

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1307 Session of 2020

INTRODUCED BY KILLION, SEPTEMBER 8, 2020

REFERRED TO APPROPRIATIONS, SEPTEMBER 8, 2020

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
 31 collect taxes, or to make returns or reports under the laws
 32 imposing taxes for State purposes, or to pay license fees or
 33 other moneys to the Commonwealth, or any agency thereof,
 34 every State depository and every debtor or creditor of the
 35 Commonwealth," in emergency COVID-19 response, providing for

1 appropriations from the account, for Pennsylvania
2 Infrastructure Investment Authority, for Low-Income Energy
3 Assistance Residential Utility Payment Program and for the
4 Pennsylvania Public Utility Commission.

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

7 Section 1. Article I-C of the act of April 9, 1929 (P.L.343,
8 No.176), known as The Fiscal Code, is amended by adding
9 subarticles to read:

10 SUBARTICLE B.1

11 APPROPRIATIONS FROM THE ACCOUNT

12 Section 115-C. Definitions.

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

16 "Current fiscal year." The fiscal year beginning July 1,
17 2020, and ending June 30, 2021.

18 Section 116-C. Construction with the General Appropriation Act
19 of 2020.

20 Each appropriation contained under this subarticle from the
21 General Fund shall be in addition to any appropriation under the
22 act of May 29, 2020 (P.L. , No.1A), known as the General
23 Appropriation Act of 2020, and the act of May 29, 2020 (P.L.
24 ,No.2A), known as the COVID-19 Emergency Supplement to the
25 General Appropriation Act of 2019.

26 Section 117-C. Appropriations from the account.

27 (a) Pennsylvania Infrastructure Investment Authority.--To
28 the Pennsylvania Infrastructure Investment Authority for the
29 current fiscal year, \$25,000,000 of Federal amounts is
30 appropriated from the COVID-19 Response Restricted Account for
31 COVID Relief - PennVEST Water and Wastewater Utility Payments
32 Program for the purpose of making distributions under section

1 136-C.

2 (b) Department of Human Services.--To the Department of
3 Human Services for the current fiscal year, \$100,000,000 of
4 Federal amounts is appropriated from the COVID-19 Response
5 Restricted Account for COVID Relief - Low-Income Energy
6 Assistance Residential Utility Payment Program for the purpose
7 of making distributions under section 161-C.

8 (c) Pennsylvania Public Utility Commission.--To the
9 Pennsylvania Public Utility Commission for the current fiscal
10 year, \$25,000,000 of Federal amounts is appropriated from the
11 COVID-19 Response Restricted Account for COVID Relief - Small
12 Business Utility Assistance Program for the purpose of making
13 distributions under section 190.5-C.

14 SUBARTICLE D.2

15 PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY

16 Section 136-C. Pennsylvania Infrastructure Investment Authority
17 Water and Wastewater Utility Payments Program.

18 From money appropriated to the Pennsylvania Infrastructure
19 Investment Authority for COVID Relief - PennVEST Water and
20 Wastewater Utility Payments Program, \$25,000,000 shall be
21 distributed to the Pennsylvania Infrastructure Investment
22 Authority to assist individual and small businesses with payment
23 of delinquent water and wastewater utility payments. In making
24 the distribution under this section and notwithstanding the
25 provisions of section 10(e) of the act of March 1, 1988 (P.L.82,
26 No.16), known as the Pennsylvania Infrastructure Investment
27 Authority Act, or any other law, the Pennsylvania Infrastructure
28 Investment Authority shall:

29 (1) Receive from each water and wastewater provider
30 within 15 days, the number of and total arrearages for

1 residential customers in their service territory for the
2 period of April 1, 2020, to July 31, 2020. The amount of
3 arrears shall be signed and verified by a representative
4 of the water and wastewater provider and shall be subject to
5 audit upon request by the Pennsylvania Infrastructure
6 Investment Authority.

