSUED UNDER THE
21 AUTHORITY OF THE FEDERAL GOVERNMENT OR THE COMMONWEALTH SHALL
22 NOT DISQUALIFY AN APPLICANT FROM ELIGIBILITY FOR A GRANT
23 UNDER THIS SECTION.

24 (4) PRIORITY IN THE AWARDING OF GRANTS UNDER THIS
25 SECTION SHALL BE GIVEN TO AN ELIGIBLE APPLICANT THAT MEETS
26 ANY OF THE FOLLOWING:

27 (I) THE ELIGIBLE APPLICANT HAS NOT RECEIVED A LOAN
28 OR GRANT ISSUED UNDER THE AUTHORITY OF THE COMMONWEALTH
29 OR THE COMMONWEALTH'S POLITICAL SUBDIVISIONS OR BY THE
30 FEDERAL GOVERNMENT UNDER THE CARES ACT OR CONSOLIDATED

1 APPROPRIATIONS ACT, 2021.

2 (II) THE ELIGIBLE APPLICANT WAS SUBJECT TO CLOSURE
3 BY THE PROCLAMATION OF DISASTER EMERGENCY ISSUED BY THE
4 GOVERNOR ON MARCH 6, 2020, PUBLISHED AT 50 PA.B. 1644
5 (MARCH 21, 2020), AND ANY RENEWAL OF THE STATE OF
6 DISASTER EMERGENCY.

7 (III) THE ELIGIBLE APPLICANT CAN DEMONSTRATE A
8 REDUCTION IN REVENUE THAT MEETS ANY OF THE FOLLOWING:

9 (A) A REDUCTION IN GROSS RECEIPTS OF 50% OR MORE
10 FOR THE PERIOD BEGINNING AFTER MARCH 31, 2020, AND
11 ENDING BEFORE DECEMBER 31, 2020, IN COMPARISON TO THE
12 PERIOD BEGINNING AFTER MARCH 31, 2019, AND ENDING
13 BEFORE DECEMBER 31, 2019.

14 (B) IF THE ELIGIBLE APPLICANT WAS NOT IN
15 OPERATION DURING THE ENTIRE COMPARISON PERIOD UNDER
16 CLAUSE (A), BUT WAS IN OPERATION ON MARCH 1, 2020, A
17 MONTHLY AVERAGE REDUCTION IN GROSS RECEIPTS OF 50% OR
18 MORE FOR THE PERIOD BEGINNING AFTER MARCH 31, 2020,
19 AND ENDING BEFORE DECEMBER 31, 2020, IN COMPARISON TO
20 THE PERIOD BEGINNING AFTER JANUARY 1, 2020, AND
21 ENDING BEFORE APRIL 1, 2020.

22 (5) THE FOLLOWING SHALL APPLY TO APPLICATIONS TO RECEIVE
23 GRANTS UNDER THIS SECTION:

24 (I) APPLICATIONS SHALL BE IN A FORM DETERMINED BY A
25 COUNTY WITH INPUT FROM A CEDO OR CDFI PROCESSING THE
26 APPLICATION ON BEHALF OF A COUNTY.

27 (II) APPLICATIONS SHALL CONTAIN DOCUMENTATION AS
28 REQUIRED BY THE COUNTY.

29 (III) APPLICATIONS SHALL BE AVAILABLE
30 ELECTRONICALLY.

1 (IV) NO LATER THAN 45 DAYS AFTER THE STARTING DATE,
2 A CEDO OR CDFI SHALL RECEIVE AND CONSIDER APPLICATIONS ON
3 A ROLLING BASIS UNTIL FUNDING FOR GRANTS RECEIVED BY THE
4 COUNTY UNDER SUBSECTION (A) HAS BEEN COMPLETELY EXPENDED,
5 OR 130 DAYS AFTER THE STARTING DATE, WHICHEVER OCCURS
6 FIRST. UPON COMPLETELY EXPENDING THE FUNDS AVAILABLE FOR
7 GRANTS, A CEDO OR CDFI SHALL NOTIFY THE DEPARTMENT.

