

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 146

Session of
2025INTRODUCED BY BAKER, BROOKS, BARTOLOTTA, FONTANA, BROWN,
PENNYCUICK, COSTA, STEFANO AND ROBINSON, JANUARY 22, 2025AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF
REPRESENTATIVES, AS AMENDED, JULY 11, 2026

AN ACT

~~1 Amending Title 51 (Military Affairs) of the Pennsylvania~~ <--
~~2 Consolidated Statutes, in State Veterans' Commission and~~
~~3 Deputy Adjutant General for Veterans' Affairs, further~~
~~4 providing for DEFINITIONS AND FOR Veterans' Trust Fund; and~~ <--
~~5 establishing the Veterans' Trust Fund Board.~~

~~6 The General Assembly of the Commonwealth of Pennsylvania~~
~~7 hereby enacts as follows:~~

~~8 Section 1. Section 1721(e) of Title 51 of the Pennsylvania~~ <--
~~9 Consolidated Statutes is amended and the section is amended by~~
~~10 adding a subsection to read:~~

~~11 § 1721. Veterans' Trust Fund.~~

~~12 * * *~~

~~13 SECTION 1. SECTION 1701 OF TITLE 51 OF THE PENNSYLVANIA~~ <--
~~14 CONSOLIDATED STATUTES IS AMENDED BY ADDING DEFINITIONS TO READ:~~

~~15 § 1701. DEFINITIONS.~~

~~16 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER~~

~~17 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE~~

~~18 CONTEXT CLEARLY INDICATES OTHERWISE.~~

~~"BOARD." THE VETERANS' TRUST FUND BOARD ESTABLISHED UNDER
SECTION 1721(E) (RELATING TO VETERANS' TRUST FUND).~~

~~* * *~~

~~"FUND." THE VETERANS' TRUST FUND ESTABLISHED UNDER SECTION
1701 A.1 OF THE ACT OF APRIL 9, 1929 (P.L.343, NO.176), KNOWN AS
THE FISCAL CODE.~~

~~SECTION 2. SECTION 1721(A) INTRODUCTORY PARAGRAPH, (C)
INTRODUCTORY PARAGRAPH, (E) AND (F) OF TITLE 51 ARE AMENDED AND
THE SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:~~

~~§ 1721. VETERANS' TRUST FUND.~~

~~(A) SOURCE OF REVENUE. IN ADDITION TO TRANSFERS UNDER
SECTION 1719 G OF THE ACT OF APRIL 9, 1929 (P.L.343, NO.176),
KNOWN AS THE FISCAL CODE, THE [VETERANS' TRUST FUND] FUND SHALL
INCLUDE FUNDS FROM THE FOLLOWING SOURCES:~~

~~* * *~~

~~(C) AUTHORIZED PURPOSES. THE DEPARTMENT MAY EXPEND MONEY
FROM THE [VETERANS' TRUST FUND] FUND FOR THE FOLLOWING PURPOSES:~~

~~* * *~~

~~(e) Operation.~~

~~(1) The department shall adopt a statement of policy for
the maintenance and use of the fund within 60 days of the
effective date of this section. The policy shall be published
as a notice in the Pennsylvania Bulletin, but shall not be
subject to review under section 205 of the act of July 31,
1968 (P.L.769, No.240), referred to as the Commonwealth
Documents Law, sections 204(b) and 301(10) of the act of
October 15, 1980 (P.L.950, No.164), known as the Commonwealth
Attorneys Act or the act of June 25, 1982 (P.L.633, No.181),
known as the Regulatory Review Act.~~

~~(2) The Veterans' Trust Fund Board is established as an~~

~~advisory board within the department. The following shall
apply:~~

~~(i) The purpose of the Veterans' Trust Fund Board
BOARD is to increase donations to ensure the effective
management and impactful distribution of THE FUND,
PROVIDE FOR THE EFFECTIVE MANAGEMENT OF THE FUND AND
EFFECTUATE AN EQUITABLE AND BROAD DISTRIBUTION OF money
in the Veterans' Trust Fund FUND.~~ <--

~~(ii) The Veterans' Trust Fund Board BOARD shall have
the following duties:~~ <--

~~(A) Advise the department on the priorities of
the Veterans' Trust Fund grants.~~

~~(B) Review Veterans' Trust Fund grant
applications.~~

~~(C) Raise public awareness of the Veterans'
Trust Fund FUND TO ENCOURAGE DONATIONS AND
ORGANIZATION PARTICIPATION.~~ <--

~~(D) Recommend performance audit metrics for
REVIEW FUND AUDITS AND REPORTS AND RECOMMEND
PERFORMANCE AUDIT METRICS IN CONSULTATION WITH THE
AUDITOR GENERAL TO BE UTILIZED AND IMPLEMENTED BY
organizations receiving Veterans' Trust Fund grants.~~ <--

~~(E) Recommend legislative or policy changes
NECESSARY to enhance the Veterans' Trust Fund FUND
AND THE DISTRIBUTION OF MONEY FROM THE FUND.~~ <--

~~(F) Review audits and reports with the
department and the chairperson and minority
chairperson of the Veterans Affairs and Emergency
Preparedness Committee of the Senate and the
chairperson and minority chairperson of the Veterans~~ <--

~~Affairs and Emergency Preparedness Committee of the
House of Representatives.~~

~~(II.1) THE DUTIES OF THE BOARD UNDER SUBPARAGRAPH <--
(II) RELATING TO GRANTS SHALL NOT APPLY TO FUNDS
DISTRIBUTED UNDER CHAPTER 85 (RELATING TO VETERANS'
TEMPORARY ASSISTANCE).~~

~~(iii) Members of the Veterans' Trust Fund Board <--
BOARD shall be veterans, family members of veterans and <--
OR individuals who have extensive experience in serving <--
veterans. In determining who to appoint to the Veterans' <--
Trust Fund Board BOARD, consideration shall be given to <--
subject matter experts in veterans issues regarding
behavioral health, mental health, posttraumatic stress
disorder injuries, physical disabilities, EMPLOYMENT, <--
housing or other social determinants of health. The
Veterans' Trust Fund Board BOARD shall consist of the <--
following:~~

~~(A) The Deputy Adjutant General for Veterans'
Affairs or a designee, who shall serve ex officio.~~

~~(B) Two members recommended by the Adjutant <--
General and appointed by the Governor.~~

~~(B) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF <--
THE VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS
COMMITTEE OF THE SENATE, OR THEIR DESIGNEES, WHO
SHALL SERVE EX OFFICIO AND IN AN ADVISORY ROLE.~~

~~(C) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF
THE VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS
COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR THEIR
DESIGNEES, WHO SHALL SERVE EX OFFICIO AND IN AN
ADVISORY ROLE.~~

1 ~~(C) (D) Two members of the commission~~ <--
2 ~~recommended by the chairperson of the commission and~~
3 ~~appointed by the Governor.~~

4 ~~(D) (E) One member recommended by the Adjutant~~ <--
5 ~~General from each of the five PA VETConnect Program~~ <--
6 ~~regions, the City of Philadelphia and the City of~~ <--
7 ~~Pittsburgh OR ANY SUCCESSOR REGIONS and appointed by~~ <--
8 ~~the Governor.~~

9 ~~(iv) Except as provided under this subparagraph,~~
10 ~~members appointed by the Governor to the Veterans' Trust~~ <--
11 ~~Fund Board BOARD shall serve a term of four years and~~ <--
12 ~~until a successor has been appointed. The initial members~~
13 ~~appointed by the Governor to the Veterans' Trust Fund~~ <--
14 ~~Board BOARD shall serve terms as follows as determined by~~ <--
15 ~~the Governor:~~

16 ~~(A) Two members shall serve a term of one year.~~

17 ~~(B) Three TWO members shall serve a term of two~~ <--
18 ~~years.~~

19 ~~(C) Three TWO members shall serve a term of~~ <--
20 ~~three years.~~

21 ~~(D) Three members ONE MEMBER shall serve a term~~ <--
22 ~~of four years.~~

23 ~~(v) Upon recommendation from the Adjutant General,~~
24 ~~the Governor may declare a vacancy to exist if REMOVE a~~ <--
25 ~~member appointed by the Governor to the Veterans' Trust~~ <--
26 ~~Fund Board BOARD IF THE MEMBER fails to attend three~~ <--
27 ~~consecutive meetings of the Veterans' Trust Fund Board~~ <--
28 ~~BOARD without good cause. The Governor shall fill a~~ <--
29 ~~vacancy declared THE VACANCY CREATED under this~~ <--
30 ~~subparagraph for the remainder of the unexpired term.~~

1 ~~(vi) The Veterans' Trust Fund Board BOARD shall~~ <--
2 ~~annually elect a chairperson and vice chairperson at the~~
3 ~~first meeting commencing no later than March 31, 2025~~ <--
4 ~~2026. The department shall designate an executive~~ <--
5 ~~secretary to the Veterans' Trust Fund Board BOARD.~~ <--

6 ~~(vii) Members of the Veterans' Trust Fund Board~~ <--
7 ~~BOARD shall receive no compensation for their services~~ <--
8 ~~but shall receive reimbursement for their necessary and~~
9 ~~proper expenses incurred in executing their duties as~~
10 ~~members of the Veterans' Trust Fund Board BOARD.~~ <--

11 ~~(viii) The Veterans' Trust Fund Board BOARD shall~~ <--
12 ~~meet upon the call of the chairperson or the Deputy~~
13 ~~Adjutant General of Veterans' Affairs. Six FOUR members~~ <--
14 ~~of the Veterans' Trust Fund Board BOARD shall constitute~~ <--
15 ~~a quorum.~~

16 ~~(ix) Voting EXCEPT FOR THE DEPUTY ADJUTANT GENERAL~~ <--
17 ~~FOR VETERANS' AFFAIRS, members of the Veterans' Trust~~ <--
18 ~~Fund Board BOARD may not be current employees of the~~ <--
19 ~~department.~~

20 ~~(x) If a member of the Veterans' Trust Fund Board~~ <--
21 ~~has an interest in an organization applying for a grant~~
22 ~~from the Veterans' Trust Fund, the member shall refrain~~
23 ~~from further discussion with the applicant and may not~~
24 ~~make a recommendation regarding the approval or~~
25 ~~disapproval of the application. If a member of the~~
26 ~~Veterans' Trust Fund Board has a conflict of interest~~
27 ~~with an organization applying for a grant from the~~
28 ~~Veterans' Trust Fund, the member shall recuse oneself.~~

29 * * *

30 ~~(F) REPORT. BY JULY 31, 2013, AND EVERY YEAR THEREAFTER,~~ <--

1 ~~THE DEPARTMENT SHALL SUBMIT TO THE CHAIRMAN AND MINORITY~~
2 ~~CHAIRMAN OF THE VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS~~
3 ~~COMMITTEE OF THE SENATE AND THE CHAIRMAN AND MINORITY CHAIRMAN~~
4 ~~OF THE VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE OF~~
5 ~~THE HOUSE OF REPRESENTATIVES A REPORT DETAILING THE [VETERANS'~~
6 ~~TRUST FUND] FUND REVENUES AND EXPENDITURES IN THE PRIOR FISCAL~~
7 ~~YEAR AND DESCRIBING THE ACTIVITIES, PROGRAMS AND PROJECTS WHICH~~
8 ~~RECEIVED FUNDS.~~

9 ~~(g) Audit. By July 31, 2026 2028, and every two THREE years <--~~
10 ~~thereafter, the department AUDITOR GENERAL shall submit a <--~~
11 ~~performance audit OF THE FUND to the chairperson and minority <--~~
12 ~~chairperson of the Veterans Affairs and Emergency Preparedness~~
13 ~~Committee of the Senate and the chairperson and minority~~
14 ~~chairperson of the Veterans Affairs and Emergency Preparedness~~
15 ~~Committee of the House of Representatives. The performance audit~~
16 ~~shall be conducted in accordance with generally accepted~~
17 ~~government auditing standards and examine the impacts on~~
18 ~~veterans by organizations funded through the Veterans' Trust <--~~
19 ~~Fund FUND. <--~~

20 ~~Section 2 3. This act shall take effect in 60 days. <--~~
21 ~~AMENDING THE ACT OF APRIL 9, 1929 (P.L.343, NO.176), ENTITLED <--~~
22 ~~"AN ACT RELATING TO THE FINANCES OF THE STATE GOVERNMENT;~~
23 ~~PROVIDING FOR CANCER CONTROL, PREVENTION AND RESEARCH, FOR~~
24 ~~AMBULATORY SURGICAL CENTER DATA COLLECTION, FOR THE JOINT~~
25 ~~UNDERWRITING ASSOCIATION, FOR ENTERTAINMENT BUSINESS~~
26 ~~FINANCIAL MANAGEMENT FIRMS, FOR PRIVATE DAM FINANCIAL~~
27 ~~ASSURANCE AND FOR REINSTATEMENT OF ITEM VETOES; PROVIDING FOR~~
28 ~~THE SETTLEMENT, ASSESSMENT, COLLECTION, AND LIEN OF TAXES,~~
29 ~~BONUS, AND ALL OTHER ACCOUNTS DUE THE COMMONWEALTH, THE~~
30 ~~COLLECTION AND RECOVERY OF FEES AND OTHER MONEY OR PROPERTY~~
31 ~~DUE OR BELONGING TO THE COMMONWEALTH, OR ANY AGENCY THEREOF,~~
32 ~~INCLUDING ESCHEATED PROPERTY AND THE PROCEEDS OF ITS SALE,~~
33 ~~THE CUSTODY AND DISBURSEMENT OR OTHER DISPOSITION OF FUNDS~~
34 ~~AND SECURITIES BELONGING TO OR IN THE POSSESSION OF THE~~
35 ~~COMMONWEALTH, AND THE SETTLEMENT OF CLAIMS AGAINST THE~~
36 ~~COMMONWEALTH, THE RESETTLEMENT OF ACCOUNTS AND APPEALS TO THE~~
37 ~~COURTS, REFUNDS OF MONEYS ERRONEOUSLY PAID TO THE~~
38 ~~COMMONWEALTH, AUDITING THE ACCOUNTS OF THE COMMONWEALTH AND~~
39 ~~ALL AGENCIES THEREOF, OF ALL PUBLIC OFFICERS COLLECTING~~
40 ~~MONEYS PAYABLE TO THE COMMONWEALTH, OR ANY AGENCY THEREOF,~~

1 AND ALL RECEIPTS OF APPROPRIATIONS FROM THE COMMONWEALTH,
2 AUTHORIZING THE COMMONWEALTH TO ISSUE TAX ANTICIPATION NOTES
3 TO DEFRAY CURRENT EXPENSES, IMPLEMENTING THE PROVISIONS OF
4 SECTION 7(A) OF ARTICLE VIII OF THE CONSTITUTION OF
5 PENNSYLVANIA AUTHORIZING AND RESTRICTING THE INCURRING OF
6 CERTAIN DEBT AND IMPOSING PENALTIES; AFFECTING EVERY
7 DEPARTMENT, BOARD, COMMISSION, AND OFFICER OF THE STATE
8 GOVERNMENT, EVERY POLITICAL SUBDIVISION OF THE STATE, AND
9 CERTAIN OFFICERS OF SUCH SUBDIVISIONS, EVERY PERSON,
10 ASSOCIATION, AND CORPORATION REQUIRED TO PAY, ASSESS, OR
11 COLLECT TAXES, OR TO MAKE RETURNS OR REPORTS UNDER THE LAWS
12 IMPOSING TAXES FOR STATE PURPOSES, OR TO PAY LICENSE FEES OR
13 OTHER MONEYS TO THE COMMONWEALTH, OR ANY AGENCY THEREOF,
14 EVERY STATE DEPOSITORY AND EVERY DEBTOR OR CREDITOR OF THE
15 COMMONWEALTH," IN EMERGENCY COVID-19 RESPONSE, PROVIDING FOR
16 EXTENSION OF USE OF CERTAIN FUNDS; IN CHILD CARE STAFF
17 RECRUITMENT AND RETENTION PROGRAM, FURTHER PROVIDING FOR
18 CHILD CARE STAFF RECRUITMENT AND RETENTION PROGRAM; IN
19 CIGARETTE SALES AND LICENSING, FURTHER PROVIDING FOR
20 DEFINITIONS AND PROVIDING FOR ALLOWABLE MODE OF OPERATIONS
21 FOR LICENSED CIGARETTE STAMPING AGENTS; IN JOINT UNDERWRITING
22 ASSOCIATION, FURTHER PROVIDING FOR FUND TRANSFERS; PROVIDING
23 FOR FOOD PROCESSING RESIDUALS; IN FINANCIALLY DISTRESSED
24 MUNICIPALITIES, FURTHER PROVIDING FOR FINANCIAL RECOVERY; IN
25 OIL AND GAS WELLS, FURTHER PROVIDING FOR OIL AND GAS LEASE
26 FUND AND PROVIDING FOR DEEP WELLS AND UTICA SHALE PERMITS AND
27 FOR WELL PLUGGING; PROVIDING FOR MANUFACTURING AND INVESTMENT
28 TAX CREDIT, FOR INNOVATE IN PA 2.0 TAX CREDIT AND FOR DESIGN
29 BUILD BEST VALUE; IN HUMAN SERVICES, FURTHER PROVIDING FOR
30 MEDICAL ASSISTANCE PAYMENTS FOR INSTITUTIONAL CARE, FOR
31 RESIDENT CARE AND RELATED COSTS AND FOR LIFE PROGRAM AND
32 PROVIDING FOR TRANSITION TO CHIP-ENABLED ACCESS CARDS, FOR
33 MEDICAL ASSISTANCE REENTRY PROGRAM, FOR CHILDREN'S TRUST FUND
34 AND FOR MEDICAL ASSISTANCE PHARMACY SERVICES; IN ADDITIONAL
35 KEYSTONE OPPORTUNITY EXPANSION ZONES, PROVIDING FOR
36 ADDITIONAL ZONE FOR SHIPBUILDING AND FOR ADDITIONAL ZONES;
37 PROVIDING FOR RESIDENTIAL REVITALIZATION KEYSTONE OPPORTUNITY
38 ZONES AND FOR VIOLENT INCIDENT CLEARANCE AND TECHNOLOGICAL
39 INVESTIGATIVE METHODS; IN SPECIAL FUNDS, FURTHER PROVIDING
40 FOR FUNDING AND FOR PENNSYLVANIA CONVENTION CENTER; IN
41 ADDITIONAL SPECIAL FUNDS AND RESTRICTED ACCOUNTS, PROVIDING
42 FOR VETERANS' TRUST FUND BOARD AND FURTHER PROVIDING FOR
43 ESTABLISHMENT OF SPECIAL FUND AND ACCOUNT, FOR USE OF FUND
44 AND FOR DISTRIBUTIONS FROM PENNSYLVANIA RACE HORSE
45 DEVELOPMENT FUND; IN ADDITIONAL SPECIAL FUNDS AND RESTRICTED
46 ACCOUNTS, FURTHER PROVIDING FOR DEPOSITS AND PROVIDING FOR
47 PROFESSIONAL LICENSURE AUGMENTATION ACCOUNT; IN GENERAL
48 BUDGET IMPLEMENTATION, FURTHER PROVIDING FOR EXECUTIVE
49 OFFICES, FOR DEPARTMENT OF AGRICULTURE, FOR DEPARTMENT OF
50 CORRECTIONS, FOR DEPARTMENT OF LABOR AND INDUSTRY AND FOR
51 DEPARTMENT OF TRANSPORTATION, PROVIDING FOR PENNSYLVANIA
52 EMERGENCY MANAGEMENT AGENCY AND FURTHER PROVIDING FOR
53 COMMONWEALTH FINANCING AUTHORITY, FOR FEDERAL AND
54 COMMONWEALTH USE OF FOREST LAND, FOR MULTIMODAL
55 TRANSPORTATION FUND, FOR SCHOOL SAFETY AND SECURITY FUND, FOR
56 STATE GAMING FUND, FOR STATE EMPLOYEES' RETIREMENT SYSTEM
57 RESTRICTED ACCOUNT AND FOR PUBLIC SCHOOL EMPLOYEES'
58 RETIREMENT SYSTEM RESTRICTED ACCOUNT; IN RETIREMENT,
59 PROVIDING FOR 2026 SPECIAL AD HOC MUNICIPAL POLICE AND
60 FIREFIGHTER POSTRETIREMENT ADJUSTMENT, FOR SUPPLEMENTAL

1 ANNUITIES FOR PUBLIC SCHOOL EMPLOYEES COMMENCING 2026, FOR
2 SUPPLEMENTAL ANNUITIES FOR STATE EMPLOYEES COMMENCING 2026
3 AND FOR PAYMENT OF SUPPLEMENTAL ANNUITY AND SPECIAL AD HOC
4 POSTRETIREMENT ADJUSTMENT; IN ELECTRICITY LOAD FORECAST
5 ACCOUNTABILITY, PROVIDING FOR ENERGY AND WATER REPORTING AND
6 FOR ADVANCED TRANSMISSION TECHNOLOGIES; IN 2025-2026 BUDGET
7 IMPLEMENTATION, FURTHER PROVIDING FOR DEPARTMENT OF
8 AGRICULTURE, FOR DEPARTMENT OF HUMAN SERVICES AND FOR
9 PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY; PROVIDING
10 FOR 2026-2027 BUDGET IMPLEMENTATION AND FOR 2026-2027
11 RESTRICTIONS ON APPROPRIATIONS FOR FUNDS AND ACCOUNTS; IN
12 FISCAL SUPPLEMENTS TO STATUTORY PROGRAMS, PROVIDING FOR
13 AMUSEMENT TAX CLARIFICATION, FOR SITUS FOR LOCAL SALES TAX
14 FOR CITIES OF THE FIRST CLASS, FOR SITUS FOR LOCAL SALES TAX
15 FOR COUNTIES OF THE SECOND CLASS, FOR NET INCOME AND FOR
16 HOUSING; ABROGATING A REGULATION; MAKING REPEALS; PROVIDING
17 FOR SUSPENSION OF PENSION ACTUARIAL NOTES; AND MAKING
18 EDITORIAL CHANGES.

