

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 68 Session of 2021

INTRODUCED BY BROWNE, JANUARY 20, 2021

REFERRED TO APPROPRIATIONS, JANUARY 20, 2021

A SUPPLEMENT

1 To the act of May 29, 2020 (P.L. , No.1A), entitled "An act to  
 2 provide appropriations from the General Fund for the expenses  
 3 of the Executive, Legislative and Judicial Departments of the  
 4 Commonwealth, the public debt and the public schools for the  
 5 fiscal year July 1, 2020, to June 30, 2021, and for the  
 6 payment of bills incurred and remaining unpaid at the close  
 7 of the fiscal year ending June 30, 2020; to provide  
 8 appropriations from special funds and accounts to the  
 9 Executive and Judicial Departments for the fiscal year July  
 10 1, 2020, to June 30, 2021, and for the payment of bills  
 11 remaining unpaid at the close of the fiscal year ending June  
 12 30, 2020; to provide for the appropriation of Federal funds  
 13 to the Executive and Judicial Departments for the fiscal year  
 14 July 1, 2020, to June 30, 2021, and for the payment of bills  
 15 remaining unpaid at the close of the fiscal year ending June  
 16 30, 2020; and to provide for the additional appropriation of  
 17 Federal and State funds to the Executive and Judicial  
 18 Departments for the fiscal year July 1, 2019, to June 30,  
 19 2020, and for the payment of bills incurred and remaining  
 20 unpaid at the close of the fiscal year ending June 30, 2019,"  
 21 further providing for additional appropriations from the  
 22 General Fund for the expenses of the Executive Department for  
 23 the fiscal year July 1, 2020, to June 30, 2021.

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27 Section 8102. Effective date.

28 The General Assembly of the Commonwealth of Pennsylvania  
29 hereby enacts as follows:

30 PART I

GENERAL PROVISIONS

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Section 101. Short title.

This act shall be known and may be cited as the Second Supplement to the General Appropriation Act of 2020.

Section 102. Definitions.

The definitions in the act of May 29, 2020 (P.L. , No.1A), known as the General Appropriation Act of 2020, shall apply to this act.

Section 103. Abbreviations.

The abbreviations in the act of May 29, 2020 (P.L. , No.1A), known as the General Appropriation Act of 2020, shall apply to this act.

Section 104. State appropriations.

(a) General Fund.--The sums specified in this act, or as much thereof as may be necessary, are specifically appropriated from the General Fund to agencies of the Executive Department of the Commonwealth for the payment of salaries, wages or other compensation and travel expenses of the duly elected or appointed officers and employees of the Commonwealth, for the payment of fees for contractual services rendered, for the purchase or rental of goods and services, printing, public advertising by or through any medium, equipment, land and buildings and for payment of any other expenses, as provided by law or by this act, necessary for the proper conduct of the duties, functions and activities and for the purposes specified in this act for the current fiscal year.

(b) (Reserved).

Section 105. Federal appropriations.

The Federal appropriations specified in this act, or as much thereof as may be necessary, are specifically appropriated to

1 the agencies of the Executive Department of the Commonwealth  
2 specified in this act for the payment of the expenses of  
3 implementing and carrying out the programs specified in this act  
4 for the current fiscal year. Unless otherwise stated, the  
5 Federal appropriations include any carryovers from the prior  
6 fiscal year.

7 PART II

8 ADDITIONAL GENERAL FUND APPROPRIATIONS

9 FOR CURRENT FISCAL YEAR

10 SUBPART A

11 GENERAL PROVISIONS

12 Section 201. Construction with other appropriation acts.

13 All appropriations contained in this part from the General  
14 Fund shall be in addition to any appropriation under the act of  
15 May 29, 2020 (P.L. , No.1A), known as the General Appropriation  
16 Act of 2020, and the act of November 23, 2020 (P.L. , No. 17A),  
17 known as the Supplement to the General Appropriation Act of  
18 2020.

19 SUBPART B

20 EXECUTIVE DEPARTMENT

21 Section 221. (Reserved).

22 Section 222. Department of Human Services.

23 The following amounts are  
24 appropriated from the General Fund  
25 to the Department of Human  
26 Services for the current fiscal  
27 year:

Federal	State
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28 The following Federal amounts  
29 are appropriated to supplement the  
30 sum appropriated for eligible

1 medical assistance recipients in  
2 the fee-for-service delivery  
3 system:

4 (1) "Medical Assistance - Fee-  
5 For-Service."

6 Federal appropriation..... 1,000,000

7 PART LXI

8 SPECIAL PROVISIONS FOR FEDERAL FUNDS

9 FOR CURRENT FISCAL YEAR

10 Section 6101. General Fund repository for Federal funds.

11 Money received from the Federal Government as contributions  
12 or supplements to the departments or agencies of the  
13 Commonwealth or the programs provided in this act shall be paid  
14 into the General Fund.

15 Section 6102. (Reserved).

16 Section 6103. Appropriation of prior unspent Federal funds.

17 (a) General rule.--Federal moneys that have been previously  
18 appropriated by the General Assembly and authorized or allocated  
19 by the Federal Government but remain unspent from the prior  
20 fiscal year or previous fiscal years and will not be renewed for  
21 the current fiscal year are appropriated.