8 (6) THE FOLLOWING SHALL APPLY TO REVIEWING APPLICATIONS
9 FOR GRANTS UNDER THIS SECTION:

10 (I) NO LATER THAN 160 DAYS AFTER THE STARTING DATE,
11 A CEDO OR CDFI SHALL APPROVE OR DISAPPROVE APPLICATIONS
12 FOR GRANTS.

13 (II) UPON APPROVING AN APPLICATION UNDER
14 SUBPARAGRAPH (I), A CEDO OR CDFI SHALL ENTER INTO A GRANT
15 AGREEMENT WITH THE ELIGIBLE APPLICANT IN ORDER TO AWARD
16 THE GRANT.

17 (III) THE GRANT AGREEMENT UNDER SUBPARAGRAPH (II)
18 SHALL EXPLAIN THE TERMS AND CONDITIONS OF THE GRANT,
19 INCLUDING THE APPLICABLE LAWS OF THIS COMMONWEALTH AND
20 REPORTING REQUIREMENTS.

21 (IV) THE GRANT AGREEMENT UNDER SUBPARAGRAPH (II) MAY
22 BE ELECTRONICALLY SIGNED AND RETURNED TO THE CEDO OR CDFI
23 THAT APPROVED THE APPLICATION.

24 (7) AN ELIGIBLE APPLICANT OR AUTHORIZED REPRESENTATIVE
25 OF THE ELIGIBLE APPLICANT THAT SUBMITS AN APPLICATION FOR A
26 GRANT UNDER THIS SECTION SHALL CERTIFY IN GOOD FAITH TO ALL
27 OF THE FOLLOWING:

28 (I) THE ELIGIBLE APPLICANT WAS IN OPERATION ON MARCH
29 1, 2020, AND, IF REQUIRED, PAID INCOME TAXES TO THE
30 FEDERAL GOVERNMENT AND THE COMMONWEALTH, AS REPORTED ON

1 INDIVIDUAL OR BUSINESS TAX RETURNS.

2 (II) THE ELIGIBLE APPLICANT REMAINS IN OPERATION AND
3 DOES NOT INTEND TO PERMANENTLY CEASE OPERATIONS WITHIN
4 ONE YEAR OF THE DATE OF APPLICATION.

5 (III) COVID-19 HAD AN ADVERSE ECONOMIC IMPACT ON THE
6 ELIGIBLE APPLICANT, WHICH MAKES THE GRANT REQUEST
7 NECESSARY TO SUPPORT THE ONGOING OPERATIONS OF THE
8 ELIGIBLE APPLICANT.

9 (IV) THE GRANT WILL BE USED TO PAY FOR COVID-19-
10 RELATED ECONOMIC IMPACTS.

11 (V) DURING THE PERIOD BEGINNING JANUARY 1, 2021, AND
12 ENDING 150 DAYS AFTER THE STARTING DATE, THE ELIGIBLE
13 APPLICANT HAS NOT AND WILL NOT RECEIVE ANOTHER GRANT
14 UNDER THIS SECTION.

15 (VI) THE INFORMATION PROVIDED IN THE APPLICATION
16 AND ALL SUPPORTING DOCUMENTS AND FORMS IS TRUE AND
17 ACCURATE IN ALL MATERIAL RESPECTS. AN ELIGIBLE APPLICANT
18 OR AN AUTHORIZED REPRESENTATIVE OF THE ELIGIBLE APPLICANT
19 THAT KNOWINGLY MAKES A FALSE STATEMENT TO OBTAIN A GRANT
20 SHALL BE SUBJECT TO 18 PA.C.S. § 4904 (RELATING TO
21 UNSWORN FALSIFICATION TO AUTHORITIES).