19 THE GENERAL ASSEMBLY FINDS AND DECLARES AS FOLLOWS:

20 (1) THE INTENT OF THIS ACT IS TO PROVIDE FOR THE
21 IMPLEMENTATION OF THE 2026-2027 COMMONWEALTH BUDGET.

22 (2) THE CONSTITUTION OF PENNSYLVANIA CONFERS NUMEROUS
23 EXPRESS DUTIES UPON THE GENERAL ASSEMBLY, INCLUDING THE
24 PASSAGE OF A BALANCED BUDGET FOR THE COMMONWEALTH.

25 (3) SECTION 24 OF ARTICLE III OF THE CONSTITUTION OF
26 PENNSYLVANIA REQUIRES THE GENERAL ASSEMBLY TO ADOPT ALL
27 APPROPRIATIONS FOR THE OPERATION OF GOVERNMENT IN THIS
28 COMMONWEALTH, REGARDLESS OF THEIR SOURCE. THE SUPREME COURT
29 HAS REPEATEDLY AFFIRMED THAT "IT IS FUNDAMENTAL WITHIN
30 PENNSYLVANIA'S TRIPARTITE SYSTEM THAT THE GENERAL ASSEMBLY
31 ENACTS THE LEGISLATION ESTABLISHING THOSE PROGRAMS WHICH THE
32 STATE PROVIDES FOR ITS CITIZENS AND APPROPRIATES THE FUNDS
33 NECESSARY FOR THEIR OPERATION."

34 (4) PURSUANT TO SECTION 13 OF ARTICLE VIII OF THE
35 CONSTITUTION OF PENNSYLVANIA, THE GENERAL ASSEMBLY IS
36 EXPLICITLY REQUIRED TO ADOPT A BALANCED COMMONWEALTH BUDGET.
37 GIVEN THE UNPREDICTABILITY AND POTENTIAL INSUFFICIENCY OF
38 REVENUE COLLECTIONS, VARIOUS CHANGES IN STATE LAW RELATING TO
39 SOURCES OF REVENUE, THE COLLECTION OF REVENUE AND THE

1 IMPLEMENTATION OF STATUTES WHICH IMPACT REVENUE MAY BE
2 REQUIRED TO DISCHARGE THIS CONSTITUTIONAL OBLIGATION.

3 (5) SECTION 11 OF ARTICLE III OF THE CONSTITUTION OF
4 PENNSYLVANIA REQUIRES THE ADOPTION OF A GENERAL APPROPRIATION
5 ACT THAT EMBRACES "NOTHING BUT APPROPRIATIONS." WHILE ACTUAL
6 ITEMS OF APPROPRIATION CAN BE CONTAINED IN A GENERAL
7 APPROPRIATION ACT, THE ACHIEVEMENT AND IMPLEMENTATION OF A
8 COMPREHENSIVE BUDGET INVOLVES MORE THAN SUBJECTS OF
9 APPROPRIATIONS AND DOLLAR AMOUNTS. ULTIMATELY, THE BUDGET HAS
10 TO BE BALANCED UNDER SECTION 13 OF ARTICLE VIII OF THE
11 CONSTITUTION OF PENNSYLVANIA. THIS MAY NECESSITATE CHANGES TO
12 SOURCES OF FUNDING AND ENACTMENT OF STATUTES TO ACHIEVE FULL
13 COMPLIANCE WITH THESE CONSTITUTIONAL PROVISIONS.

14 (6) FOR THE REASONS UNDER PARAGRAPHS (1), (2), (3), (4)
15 AND (5), IT IS THE INTENT OF THE GENERAL ASSEMBLY THROUGH
16 THIS ACT TO PROVIDE FOR THE IMPLEMENTATION OF THE 2026-2027
17 COMMONWEALTH BUDGET.

18 (7) EVERY PROVISION OF THIS ACT RELATES TO THE
19 IMPLEMENTATION OF THE OPERATING BUDGET OF THE COMMONWEALTH
20 FOR THIS FISCAL YEAR, ADDRESSING IN VARIOUS WAYS THE FISCAL
21 OPERATIONS, REVENUES AND POTENTIAL LIABILITIES OF THE
22 COMMONWEALTH. TO THAT END, THIS ACT IS INTENDED TO IMPLEMENT
23 THE 2026-2027 COMMONWEALTH BUDGET WITHOUT SPECIFICALLY
24 APPROPRIATING PUBLIC MONEY FROM THE GENERAL FUND. THIS ACT
25 PROVIDES ACCOUNTABILITY FOR SPENDING AND MAKES TRANSFERS OR
26 OTHER CHANGES NECESSARY TO IMPACT THE AVAILABILITY OF REVENUE
27 IN ORDER TO MEET THE REQUIREMENTS OF SECTION 13 OF ARTICLE
28 VIII OF THE CONSTITUTION OF PENNSYLVANIA AND TO IMPLEMENT THE
29 ACT OF , 2026 (P.L. , NO.), KNOWN AS THE GENERAL
30 APPROPRIATION ACT OF 2026.

THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA
HEREBY ENACTS AS FOLLOWS:

SECTION 1. THE ACT OF APRIL 9, 1929 (P.L.343, NO.176), KNOWN
AS THE FISCAL CODE, IS AMENDED BY ADDING A SECTION TO READ:

SECTION 197-C. EXTENSION OF USE OF CERTAIN FUNDS.

(A) USE OF REMAINING FUNDS.--NOTWITHSTANDING THE PROVISIONS
OF SECTIONS 194-C(B), 195-C(B), 196-C(D) AND 1712-E, THE AGENCY
SHALL USE THE REMAINING FUNDS ALLOCATED FOR GRANTS FOR PROJECTS
THAT ARE AN ELIGIBLE USE OF FUNDS RELATING TO HOUSING UNDER 31
CFR PT. 35 (RELATING TO PANDEMIC RELIEF PROGRAMS).

(B) TRANSFER OF FUNDS.--

(1) FROM FUNDS APPROPRIATED FOR COVID RELIEF - ARPA -
DEVELOPMENT COST RELIEF PROGRAM, COVID RELIEF - ARPA
-CONSTRUCTION COST RELIEF AND COVID RELIEF - ARPA -
AFFORDABLE HOUSING CONSTRUCTION, THE AGENCY SHALL TRANSFER
\$11,789,348 TO THE COVID-19 RESPONSE RESTRICTED ACCOUNT, NO
LATER THAN SEPTEMBER 10, 2026, WHICH ARE HEREBY APPROPRIATED
TO THE DEPARTMENT OF CORRECTIONS FOR THE PURPOSES SPECIFIED
UNDER SECTION 1712-E(E)(1).

(2) ANY MONEY NOT EXPENDED BY THE AGENCY BY DECEMBER 11,
2026, SHALL BE TRANSFERRED BY THE STATE TREASURER TO THE
COVID-19 RESPONSE RESTRICTED ACCOUNT NO LATER THAN DECEMBER
18, 2026, WHICH ARE HEREBY APPROPRIATED TO THE DEPARTMENT OF
CORRECTIONS FOR THE PURPOSES SPECIFIED UNDER SECTION 1712-
E(E)(1).

(C) MONEY APPROPRIATED.--ALL MONEY APPROPRIATED FOR THE
PROGRAMS ESTABLISHED IN SECTIONS 194-C, 195-C AND 196-C OR
OBLIGATED, TRANSFERRED OR APPROPRIATED IN ACCORDANCE WITH THE
REQUIREMENTS OF SUBSECTIONS (A) AND (B) MUST BE EXPENDED BY
DECEMBER 31, 2026.

1 (D) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
2 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
3 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

4 "AGENCY." THE PENNSYLVANIA HOUSING FINANCE AGENCY.

5 SECTION 2. SECTION 103-H.1(C), (D)(1) AND (E)(3) OF THE ACT,
6 ADDED NOVEMBER 12, 2025 (P.L.156, NO.45), ARE AMENDED TO READ:
7 SECTION 103-H.1. CHILD CARE STAFF RECRUITMENT AND RETENTION
8 PROGRAM.

9 * * *

10 (C) DETERMINATION.--THE DEPARTMENT SHALL APPROVE OR DENY AN
11 APPLICATION SUBMITTED UNDER SUBSECTION (B) NO LATER THAN [45] 60
12 DAYS AFTER RECEIPT. THE DEPARTMENT MAY NOT MAKE A PAYMENT TO AN
13 ENTITY THAT IS NOT A QUALIFIED CHILD CARE PROVIDER.

14 (D) ALLOCATION OF PAYMENTS.--

15 (1) THE DEPARTMENT SHALL ALLOCATE PAYMENTS TO ADMINISTER
16 AN INDIVIDUAL RETENTION BONUS OF AT LEAST [\$450] \$540 PER
17 MEMBER OF QUALIFIED STAFF.

18 * * *

19 (E) CONDITIONS.--

20 * * *

21 (3) PAYMENTS RECEIVED BY A QUALIFIED CHILD CARE PROVIDER
22 SHALL BE EXPENDED IN THE [FISCAL] YEAR IN WHICH THE PAYMENT
23 IS MADE. A QUALIFIED CHILD CARE PROVIDER SHALL PAY A
24 RETENTION BONUS TO QUALIFIED STAFF WITHIN 45 DAYS OF THE DATE
25 ON WHICH THE QUALIFIED CHILD CARE PROVIDER RECEIVED THE
26 PAYMENT UNDER THIS ARTICLE.

27 * * *

28 SECTION 3. SECTION 202-A OF THE ACT IS AMENDED BY ADDING A
29 DEFINITION TO READ:

30 SECTION 202-A. DEFINITIONS.--AS USED IN THIS ARTICLE--

1 * * *

2 "RELATED ENTITY SUPPLIER" SHALL MEAN AN ENTITY THAT OWNS AT
3 LEAST A MAJORITY INTEREST IN A CIGARETTE STAMPING AGENT OR IN
4 WHICH A CIGARETTE STAMPING AGENT OWNS A MAJORITY INTEREST, OR AN
5 ENTITY OF WHICH A MAJORITY OF THE BENEFICIAL OWNERSHIP IS THE
6 SAME AS THE MAJORITY BENEFICIAL OWNERSHIP IN A CIGARETTE
7 STAMPING AGENT.

8 * * *

9 SECTION 4. THE ACT IS AMENDED BY ADDING A SECTION TO READ:
10 SECTION 204.1-A. ALLOWABLE MODE OF OPERATIONS FOR LICENSED
11 CIGARETTE STAMPING AGENTS.--A CIGARETTE STAMPING AGENT UNDER
12 THIS ARTICLE SHALL ONLY PURCHASE CIGARETTES DIRECTLY FROM A
13 TOBACCO PRODUCT MANUFACTURER OR FROM A RELATED ENTITY SUPPLIER
14 THAT HAS PURCHASED CIGARETTES DIRECTLY FROM A TOBACCO PRODUCT
15 MANUFACTURER. CIGARETTE STAMPING AGENTS SHALL NOT OTHERWISE SELL
16 UNSTAMPED CIGARETTES TO ANY OTHER CIGARETTE DEALERS.

17 SECTION 5. SECTION 209-D(B) AND (C) (1) OF THE ACT, ADDED
18 NOVEMBER 12, 2025 (P.L.156, NO.45), ARE AMENDED TO READ:
19 SECTION 209-D. FUND TRANSFERS.

20 * * *

21 (B) USE OF MONEY.--MONEY DEPOSITED INTO THE GENERAL FUND
22 UNDER [SUBSECTION (A)] THIS SECTION SHALL BE AVAILABLE FOR
23 EXPENDITURES IN ACCORDANCE WITH APPROPRIATIONS BY THE GENERAL
24 ASSEMBLY TO THE DEPARTMENT OF HUMAN SERVICES FOR MEDICAL
25 ASSISTANCE PAYMENTS FOR CAPITATION PLANS.

26 (C) FUTURE TRANSFERS.--FOR FISCAL YEARS BEGINNING ON OR
27 AFTER JULY 1, 2026, THE FOLLOWING AMOUNTS, AS CERTIFIED
28 AVAILABLE BY THE COMMISSIONER UNDER SECTION 208-D, SHALL BE
29 TRANSFERRED FROM THE JOINT UNDERWRITING ASSOCIATION TO THE
30 GENERAL FUND:

(1) [(RESERVED).] FOR THE FISCAL YEAR BEGINNING JULY 1,
2026, THE AMOUNT TO BE TRANSFERRED TO THE GENERAL FUND UNDER
THIS SUBSECTION SHALL BE \$14,300,000.

* * *

SECTION 6. THE ACT IS AMENDED BY ADDING AN ARTICLE TO READ:

ARTICLE XIII

FOOD PROCESSING RESIDUALS

SUBARTICLE A

GENERAL PROVISIONS

SECTION 1301. SCOPE OF ARTICLE.

THIS ARTICLE RELATES TO FOOD PROCESSING RESIDUALS MANAGEMENT.

SECTION 1302. DEFINITIONS.

THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
CONTEXT CLEARLY INDICATES OTHERWISE:

"AGRICULTURAL OPERATOR." A PERSON THAT HAS MANAGEMENT
CONTROL OF A NORMAL FARMING OPERATION.

"BEST MANAGEMENT PRACTICE." A PRACTICE OR COMBINATION OF
PRACTICES DETERMINED BY THE COMMISSION TO BE EFFECTIVE AND
PRACTICABLE GIVEN TECHNOLOGICAL, ECONOMIC AND INSTITUTIONAL
CONSIDERATIONS, TO MANAGE NUTRIENTS AND CHARACTERISTICS OF
INTEREST TO PROTECT SURFACE WATER AND GROUNDWATER, TAKING INTO
ACCOUNT APPLICABLE NUTRIENT REQUIREMENTS FOR CROP UTILIZATION.

"BOARD." THE AGRICULTURAL ADVISORY BOARD ESTABLISHED UNDER
27 PA.C.S. § 702 (RELATING TO ESTABLISHMENT OF BOARD).

"CHARACTERISTICS OF INTEREST." SPECIFIC COMPONENTS THAT MAY
BE PRESENT IN FOOD PROCESSING RESIDUALS THAT ARE OF SPECIAL
CONCERN DUE TO THEIR POTENTIAL TO CAUSE IRREVOCABLE HARM TO
SOIL, POLLUTION TO SURFACE WATER AND GROUNDWATER OR HARM TO
PUBLIC HEALTH.

1 "COMMERCIAL FOOD PROCESSING RESIDUALS BROKER." A PERSON THAT
2 IS NOT WORKING FOR OR UNDER THE CONTROL OF AN AGRICULTURAL
3 OPERATOR OR FOOD PROCESSING RESIDUALS GENERATOR AND THAT ASSUMES
4 TEMPORARY CONTROL OR OWNERSHIP OF THE FOOD PROCESSING RESIDUALS
5 FROM A FOOD PROCESSING RESIDUALS GENERATOR AND ARRANGES FOR
6 TRANSPORT TO AND UTILIZATION AT AN IMPORTING AGRICULTURAL
7 OPERATION.

8 "COMMERCIAL FOOD PROCESSING RESIDUALS HAULER." A PERSON THAT
9 TRANSPORTS OR LAND-APPLIES FOOD PROCESSING RESIDUALS UNDER THIS
10 ARTICLE AS A CONTRACT AGENT FOR AN AGRICULTURAL OPERATOR, AS AN
11 EMPLOYEE OR CONTRACT AGENT FOR A FOOD PROCESSING RESIDUALS
12 GENERATOR OR COMMERCIAL FOOD PROCESSING RESIDUALS BROKER UNDER
13 THE DIRECTION OF THE OPERATOR, FOOD PROCESSING GENERATOR OR
14 BROKER.

15 "COMMISSION." THE STATE CONSERVATION COMMISSION ESTABLISHED
16 UNDER SECTION 4 OF THE ACT OF MAY 15, 1945 (P.L.547, NO.217),
17 KNOWN AS THE CONSERVATION DISTRICT LAW.

18 "DEPARTMENT." THE DEPARTMENT OF AGRICULTURE OF THE
19 COMMONWEALTH.

20 "FOOD PROCESSING RESIDUALS." RESIDUAL MATERIALS IN LIQUID OR
21 SOLID FORM GENERATED IN THE SLAUGHTERING OF POULTRY AND
22 LIVESTOCK, OR IN PROCESSING AND CONVERTING FISH, SEAFOOD, MILK,
23 MEAT AND EGGS TO FOOD PRODUCTS. THE TERM INCLUDES RESIDUAL
24 MATERIALS GENERATED IN THE PROCESSING, CONVERTING OR
25 MANUFACTURING OF FRUITS, VEGETABLES, CROPS AND OTHER COMMODITIES
26 INTO MARKETABLE FOOD ITEMS. THE TERM DOES NOT INCLUDE FOOD
27 PROCESSING RESIDUALS TRANSPORTED TO A NORMAL FARMING OPERATION
28 AND USED TO FEED LIVESTOCK OR POULTRY.