7 (2) Distribute CARES funding to each water or wastewater
8 provider on a pro rata basis from the calculation determined
9 under paragraph (1) within 15 days.

10 (3) Require each water and wastewater provider to submit
11 within 30 days a plan to the Pennsylvania Infrastructure
12 Investment Authority detailing the distribution of funds to
13 residential customers. Upon approval of the plan, the water
14 or wastewater provider may distribute the grant funding
15 according to the plan and, in the event of remaining grant
16 funds, use funds for small business customers.

17 (4) Require each water or wastewater provider to report
18 within three months of receipt of the money to the
19 Pennsylvania Infrastructure Investment Authority how the
20 money was allocated, how many customers were assisted, how
21 much assistance was received, the remaining arrears from
22 paragraph (1) and new arrears since the assistance was
23 provided.

24 (5) Compile the reports and post the compilation on the
25 Pennsylvania Infrastructure Investment Authority's publicly
26 accessible Internet website.

27 Section 2. The act is amended by adding a section to read:

28 Section 161-C. Low-Income Energy Assistance Residential Utility
29 Payment Program.

30 From money appropriated to the department for COVID Relief -

1 Low-Income Energy Assistance Residential Utility Payment
2 Program, \$100,000,000 shall be distributed through the Low-
3 Income Energy Assistance Program to provide utility security for
4 residential utility customers. In making the distribution under
5 this section, the Department of Human Services shall:

6 (1) Extend the enrollment period for applications until
7 all funds allocated under this section are expended.

8 (2) Amend crisis grant requirements to accept past-due
9 utility bills as evidence of a crisis.

10 (3) Allow a public utility to establish flexible
11 verification procedures.

12 (4) Permit applicants to calculate their income based on
13 recent changes to income or unemployment.

14 (5) Establish a temporary program of crisis grant
15 assistance equal to \$600 utilizing paragraphs (1), (2), (3)
16 and (4) for households with dwelling units occupied by
17 persons with an annual income at or below 200% of the Federal
18 poverty guidelines.

19 (6) Include the distribution under this section in the
20 LIHEAP annual report.

21 Section 3. Article I-C of the act is amended by adding a
22 subarticle to read:

23 SUBARTICLE L

24 PENNSYLVANIA PUBLIC UTILITY COMMISSION

25 Section 190.5-C. Small Business Utility Assistance Program.

26 From money appropriated to the commission for COVID Relief -
27 Small Business Utility Assistance Program, \$25,000,000 shall be
28 distributed to public utilities to provide small business
29 assistance grants to qualifying small business for the payment
30 of utility expenses. To qualify for a small business assistance

1 grant, the small business must meet the definition of a "small
2 business customer" under 52 Pa. Code Ch. 54 (relating to
3 electricity generation customer choice) or 62 (relating to
4 natural gas supply customer choice). In making the distribution
5 under this section, the Pennsylvania Public Utility Commission
6 shall administer the temporary grant program by:

7 (1) Requiring each public utility to submit within 15
8 days, the number of and total arrearages for qualifying small
9 business customers in their service territory for the period
10 of April 1, 2020, to July 31, 2020.

11 (2) Distributing the money to each public utility on a
12 pro rata basis from the calculation determined under
13 paragraph (1) within 15 days.

14 (3) Requiring each public utility to submit within 30
15 days a plan to the Pennsylvania Public Utility Commission
16 detailing the distribution of funds to qualifying small
17 businesses. Upon approval of the plan, the public utility may
18 distribute the grant funding according to the plan.

19 (4) Requiring each public utility to report within three
20 months of receipt of the money to the Pennsylvania Public
21 Utility Commission how the money was allocated, how many
22 businesses were assisted, how much assistance was received,
23 the remaining arrearages from paragraph (1) and new
24 arrearages since the assistance was provided.

25 (5) Compiling the reports and posting the compilation on
26 the Pennsylvania Public Utility Commission's publicly
27 accessible Internet website.

28 Section 4. This act shall take effect immediately.