22 (8) THE FOLLOWING SHALL APPLY TO THE AWARDING OF GRANTS
23 UNDER THIS SECTION:

24 (I) A CEDO OR CDFI MAY AWARD GRANTS IN INCREMENTS OF
25 \$5,000, NOT TO EXCEED THE LIMITATION UNDER PARAGRAPH (2)
26 (I).

27 (II) A FULLY EXECUTED GRANT AGREEMENT UNDER
28 PARAGRAPH (6) (II) SHALL BE REQUIRED BEFORE THE
29 DISBURSEMENT OF GRANT FUNDS.

30 (III) THE AGGREGATE AMOUNT OF ALL GRANTS AWARDED MAY

1 NOT EXCEED THE AMOUNT OF MONEY RECEIVED BY THE COUNTY
2 UNDER SUBSECTION (A).

3 (9) A CEDO OR CDFI MAY CHARGE A FEE NOT TO EXCEED \$500
4 PER COMPLETED AND REVIEWED APPLICATION FOR A GRANT UNDER THIS
5 SECTION. FEES CHARGED UNDER THIS PARAGRAPH SHALL BE DEDUCTED
6 FROM THE TOTAL AMOUNT OF MONEY DISTRIBUTED TO THE COUNTY
7 UNDER SUBSECTION (A) AND MAY NOT REDUCE THE AMOUNT OF THE
8 GRANT AWARDED TO AN ELIGIBLE APPLICANT.

9 (10) A GRANT AWARDED UNDER THIS SECTION SHALL BE PAID TO
10 AN ELIGIBLE APPLICANT NO LATER THAN 175 DAYS AFTER THE
11 STARTING DATE.

12 (11) A COUNTY THAT PROVIDES GRANTS UNDER THIS SECTION
13 SHALL COMPILE A REPORT, WHICH SHALL INCLUDE ALL OF THE
14 FOLLOWING:

15 (I) A LIST OF EACH GRANT AWARDED.

16 (II) THE NAME AND ADDRESS OF EACH GRANT RECIPIENT.

17 (III) THE AMOUNT OF THE GRANT AND A DESCRIPTION OF
18 THE FINANCIAL IMPACT TO THE GRANT RECIPIENT.

19 (IV) THE NAME OF THE CEDO OR CDFI THAT PROCESSED THE
20 GRANT.

21 (12) A COUNTY SHALL SUBMIT THE REPORT UNDER PARAGRAPH
22 (11) TO THE DEPARTMENT NO LATER THAN 200 DAYS AFTER THE
23 STARTING DATE.

24 (13) THE DEPARTMENT SHALL PREPARE A CONSOLIDATED REPORT
25 WITH THE INFORMATION IN THE REPORTS SUBMITTED UNDER PARAGRAPH
26 (12) FROM ALL COUNTIES AND SUBMIT THE CONSOLIDATED REPORT TO
27 THE CHAIR AND MINORITY CHAIR OF THE APPROPRIATIONS COMMITTEE
28 OF THE SENATE AND THE CHAIR AND MINORITY CHAIR OF THE
29 APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES NO
30 LATER THAN 235 DAYS AFTER THE STARTING DATE.

1 (14) THE COUNTY SHALL POST AND MAINTAIN THE REPORT UNDER
2 PARAGRAPH (11) ON THE COUNTY'S PUBLICLY ACCESSIBLE INTERNET
3 WEBSITE.

4 (15) THE DEPARTMENT SHALL POST AND MAINTAIN THE
5 CONSOLIDATED REPORT UNDER PARAGRAPH (14) ON THE DEPARTMENT'S
6 PUBLICLY ACCESSIBLE INTERNET WEBSITE.

7 (16) A COUNTY AWARDING GRANTS AND A CEDO OR CDFI
8 PROCESSING GRANTS ON BEHALF OF A COUNTY UNDER THIS SECTION
9 SHALL PROVIDE DOCUMENTATION TO THE DEPARTMENT OF THE AUDITOR
10 GENERAL OR THE DEPARTMENT, UPON REQUEST, FOR PURPOSES OF AN
11 AUDIT REVIEW.