29 "LAND APPLICATION SYSTEM." A WRITTEN SITE-SPECIFIC PLAN THAT
30 INCORPORATES BEST MANAGEMENT PRACTICES FOR THE USE OF FOOD

PROCESSING RESIDUALS IN THE COURSE OF NORMAL FARMING OPERATIONS,
INCLUDING STORAGE, PROCESSING AND LAND APPLICATION.

"LAND APPLICATION SYSTEM NOTIFICATION." WRITTEN NOTIFICATION
THAT A NORMAL FARMING OPERATION HAS A LAND APPLICATION SYSTEM
FOR THE USE OF FOOD PROCESSING RESIDUALS IN THE COURSE OF NORMAL
FARMING OPERATIONS.

"NORMAL FARMING OPERATION." THE CUSTOMARY AND GENERALLY
ACCEPTED ACTIVITIES, PRACTICES AND PROCEDURES THAT FARMS ADOPT,
USE OR ENGAGE IN YEAR AFTER YEAR IN THE PRODUCTION AND
PREPARATION FOR MARKET OF POULTRY, LIVESTOCK AND THEIR PRODUCTS;
AND IN THE PRODUCTION, HARVESTING AND PREPARATION FOR MARKET OF
AGRICULTURAL, AGRONOMIC, HORTICULTURAL, SILVICULTURAL AND
AQUACULTURAL CROPS AND COMMODITIES; PROVIDED THAT SUCH OPERATION
IS CONDUCTED IN COMPLIANCE WITH APPLICABLE LAWS, AND PROVIDED
THAT THE USE OR DISPOSAL OF THESE MATERIALS WILL NOT POLLUTE THE
AIR, WATER OR OTHER NATURAL RESOURCES OF THE COMMONWEALTH. THE
TERM INCLUDES THE STORAGE AND UTILIZATION OF AGRICULTURAL WASTE
AND FOOD PROCESSING RESIDUALS, SCREENINGS AND SLUDGES FOR ANIMAL
FEED, AND INCLUDES THE AGRICULTURAL UTILIZATION OF SEPTIC TANK
CLEANINGS AND SEWAGE SLUDGES WHICH ARE GENERATED OFF-SITE. THE
TERM INCLUDES THE MANAGEMENT, COLLECTION, STORAGE,
TRANSPORTATION, USE OR DISPOSAL OF MANURE, OTHER AGRICULTURAL
WASTE AND FOOD PROCESSING RESIDUALS, SCREENINGS AND SLUDGES ON
LAND WHERE SUCH MATERIALS WILL IMPROVE THE CONDITION OF THE
SOIL, THE GROWTH OF CROPS OR IN THE RESTORATION OF THE LAND FOR
THE SAME PURPOSES.

"NUTRIENT." A SUBSTANCE OR RECOGNIZED PLANT NUTRIENT,
ELEMENT OR COMPOUND THAT IS USED OR SOLD FOR ITS PLANT NUTRITIVE
CONTENT OR ITS CLAIMED NUTRITIVE VALUE. THE TERM INCLUDES
LIVESTOCK AND POULTRY MANURES, COMPOST AS FERTILIZER,

1 COMMERCIALLY MANUFACTURED CHEMICAL FERTILIZERS, SEWAGE SLUDGE,
2 FOOD PROCESSING RESIDUALS OR COMBINATIONS THEREOF.

3 "NUTRIENT MANAGEMENT ACT." THE PROVISIONS OF 3 PA.C.S. CH. 5
4 (RELATING TO NUTRIENT MANAGEMENT AND ODOR MANAGEMENT).

5 "NUTRIENT MANAGEMENT ADVISORY BOARD." THE BOARD ESTABLISHED
6 UNDER 3 PA.C.S. § 510 (RELATING TO NUTRIENT MANAGEMENT ADVISORY
7 BOARD).

8 "SECRETARY." THE SECRETARY OF AGRICULTURE OF THE
9 COMMONWEALTH.

10 "SOLID WASTE MANAGEMENT ACT." THE ACT OF JULY 7, 1980
11 (P.L.380, NO.97), KNOWN AS THE SOLID WASTE MANAGEMENT ACT.

12 SUBARTICLE B

13 USE OF FOOD PROCESSING RESIDUALS

14 IN NORMAL FARMING OPERATION

15 SECTION 1311. POWERS AND DUTIES OF COMMISSION.

16 (A) REGULATIONS.--THE COMMISSION SHALL, IN CONSULTATION WITH
17 THE DEPARTMENT, THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, THE
18 BOARD AND THE NUTRIENT MANAGEMENT ADVISORY BOARD, PROMULGATE
19 REGULATIONS ESTABLISHING MINIMUM CRITERIA FOR THE USE OF FOOD
20 PROCESSING RESIDUALS IN THE COURSE OF NORMAL FARMING OPERATIONS
21 TO IMPLEMENT THIS SUBARTICLE. THE CRITERIA SHALL BE ESTABLISHED
22 USING THE MOST RECENT SCIENCE AVAILABLE.

23 (B) CRITERIA.--THE CRITERIA ESTABLISHED UNDER SUBSECTION (A)
24 SHALL INCLUDE:

25 (1) PROCEDURES FOR THE COMMISSION TO IDENTIFY NUTRIENTS.
26 THERE SHALL BE A PRESUMPTION THAT NITROGEN IS THE NUTRIENT OF
27 PRIMARY CONCERN, UNLESS THE COMMISSION DETERMINES THE
28 PRESUMPTION IS NOT APPROPRIATE.

29 (2) PROCEDURES FOR THE COMMISSION TO IDENTIFY
30 CHARACTERISTICS OF INTEREST.

1 (3) PROCEDURES TO DETERMINE THE PROPER APPLICATION RATES
2 OF NUTRIENTS AND CHARACTERISTICS OF INTEREST IN FOOD
3 PROCESSING RESIDUALS TO BE APPLIED TO LAND BASED ON
4 CONDITIONS OF SOIL, LEVELS OF EXISTING NUTRIENTS AND
5 CHARACTERISTICS OF INTEREST IN THE SOIL, AND THE TYPE OF
6 AGRICULTURAL PRODUCTION TO BE CONDUCTED ON THE LAND.

7 (4) SCIENCE-BASED AND EVIDENCE-BASED RECOMMENDED BEST
8 MANAGEMENT PRACTICES TO USE FOOD PROCESSING RESIDUALS IN THE
9 COURSE OF NORMAL FARMING OPERATIONS.

10 (5) RECORDKEEPING REQUIREMENTS RELATED TO THE USE OF
11 FOOD PROCESSING RESIDUALS IN THE COURSE OF NORMAL FARMING
12 OPERATIONS, INCLUDING STORAGE, PROCESSING AND LAND
13 APPLICATION.

14 (6) MINIMUM STANDARDS FOR THE LOCATION, CONSTRUCTION AND
15 OPERATION OF A STORAGE FACILITY, INCLUDING STORAGE CAPACITY,
16 FOR FOOD PROCESSING RESIDUALS USED IN THE COURSE OF NORMAL
17 FARMING OPERATIONS.

18 (7) MINIMUM STANDARDS FOR COMMINGLING OF MANURE AND FOOD
19 PROCESSING RESIDUALS USED IN THE COURSE OF NORMAL FARMING
20 OPERATIONS.

21 (8) PROCEDURES FOR FILING A LAND APPLICATION SYSTEM
22 NOTIFICATION.

23 (9) CONDITIONS UNDER WHICH A LAND APPLICATION SYSTEM
24 MUST BE MODIFIED.

25 (10) PROVISIONS FOR PERIODIC EVALUATION OF A LAND
26 APPLICATION SYSTEM.

27 (C) ADDITIONAL DUTIES AND AUTHORITY.--THE COMMISSION SHALL
28 HAVE THE FOLLOWING ADDITIONAL DUTIES AND AUTHORITY:

29 (1) TO CONTINUALLY EVALUATE AND APPROVE BEST MANAGEMENT
30 PRACTICES BASED ON THE LATEST SCIENTIFIC RESEARCH AND

1 EVIDENCE-BASED PRACTICES.

2 (2) TO CONTINUALLY EVALUATE THE CRITERIA FOR A LAND
3 APPLICATION SYSTEM AND PROMULGATE REGULATIONS AS NECESSARY. A
4 REGULATORY CHANGE UNDER THIS SUBSECTION SHALL REQUIRE A TWO-
5 THIRDS MAJORITY VOTE OF THE COMMISSION.

6 (3) TO DEVELOP AND IMPLEMENT, IN COOPERATION WITH THE
7 DEPARTMENT, THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, THE
8 BOARD, THE NUTRIENT MANAGEMENT ADVISORY BOARD AND PENN STATE
9 EXTENSION, A PROGRAM TO PROVIDE EDUCATION AND TECHNICAL
10 ASSISTANCE TO THE AGRICULTURAL COMMUNITY AND, TO THE EXTENT
11 FUNDS ARE AVAILABLE, TO PROVIDE FINANCIAL ASSISTANCE TO
12 EXISTING NORMAL FARMING OPERATIONS FOR IMPLEMENTATION OF BEST
13 MANAGEMENT PRACTICES FOR THE USE OF FOOD PROCESSING RESIDUALS
14 IN THE COURSE OF NORMAL FARMING OPERATIONS.

15 (4) TO ISSUE ORDERS AND TAKE ACTIONS AS NECESSARY TO
16 ADMINISTER AND ENFORCE THIS ARTICLE.

17 SECTION 1312. LAND APPLICATION OF FOOD PROCESSING RESIDUALS.

18 (A) REQUIREMENT.--THE USE OF FOOD PROCESSING RESIDUALS IN
19 THE COURSE OF NORMAL FARMING OPERATIONS SHALL BE MANAGED UNDER A
20 LAND APPLICATION SYSTEM.

21 (B) REQUIRED COMPONENTS.--A LAND APPLICATION SYSTEM SHALL
22 INCLUDE ALL OF THE FOLLOWING:

23 (1) IDENTIFICATION OF SITE-SPECIFIC BEST MANAGEMENT
24 PRACTICES THAT WILL BE IMPLEMENTED FOR THE USE OF FOOD
25 PROCESSING RESIDUALS IN THE COURSE OF NORMAL FARMING
26 OPERATIONS, INCLUDING STORAGE, PROCESSING AND LAND
27 APPLICATION.

28 (2) IDENTIFICATION OF SITE-SPECIFIC BEST MANAGEMENT
29 PRACTICES THAT MAY NEED TO BE IMPLEMENTED TO MANAGE ODORS
30 FROM THE USE OF FOOD PROCESSING RESIDUALS IN THE COURSE OF

1 NORMAL FARMING OPERATIONS.

2 (3) RECORDS OF THE FOOD PROCESSING RESIDUALS RECEIVED
3 FROM A COMMERCIAL FOOD PROCESSING RESIDUALS HAULER OR A
4 COMMERCIAL FOOD PROCESSING RESIDUALS BROKER FOR USE IN THE
5 COURSE OF NORMAL FARMING OPERATIONS.

6 (4) A DESCRIPTION OF EACH TYPE OF FOOD PROCESSING
7 RESIDUALS INTENDED TO BE STORED, PROCESSED OR LAND-APPLIED,
8 AND THE TOTAL ANNUAL VOLUME PLANNED FOR USE.

9 (5) A DESCRIPTION OF EACH METHOD OF LAND APPLICATION FOR
10 THE USE OF FOOD PROCESSING RESIDUALS IN THE COURSE OF NORMAL
11 FARMING OPERATIONS.

12 (6) A STATEMENT THAT THE AGRICULTURAL OPERATOR
13 COMPLETING THE LAND APPLICATION SYSTEM UNDERSTANDS THAT, IF A
14 NORMAL FARMING OPERATION GENERATES OR UTILIZES MANURE THAT IS
15 COMMINGLED WITH OR APPLIED TO THE SAME AREA AS FOOD
16 PROCESSING RESIDUALS, THE AGRICULTURAL OPERATOR MUST ALSO
17 COMPLY WITH REQUIREMENTS SPECIFIED IN OTHER STATUTES AND
18 REGULATIONS RELATING TO MANAGEMENT OF MANURE.

19 (C) REVIEW.--THE LAND APPLICATION SYSTEM SHALL BE AVAILABLE
20 FOR REVIEW AT THE REQUEST OF THE COMMISSION TO DETERMINE IF THE
21 LAND APPLICATION SYSTEM MEETS THE REQUIREMENTS OF THIS
22 SUBARTICLE.

23 SECTION 1313. LAND APPLICATION SYSTEM NOTIFICATION.

24 (A) REQUIREMENT.--AN AGRICULTURAL OPERATOR INTENDING TO USE
25 FOOD PROCESSING RESIDUALS IN THE COURSE OF NORMAL FARMING
26 OPERATIONS SHALL FILE A LAND APPLICATION SYSTEM NOTIFICATION
27 WITH THE COMMISSION PRIOR TO THE USE IN A FORM AND MANNER
28 DETERMINED BY THE COMMISSION. THE NOTIFICATION SHALL BE FILED
29 EVERY THREE YEARS AS APPLICABLE.

30 (B) REQUIRED COMPONENTS.--A LAND APPLICATION SYSTEM

1 NOTIFICATION SHALL INCLUDE:

2 (1) THE NAME, LOCATION AND CONTACT INFORMATION FOR THE
3 AGRICULTURAL OPERATOR.

4 (2) THE TOTAL ESTIMATED VOLUME PER MONTH OF FOOD
5 PROCESSING RESIDUALS INTENDED TO BE USED IN THE COURSE OF
6 NORMAL FARMING OPERATIONS.

7 (3) NUTRIENT CONTENT ANALYSIS AND CHARACTERISTICS OF
8 INTEREST ANALYSIS OF FOOD PROCESSING RESIDUALS INTENDED TO BE
9 USED IN THE COURSE OF NORMAL FARMING OPERATIONS.

10 (4) TOTAL ACREAGE UPON WHICH FOOD PROCESSING RESIDUALS
11 MAY BE LAND-APPLIED IN THE COURSE OF NORMAL FARMING
12 OPERATIONS IN ACCORDANCE WITH THE AGRICULTURAL OPERATOR'S
13 LAND APPLICATION SYSTEM.

14 (5) A SIGNED STATEMENT CONFIRMING THAT THE USE OF ALL
15 FOOD PROCESSING RESIDUALS IN THE COURSE OF NORMAL FARMING
16 OPERATIONS SHALL BE CONDUCTED UNDER A LAND APPLICATION
17 SYSTEM.

18 (C) RESUBMISSION.--THE COMMISSION MAY REQUIRE RESUBMISSION
19 OF A LAND APPLICATION SYSTEM NOTIFICATION IF THE COMMISSION
20 FINDS A SUBMISSION TO BE INCOMPLETE.

21 (D) VALIDITY.--A LAND APPLICATION SYSTEM NOTIFICATION SHALL
22 BE VALID FOR THREE YEARS FROM THE DATE THE LAND SYSTEM
23 NOTIFICATION IS RECEIVED BY THE COMMISSION OR UNTIL THE
24 ASSOCIATED LAND APPLICATION SYSTEM IS MODIFIED IN A FORM AND
25 MANNER DETERMINED BY THE COMMISSION.

26 SECTION 1314. CIVIL PENALTIES.

27 (A) CIVIL PENALTY.--IN ADDITION TO ANY OTHER REMEDY
28 AVAILABLE AT LAW OR IN EQUITY FOR A VIOLATION OF THIS
29 SUBARTICLE, A RULE OR REGULATION ADOPTED, ORDER ISSUED UNDER
30 THIS SUBARTICLE OR LAND APPLICATION SYSTEM, THE COMMISSION MAY

1 ASSESS A CIVIL PENALTY OF NOT MORE THAN \$500 FOR THE FIRST DAY
2 OF EACH OFFENSE AND \$100 FOR EACH ADDITIONAL DAY OF CONTINUING
3 VIOLATION. IN DETERMINING THE PENALTY AMOUNT, THE COMMISSION
4 SHALL CONSIDER THE FOLLOWING FACTORS:

5 (1) THE GRAVITY OF THE VIOLATION.

6 (2) THE POTENTIAL HARM TO THE PUBLIC.

7 (3) THE POTENTIAL EFFECT ON THE ENVIRONMENT.

8 (4) THE WILLFULNESS OF THE VIOLATION.

9 (5) PREVIOUS VIOLATIONS.

10 (6) THE ECONOMIC BENEFIT TO THE VIOLATOR FOR FAILING TO
11 COMPLY WITH THIS SUBARTICLE.

12 (B) WARNING IN LIEU OF PENALTY.--IF THE COMMISSION FINDS
13 THAT A VIOLATION DID NOT CAUSE HARM TO HUMAN HEALTH OR AN
14 ADVERSE EFFECT ON THE ENVIRONMENT, THE COMMISSION MAY ISSUE A
15 WARNING IN LIEU OF ASSESSING A PENALTY IF THE OFFENDER, UPON
16 NOTICE, TAKES IMMEDIATE ACTION TO RESOLVE THE VIOLATION AND
17 ACHIEVE COMPLIANCE.

18 (C) COLLECTION.--IF THE COMMISSION IS UNABLE TO COLLECT A
19 CIVIL PENALTY ASSESSED UNDER THIS SUBARTICLE OR A PERSON FAILS
20 TO PAY ALL OR A PORTION OF THE PENALTY, THE COMMISSION MAY REFER
21 THE MATTER TO THE OFFICE OF GENERAL COUNSEL OR THE OFFICE OF
22 ATTORNEY GENERAL, WHICH MAY INSTITUTE AN ACTION IN THE
23 APPROPRIATE COURT TO RECOVER THE PENALTY. A CIVIL PENALTY
24 ASSESSED MAY ACT AS A LIEN ON THE PROPERTY OF THE PERSON AGAINST
25 WHOM THE PENALTY HAS BEEN ASSESSED.

26 SECTION 1315. ENFORCEMENT AUTHORITY.

27 (A) RIGHT OF ACCESS.--A DULY AUTHORIZED AGENT OF THE
28 COMMISSION, DEPARTMENT, DEPARTMENT OF ENVIRONMENTAL PROTECTION
29 OR DELEGATED CONSERVATION DISTRICT SHALL HAVE THE AUTHORITY TO
30 ENTER A NORMAL FARMING OPERATION AT REASONABLE TIMES TO CONDUCT

1 INVESTIGATIONS AND TO TAKE ACTIONS NECESSARY TO ENFORCE THIS
2 ARTICLE OR ANY ORDER, RULE OR REGULATION ISSUED UNDER THIS
3 ARTICLE.

4 (B) DUTY TO GRANT ACCESS.--A PERSON OWNING OR OPERATING A
5 NORMAL FARMING OPERATION SHALL GRANT ACCESS TO A DULY AUTHORIZED
6 AGENT OF THE COMMISSION, DEPARTMENT, DEPARTMENT OF ENVIRONMENTAL
7 PROTECTION OR A DELEGATED CONSERVATION DISTRICT UNDER SUBSECTION
8 (A) AND SHALL NOT HINDER, OBSTRUCT, PREVENT OR INTERFERE WITH
9 THE AGENTS IN THE PERFORMANCE OF THEIR DUTIES. AUTHORIZED
10 AGENTS SHALL PERFORM REASONABLE MEASURES AND ACTIONS AS DIRECTED
11 BY THE OFFENDER OF A NORMAL FARMING OPERATION THAT REASONABLY
12 AND SUBSTANTIALLY PREVENT THE SPREAD OR OUTBREAK OF CONTAGIOUS
13 DISEASES.