22 (b) Department of Human Services.--The Federal  
23 appropriations to the Department of Human Services include any  
24 prior earnings that may be received during the current fiscal  
25 year. In addition to the amounts specifically appropriated in  
26 this act to the Department of Human Services, all money  
27 appropriated from the Federal Government during a previous  
28 fiscal year which are expected to be received as reimbursements  
29 may be carried forward until the close of the current fiscal  
30 year to the extent that obligations are carried forward. In

1 addition, reimbursements actually received to support the  
2 obligations may also be carried forward.

3 Section 6104. Subgrants between Federal appropriations.

4 Subgrants may be made between Federal appropriations without  
5 further approval of the General Assembly. The Secretary of the  
6 Budget shall submit a list of subgrants to the chair and  
7 minority chair of the Appropriations Committee of the Senate and  
8 the chair and minority chair of the Appropriations Committee of  
9 the House of Representatives quarterly. No subgrant to a State  
10 agency, however, may be made from a restricted receipt account  
11 without a specific appropriation by the General Assembly.

12 Section 6105. Utilization of emergency Federal funds.

13 (a) Natural disasters and civil disobedience.--Federal funds  
14 available for costs and damages resulting from natural disasters  
15 or civil disobedience may be added to an appropriation contained  
16 in this act or to funds otherwise appropriated or may be used  
17 for the purposes prescribed by the Federal Government.

18 (b) Other emergencies.--In addition to the money  
19 appropriated by this act, money received from the Federal  
20 Government for the purpose of disaster assistance or relief, or  
21 other money received as a direct result of terrorist acts, money  
22 for homeland security and defense and money for avian flu shall  
23 be paid into the General Fund and are appropriated out of the  
24 General Fund to the departments, boards, commissions or agencies  
25 designated by the Governor.

26 (c) (Reserved).

27 (d) Federal funding related to COVID-19 and the impact of  
28 COVID-19.--The following apply to funds received from the  
29 Federal Government for assistance with the response to the  
30 COVID-19 pandemic and the economic impact of the COVID-19

1 pandemic:

2 (1) For Federal funds which are required by Federal law  
3 to be allocated to a specific program which is in existence  
4 prior to the effective date of this section, the Federal  
5 funds are hereby appropriated to the program.

6 (2) For Federal funds which are required by Federal law  
7 to be allocated by the Commonwealth according to a formula  
8 mandated by Federal law, the Federal funds are hereby  
9 appropriated for allocation according to the formula.

10 (3) All other Federal funds under this subsection shall  
11 be deposited in the COVID-19 Response Restricted Account and  
12 shall only be used upon appropriation by the General  
13 Assembly.

14 PART LXXI

15 MISCELLANEOUS PROVISIONS FOR

16 CURRENT FISCAL YEAR

17 Section 7101. Prior laws unaffected.

18 This act is not intended to be inconsistent with or to repeal  
19 any provision of any act enacted at this or any prior session of  
20 the General Assembly regulating the purchase of supplies, the  
21 ordering of printing and binding, the purchase, maintenance and  
22 use of motor vehicles, the method of making payments from the  
23 State Treasury for any purpose or the functioning of any  
24 administrative department, board or commission.

25 Section 7102. Compliance with other law before funds available.

26 No appropriation made by this act to any department, board,  
27 commission or agency of the Executive Department shall be  
28 available unless and until the department, board, commission or  
29 agency has complied with sections 615 and 616 of the act of  
30 April 9, 1929 (P.L.177, No.175), known as The Administrative

1 Code of 1929.

2 Section 7103. Contracts prerequisite to encumbering or  
3 committing funds.

4 Funds available to agencies, boards, departments, commissions  
5 or other governmental entities under this act for the  
6 procurement of supplies, services or construction shall not be  
7 available for payment of or to be committed to or encumbered for  
8 payment of the procurement unless and until the agency, board,  
9 department or other governmental entity has complied with all of  
10 the requirements applicable to the procurement that are  
11 specified in 62 Pa.C.S. (relating to procurement) and in the  
12 policies, procedures and regulations instituted in accordance  
13 with 62 Pa.C.S.

14 Section 7104. Minority business set-asides.

15 (a) Duty to report.--Each department or other  
16 instrumentality of the Commonwealth listed in Subpart B of Part  
17 II authorized to contract for buildings, highways, commodities,  
18 equipment, supplies or services shall report to the General  
19 Assembly all information pertinent to anticipated procurement  
20 needs at the beginning of each quarter during a fiscal year.

21 (b) Definition.--As used in this section, the term "minority  
22 business" means a minority business enterprise as defined in the  
23 act of July 22, 1974 (P.L.598, No.206), known as the  
24 Pennsylvania Minority Business Development Authority Act.

25 Section 7105. (Reserved).

26 Section 7106. Lapsing of unused funds.

27 (a) General rule.--Except as otherwise provided by law or by  
28 this section, that part of all appropriations in this act  
29 unexpended, uncommitted or unencumbered as of the close of the  
30 current fiscal year shall automatically lapse as of that day.



1 (b) (Reserved).

2 PART LXXXI

3 MISCELLANEOUS PROVISIONS

4 Section 8101. Retroactivity.

5 This act shall be retroactive to July 1, 2020.

6 Section 8102. Effective date.

7 This act shall take effect immediately.