12 (17) THE DEPARTMENT MAY NOT IMPOSE ADDITIONAL
13 REQUIREMENTS ON COUNTIES THAT ARE NOT SPECIFIED IN THIS
14 SECTION.

15 (C) (RESERVED).

16 (D) (RESERVED).

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

20 "CDFI." A COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION THAT
21 IS CERTIFIED BY THE UNITED STATES DEPARTMENT OF THE TREASURY, IS
22 HEADQUARTERED IN THIS COMMONWEALTH, IS PART OF THE 17-MEMBER
23 PENNSYLVANIA COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION NETWORK
24 AND PRIMARILY PROVIDES BUSINESS LOANS TO LOW-TO-MODERATE INCOME
25 INDIVIDUALS AND BUSINESS OWNERS.

26 "CEDO." AN ECONOMIC DEVELOPMENT ORGANIZATION THAT HAS BEEN
27 CERTIFIED BY THE PENNSYLVANIA INDUSTRIAL DEVELOPMENT AUTHORITY
28 OR AN ECONOMIC DEVELOPMENT ORGANIZATION THAT SERVES MORE THAN
29 ONE COUNTY AND IS ACCREDITED BY THE INTERNATIONAL ECONOMIC
30 DEVELOPMENT COUNCIL.

1 "CONSOLIDATED APPROPRIATIONS ACT, 2021." THE CONSOLIDATED
2 APPROPRIATIONS ACT, 2021 (PUBLIC LAW 116-260, 134 STAT. 1182).

3 "DEPARTMENT." THE DEPARTMENT OF COMMUNITY AND ECONOMIC
4 DEVELOPMENT OF THE COMMONWEALTH.

5 "ECONOMIC DEVELOPMENT ORGANIZATION." ANY LOCAL DEVELOPMENT
6 DISTRICT, INDUSTRIAL DEVELOPMENT AGENCY, INDUSTRIAL RESOURCE
7 CENTER, REDEVELOPMENT AUTHORITY, COMMUNITY DEVELOPMENT FINANCIAL
8 INSTITUTION OR ANY OTHER NONPROFIT ECONOMIC DEVELOPMENT
9 ORGANIZATION THAT IS CERTIFIED TO PARTICIPATE IN THE
10 PENNSYLVANIA INDUSTRIAL DEVELOPMENT AUTHORITY LOAN PROGRAM.

11 "ELIGIBLE APPLICANT." AN ENTITY THAT SUBMITS AN APPLICATION
12 FOR A GRANT UNDER THIS SECTION AND MEETS ALL OF THE FOLLOWING:

13 (1) THE ENTITY IS NOT PUBLICLY TRADED.

14 (2) THE ENTITY EXPERIENCED A REDUCTION IN REVENUE IN
15 CALENDAR YEAR 2020, MEASURED AS FOLLOWS:

16 (I) THE ENTITY HAD GROSS RECEIPTS DURING THE FIRST,
17 SECOND, THIRD OR FOURTH QUARTER IN CALENDAR YEAR 2020
18 THAT DEMONSTRATE AT LEAST A 25% REDUCTION FROM THE
19 ENTITY'S GROSS RECEIPTS DURING THE SAME QUARTER IN
20 CALENDAR YEAR 2019.

21 (II) IF THE ENTITY WAS NOT IN BUSINESS DURING THE
22 FIRST OR SECOND QUARTER OF CALENDAR YEAR 2019, BUT WAS IN
23 BUSINESS DURING THE THIRD AND FOURTH QUARTERS OF CALENDAR
24 YEAR 2019, THE ENTITY HAD GROSS RECEIPTS DURING THE
25 FIRST, SECOND, THIRD OR FOURTH QUARTER OF CALENDAR YEAR
26 2020 THAT DEMONSTRATE AT LEAST A 25% REDUCTION FROM THE
27 ENTITY'S GROSS RECEIPTS DURING THE THIRD OR FOURTH
28 QUARTER OF CALENDAR YEAR 2019.