14 SECTION 1316. APPEALABLE ACTIONS.

15 A PERSON AGGRIEVED BY AN ORDER OR OTHER ADMINISTRATIVE ACTION
16 OF THE COMMISSION ISSUED OR TAKEN UNDER THIS ARTICLE MAY, WITHIN
17 10 DAYS FROM ACTUAL OR CONSTRUCTIVE NOTICE OF THE ACTION, APPEAL
18 THE ACTION IN ACCORDANCE WITH 2 PA.C.S. CHS. 5 SUBCH. A
19 (RELATING TO PRACTICE AND PROCEDURE OF COMMONWEALTH AGENCIES)
20 AND 7 SUBCH. A (RELATING TO JUDICIAL REVIEW OF COMMONWEALTH
21 AGENCY ACTION).

22 SECTION 1317. APPLICABILITY.

23 UNLESS CLASSIFIED AS HAZARDOUS BY THE ENVIRONMENTAL QUALITY
24 BOARD, FOOD PROCESSING RESIDUALS UNDER THIS SUBARTICLE:

25 (1) SHALL NOT BE CONSIDERED RESIDUAL WASTE UNDER THE
26 SOLID WASTE MANAGEMENT ACT.

27 (2) ARE NOT SUBJECT TO THE PROVISIONS OF SECTION 501(A)
28 OF THE SOLID WASTE MANAGEMENT ACT.

29 SUBARTICLE C

30 COMMERCIAL FOOD PROCESSING RESIDUALS

1 HAULERS AND BROKERS

2 SECTION 1321. COMMERCIAL FOOD PROCESSING RESIDUALS HAULER AND
3 BROKER CERTIFICATION PROGRAM.

4 (A) DUTIES OF DEPARTMENT.--

5 (1) THE DEPARTMENT SHALL ESTABLISH, IN CONSULTATION WITH
6 THE COMMISSION AND THE BOARD, A COMMERCIAL FOOD PROCESSING
7 RESIDUALS HAULER AND BROKER CERTIFICATION PROGRAM FOR THE
8 PURPOSE OF CERTIFYING PERSONS TO STORE, TRANSFER, TRANSPORT
9 OR LAND-APPLY FOOD PROCESSING RESIDUALS.

10 (2) THE DEPARTMENT SHALL, BY REGULATION, ESTABLISH
11 TERMS, CONDITIONS AND FEES FOR CERTIFICATION AS THE
12 DEPARTMENT DEEMS APPROPRIATE.

13 (3) THE DEPARTMENT SHALL DEVELOP, IN CONSULTATION WITH
14 THE COMMISSION AND THE BOARD, TRAINING, EDUCATIONAL
15 REQUIREMENTS, TESTING AND OTHER CRITERIA AS THE DEPARTMENT
16 DEEMS NECESSARY FOR CERTIFICATION. THE TRAINING SHALL ADDRESS
17 THE FOLLOWING TOPICS:

18 (I) LAWS, REGULATIONS AND ORDERS REGARDING FOOD
19 PROCESSING RESIDUALS USE, STORAGE, TRANSFER, TRANSPORT
20 AND LAND APPLICATION.

21 (II) BEST MANAGEMENT PRACTICES WITH RESPECT TO FOOD
22 PROCESSING RESIDUALS STORAGE, HAULING AND LAND
23 APPLICATION, TRANSPORT SAFETY PROCEDURES, CALIBRATION OF
24 APPLICATION RATES FOR VARIOUS TYPES OF APPLICATION
25 EQUIPMENT, SETBACKS FROM WATER SOURCES AND PROPERTY
26 LINES, FOOD PROCESSING RESIDUALS RUNOFF CONCERNS AND
27 INCORPORATION TECHNIQUES.

28 (III) RECORDKEEPING OBLIGATIONS BY COMMERCIAL FOOD
29 PROCESSING RESIDUALS HAULERS OR COMMERCIAL FOOD
30 PROCESSING RESIDUALS BROKERS NECESSARY TO COMPLY WITH

1 THIS ARTICLE.

2 (B) TRAINING PROGRAM APPROVAL.--THE DEPARTMENT MAY APPROVE
3 TRAINING AND EDUCATION PROGRAMS DEVELOPED BY EDUCATIONAL
4 INSTITUTIONS OR ENTITIES WITHIN THIS COMMONWEALTH THAT SATISFY
5 THE REQUIREMENTS OF THIS SECTION.

6 SECTION 1322. REQUIREMENTS FOR COMMERCIAL FOOD PROCESSING
7 RESIDUALS HAULERS AND COMMERCIAL FOOD PROCESSING
8 RESIDUALS BROKERS.

9 (A) CERTIFICATION REQUIREMENT.--A COMMERCIAL FOOD PROCESSING
10 RESIDUALS HAULER OR COMMERCIAL FOOD PROCESSING RESIDUALS BROKER
11 MAY NOT STORE, TRANSFER, TRANSPORT OR LAND-APPLY FOOD PROCESSING
12 RESIDUALS IN THIS COMMONWEALTH, REGARDLESS OF WHERE THE FOOD
13 PROCESSING RESIDUALS ARE GENERATED, UNLESS THE COMMERCIAL FOOD
14 PROCESSING RESIDUALS HAULER OR COMMERCIAL FOOD PROCESSING
15 RESIDUALS BROKER MEETS ALL OF THE FOLLOWING REQUIREMENTS:

16 (1) HAS SUCCESSFULLY COMPLETED THE CERTIFICATION PROGRAM
17 UNDER SECTION 1321.

18 (2) HAS BEEN ISSUED CERTIFICATION BY THE DEPARTMENT.

19 (3) MAINTAINS CERTIFICATION IN ACCORDANCE WITH THE
20 CERTIFICATION PROGRAM'S REQUIREMENTS.

21 (B) LAND APPLICATION OF FOOD PROCESSING RESIDUALS.--A
22 COMMERCIAL FOOD PROCESSING RESIDUALS HAULER OR COMMERCIAL FOOD
23 PROCESSING RESIDUALS BROKER SHALL LAND-APPLY FOOD PROCESSING
24 RESIDUALS IN ACCORDANCE WITH THIS ARTICLE AND A LAND APPLICATION
25 SYSTEM.

26 (C) STORAGE, TRANSFER AND TRANSPORT OF FOOD PROCESSING
27 RESIDUALS.--A COMMERCIAL FOOD PROCESSING RESIDUALS HAULER OR
28 COMMERCIAL FOOD PROCESSING RESIDUALS BROKER SHALL STORE,
29 TRANSFER AND TRANSPORT FOOD PROCESSING RESIDUALS IN ACCORDANCE
30 WITH THIS ARTICLE.

1 (D) RECORDS.--COMMERCIAL FOOD PROCESSING RESIDUALS HAULERS
2 OR COMMERCIAL FOOD PROCESSING RESIDUALS BROKERS SHALL MAINTAIN
3 RECORDS IN ACCORDANCE WITH THIS ARTICLE OF ALL FOOD PROCESSING
4 RESIDUALS THAT THE COMMERCIAL FOOD PROCESSING RESIDUALS HAULERS
5 OR COMMERCIAL FOOD PROCESSING RESIDUALS BROKERS STORE, BROKER,
6 TRANSPORT OR LAND-APPLY. RECORDS SHALL BE RETAINED FOR THREE
7 YEARS AND SHALL BE MADE AVAILABLE UPON REQUEST OF THE
8 DEPARTMENT.

9 SECTION 1323. ADMINISTRATIVE PENALTIES.

10 (A) PENALTIES.--IN ADDITION TO ANY OTHER REMEDY AVAILABLE AT
11 LAW OR IN EQUITY FOR A VIOLATION OF THIS SUBARTICLE, THE
12 DEPARTMENT MAY ASSESS AN ADMINISTRATIVE PENALTY OF UP TO \$1,000
13 FOR THE FIRST DAY OF A VIOLATION OF THIS SUBARTICLE AND \$500 FOR
14 EACH DAY THE VIOLATION CONTINUES. IN DETERMINING THE PENALTY
15 AMOUNT, THE DEPARTMENT SHALL CONSIDER THE FOLLOWING FACTORS:

16 (1) THE SERIOUSNESS OF THE VIOLATION.

17 (2) THE POTENTIAL HARM TO THE PUBLIC.

18 (3) THE POTENTIAL EFFECT ON THE ENVIRONMENT.

19 (4) THE WILLFULNESS OF THE VIOLATION.

20 (5) PREVIOUS VIOLATIONS.

21 (6) THE ECONOMIC BENEFIT DERIVED BY THE VIOLATOR FOR
22 NONCOMPLIANCE WITH THIS SUBARTICLE.

23 (B) WARNING IN LIEU OF PENALTY.--IF THE DEPARTMENT FINDS
24 THAT THE VIOLATION DOES NOT CAUSE HARM TO HUMAN HEALTH OR AN
25 ADVERSE EFFECT ON THE ENVIRONMENT, THE DEPARTMENT MAY ISSUE A
26 WARNING IN LIEU OF AN ADMINISTRATIVE PENALTY IF THE VIOLATOR,
27 UPON NOTICE, TAKES IMMEDIATE ACTION TO CORRECT THE VIOLATION AND
28 COMPLIES WITH THIS SUBARTICLE.

29 (C) APPEALS.--A PERSON AGGRIEVED BY THE ASSESSMENT OF AN
30 ADMINISTRATIVE PENALTY MAY APPEAL A PENALTY TO THE SECRETARY

1 WITHIN 10 DAYS OF THE DATE OF THE PENALTY ASSESSMENT. THE
2 SECRETARY SHALL ISSUE A DECISION ON THE APPEAL WITHIN 90 DAYS OF
3 THE APPEAL. IF A DECISION IS NOT ISSUED BY THE SECRETARY WITHIN
4 THE TIME PERIOD SPECIFIED UNDER THIS PARAGRAPH, THE ASSESSMENT
5 OF THE PENALTY SHALL BE DEEMED WITHDRAWN. APPEALS UNDER THIS
6 SUBSECTION SHALL BE GOVERNED BY 2 PA.C.S. CHS. 5 SUBCH. A
7 (RELATING TO PRACTICE AND PROCEDURE OF COMMONWEALTH AGENCIES)
8 AND 7 SUBCH. A (RELATING TO JUDICIAL REVIEW OF LOCAL AGENCY
9 ACTION).

10 (D) COLLECTION.--IF THE DEPARTMENT IS UNABLE TO COLLECT AN
11 ADMINISTRATIVE PENALTY ASSESSED UNDER SUBSECTION (A) OR A PERSON
12 FAILS TO PAY ALL OR A PORTION OF THE PENALTY, THE DEPARTMENT MAY
13 REFER THE MATTER TO THE OFFICE OF GENERAL COUNSEL OR THE OFFICE
14 OF ATTORNEY GENERAL, WHICH MAY INSTITUTE AN ACTION IN A COURT OF
15 COMPETENT JURISDICTION TO RECOVER THE PENALTY. A PENALTY
16 ASSESSED FOR A VIOLATION OF THIS SUBARTICLE MAY OPERATE AS A
17 LIEN ON THE PROPERTY OF THE PERSON AGAINST WHOM THE PENALTY HAS
18 BEEN ASSESSED.

19 SECTION 1324. ENFORCEMENT ORDERS AND SUSPENSION OR REVOCATION
20 OF CERTIFICATION.

21 (A) ORDERS.--THE DEPARTMENT MAY ISSUE ORDERS NECESSARY TO
22 ENFORCE THIS SUBARTICLE. ORDERS SHALL TAKE EFFECT UPON NOTICE
23 UNLESS OTHERWISE SPECIFIED.

24 (B) SUSPENSION OR REVOCATION.--THE DEPARTMENT MAY SUSPEND OR
25 REVOKE CERTIFICATION OF A COMMERCIAL FOOD PROCESSING RESIDUALS
26 HAULER OR COMMERCIAL FOOD PROCESSING RESIDUALS BROKER UPON
27 FINDING THAT THE COMMERCIAL FOOD PROCESSING RESIDUALS HAULER OR
28 COMMERCIAL FOOD PROCESSING RESIDUALS BROKER HAS FAILED TO COMPLY
29 OR CONTINUES NONCOMPLIANCE WITH ANY OF THE FOLLOWING:

30 (1) A PROVISION OF THIS SUBARTICLE.

1 (2) CERTIFICATION CRITERIA OR REQUIREMENTS.

2 (3) A REGULATION PROMULGATED UNDER THIS SUBARTICLE.

3 (4) AN ORDER ISSUED UNDER THIS SUBARTICLE.

4 (C) APPEALS.--A PERSON MAY APPEAL AN ORDER, SUSPENSION OR
5 REVOCATION UNDER THIS SUBARTICLE TO THE SECRETARY WITHIN 10 DAYS
6 OF THE DATE OF THE ORDER, SUSPENSION OR REVOCATION. THE
7 SECRETARY SHALL ISSUE A DECISION ON THE APPEAL WITHIN 90 DAYS OF
8 THE APPEAL. IF A DECISION IS NOT ISSUED BY THE SECRETARY WITHIN
9 THE TIME PERIOD SPECIFIED UNDER THIS PARAGRAPH, THE ORDER,
10 SUSPENSION OR REVOCATION SHALL BE DEEMED WITHDRAWN. APPEALS
11 SHALL BE GOVERNED BY 2 PA.C.S. CHS. 5 SUBCH. A (RELATING TO
12 PRACTICE AND PROCEDURE OF COMMONWEALTH AGENCIES) AND 7 SUBCH. A
13 (RELATING TO JUDICIAL REVIEW OF COMMONWEALTH AGENCY ACTION).
14 SECTION 1325. TEMPORARY RULEMAKING AUTHORITY.

15 (A) PROMULGATION.--IN ORDER TO FACILITATE THE PROMPT
16 IMPLEMENTATION OF SECTION 1321, THE DEPARTMENT SHALL PROMULGATE
17 TEMPORARY REGULATIONS THAT SHALL EXPIRE NO LATER THAN THREE
18 YEARS FOLLOWING THE PUBLICATION OF THE TEMPORARY REGULATIONS.
19 THE DEPARTMENT MAY PROMULGATE TEMPORARY REGULATIONS NOT SUBJECT
20 TO:

21 (1) SECTIONS 201, 202, 203, 204 AND 205 OF THE ACT OF
22 JULY 31, 1968 (P.L.769, NO.240), REFERRED TO AS THE
23 COMMONWEALTH DOCUMENTS LAW.

24 (2) SECTION 204(B) OF THE ACT OF OCTOBER 15, 1980
25 (P.L.950, NO.164), KNOWN AS THE COMMONWEALTH ATTORNEYS ACT.

26 (3) THE ACT OF JUNE 25, 1982 (P.L.633, NO.181), KNOWN AS
27 THE REGULATORY REVIEW ACT.

28 (B) EXPIRATION.--THE DEPARTMENT'S AUTHORITY TO ADOPT
29 TEMPORARY REGULATIONS UNDER SUBSECTION (A) SHALL EXPIRE TWO
30 YEARS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION. REGULATIONS

1 ADOPTED AFTER THIS PERIOD SHALL BE PROMULGATED AS PROVIDED BY
2 LAW BEFORE THE EXPIRATION OF THE TEMPORARY REGULATIONS UNDER
3 SUBSECTION (A).

4 SUBARTICLE D

5 MISCELLANEOUS PROVISIONS

6 SECTION 1331. UNLAWFUL CONDUCT.

7 IT SHALL BE UNLAWFUL TO VIOLATE, CAUSE OR ASSIST IN THE
8 VIOLATION OF ANY OF THE FOLLOWING:

9 (1) A PROVISION OF THIS ARTICLE.

10 (2) A REGULATION PROMULGATED UNDER THIS ARTICLE.

11 (3) AN ORDER ISSUED UNDER THIS ARTICLE.

12 SECTION 1332. CIVIL REMEDIES.

13 (A) ACTION AT LAW.--THE OFFICE OF GENERAL COUNSEL MAY
14 INSTITUTE AN ACTION AT LAW IN A COURT OF COMPETENT JURISDICTION
15 TO RECOVER DAMAGES FOR A VIOLATION OF THIS ARTICLE, A REGULATION
16 PROMULGATED UNDER THIS ARTICLE OR AN ORDER ISSUED UNDER THIS
17 ARTICLE.

18 (B) ACTION IN EQUITY.--THE OFFICE OF GENERAL COUNSEL MAY
19 INSTITUTE AN ACTION IN EQUITY IN A COURT OF COMPETENT
20 JURISDICTION TO RESTRAIN A VIOLATION OF THIS ARTICLE, A
21 REGULATION PROMULGATED UNDER THIS ARTICLE OR AN ORDER ISSUED
22 UNDER THIS ARTICLE. IN A PROCEEDING UNDER THIS SUBSECTION, THE
23 FOLLOWING SHALL APPLY:

24 (1) THE COURT MAY FIX A REASONABLE TIME DURING WHICH THE
25 DEFENDANT MAY MAKE PROVISION FOR THE ABATEMENT OF THE
26 VIOLATION.

27 (2) THE COURT MAY ISSUE A PRELIMINARY OR SPECIAL
28 INJUNCTION OR TEMPORARY RESTRAINING ORDER WHERE CIRCUMSTANCES
29 WARRANT OR PUBLIC HEALTH IS ENDANGERED.

30 (3) THE COURT SHALL ISSUE A PRELIMINARY INJUNCTION UPON

1 FINDING THAT THE DEFENDANT IS ENGAGING IN UNLAWFUL CONDUCT
2 PROHIBITED UNDER THIS ARTICLE OR IS CAUSING IMMEDIATE OR
3 IRREPARABLE HARM TO THE PUBLIC.

4 (4) THE COMMONWEALTH SHALL NOT BE REQUIRED TO FURNISH
5 BOND.

6 (5) THE COURT MAY GRANT EQUITABLE RELIEF IN ADDITION TO
7 DAMAGES UNDER SUBSECTION (A).

8 SECTION 1333. POWERS RESERVED UNDER EXISTING LAWS.

9 (A) RESERVATION.--NOTHING IN THIS ARTICLE SHALL BE CONSTRUED
10 TO LIMIT THE POWERS OF THE DEPARTMENT, THE COMMISSION OR THE
11 DEPARTMENT OF ENVIRONMENTAL PROTECTION UNDER OTHER STATE LAWS,
12 INCLUDING THE ACT OF JUNE 22, 1937 (P.L.1987, NO.394), KNOWN AS
13 THE CLEAN STREAMS LAW, THE SOLID WASTE MANAGEMENT ACT AND COMMON
14 LAW.

15 (B) JUDICIAL JURISDICTION.--A COURT EXERCISING EQUITABLE
16 JURISDICTION IN ACCORDANCE WITH SECTION 1332(B) SHALL NOT BE
17 DEPRIVED OF JURISDICTION EVEN THOUGH A NUISANCE OR CONDITION
18 DETRIMENTAL TO PUBLIC HEALTH IS SUBJECT TO REGULATION OR OTHER
19 ACTION BY THE COMMISSION, DEPARTMENT OF ENVIRONMENTAL PROTECTION
20 OR THE DEPARTMENT UNDER THIS ARTICLE.

21 SECTION 1334. PREEMPTION OF LOCAL ORDINANCES.

22 THIS ARTICLE IS OF STATEWIDE CONCERN, OCCUPIES THE WHOLE
23 FIELD OF REGULATION REGARDING THE USE OF FOOD PROCESSING
24 RESIDUALS IN NORMAL FARMING OPERATIONS AND THE CERTIFICATION OF
25 AND THE REQUIREMENTS UNDER SECTION 1322 AND PREEMPTS ALL LOCAL
26 ORDINANCES AND REGULATIONS GOVERNING THE USE OF FOOD PROCESSING
27 RESIDUALS IN NORMAL FARMING OPERATIONS AND THE CERTIFICATION OR
28 REGULATION OF COMMERCIAL FOOD PROCESSING RESIDUALS HAULERS AND
29 COMMERCIAL FOOD PROCESSING RESIDUALS BROKERS.

30 SECTION 1335. MITIGATION.

1 (A) OPERATOR COMPLIANCE AS MITIGATING FACTOR.--AN
2 AGRICULTURAL OPERATOR USING FOOD PROCESSING RESIDUALS IN THE
3 COURSE OF A NORMAL FARMING OPERATION THAT IS IN COMPLIANCE WITH
4 ALL APPLICABLE PROVISIONS OF THIS ARTICLE, REGULATIONS
5 PROMULGATED UNDER THIS ARTICLE AND ORDERS ISSUED UNDER THIS
6 ARTICLE SHALL BE AFFORDED APPROPRIATE CONSIDERATION AS A
7 MITIGATING FACTOR IN ANY ACTION ARISING FROM THE USE OF FOOD
8 PROCESSING RESIDUALS IN A NORMAL FARMING OPERATION.

9 (B) HAULER OR BROKER COMPLIANCE AS MITIGATING FACTOR.--A
10 COMMERCIAL FOOD PROCESSING RESIDUALS HAULER OR COMMERCIAL FOOD
11 PROCESSING RESIDUALS BROKER THAT IS PROPERLY CERTIFIED UNDER
12 THIS ARTICLE AND IN COMPLIANCE WITH ALL APPLICABLE PROVISIONS OF
13 THIS ARTICLE, REGULATIONS PROMULGATED UNDER THIS ARTICLE AND
14 ORDERS ISSUED UNDER THIS ARTICLE SHALL BE AFFORDED APPROPRIATE
15 CONSIDERATION AS A MITIGATING FACTOR IN ANY ACTION ARISING FROM
16 THE STORAGE, TRANSFER, TRANSPORT OR LAND APPLICATION OF FOOD
17 PROCESSING RESIDUALS IN A NORMAL FARMING OPERATION BY THE
18 COMMERCIAL FOOD PROCESSING RESIDUALS HAULER OR COMMERCIAL FOOD
19 PROCESSING RESIDUALS BROKER.

20 SECTION 1336. FUNDING.

21 THE FOLLOWING APPLY:

22 (1) FUNDING FROM THE NUTRIENT MANAGEMENT FUND
23 ESTABLISHED UNDER 3 PA.C.S. § 512 (RELATING TO NUTRIENT
24 MANAGEMENT FUND) MAY BE USED TO IMPLEMENT THE PROVISIONS OF
25 THIS ARTICLE.

26 (2) ALL FEES AND PENALTIES UNDER THIS ARTICLE SHALL BE
27 DISPOSED OF IN ACCORDANCE WITH 3 PA.C.S. § 2384 (RELATING TO
28 DISPOSITION OF FEES, FINES AND CIVIL PENALTIES).

29 SECTION 6.1. SECTION 1602-D.1 OF THE ACT IS AMENDED TO READ:
30 SECTION 1602-D.1. FINANCIAL RECOVERY.

1 (A) MODERATE AND SEVERE DISTRESS.--AS OF THE DATE OF THE
2 TERMINATION OF DISTRESSED STATUS UNDER THE PROVISIONS OF THE ACT
3 OF JULY 10, 1987 (P.L.246, NO.47), KNOWN AS THE MUNICIPALITIES
4 FINANCIAL RECOVERY ACT, A CITY OF THE SECOND CLASS A THAT IS
5 LEVYING, OR HAD BEEN AUTHORIZED TO LEVY WITHIN THE PREVIOUS
6 THREE FISCAL YEARS, A LOCAL SERVICES TAX IN EXCESS OF \$52 IN
7 ACCORDANCE WITH THE MUNICIPALITIES FINANCIAL RECOVERY ACT, MAY,
8 UPON THE TERMINATION OF DISTRESSED STATUS, LEVY, WITHOUT COURT
9 APPROVAL, THE LOCAL SERVICES TAX AT A RATE WHICH DOES NOT EXCEED
10 \$156 PER YEAR, IF A PENSION SYSTEM OF THE MUNICIPALITY IS IN
11 MODERATE DISTRESS OR SEVERE DISTRESS AS DEFINED BY SECTION
12 503(D) OF THE ACT OF DECEMBER 18, 1984 (P.L.1005, NO.205), KNOWN
13 AS THE MUNICIPAL PENSION PLAN FUNDING STANDARD AND RECOVERY ACT,
14 AND THE AMOUNT IN EXCESS OF \$52 IS USED SOLELY TO DEFRAY THE
15 MUNICIPALITY'S UNFUNDED ACTUARIAL ACCRUED PENSION LIABILITY. A
16 LOCAL SERVICES TAX IN EXCESS OF \$52 MAY NOT BE LEVIED IN THE
17 SAME YEAR THAT THE INCOME OF NONRESIDENTS IS SUBJECT TO A TAX
18 ABOVE MAXIMUM RATES AS PROVIDED IN SECTION 607(F) OF THE
19 MUNICIPAL PENSION PLAN FUNDING STANDARD AND RECOVERY ACT.

20 (B) MINIMAL DISTRESS.--A CITY OF THE SECOND CLASS A THAT
21 PREVIOUSLY TERMINATED DISTRESSED STATUS UNDER THE MUNICIPALITIES
22 FINANCIAL RECOVERY ACT AND IS LEVYING, OR HAD BEEN AUTHORIZED TO
23 LEVY WITHIN THE PREVIOUS THREE FISCAL YEARS, A LOCAL SERVICES
24 TAX IN EXCESS OF \$52 IN ACCORDANCE WITH THE MUNICIPALITIES
25 FINANCIAL RECOVERY ACT OR SUBSECTION (A), MAY LEVY, WITHOUT
26 COURT APPROVAL, THE LOCAL SERVICES TAX AT A RATE WHICH DOES NOT
27 EXCEED \$156 PER YEAR, IF A PENSION SYSTEM OF THE MUNICIPALITY IS
28 IN MINIMAL DISTRESS AS DEFINED BY SECTION 503(D) OF THE
29 MUNICIPAL PENSION PLAN FUNDING STANDARD AND RECOVERY ACT, AND
30 THE AMOUNT IN EXCESS OF \$52 IS USED SOLELY TO DEFRAY THE

MUNICIPALITY'S UNFUNDED ACTUARIAL ACCRUED PENSION LIABILITY. A
LOCAL SERVICES TAX IN EXCESS OF \$52 MAY NOT BE LEVIED IN THE
SAME YEAR THAT THE INCOME OF NONRESIDENTS IS SUBJECT TO A TAX
ABOVE MAXIMUM RATES AS PROVIDED IN SECTION 607(F) OF THE
MUNICIPAL PENSION PLAN FUNDING STANDARD AND RECOVERY ACT. IN NO
EVENT SHALL A MUNICIPALITY THAT HAS NO PENSION SYSTEM IN
DISTRESS LEVY UNDER THIS SUBSECTION A LOCAL SERVICES TAX IN
EXCESS OF \$52 FOR MORE THAN THREE FULL CALENDAR YEARS AFTER ITS
PENSION SYSTEMS ARE DECLARED MINIMALLY DISTRESSED.

SECTION 7. SECTION 1601.2-E(E) (1) (II) OF THE ACT, AMENDED
NOVEMBER 12, 2025 (P.L.156, NO.45), IS AMENDED TO READ:
SECTION 1601.2-E. OIL AND GAS LEASE FUND.

* * *

(E) ANNUAL TRANSFERS.--THE FOLLOWING APPLY:

(1) * * *

(II) NO AMOUNT SHALL BE TRANSFERRED FROM THE FUND TO
THE MARCELLUS LEGACY FUND FOR DISTRIBUTION TO THE
ENVIRONMENTAL STEWARDSHIP FUND FOR THE 2019-2020, 2020-
2021, 2021-2022, 2022-2023, 2023-2024, 2024-2025 [AND],
2025-2026 AND 2026-2027 FISCAL YEAR.

* * *

SECTION 8. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:
SECTION 1609.1-E. DEEP WELLS AND UTICA SHALE PERMITS.

NOTWITHSTANDING SECTION 6 OF THE ACT OF JULY 25, 1961
(P.L.825, NO.359), KNOWN AS THE OIL AND GAS CONSERVATION LAW,
BEFORE DRILLING A WELL THAT IS TO PENETRATE THE ONONDAGA OR
DEEPER HORIZONS OR A DEPTH OF 3,800 FEET, WHICHEVER IS DEEPER,
AND THAT IS INTENDED TO PRODUCE PRIMARILY FROM THE UTICA SHALE
FORMATION OR A DEEPER FORMATION AND NO SPACING ORDER HAS BEEN
ENTERED AND NO APPLICATION IS PENDING, THE SETBACK DISTANCE OF

THREE HUNDRED AND THIRTY FEET FROM THE NEAREST OUTSIDE BOUNDARY
LINE OF THE LEASE SHALL BE WAIVED. THE WELL OPERATOR SHALL
OBTAIN A PERMIT AND THE APPLICATION SHALL, AT A MINIMUM, INCLUDE
A PLAT PREPARED ON A FORM DEVELOPED BY THE DEPARTMENT OF
ENVIRONMENTAL PROTECTION.

SECTION 1611-E. WELL PLUGGING.

(A) CEMENT PLUG AT ATTAINABLE BOTTOM.--IN ORDER TO COMPLY
WITH 58 PA.C.S. § 3220(A) (RELATING TO PLUGGING REQUIREMENTS),
THE DEPARTMENT SHALL REQUIRE, AT A MINIMUM, THAT A CEMENT PLUG
OF AT LEAST 50 FEET BE SET AT THE ATTAINABLE BOTTOM OF THE WELL
BORE, THE DEPTH AND EFFICACY OF THE PLUG BE CONFIRMED AND THE
REMAINING WELL BORE BE PLUGGED TO THE SURFACE WITH A SOLID
COLUMN OF CEMENT.

(B) REQUIREMENTS FOR EACH WELL PLUGGED TO ATTAINABLE
BOTTOM.--FOR EACH WELL PLUGGED TO ATTAINABLE BOTTOM WITH
REASONABLE EFFORT, THE OPERATOR SHALL:

(1) WITHIN 90 DAYS OF PLUGGING THE WELL, SUBMIT A REPORT
TO THE DEPARTMENT THAT INCLUDES A SUMMARY OF THE SPECIFIC
TECHNICAL REASONS WHY FURTHER CLEANOUT WAS NOT POSSIBLE AND
WHAT CLEANOUT METHODS WERE ATTEMPTED.

(2) COMPLETE A MINIMUM OF ONE POST-PLUGGING MONITORING
EVENT TO ASSESS FOR THE VERTICAL FLOW OF FLUIDS OR GAS WITHIN
THE WELL BORE PRIOR TO FINAL SITE RESTORATION. THE EVENT
SHALL BE PLANNED TO MAXIMIZE THE AMOUNT OF TIME ELAPSED
BETWEEN THE COMPLETION OF PLUGGING THE WELL AND FINAL
RESTORATION OF THE SITE. ANY EVIDENCE OF VERTICAL FLOW OF
FLUIDS OR GAS WITHIN THE WELL BORE MUST BE REPORTED
IMMEDIATELY TO THE DEPARTMENT.

(C) REGULATIONS.--THE ENVIRONMENTAL QUALITY BOARD SHALL
PROMULGATE REGULATIONS SPECIFIC TO REASONABLE EFFORT FOR ALL

1 OTHER PLUGGING SCENARIOS NOT ADDRESSED IN THIS SECTION WITHIN 18
2 MONTHS OF THE EFFECTIVE DATE OF THIS SUBSECTION. THE REGULATIONS
3 SHALL SPECIFY METHODS OF DETERMINING THE APPROPRIATE EQUIPMENT,
4 TOOLS AND PRUDENT INDUSTRY PRACTICES FOR THE PURPOSE OF
5 DEMONSTRATING ATTAINABLE BOTTOM.

6 (D) REASONABLE EFFORT REQUIRED FOR CERTAIN WELLS.--AN
7 OPERATOR SHALL MAKE A REASONABLE EFFORT TO ACHIEVE AN ATTAINABLE
8 BOTTOM FOR EACH OF THE FOLLOWING TYPES OF WELLS:

9 (1) ORPHAN WELLS, SO LONG AS THE ORPHAN WELL IS NOT
10 DRILLED INTO OR THROUGH A GAS STORAGE RESERVOIR OR RESERVOIR
11 PROTECTIVE AREA.

12 (2) ABANDONED WELLS, SO LONG AS THE DEPARTMENT HAS
13 DETERMINED THAT NO VIABLE RESPONSIBLE PARTY HAS STIPULATED
14 THAT THE ABANDONED WELL IS NOT DRILLED INTO OR THROUGH A GAS
15 STORAGE RESERVOIR OR RESERVOIR PROTECTIVE AREA.

16 (3) ORPHAN AND ABANDONED WELLS, SO LONG AS THE ORPHAN
17 AND ABANDONED WELL IS THE SUBJECT OF A PLUGGING ORDER UNDER
18 SECTION 13(C) OF THE ACT OF DECEMBER 18, 1984 (P.L.1069,
19 NO.214), KNOWN AS THE COAL AND GAS RESOURCE COORDINATION ACT.

20 (E) EVALUATION EVERY THREE YEARS.--TO EVALUATE THE
21 EFFECTIVENESS OF USING REASONABLE EFFORT TO PLUG CERTAIN WELLS
22 UNDER THIS SECTION, EVERY THREE YEARS FOLLOWING THE EFFECTIVE
23 DATE OF THIS SUBSECTION, THE DEPARTMENT SHALL SUBMIT TO THE
24 GENERAL ASSEMBLY A REPORT THAT INCLUDES:

25 (1) THE OCCURRENCE OF PLUG FAILURES AT WELLS PLUGGED TO
26 ATTAINABLE BOTTOM WITH REASONABLE EFFORT.

27 (2) ENVIRONMENTAL, HEALTH OR SAFETY INCIDENTS ASSOCIATED
28 WITH WELLS PLUGGED TO ATTAINABLE BOTTOM WITH REASONABLE
29 EFFORT.

30 (3) FINANCIAL LIABILITIES INCURRED BY THE DEPARTMENT

1 THAT ARE A DIRECT RESULT OF WELLS PLUGGED TO ATTAINABLE
2 BOTTOM WITH REASONABLE EFFORT.

3 (F) WAIVERS.--THE ACTIVITIES CONDUCTED WITHIN 300 FEET
4 (91.44 METERS) OF OCCUPIED DWELLINGS THAT CONSIST OF THE
5 PLUGGING, ABANDONMENT, REMEDIATION OR SECURING OF AN OIL OR GAS
6 WELL, INCLUDING ASSOCIATED ACCESS, SITE PREPARATION AND RELATED
7 WORK, CONDUCTED PURSUANT TO THE OIL AND GAS ACT, THE COAL AND
8 GAS RESOURCE COORDINATION ACT OR OTHER APPLICABLE LAWS OR ORDERS
9 OF THE DEPARTMENT SHALL NOT BE CONSIDERED SURFACE MINING
10 OPERATIONS, REGARDLESS OF WHETHER THE ACTIVITIES OCCUR ON LANDS
11 SUBJECT TO A MINING PERMIT, ARE UNDERTAKEN IN ADVANCE OF OR
12 CONCURRENT WITH MINING, OR FACILITATE THE FUTURE EXTRACTION OF
13 COAL.

14 (G) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
15 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
16 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

17 "ABANDONED WELL." AS DEFINED UNDER 58 PA.C.S. § 3203
18 (RELATING TO DEFINITIONS).

19 "ATTAINABLE BOTTOM." THE DEPTH, APPROVED BY THE DEPARTMENT,
20 THAT CAN BE ACHIEVED AFTER A REASONABLE EFFORT MADE IN GOOD
21 FAITH IS EXPENDED TO CLEAN OUT TO THE TOTAL DEPTH.

22 "DEPARTMENT." THE DEPARTMENT OF ENVIRONMENTAL PROTECTION OF
23 THE COMMONWEALTH.

24 "OPERATOR." AS DEFINED UNDER 58 PA.C.S. § 3203.

25 "ORPHAN WELL." AS DEFINED UNDER 58 PA.C.S. § 3203.

26 "REASONABLE EFFORT." IN RELATION TO AN OPERATOR'S ACTION TO
27 ACHIEVE AN ATTAINABLE BOTTOM, AN ACTION THAT CLEANS OUT A WELL
28 TO AT LEAST 200 FEET BELOW THE COAL PROTECTIVE CASING OR, IF NO
29 COAL PROTECTIVE CASING IS PRESENT, THE COAL SEAM OR SURFACE
30 CASING, WHICHEVER IS DEEPER, AND CONTINUES TO CLEAN OUT THE WELL

1 UNTIL AN ADDITIONAL 100 FEET OF WELL BORE CANNOT BE CLEANED OUT
2 WITHIN TWO EIGHT-HOUR WORK SHIFTS OR THE TOTAL DEPTH OF THE WELL
3 IS REACHED.

4 "TOTAL DEPTH." THE DEPTH TO WHICH A WELL WAS ORIGINALLY
5 DRILLED OR SUBSEQUENTLY DRILLED OR THE DEPTH TO WHICH IT WAS
6 PLUGGED PREVIOUSLY IN A MANNER APPROVED BY THE DEPARTMENT.

7 SECTION 9. THE ACT IS AMENDED BY ADDING ARTICLES TO READ:

8 ARTICLE XVI-H.1

9 MANUFACTURING AND INVESTMENT TAX CREDIT

10 SECTION 1601-H.1. DEFINITIONS.

11 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
12 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
13 CONTEXT CLEARLY INDICATES OTHERWISE:

14 "CLOSING DATE." AS DEFINED IN SECTION 1822-G OF THE TAX
15 REFORM CODE.

16 "CREDIT-ELIGIBLE CAPITAL CONTRIBUTION." AN INVESTMENT OF
17 CASH BY A BUSINESS FIRM IN A RURAL GROWTH FUND THAT EQUALS THE
18 AMOUNT SPECIFIED ON A TAX CREDIT CERTIFICATE ISSUED BY THE
19 DEPARTMENT UNDER SECTION 1829-G OF THE TAX REFORM CODE. THE
20 INVESTMENT SHALL PURCHASE AN EQUITY INTEREST IN THE RURAL GROWTH
21 FUND OR PURCHASE, AT PAR VALUE OR PREMIUM, A DEBT INSTRUMENT
22 THAT HAS A MATURITY DATE AT LEAST FIVE YEARS FROM THE CLOSING
23 DATE.

24 "DEPARTMENT." THE DEPARTMENT OF COMMUNITY AND ECONOMIC
25 DEVELOPMENT OF THE COMMONWEALTH.

26 "INVESTMENT AUTHORITY." THE AMOUNT STATED ON THE NOTICE
27 ISSUED UNDER SECTION 1824-G OF THE TAX REFORM CODE APPROVING THE
28 RURAL GROWTH FUND.

29 "PROGRAM ONE TAX CREDIT AUTHORITY." INVESTMENT AUTHORITY
30 ISSUED BY THE DEPARTMENT BEFORE JANUARY 1, 2024.

1 "PROGRAM TWO TAX CREDIT AUTHORITY." INVESTMENT AUTHORITY
2 ISSUED BY THE DEPARTMENT ON OR AFTER JANUARY 1, 2024.