29 (III) IF THE ENTITY WAS NOT IN BUSINESS DURING THE
30 FIRST, SECOND OR THIRD QUARTER OF CALENDAR YEAR 2019, BUT

1 WAS IN BUSINESS DURING THE FOURTH QUARTER OF CALENDAR
2 YEAR 2019, THE ENTITY HAD GROSS RECEIPTS DURING THE
3 FIRST, SECOND, THIRD OR FOURTH QUARTER OF CALENDAR YEAR
4 2020 THAT DEMONSTRATE AT LEAST A 25% REDUCTION FROM THE
5 FOURTH QUARTER OF CALENDAR YEAR 2019.

6 (IV) IF THE ENTITY WAS NOT IN BUSINESS DURING
7 CALENDAR YEAR 2019, BUT WAS IN OPERATION ON MARCH 1,
8 2020, THE ENTITY HAD GROSS RECEIPTS DURING THE SECOND,
9 THIRD OR FOURTH QUARTER OF CALENDAR YEAR 2020 THAT
10 DEMONSTRATE AT LEAST A 25% REDUCTION FROM THE GROSS
11 RECEIPTS OF THE ENTITY DURING THE FIRST QUARTER OF
12 CALENDAR YEAR 2020.

13 (V) FOR THE PURPOSE OF THIS DEFINITION, IF THE
14 ENTITY WAS IN OPERATION IN ALL FOUR QUARTERS OF CALENDAR
15 YEAR 2019, THE ENTITY SHALL BE DEEMED TO HAVE EXPERIENCED
16 THE REVENUE REDUCTION UNDER SUBPARAGRAPH (I) IF THE
17 ENTITY EXPERIENCED A REDUCTION IN ANNUAL RECEIPTS OF AT
18 LEAST 25% IN CALENDAR YEAR 2020 COMPARED TO CALENDAR YEAR
19 2019 AND THE ENTITY PROVIDES COPIES OF THE ENTITY'S
20 ANNUAL FEDERAL TAX FORMS SUBSTANTIATING THE REVENUE
21 DECLINE.

22 (VI) FOR THE PURPOSE OF THIS DEFINITION, IF THE
23 ENTITY CHANGED OWNERSHIP OR CONTROL IN CALENDAR YEAR
24 2020, THE ENTITY MAY MEASURE THE ENTITY'S REDUCTION IN
25 REVENUE IN CALENDAR YEAR 2020 UNDER SUBPARAGRAPH (I),
26 (II), (III), (IV) OR (V) USING THE GROSS RECEIPTS OF THE
27 ENTITY FOR CALENDAR YEAR 2019.

28 (3) THE ENTITY MEETS ALL OF THE FOLLOWING CONDITIONS AS
29 OF MARCH 1, 2020:

30 (I) THE ENTITY IS A RETAIL OR PERSONAL SERVICE

1 EMPLOYER WITHIN THIS COMMONWEALTH.

2 (II) THE ENTITY HAS NO MORE THAN 10 FULL-TIME
3 EMPLOYEES.

4 (III) THE ENTITY HAS GROSS ANNUAL RECEIPTS FOR THE
5 PRIOR FISCAL YEAR THAT DID NOT EXCEED \$1,500,000.