3 "RURAL GROWTH FUND." AN ENTITY APPROVED BY THE DEPARTMENT
4 UNDER SECTION 1824-G OF THE TAX REFORM CODE.

5 "TAX CREDIT." THE RURAL JOBS AND INVESTMENT TAX CREDIT
6 PROVIDED UNDER PART II OF ARTICLE XVIII-G OF THE TAX REFORM
7 CODE.

8 "TAX REFORM CODE." THE ACT OF MARCH 4, 1971 (P.L.6, NO.2),
9 KNOWN AS THE TAX REFORM CODE OF 1971.

10 SECTION 1602-H.1. LIMITATIONS.

11 NOTWITHSTANDING SECTION 1828-G(C) OF THE TAX REFORM CODE, THE
12 DEPARTMENT MAY NOT APPROVE MORE THAN \$60,000,000 IN CREDIT-
13 ELIGIBLE CAPITAL CONTRIBUTIONS.

14 SECTION 1603-H.1. TAX CREDIT CERTIFICATES.

15 (A) APPLICATION.--NOTWITHSTANDING SECTION 1829-G(A) OF THE
16 TAX REFORM CODE, THE FOLLOWING SHALL APPLY:

17 (1) WITH RESPECT TO PROGRAM ONE TAX CREDIT AUTHORITY,
18 THE APPLICATION UNDER SECTION 1829-G(A) OF THE TAX REFORM
19 CODE SHALL BE FILED NO LATER THAN FEBRUARY 1 FOR CREDIT-
20 ELIGIBLE CAPITAL CONTRIBUTIONS MADE IN THE PRECEDING CALENDAR
21 YEAR.

22 (2) WITH RESPECT TO PROGRAM TWO TAX CREDIT AUTHORITY,
23 THE APPLICATION UNDER SECTION 1829-G(A) OF THE TAX REFORM
24 CODE SHALL BE FILED NO LATER THAN FEBRUARY 1 FOR CREDIT-
25 ELIGIBLE CAPITAL CONTRIBUTIONS MADE IN THE PRECEDING CALENDAR
26 YEAR.

27 (B) REVIEW, RECOMMENDATION AND APPROVAL.--NOTWITHSTANDING
28 SECTION 1829-G(B) OF THE TAX REFORM CODE, THE DEPARTMENT:

29 (1) BEGINNING WITH FISCAL YEAR 2020-2021, MAY NOT AWARD
30 TAX CREDIT CERTIFICATES THAT WOULD RESULT IN THE UTILIZATION

1 OF MORE THAN \$12,000,000 IN TAX CREDITS IN ANY FISCAL YEAR,
2 EXCEPT FOR TAX CREDITS CARRIED FORWARD.

3 (2) MAY NOT AWARD MORE THAN \$60,000,000 IN TAX CREDIT
4 CERTIFICATES, IN THE AGGREGATE, UNDER PART II OF ARTICLE
5 XVIII-G OF THE TAX REFORM CODE.

6 ARTICLE XVI-H.2

7 INNOVATE IN PA 2.0 TAX CREDIT

8 SECTION 1601-H.2. SCOPE OF ARTICLE.

9 THIS ARTICLE RELATES TO THE INNOVATE IN PA 2.0 TAX CREDIT.

10 SECTION 1602-H.2. DEFINITIONS.

11 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
12 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
13 CONTEXT CLEARLY INDICATES OTHERWISE:

14 "CAPITAL." THE AMOUNT OF MONEY THAT A PURCHASER INVESTS
15 UNDER THE INNOVATE IN PA 2.0 PROGRAM.

16 "DEPARTMENT." THE DEPARTMENT OF COMMUNITY AND ECONOMIC
17 DEVELOPMENT OF THE COMMONWEALTH.

18 "DEVELOPMENT AUTHORITY." THE BEN FRANKLIN TECHNOLOGY
19 DEVELOPMENT AUTHORITY CREATED UNDER SECTION 3 OF THE ACT OF JUNE
20 22, 2001 (P.L.569, NO.38), KNOWN AS THE BEN FRANKLIN TECHNOLOGY
21 DEVELOPMENT AUTHORITY ACT.

22 "FUND." THE INNOVATE IN PA 2.0 FUND.

23 "INSURANCE PREMIUMS TAX LIABILITY." ANY LIABILITY INCURRED
24 BY AN INSURANCE COMPANY UNDER ARTICLE IX OF THE TAX REFORM CODE
25 OF 1971.

26 "PROGRAM." THE INNOVATE IN PA 2.0 PROGRAM.

27 "QUALIFIED TAXPAYER." ANY OF THE FOLLOWING THAT HAVE
28 INSURANCE PREMIUMS TAX LIABILITY AND CONTRIBUTE CAPITAL TO
29 PURCHASE PREMIUMS TAX CREDITS UNDER THIS ARTICLE:

30 (1) AN INSURANCE COMPANY AUTHORIZED TO DO BUSINESS IN

1 THIS COMMONWEALTH.

2 (2) A HOLDING COMPANY THAT HAS AT LEAST ONE INSURANCE
3 COMPANY SUBSIDIARY AUTHORIZED TO DO BUSINESS IN THIS
4 COMMONWEALTH.

5 "RECIPIENT." AN ENTITY THAT RECEIVES A DISTRIBUTION OF FUNDS
6 UNDER SECTION 1610-H.2(C).

7 "TAX CREDIT." A CREDIT AGAINST INSURANCE PREMIUMS TAX
8 LIABILITY OFFERED TO OR HELD BY A QUALIFIED TAXPAYER UNDER THIS
9 ARTICLE.

10 "TAX REFORM CODE OF 1971." THE ACT OF MARCH 4, 1971 (P.L.6,
11 NO.2), KNOWN AS THE TAX REFORM CODE OF 1971.
12 SECTION 1603-H.2. TAX CREDIT.

13 A QUALIFIED TAXPAYER MAY PURCHASE TAX CREDITS FROM THE
14 DEPARTMENT IN ACCORDANCE WITH THIS ARTICLE AND MAY APPLY THE TAX
15 CREDITS AGAINST ITS INSURANCE PREMIUMS TAX LIABILITY IN
16 ACCORDANCE WITH THIS ARTICLE.
17 SECTION 1604-H.2. DUTIES.

18 (A) SALE OF TAX CREDITS.--THE DEPARTMENT SHALL HAVE THE
19 AUTHORITY TO SELL UP TO \$125,000,000 IN TAX CREDITS TO QUALIFIED
20 TAXPAYERS. THE SALE OF THE TAX CREDITS SHALL BE IN ACCORDANCE
21 WITH SECTION 1607-H.2.

22 (B) TIME OF SALE.--THE SALE AUTHORIZED UNDER SUBSECTION (A)
23 MAY NOT OCCUR BEFORE OCTOBER 1, 2026.
24 SECTION 1605-H.2. USE OF TAX CREDITS BY QUALIFIED TAXPAYERS.

25 (A) USE AGAINST INSURANCE PREMIUMS TAX LIABILITY.--A
26 QUALIFIED TAXPAYER THAT PURCHASES TAX CREDITS UNDER SECTION
27 1604-H.2 MAY CLAIM THE CREDITS BEGINNING IN CALENDAR YEAR 2030
28 AGAINST INSURANCE PREMIUMS TAX LIABILITY INCURRED FOR A TAXABLE
29 YEAR THAT BEGINS ON OR AFTER JANUARY 1, 2029.

30 (B) APPLICATION TO DEPARTMENT.--A QUALIFIED TAXPAYER SEEKING

1 TO USE PURCHASED TAX CREDITS MAY SUBMIT AN APPLICATION TO THE
2 DEPARTMENT IN A MANNER PRESCRIBED BY THE DEPARTMENT.

3 (C) CONSTRUCTION.--

4 (1) A QUALIFIED TAXPAYER MAY NOT BE REQUIRED TO REDUCE
5 THE AMOUNT OF INSURANCE PREMIUMS TAX INCLUDED BY THE TAXPAYER
6 IN CONNECTION WITH RATEMAKING FOR ANY INSURANCE CONTRACT
7 WRITTEN IN THIS COMMONWEALTH BECAUSE OF A REDUCTION OF THE
8 TAXPAYER'S INSURANCE PREMIUMS TAX LIABILITY DERIVED FROM THE
9 TAX CREDIT PURCHASED UNDER THIS ARTICLE.

10 (2) IF, UNDER THE INSURANCE LAWS OF THIS COMMONWEALTH,
11 THE ASSETS OF THE QUALIFIED TAXPAYER ARE EXAMINED OR
12 CONSIDERED, THE TAXPAYER'S BALANCE OF TAX CREDITS SHALL BE
13 TREATED AS AN ADMITTED ASSET SUBJECT TO THE SAME FINANCIAL
14 RATING AS HELD BY THE COMMONWEALTH.

15 (D) LIMITATIONS.--

16 (1) THE TOTAL AMOUNT OF TAX CREDITS APPLIED AGAINST
17 INSURANCE PREMIUMS TAX LIABILITY BY ALL QUALIFIED TAXPAYERS
18 IN A FISCAL YEAR MAY NOT EXCEED \$15,000,000 PER YEAR
19 BEGINNING IN CALENDAR YEAR 2030.

20 (2) THE CREDIT TO BE APPLIED IN ANY ONE YEAR MAY NOT
21 EXCEED THE INSURANCE PREMIUMS TAX LIABILITY OF THE QUALIFIED
22 TAXPAYER FOR THAT TAXABLE YEAR.

23 SECTION 1606-H.2. SALE, CARRYOVER AND CARRYBACK.

24 (A) CARRYOVER.--IF THE QUALIFIED TAXPAYER CANNOT USE THE
25 ENTIRE AMOUNT OF THE TAX CREDIT FOR THE TAXABLE YEAR IN WHICH
26 THE TAXPAYER IS ELIGIBLE FOR THE CREDIT, THE EXCESS MAY BE
27 CARRIED OVER TO SUCCEEDING TAXABLE YEARS AND USED AS A CREDIT
28 AGAINST THE QUALIFIED TAX LIABILITY OF THE TAXPAYER FOR THOSE
29 TAXABLE YEARS, PROVIDED THAT THE CREDIT MAY NOT BE CARRIED OVER
30 TO ANY TAXABLE YEAR THAT BEGINS AFTER DECEMBER 31, 2041.

1 (B) SALE.--NO SOONER THAN 30 DAYS AFTER PROVIDING THE
2 INSURANCE DEPARTMENT AND THE DEPARTMENT WRITTEN NOTICE OF THE
3 INTENT TO TRANSFER TAX CREDITS, A QUALIFIED TAXPAYER MAY
4 TRANSFER TAX CREDITS HELD WITHOUT RESTRICTION TO ANY ENTITY THAT
5 IS A QUALIFIED TAXPAYER IN GOOD STANDING WITH THE INSURANCE
6 DEPARTMENT AND THAT AGREES TO ASSUME ALL OF THE TRANSFEROR'S
7 OBLIGATIONS WITH RESPECT TO THE TAX CREDIT.

8 (C) CARRYBACK.--A QUALIFIED TAXPAYER MAY NOT CARRY BACK A
9 TAX CREDIT.

10 SECTION 1607-H.2. SALE OF TAX CREDITS TO QUALIFIED TAXPAYERS.

11 (A) CONDUCT OF SALE.--THE SALE OF TAX CREDITS AUTHORIZED
12 UNDER SECTION 1604-H.2 (A) SHALL BE CONDUCTED IN ACCORDANCE WITH
13 THIS SECTION.

14 (B) PROCESS.--THE DEPARTMENT MAY SELL THE TAX CREDITS
15 AUTHORIZED UNDER THIS ARTICLE OR MAY CONTRACT WITH AN
16 INDEPENDENT THIRD PARTY TO CONDUCT A BIDDING PROCESS AMONG
17 QUALIFIED TAXPAYERS TO PURCHASE THE CREDITS. IN RAISING CAPITAL
18 FOR THE PROGRAM, THE DEPARTMENT SHALL HAVE THE DISCRETION TO
19 DISTRIBUTE CREDITS USING A MARKET-DRIVEN APPROACH OR ANY
20 APPROACH THAT MAXIMIZES THE YIELD TO THE COMMONWEALTH.

21 (C) APPLICATION.--A QUALIFIED TAXPAYER SEEKING TO PURCHASE
22 TAX CREDITS MAY APPLY TO THE DEPARTMENT IN THE MANNER PRESCRIBED
23 BY THE DEPARTMENT.

24 (D) BIDDING PROCESS.--USING PROCEDURES ADOPTED BY THE
25 DEPARTMENT OR, IF APPLICABLE, BY AN INDEPENDENT THIRD PARTY,
26 EACH QUALIFIED TAXPAYER THAT SUBMITS AN APPLICATION SHALL MAKE A
27 TIMELY AND IRREVOCABLE OFFER, SUBJECT ONLY TO THE DEPARTMENT'S
28 ISSUANCE TO THE TAXPAYER OF TAX CREDIT CERTIFICATES, TO MAKE
29 SPECIFIED CONTRIBUTIONS OF CAPITAL TO THE DEPARTMENT ON DATES
30 SPECIFIED BY THE DEPARTMENT.

1 (E) CONTENTS OF OFFER.--THE OFFER UNDER SUBSECTION (D) MUST
2 INCLUDE ALL OF THE FOLLOWING:

3 (1) THE REQUESTED AMOUNT OF TAX CREDITS, WHICH MAY NOT
4 BE LESS THAN \$500,000.

5 (2) THE QUALIFIED TAXPAYER'S CAPITAL CONTRIBUTION FOR
6 EACH TAX CREDIT DOLLAR REQUESTED, WHICH MAY NOT BE LESS THAN
7 THE GREATER OF EITHER OF THE FOLLOWING:

8 (I) SEVENTY-FIVE PERCENT OF THE REQUESTED DOLLAR
9 AMOUNT OF TAX CREDITS.

10 (II) THE PERCENTAGE OF THE REQUESTED DOLLAR AMOUNT
11 OF TAX CREDITS THAT THE DEPARTMENT AND, IF APPLICABLE,
12 THE INDEPENDENT THIRD PARTY DETERMINE TO BE CONSISTENT
13 WITH MARKET CONDITIONS AS OF THE OFFER DATE.

14 (3) ANY OTHER INFORMATION THE DEPARTMENT OR, IF
15 APPLICABLE, INDEPENDENT THIRD PARTY REQUIRES.

16 (F) NOTICE OF APPROVAL.--EACH QUALIFIED TAXPAYER THAT
17 SUBMITS AN APPLICATION UNDER THIS SECTION SHALL RECEIVE A
18 WRITTEN NOTICE FROM THE DEPARTMENT INDICATING WHETHER OR NOT IT
19 HAS BEEN APPROVED AS A PURCHASER OF TAX CREDITS AND, IF SO, THE
20 AMOUNT OF TAX CREDITS ALLOCATED.

21 (G) LIMITATION.--NO TAX CREDITS MAY BE SOLD IF THE BIDDING
22 PROCESS, UPON COMPLETION, HAS FAILED TO YIELD AT LEAST
23 \$75,000,000 IN REVENUE.

24 (H) CONFIRMATION.--THE DEPARTMENT MUST RECEIVE CONFIRMATION
25 FROM THE DEPARTMENT OF REVENUE, PRIOR TO ISSUING THE WRITTEN
26 NOTICE OF APPROVAL, THAT THE QUALIFIED TAXPAYER HAS FILED ALL
27 REQUIRED STATE TAX REPORTS AND RETURNS FOR ALL APPLICABLE
28 TAXABLE YEARS AND PAID ANY BALANCE OF STATE TAX DUE AS
29 DETERMINED BY ASSESSMENT OR DETERMINATION BY THE DEPARTMENT OF
30 REVENUE AND NOT UNDER TIMELY APPEAL.

SECTION 1608-H.2. PAYMENT FOR TAX CREDITS PURCHASED AND
CERTIFICATES.

(A) PAYMENT OF CAPITAL.--CAPITAL COMMITTED BY A QUALIFIED
TAXPAYER SHALL BE PAID TO THE DEPARTMENT FOR DEPOSIT INTO THE
FUND. NOTHING UNDER THIS SECTION SHALL PROHIBIT THE DEPARTMENT
FROM ESTABLISHING AN INSTALLMENT PAYMENT SCHEDULE FOR CAPITAL
PAYMENTS TO BE MADE BY THE QUALIFIED TAXPAYER.

(B) ISSUANCE OF TAX CREDIT CERTIFICATES.--ON RECEIPT OF
PAYMENT OF CAPITAL, THE DEPARTMENT SHALL ISSUE TO EACH QUALIFIED
TAXPAYER A TAX CREDIT CERTIFICATE REPRESENTING A FULLY VESTED
CREDIT AGAINST INSURANCE PREMIUMS TAX LIABILITY.

(C) CERTIFICATE ISSUED IN ACCORDANCE WITH BIDDING PROCESS.--
THE DEPARTMENT SHALL ISSUE TAX CREDIT CERTIFICATES TO QUALIFIED
TAXPAYERS IN ACCORDANCE WITH THE BIDDING PROCESS SELECTED BY THE
DEPARTMENT OR THE INDEPENDENT THIRD PARTY.

(D) CONTENTS.--THE TAX CREDIT CERTIFICATE SHALL STATE ALL OF
THE FOLLOWING:

(1) THE TOTAL AMOUNT OF PREMIUMS TAX CREDITS THAT THE
QUALIFIED TAXPAYER MAY CLAIM.

(2) THE AMOUNT OF CAPITAL THAT THE QUALIFIED TAXPAYER
HAS CONTRIBUTED OR AGREED TO CONTRIBUTE IN RETURN FOR THE
ISSUANCE OF THE TAX CREDIT CERTIFICATE.

(3) THE DATES ON WHICH THE TAX CREDITS WILL BE AVAILABLE
FOR USE BY THE QUALIFIED TAXPAYER.

(4) ANY PENALTIES OR OTHER REMEDIES FOR NONCOMPLIANCE.

(5) THE PROCEDURES TO BE USED FOR TRANSFERRING THE TAX
CREDITS.

(6) ANY OTHER REQUIREMENTS THE DEPARTMENT CONSIDERS
NECESSARY.

SECTION 1609-H.2. FAILURE TO MAKE CONTRIBUTION OF CAPITAL AND

1 REALLOCATION.

2 (A) PROHIBITION.--A TAX CREDIT CERTIFICATE UNDER SECTION
3 1608-H.2 MAY NOT BE ISSUED TO ANY QUALIFIED TAXPAYER THAT FAILS
4 TO MAKE A CONTRIBUTION OF CAPITAL WITHIN THE TIME THE DEPARTMENT
5 SPECIFIES.

6 (B) PENALTY.--A QUALIFIED TAXPAYER THAT FAILS TO MAKE A
7 CONTRIBUTION OF CAPITAL WITHIN THE TIME THE DEPARTMENT SPECIFIES
8 SHALL BE SUBJECT TO A PENALTY EQUAL TO 10% OF THE AMOUNT OF
9 CAPITAL THAT REMAINS UNPAID. THE PENALTY SHALL BE PAID TO THE
10 DEPARTMENT WITHIN 30 DAYS AFTER DEMAND.

11 (C) REALLOCATION.--THE DEPARTMENT MAY OFFER TO REALLOCATE
12 THE DEFAULTED CAPITAL AMONG OTHER QUALIFIED TAXPAYERS, SO THAT
13 THE RESULT AFTER REALLOCATION IS THE SAME AS IF THE INITIAL
14 ALLOCATION HAD BEEN PERFORMED WITHOUT CONSIDERING THE TAX CREDIT
15 ALLOCATION TO THE DEFAULTING QUALIFIED TAXPAYER.

16 (D) CONTRIBUTION.--IF THE REALLOCATION OF CAPITAL UNDER
17 SUBSECTION (C) RESULTS IN THE CONTRIBUTION BY ANOTHER QUALIFIED
18 TAXPAYER OF THE AMOUNT OF CAPITAL NOT CONTRIBUTED BY THE
19 DEFAULTING QUALIFIED TAXPAYER, THE DEPARTMENT MAY WAIVE THE
20 PENALTY PROVIDED UNDER SUBSECTION (B).

21 (E) TRANSFER.--A QUALIFIED TAXPAYER THAT FAILS TO MAKE A
22 CONTRIBUTION OF CAPITAL WITHIN THE TIME SPECIFIED MAY AVOID THE
23 IMPOSITION OF THE PENALTY BY TRANSFERRING THE ALLOCATION OF TAX
24 CREDITS TO A NEW OR EXISTING QUALIFIED TAXPAYER WITHIN 30 DAYS
25 AFTER THE DUE DATE OF THE DEFAULTED INSTALLMENT. ANY TRANSFEREE
26 OF AN ALLOCATION OF TAX CREDITS OF A DEFAULTING QUALIFIED
27 TAXPAYER UNDER THIS SUBSECTION SHALL AGREE TO MAKE THE REQUIRED
28 CONTRIBUTION OF CAPITAL WITHIN 30 DAYS AFTER THE DATE OF THE
29 TRANSFER.

30 SECTION 1610-H.2. INNOVATE IN PA 2.0 PROGRAM.

1 (A) ESTABLISHMENT.--THE INNOVATE IN PA 2.0 PROGRAM IS
2 ESTABLISHED WITHIN THE DEPARTMENT.

3 (B) FUND.--THE INNOVATE IN PA 2.0 FUND IS ESTABLISHED AS A
4 RESTRICTED ACCOUNT IN THE STATE TREASURY. THE NET PROCEEDS
5 RECEIVED BY THE DEPARTMENT AS A RESULT OF THE SALE OF TAX
6 CREDITS UNDER SECTION 1604-H.2(A) SHALL BE DEPOSITED INTO THE
7 FUND.

8 (C) PROGRAM PURPOSES.--THE DEPARTMENT SHALL ADMINISTER THE
9 PROGRAM TO DISTRIBUTE MONEY FROM THE FUND FOR THE FOLLOWING
10 PURPOSES:

11 (1) A TRANSFER OF FUNDS TO RECAPITALIZE THE DEVELOPMENT
12 AUTHORITY VENTURE FUNDS WHICH INVEST IN VENTURE FUNDS THAT
13 SUPPORT INNOVATION AS COMPANIES SCALE AND BRING NEW
14 TECHNOLOGIES TO MARKET.

15 (2) IN THE FORM OF GRANTS TO ADDRESS REGIONAL AND
16 STATEWIDE GAPS IN THE LIFE SCIENCES AND BIOTECHNOLOGY
17 INDUSTRIES FOR STARTUP AND SMALL TO MID-SIZE BUSINESSES, AS
18 DETERMINED BY THE DEPARTMENT.

19 (3) IN THE FORM OF GRANTS TO SUPPORT PARTNERSHIPS
20 BETWEEN BIOTECHNOLOGY AND LIFE SCIENCE COMPANIES, TRAINING
21 PROVIDERS AND EDUCATIONAL INSTITUTIONS THAT PROVIDE SECONDARY
22 SCHOOL EDUCATIONAL OPPORTUNITIES TO PREPARE STUDENTS FROM ALL
23 BACKGROUNDS, INCLUDING THOSE HISTORICALLY UNDERREPRESENTED OR
24 FROM ECONOMICALLY DISADVANTAGED COMMUNITIES, FOR CAREERS IN
25 THE BIOTECHNOLOGY OR LIFE SCIENCES SECTORS.

26 (4) IN THE FORM OF GRANTS TO SEED AND SCALE REGIONAL
27 VENTURE STUDIOS ALIGNED WITH UNIVERSITY RESEARCH AND REGIONAL
28 ECONOMIC STRENGTHS, WITH AN EMPHASIS IN RURAL AND
29 ECONOMICALLY DISADVANTAGED AREAS AS DEFINED BY THE
30 DEPARTMENT.

1 (5) IN THE FORM OF GRANTS TO DEVELOP AND EXPAND PROGRAMS
2 WITHIN THE DEPARTMENT TO LEVERAGE FEDERAL FUNDING
3 OPPORTUNITIES AND TECHNOLOGICAL INNOVATIONS FOR THE
4 COMMONWEALTH'S RESEARCH UNIVERSITIES, WORKFORCE AND
5 TECHNOLOGY STARTUPS.

6 SECTION 1611-H.2. GUIDELINES.

7 THE DEPARTMENT SHALL DEVELOP WRITTEN GUIDELINES IMPLEMENTING
8 THIS ARTICLE, INCLUDING ASSIGNMENT OF DISTRIBUTION PERCENTAGES
9 OF NET PROCEEDS FOR EACH OF THE PROGRAM PURPOSES ENUMERATED IN
10 SECTION 1610-H.2.

11 SECTION 1612-H.2. REPORTS.

12 (A) DUTIES.--ON OR BEFORE JANUARY 1, 2028, AND JANUARY 1 OF
13 EACH YEAR THEREAFTER, THE DEPARTMENT SHALL DO THE FOLLOWING:

14 (1) SUBMIT A REPORT ON THE IMPLEMENTATION OF THE PROGRAM
15 TO ALL OF THE FOLLOWING:

16 (I) THE GOVERNOR.

17 (II) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
18 APPROPRIATIONS COMMITTEE OF THE SENATE.

19 (III) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF
20 THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF
21 REPRESENTATIVES.

22 (2) PUBLISH THE REPORT UNDER PARAGRAPH (1) ON THE
23 DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.

24 (B) CONTENTS.--THE REPORT UNDER SUBSECTION (A) SHALL INCLUDE
25 THE FOLLOWING:

26 (1) THE NAME OF THE PURCHASER OF PREMIUMS TAX CREDITS.

27 (2) THE AMOUNT OF PREMIUMS TAX CREDITS ALLOCATED TO THE
28 PURCHASER.

29 (3) THE AMOUNT OF CAPITAL THE PURCHASER CONTRIBUTED FOR
30 THE ISSUANCE OF THE TAX CREDIT CERTIFICATE.

1 (4) THE AMOUNT OF ANY TAX CREDITS THAT HAVE BEEN
2 TRANSFERRED UNDER SECTION 1609-H.2(E).

3 (5) THE AMOUNT OF FUNDS RECEIVED BY THE RECIPIENTS
4 DURING THE PREVIOUS YEAR.

5 (6) THE CUMULATIVE AMOUNT OF CAPITAL RECEIVED BY THE
6 DEPARTMENT IN CONNECTION WITH THE SALE OF THE TAX CREDITS.

7 (7) THE AMOUNT OF CAPITAL REMAINING UNINVESTED AT THE
8 END OF THE PRECEDING CALENDAR YEAR.

9 (8) THE NAME, LOCATION, AGE OF BUSINESS, NUMBER OF
10 EMPLOYEES AT TIME OF INVESTMENT AND PRIMARY INDUSTRY OF
11 BUSINESS RECEIVING CAPITAL FROM THE RECIPIENTS, THE REASON
12 FOR THE INVESTMENT AND THE AMOUNT OF THE INVESTMENT.

13 (9) THE TOTAL NUMBER OF JOBS CREATED IN THIS
14 COMMONWEALTH BY THE INVESTMENT AND THE AVERAGE WAGES PAID FOR
15 THE JOBS.

16 (10) THE TOTAL NUMBER OF JOBS RETAINED IN THIS
17 COMMONWEALTH AS A RESULT OF THE INVESTMENT AND THE AVERAGE
18 WAGES PAID FOR THE JOBS.

19 SECTION 1613-H.2. MISCELLANEOUS.

20 (A) MUNICIPAL PENSION AID FUND AND FIRE INSURANCE TAX
21 FUND.--

22 (1) THE IMPLEMENTATION AND ADMINISTRATION OF THIS
23 ARTICLE, AND THE SALE OF TAX CREDITS AUTHORIZED BY THIS
24 ARTICLE, SHALL NOT IMPACT THE FUNDING AVAILABLE VIA THE
25 MUNICIPAL PENSION AID FUND OR THE FIRE INSURANCE TAX FUND
26 ESTABLISHED IN SECTION 902(B.1) OF THE TAX REFORM CODE OF
27 1971, FOR FIREMEN'S RELIEF PENSION OR RETIREMENT PURPOSES OR
28 FOR POLICE PENSION RETIREMENT OR DISABILITY PURPOSES.

29 (2) EACH FISCAL YEAR IN WHICH TAX CREDITS ARE CLAIMED
30 UNDER THIS ARTICLE, THE DEPARTMENT OF REVENUE SHALL TRANSFER

1 FROM THE GENERAL FUND TO THE MUNICIPAL PENSION AID FUND AND
2 TO THE FIRE INSURANCE TAX FUND AMOUNTS NECESSARY TO OFFSET
3 THE IMPACT OF THESE CLAIMS BASED ON THE PROVISIONS OF SECTION
4 902(B.1) OF THE TAX REFORM CODE OF 1971.

5 (B) (RESERVED).

6 ARTICLE XVI-Q.3

7 DESIGN BUILD BEST VALUE

8 SECTION 1601-Q.3. SCOPE OF ARTICLE.

9 THIS ARTICLE RELATES TO DESIGN BUILD BEST VALUE AS AN
10 ALTERNATIVE PROCUREMENT PROCESS FOR HIGHWAY AND BRIDGE DESIGN
11 AND CONSTRUCTION PROJECTS FOR THE PENNSYLVANIA TURNPIKE
12 COMMISSION.

13 SECTION 1602-Q.3. DEFINITIONS.

14 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
15 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
16 CONTEXT CLEARLY INDICATES OTHERWISE:

17 "ALTERNATIVE TECHNICAL CONCEPT" OR "ATC." A PROPOSED
18 VARIANCE FROM THE CONTRACTUAL REQUIREMENTS OR REQUEST FOR
19 PROPOSALS THAT IS EQUAL TO OR BETTER THAN THE REQUIREMENTS IN
20 THE REQUEST FOR PROPOSALS DOCUMENT.

21 "COMMISSION." THE PENNSYLVANIA TURNPIKE COMMISSION.

22 "DESIGN BUILD BEST VALUE." THE SOURCE SELECTION METHOD OTHER
23 THAN COMPETITIVE SEALED PROPOSALS IN 62 PA.C.S. § 513 (RELATING
24 TO COMPETITIVE SEALED PROPOSALS), AS DESCRIBED IN SECTION 1603-
25 Q.3, WHICH MAY BE USED BY THE COMMISSION ACTING AS THE
26 PURCHASING AGENCY, AS AN ALTERNATIVE TO COMPETITIVE SEALED
27 BIDDING AND COMPETITIVE SEALED PROPOSALS.

28 "OFFEROR." AN ENTITY THAT SUBMITS A PROPOSAL IN RESPONSE TO
29 A REQUEST FOR PROPOSALS OR REQUEST FOR QUALIFICATIONS.

30 "PROJECT." THE DESIGN AND CONSTRUCTION OF A HIGHWAY OR

1 BRIDGE, OR BOTH, BY THE COMMISSION.

2 "REQUEST FOR PROPOSALS." ALL DOCUMENTS, INCLUDING THOSE
3 EITHER ATTACHED OR INCORPORATED BY REFERENCE, USED FOR
4 SOLICITING PROPOSALS.

5 "REQUEST FOR QUALIFICATIONS." ALL DOCUMENTS, INCLUDING THOSE
6 EITHER ATTACHED OR INCORPORATED BY REFERENCE, USED FOR
7 SOLICITING STATEMENTS OF QUALIFICATIONS.

8 "RESPONSIBLE OFFEROR." AN ENTITY THAT HAS SUBMITTED A
9 RESPONSIVE STATEMENT OF QUALIFICATIONS TO A REQUEST FOR
10 QUALIFICATIONS OR RESPONSIVE PROPOSAL TO A REQUEST FOR PROPOSALS
11 AND THAT POSSESSES THE CAPABILITY TO FULLY PERFORM THE CONTRACT
12 REQUIREMENTS IN ALL RESPECTS AND THE INTEGRITY AND RELIABILITY
13 TO ASSURE GOOD FAITH PERFORMANCE AS DETERMINED BY THE
14 COMMISSION.

15 "RESPONSIVE PROPOSAL." A PROPOSAL WHICH CONFORMS IN ALL
16 MATERIAL RESPECTS TO THE REQUIREMENTS AND CRITERIA IN THE
17 REQUEST FOR PROPOSALS.

18 "SHORTLISTED OFFEROR." AN OFFEROR THAT MAY QUALIFY FOR A
19 STIPEND BECAUSE OF THE OFFEROR'S SCORE, RANKING OR RATING AFTER
20 SUBMITTAL OF THE STATEMENT OF QUALIFICATIONS.

21 "STATEMENT OF QUALIFICATIONS." AN OFFEROR'S RESPONSE TO THE
22 COMMISSION, AFTER THE COMMISSION ISSUES A REQUEST FOR
23 QUALIFICATIONS.

24 SECTION 1603-Q.3. DESIGN BUILD BEST VALUE PROCESS.

25 (A) VALUE SCORE.--THE COMMISSION MAY USE THE DESIGN BUILD
26 BEST VALUE SOURCE SELECTION METHOD FOR PROJECTS IN ACCORDANCE
27 WITH THIS SECTION.

28 (B) CONDITIONS FOR USE.--DESIGN BUILD BEST VALUE MAY BE USED
29 WHEN THE COMMISSION DETERMINES THAT A PROJECT WOULD BENEFIT FROM
30 THE DESIGN BUILD BEST VALUE METHOD OF PROCUREMENT DUE TO ONE OR

1 MORE OF THE FOLLOWING FACTORS:

2 (1) PROJECT COMPLEXITY;

3 (2) POTENTIAL FOR INNOVATION;

4 (3) UNIQUE EQUIPMENT OR SPECIALIZED SYSTEMS;

5 (4) PROJECT RISKS;

6 (5) PROJECT SCHEDULE;

7 (6) OTHER PROJECT CONSIDERATIONS; AND

8 (7) ESTIMATED PROJECT VALUE.

9 (C) PROJECTS PROCURED.--THE COMMISSION MAY ADVERTISE NO MORE
10 THAN 10 ONE-STEP DESIGN BUILD BEST VALUE PROCUREMENTS PER
11 CALENDAR YEAR AND NO MORE THAN 10 TWO-STEP DESIGN BUILD BEST
12 VALUE PROCUREMENTS PER CALENDAR YEAR.

13 (D) PUBLIC NOTICE OF DETERMINATION FOR USE OF DESIGN BUILD
14 BEST VALUE.--

15 (1) EXCEPT AS PROVIDED UNDER PARAGRAPH (2), THE NOTICE
16 OF DETERMINATION UNDER SUBSECTION (B) SHALL BE POSTED BY THE
17 COMMISSION FOR A PERIOD OF 30 DAYS PRIOR TO THE DATE THE
18 PROCUREMENT DOCUMENTS ARE POSTED ON THE COMMISSION'S PUBLICLY
19 ACCESSIBLE INTERNET WEBSITE.

20 (2) THE COMMISSION MAY ELECT A PERIOD OF LESS THAN 30
21 DAYS.

22 (E) REQUEST FOR PROPOSALS.--

23 (1) AFTER THE DETERMINATION UNDER SUBSECTION (B) HAS
24 BEEN ISSUED, THE COMMISSION SHALL SOLICIT PROPOSALS THROUGH A
25 REQUEST FOR PROPOSALS.

26 (2) IN ACCORDANCE WITH SUBSECTION (C), THE COMMISSION
27 MAY CONDUCT A ONE-STEP OR TWO-STEP REQUEST FOR PROPOSALS,
28 SUBJECT TO THE FOLLOWING:

29 (I) IF THE COMMISSION CONDUCTS A ONE-STEP REQUEST
30 FOR PROPOSALS, THE COMMISSION SHALL SEEK A TECHNICAL AND

1 PRICE PROPOSAL IN ACCORDANCE WITH SUBSECTION (I).

2 (II) IF THE COMMISSION CONDUCTS A TWO-STEP REQUEST
3 FOR PROPOSALS, THE COMMISSION SHALL SEEK A STATEMENT OF
4 QUALIFICATIONS AS STEP ONE IN ACCORDANCE WITH SUBSECTION
5 (J) AND A TECHNICAL AND PRICE PROPOSAL AS STEP TWO IN
6 ACCORDANCE WITH SUBSECTION (K).

7 (3) THE COMMISSION SHALL INCLUDE A SCHEDULE IN A REQUEST
8 FOR PROPOSALS UNDER THIS ARTICLE THAT IDENTIFIES THE
9 ANTICIPATED DATES FOR THE PROCUREMENT, INCLUDING AN
10 ANTICIPATED FINAL SELECTION OF A BEST VALUE OFFEROR.

11 (F) PUBLIC NOTICE.--PUBLIC NOTICE OF THE ONE-STEP OR TWO-
12 STEP REQUEST FOR PROPOSALS SHALL BE GIVEN IN THE SAME MANNER AS
13 PROVIDED IN 62 PA.C.S. § 512(C) (RELATING TO COMPETITIVE SEALED
14 BIDDING).

15 (G) SUBMISSION AND RECEIPT OF STATEMENTS OF QUALIFICATIONS
16 AND PROPOSALS.--OFFERORS SHALL SUBMIT THEIR STATEMENTS OF
17 QUALIFICATIONS AND PROPOSALS TO ENSURE THAT THEIR STATEMENTS OF
18 QUALIFICATIONS AND PROPOSALS ARE RECEIVED PRIOR TO THE TIMES AND
19 DATES ESTABLISHED FOR THE SUBMISSION OF STATEMENTS OF
20 QUALIFICATIONS AND PROPOSALS. STATEMENTS OF QUALIFICATIONS AND
21 PROPOSALS SHALL BE SUBMITTED IN THE FORMAT REQUIRED BY THE
22 REQUEST FOR QUALIFICATIONS AND THE REQUEST FOR PROPOSALS.
23 STATEMENTS OF QUALIFICATIONS AND PROPOSALS SHALL BE OPENED SO AS
24 TO AVOID DISCLOSURE OF THEIR CONTENTS TO COMPETING OFFERORS.

25 (H) PREPROPOSAL CONFERENCE.--THE COMMISSION SHALL SCHEDULE A
26 PREPROPOSAL CONFERENCE AFTER ISSUING THE REQUEST FOR
27 QUALIFICATIONS IN A TWO-STEP PROCUREMENT OR THE REQUEST FOR
28 PROPOSALS IN A ONE-STEP PROCUREMENT, WHICH CONFERENCE MAY BE
29 HELD VIRTUALLY. THE COMMISSION SHALL INDICATE THE DATE, TIME AND
30 LOCATION FOR A PREPROPOSAL CONFERENCE WITHIN THE REQUEST FOR

1 QUALIFICATIONS IN A TWO-STEP PROCUREMENT OR THE REQUEST FOR
2 PROPOSALS IN A ONE-STEP PROCUREMENT.

3 (I) REQUEST FOR TECHNICAL AND PRICE PROPOSALS IN A ONE-STEP
4 PROCUREMENT.--

5 (1) THE COMMISSION SHALL ISSUE A FORMAL REQUEST FOR
6 PROPOSALS PUBLICLY, WHICH SHALL INCLUDE SEPARATE PROPOSALS
7 FOR A TECHNICAL SOLUTION, TO BE KNOWN AS THE TECHNICAL
8 PROPOSAL, AND THE PROPOSED PRICE, TO BE KNOWN AS THE PRICE
9 PROPOSAL.