6 "ELIGIBLE OPERATING EXPENSE." AN OPERATING EXPENSE,
7 INCLUDING A PAYROLL AND NON-PAYROLL EXPENSE, THAT IS COMMON AND
8 ACCEPTED IN AN ELIGIBLE APPLICANT'S INDUSTRY, HELPFUL AND
9 APPROPRIATE FOR THE ELIGIBLE APPLICANT'S TRADE OR BUSINESS AND
10 SUBJECT TO THE FOLLOWING LIMITATIONS:

11 (1) THE OPERATING EXPENSE MUST HAVE BEEN INCURRED
12 BETWEEN MARCH 1, 2020, AND 130 DAYS AFTER THE STARTING DATE,
13 OR PRIOR TO SUBMISSION OF AN APPLICATION FOR A GRANT UNDER
14 THIS SECTION, WHICHEVER OCCURS FIRST.

15 (2) FOR A MORTGAGE OBLIGATION, THE MORTGAGE MUST HAVE
16 BEEN IN FORCE BEFORE MARCH 1, 2020.

17 (3) FOR RENT, UNDER LEASE AGREEMENTS, THE LEASE
18 AGREEMENT MUST HAVE BEEN IN FORCE BEFORE MARCH 1, 2020.

19 (4) FOR UTILITY COSTS, SERVICE MUST HAVE BEGUN BEFORE
20 MARCH 1, 2020.

21 (5) FOR THE PURPOSE OF PARAGRAPHS (2) AND (3), IF AN
22 EXISTING MORTGAGE OBLIGATION OR LEASE AGREEMENT IS IN FORCE
23 BEFORE MARCH 1, 2020, AND IS REFINANCED OR RESTRUCTURED AFTER
24 MARCH 1, 2020, THE MORTGAGE OBLIGATION OR LEASE AGREEMENT IS
25 DEEMED TO HAVE BEEN IN FORCE BEFORE MARCH 1, 2020.

26 "FULL-TIME EQUIVALENT EMPLOYEE." THE QUOTIENT OBTAINED BY
27 DIVIDING THE TOTAL NUMBER OF HOURS FOR WHICH EMPLOYEES WERE
28 COMPENSATED FOR EMPLOYMENT OVER THE PRECEDING 12-MONTH PERIOD BY
29 2,080.

30 "GROSS RECEIPTS." REVENUE IN WHATEVER FORM RECEIVED OR

1 ACCRUED, IN ACCORDANCE WITH THE RECIPIENT'S ACCOUNTING METHOD,
2 FROM WHATEVER SOURCE, INCLUDING FROM THE SALES OF PRODUCTS OR
3 SERVICES, INTEREST, DIVIDENDS, RENTS, ROYALTIES, FEES OR
4 COMMISSIONS, REDUCED BY RETURNS AND ALLOWANCES. THE TERM DOES
5 NOT INCLUDE ANY OF THE FOLLOWING:

6 (1) TAXES COLLECTED FOR AND REMITTED TO A TAXING
7 AUTHORITY IF INCLUDED IN GROSS OR TOTAL INCOME, INCLUDING
8 SALES OR OTHER TAXES COLLECTED FROM CUSTOMERS AND EXCLUDING
9 TAXES LEVIED ON AN ENTITY OR THE ENTITY'S EMPLOYEES.

10 (2) PROCEEDS FROM TRANSACTIONS BETWEEN AN ENTITY AND THE
11 ENTITY'S DOMESTIC OR FOREIGN AFFILIATES.

12 (3) AMOUNTS COLLECTED FOR ANOTHER BY A TRAVEL AGENT,
13 REAL ESTATE AGENT, ADVERTISING AGENT OR CONFERENCE MANAGEMENT
14 SERVICE PROVIDER.

15 "PROGRAM." THE COUNTY BLOCK GRANT - SMALL BUSINESS GRANT
16 PROGRAM ESTABLISHED UNDER SUBSECTION (B).

17 "STARTING DATE." THE EFFECTIVE DATE OF THIS SECTION OR THE
18 EFFECTIVE DATE OF AN APPROPRIATION FOR DISTRIBUTION OF GRANTS
19 UNDER THIS SECTION, WHICHEVER IS LATER.

20 SECTION 2. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.