10 (2) AFTER RECEIPT OF ALL TECHNICAL PROPOSALS, THE
11 EVALUATION COMMITTEE UNDER SUBSECTION (T) SHALL EVALUATE EACH
12 RESPONSIVE PROPOSAL BASED ON THE CRITERIA STATED IN THE
13 REQUEST FOR PROPOSALS. THE TECHNICAL AND PRICE PROPOSALS
14 SHALL BE EVALUATED AND EITHER SCORED OR RATED SEPARATELY, AS
15 APPLICABLE. EXCEPT FOR A RESPONSIVENESS DETERMINATION MADE BY
16 A NONVOTING MEMBER OF THE EVALUATION COMMITTEE, A PRICE
17 PROPOSAL MAY NOT BE OPENED UNTIL ALL TECHNICAL PROPOSALS ARE
18 SCORED OR RATED.

19 (3) IN SCORING OR RATING A TECHNICAL PROPOSAL AND PRICE
20 PROPOSAL, THE EVALUATION COMMITTEE SHALL CONSIDER THE
21 RELATIVE IMPORTANCE OF THE EVALUATION FACTORS FIXED PRIOR TO
22 THE OPENING OF THE TECHNICAL AND PRICE PROPOSALS, WHICH SHALL
23 BE STATED IN THE REQUEST FOR PROPOSALS.

24 (4) FAILURE OF AN OFFEROR TO MEET THE REQUIREMENTS OF A
25 REQUEST FOR PROPOSALS SHALL RESULT IN THE PROPOSAL BEING
26 DEEMED NONRESPONSIVE.

27 (J) STATEMENT OF QUALIFICATIONS AND SHORT-LIST PROCESS IN A
28 TWO-STEP PROCUREMENT.--

29 (1) A STATEMENT OF QUALIFICATIONS RECEIVED BY THE
30 COMMISSION FROM A RESPONSIBLE OFFEROR SHALL BE SCORED OR

1 RATED BY AN EVALUATION COMMITTEE BASED ON THE CRITERIA STATED
2 IN THE REQUEST FOR QUALIFICATIONS.

3 (2) AFTER THE STATEMENTS OF QUALIFICATIONS ARE SCORED OR
4 RATED UNDER PARAGRAPH (1), THE EVALUATION COMMITTEE SHALL
5 DEVELOP A SHORT LIST OF THE NUMBER OF OFFERORS ESTABLISHED IN
6 THE REQUEST FOR QUALIFICATIONS, WHICH MAY IDENTIFY THE
7 RESPONSIBLE OFFERORS ELIGIBLE TO RECEIVE A STIPEND UNDER
8 SUBSECTION (O).

9 (3) THE COMMISSION SHALL POST A LIST AND RANK OF ALL
10 RESPONSIBLE OFFERORS ON THE COMMISSION'S PUBLICLY ACCESSIBLE
11 INTERNET WEBSITE.

12 (4) A RESPONSIBLE OFFEROR THAT SUBMITTED A STATEMENT OF
13 QUALIFICATIONS UNDER THE REQUEST FOR QUALIFICATIONS PROCESS,
14 BUT WAS NOT A SHORTLISTED OFFEROR BY THE COMMISSION, IS
15 INELIGIBLE TO RECEIVE A STIPEND AFTER THE REQUEST FOR
16 PROPOSALS PROCESS BUT MAY STILL SUBMIT PROPOSALS IN RESPONSE
17 TO THE REQUEST FOR PROPOSALS IN STEP TWO OF THE PROCUREMENT
18 UNDER SUBSECTION (K).

19 (K) REQUEST FOR TECHNICAL AND PRICE PROPOSALS IN A TWO-STEP
20 PROCUREMENT.--

21 (1) FOLLOWING THE CREATION OF A SHORT LIST AND TO THE
22 EXTENT THAT THE COMMISSION IS SATISFIED WITH THE NUMBER OF
23 RESPONSIBLE OFFERORS, THE COMMISSION SHALL ISSUE A FORMAL
24 REQUEST FOR PROPOSALS TO ALL RESPONSIBLE OFFERORS WHO
25 SUBMITTED A RESPONSIVE STATEMENT OF QUALIFICATIONS, WHICH
26 SHALL SEEK SEPARATE PROPOSALS FOR A TECHNICAL SOLUTION, TO BE
27 KNOWN AS THE TECHNICAL PROPOSAL, AND THE PROPOSED PRICE, TO
28 BE KNOWN AS THE PRICE PROPOSAL.

29 (2) AFTER RECEIPT OF ALL TECHNICAL PROPOSALS, THE
30 EVALUATION COMMITTEE SHALL EVALUATE EACH SUBMISSION BASED ON

1 THE CRITERIA STATED IN THE REQUEST FOR PROPOSALS. THE
2 TECHNICAL AND PRICE PROPOSALS SHALL BE EVALUATED AND SCORED
3 OR RATED SEPARATELY. EXCEPT FOR A RESPONSIVENESS
4 DETERMINATION MADE BY A NONVOTING MEMBER OF THE EVALUATION
5 COMMITTEE, A PRICE PROPOSAL MAY NOT BE OPENED UNTIL ALL
6 TECHNICAL PROPOSALS ARE SCORED OR RATED.

7 (3) IN SCORING OR RATING A TECHNICAL PROPOSAL AND PRICE
8 PROPOSAL, THE EVALUATION COMMITTEE SHALL CONSIDER THE
9 RELATIVE IMPORTANCE OF THE EVALUATION FACTORS FIXED PRIOR TO
10 THE OPENING OF THE TECHNICAL AND PRICE PROPOSALS, WHICH SHALL
11 BE STATED IN THE REQUEST FOR PROPOSALS.

12 (4) IF THE STATEMENT OF QUALIFICATIONS RATING OR SCORE
13 WILL BE INCLUDED IN THE FINAL RATING OR SCORE FOR THE DESIGN
14 BUILD BEST VALUE TWO-STEP PROCUREMENT, THE REQUEST FOR
15 PROPOSALS SHALL INDICATE THAT FACT.

16 (L) ALTERNATIVE TECHNICAL CONCEPTS.--

17 (1) AN ALTERNATIVE TECHNICAL CONCEPT, PROPOSED BY AN
18 OFFEROR, IF ANY, SHALL BE SUBMITTED BY THE OFFEROR TO THE
19 COMMISSION ON OR BEFORE THE DUE DATE FOR ATC SUBMISSION
20 ESTABLISHED BY THE REQUEST FOR PROPOSAL.

21 (2) THE COMMISSION SHALL DETERMINE AT ITS SOLE
22 DISCRETION WHETHER AN ATC IS ACCEPTABLE OR APPROVED.

23 (3) THE COMMISSION MAY COMMUNICATE INDIVIDUALLY WITH AN
24 OFFEROR REGARDING ITS PROPOSED OR SUBMITTED ATC.

25 (4) APPROVAL OF AN ATC WILL CONSTITUTE A CHANGE IN THE
26 SPECIFIC REQUIREMENTS OF THE CONTRACTUAL REQUIREMENTS OR
27 REQUEST FOR PROPOSALS ASSOCIATED WITH THE APPROVED ATC FOR
28 THAT SPECIFIC OFFEROR. AN OFFEROR SHALL ENSURE THAT ITS
29 PROPOSAL COMPLIES WITH THE REQUEST FOR PROPOSALS REQUIREMENTS
30 FOR THE SPECIFIC OFFEROR, AS MODIFIED BY APPROVAL OF THE ATC.

1 (5) APPROVAL OF AN ATC IN NO WAY IMPLIES THAT THE ATC OR
2 THE PROPOSAL WILL RECEIVE A FAVORABLE REVIEW FROM THE
3 EVALUATION COMMITTEE.

4 (M) RECORDS OF REQUESTS FOR ALTERNATIVE TECHNICAL CONCEPTS
5 AND USE OF INTELLECTUAL PROPERTY.--

6 (1) EXCEPT AS PROVIDED UNDER PARAGRAPH (2), AN ATC SHALL
7 BE CONFIDENTIAL UNLESS OR UNTIL:

8 (I) THE ATC IS DEEMED TO TAKE ADVANTAGE OF AN ERROR
9 OR OMISSION OR REVEALS AN AREA OR DISCREPANCY WHERE A
10 CLARIFICATION MAY BE WARRANTED IN THE REQUEST FOR
11 PROPOSALS OR CONTRACT DOCUMENTS, WHICH MAY BE
12 SUBSEQUENTLY AMENDED BY THE COMMISSION IN ITS SOLE
13 DISCRETION;

14 (II) CANCELLATION OF THE PROCUREMENT WITHOUT
15 SELECTION OF AN OFFEROR AND UPON AN EXECUTED AGREEMENT
16 FOR PAYMENT TO AN OFFEROR IN ACCORDANCE WITH SUBSECTION
17 (N) OR (O);

18 (III) THE EFFECTIVE DATE OF THE CONTRACT AS A RESULT
19 OF THE PROCUREMENT OR UPON AN EXECUTED AGREEMENT FOR
20 PAYMENT TO AN UNSUCCESSFUL OFFEROR IN ACCORDANCE WITH
21 SUBSECTION (N) OR (O); OR

22 (IV) ANOTHER DATE AS MAY BE PRESCRIBED UNDER
23 APPLICABLE LAW, AT WHICH TIME ALL CONFIDENTIALITY RIGHTS,
24 IF ANY, SHALL BE OF NO FURTHER FORCE AND EFFECT EXCEPT AS
25 OTHERWISE ALLOWED UNDER THE APPLICABLE LAW.

26 (2) AN UNSUCCESSFUL OFFEROR'S ATC IS NOT A PUBLIC RECORD
27 SUBJECT TO INSPECTION AND DUPLICATION UNDER THE ACT OF
28 FEBRUARY 14, 2008 (P.L.6, NO.3), KNOWN AS THE RIGHT-TO-KNOW
29 LAW, UNLESS THE COMMISSION ENTERS INTO AN AGREEMENT WITH AN
30 UNSUCCESSFUL OFFEROR FOR PAYMENT OF THE ATC.

1 (3) EXCEPT TO THE EXTENT NOT TRANSFERABLE BY LAW, THE
2 COMMISSION MAY USE ALL OR A PORTION OF A SUBMITTED PROPOSAL
3 AND ATC, INCLUDING THE TECHNOLOGIES, TECHNIQUES, METHODS,
4 PROCESSES AND INFORMATION CONTAINED IN THE PROPOSAL OR ATC,
5 WITH AN AGREEMENT FOR PAYMENT OF THE ATC. NOTICE OF
6 NONTRANSFERABILITY BY LAW SHALL BE GIVEN TO THE COMMISSION IN
7 RESPONSE TO THE REQUEST FOR PROPOSALS OR SUBMITTAL OF THE
8 ATC.

9 (4) UNDER NO CIRCUMSTANCES MAY THE COMMISSION BE
10 RESPONSIBLE FOR OR LIABLE TO AN OFFEROR OR THIRD PARTY AS A
11 RESULT OF DISCLOSING AN OFFEROR'S ATC MATERIALS.

12 (N) PAYMENT FOR ALTERNATIVE TECHNICAL CONCEPT.--THE
13 COMMISSION MAY REASONABLY COMPENSATE ANY OFFEROR FOR AN ATC.

14 (O) STIPENDS.--

15 (1) A STIPEND SHALL BE LIMITED TO A TWO-STEP
16 PROCUREMENT. THE DETERMINATION TO OFFER A STIPEND AND ITS
17 AMOUNT UNDER THIS SUBSECTION SHALL BE DETERMINED BY THE
18 COMMISSION ON A PROJECT-BY-PROJECT BASIS. THE DETERMINATION
19 TO OFFER A STIPEND IN A TWO-STEP PROCUREMENT AND ITS TERMS
20 SHALL BE STATED IN THE REQUEST FOR QUALIFICATIONS OR REQUEST
21 FOR PROPOSALS.

22 (2) IN A TWO-STEP PROCUREMENT, THE COMMISSION MAY
23 COMPENSATE UNSUCCESSFUL RESPONSIBLE SHORTLISTED OFFERORS FOR
24 A PORTION OF THE COSTS ASSOCIATED WITH THE PREPARATION OF A
25 RESPONSIVE PROPOSAL IN RESPONSE TO A REQUEST FOR PROPOSALS
26 AND FOR PAYMENT OF AN ATC. IF A STIPEND IS PROVIDED TO
27 UNSUCCESSFUL SHORTLISTED OFFERORS, THE COMMISSION MAY ONLY
28 PROVIDE PAYMENT IF THE UNSUCCESSFUL SHORTLISTED OFFEROR'S
29 TECHNICAL AND PRICE PROPOSALS ARE RESPONSIVE AND THE OFFEROR
30 IS A RESPONSIBLE OFFEROR.

1 (3) THE COMMISSION MAY NOT PROVIDE OR AWARD A STIPEND TO
2 AN UNSUCCESSFUL RESPONSIBLE SHORTLISTED OFFEROR MORE THAN ONE
3 TIME. THIS PARAGRAPH SHALL NOT APPLY TO AN ATC.

4 (P) DUE DATES FOR TECHNICAL PROPOSAL AND PRICE PROPOSAL.--

5 (1) THE COMMISSION MAY DETERMINE THAT A TECHNICAL
6 PROPOSAL IS DUE ON A DATE PRIOR TO THE DUE DATE FOR A PRICE
7 PROPOSAL. ALL DUE DATES SHALL BE CLEARLY STATED BY THE
8 COMMISSION IN THE REQUEST FOR PROPOSALS.

9 (2) IF THE COMMISSION SEEKS SUBMISSION OF A TECHNICAL
10 PROPOSAL PRIOR TO SUBMISSION OF THE PRICE PROPOSAL, A
11 NONVOTING MEMBER FROM THE COMMISSION MAY SEEK WRITTEN
12 CLARIFICATION FROM AN OFFEROR BETWEEN THE TECHNICAL PROPOSAL
13 DUE DATE AND PRICE PROPOSAL DUE DATE, WHICH INCLUDES ASKING
14 QUESTIONS OR SEEKING CLARIFICATION REGARDING A TECHNICAL
15 PROPOSAL.

16 (3) AFTER THE TECHNICAL PROPOSAL AND PRICE PROPOSAL DUE
17 DATES, THE COMMISSION MAY SEEK CLARIFICATION WITH RESPONSIBLE
18 OFFERORS. RESPONSIBLE OFFERORS SHALL BE ACCORDED FAIR AND
19 EQUAL TREATMENT WITH RESPECT TO ANY OPPORTUNITY TO PROVIDE
20 CLARIFICATION. IN CONDUCTING A MEETING FOR THE PURPOSE OF
21 CLARIFICATION, THE COMMISSION MAY NOT DISCLOSE INFORMATION
22 DERIVED FROM PROPOSALS SUBMITTED BY COMPETING OFFERORS.

23 (Q) SELECTION FOR NEGOTIATION.--THE RESPONSIBLE OFFEROR
24 WHOSE PROPOSAL IS DETERMINED IN WRITING TO BE THE MOST
25 ADVANTAGEOUS TO THE COMMISSION SHALL BE SELECTED FOR CONTRACT
26 NEGOTIATIONS NECESSARY TO FINALIZE A CONTRACT OR TO CLARIFY ANY
27 REMAINING ISSUE REGARDING SCOPE, SCHEDULE OR ANY OTHER
28 INFORMATION PROVIDED BY THE SELECTED BEST VALUE OFFEROR WITHOUT
29 IMPACTING MATERIAL PRICE AND EVALUATION FACTORS.

30 (R) INCORPORATION OF AN UNSUCCESSFUL OFFEROR'S ATC.--UPON AN

1 EXECUTED AGREEMENT FOR PAYMENT TO AN UNSUCCESSFUL OFFEROR IN
2 ACCORDANCE WITH SUBSECTION (N) OR (O), THE COMMISSION MAY
3 UTILIZE AN UNSUCCESSFUL OFFEROR'S ATC. IF THE COMMISSION CHOOSES
4 TO INCORPORATE THE ATC INTO THE CONTRACT EXECUTED AS A RESULT OF
5 THE SUBJECT PROCUREMENT, THE COMMISSION AND CONTRACTOR SHALL
6 EXECUTE A CHANGE ORDER.

7 (S) PROPOSAL VALIDITY PERIOD.--THE REQUEST FOR PROPOSALS
8 SHALL STATE THE VALIDITY PERIOD FOR THE PROPOSAL, UNLESS
9 EXTENDED BY THE MUTUAL CONSENT OF THE COMMISSION AND OFFERORS.

10 (T) EVALUATION COMMITTEE.--

11 (1) NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS
12 ARTICLE, AN EVALUATION COMMITTEE UNDER THIS ARTICLE SHALL
13 CONSIST OF AT LEAST FIVE EMPLOYEES AS DETERMINED BY THE
14 COMMISSION. AN INDIVIDUAL WHO HAS BEEN EMPLOYED BY AN OFFEROR
15 WITHIN THE PRECEDING FIVE YEARS MAY NOT PARTICIPATE IN THE
16 EVALUATION OF ANY PROPOSALS SUBMITTED BY THAT OFFEROR.

17 (2) NOTHING IN THIS SUBSECTION SHALL BE CONSTRUED TO
18 PROHIBIT AN EMPLOYEE OF THE DEPARTMENT OF TRANSPORTATION TO
19 PARTICIPATE ON AN EVALUATION COMMITTEE FOR THE COMMISSION.

20 SECTION 1604-Q.3. APPLICABILITY OF OTHER LAWS.

21 (A) CONSTRUCTION.--EXCEPT AS PROVIDED UNDER SUBSECTION (B),
22 LAWS RELATED TO THE DESIGN, CONSTRUCTION, OPERATION OR FINANCING
23 OF A PROJECT IN EFFECT ON THE DATE THE AGREEMENT IS FULLY
24 EXECUTED SHALL APPLY TO THE AGREEMENT BETWEEN THE COMMISSION AND
25 CONTRACTOR. THE PROVISIONS SHALL ALSO INCLUDE:

26 (1) THE ACT OF MAY 1, 1913 (P.L.155, NO.104), REFERRED
27 TO AS THE SEPARATIONS ACT.

28 (2) THE ACT OF AUGUST 15, 1961 (P.L.987, NO.442), KNOWN
29 AS THE PENNSYLVANIA PREVAILING WAGE ACT.

30 (B) APPLICATION.--ONLY THE FOLLOWING PROVISIONS OF 62

1 PA.C.S. (RELATING TO PROCUREMENT) SHALL APPLY TO THIS ARTICLE:

2 (1) SECTION 102 (RELATING TO APPLICATION OF PART).

3 (2) SECTION 107 (RELATING TO RECIPROCAL LIMITATIONS).

4 (3) SECTION 301 (RELATING TO PROCUREMENT
5 RESPONSIBILITY).

6 (4) SECTION 521 (RELATING TO CANCELLATION OF INVITATIONS
7 FOR BIDS OR REQUESTS FOR PROPOSALS).

8 (5) SECTION 531 (RELATING TO DEBARMENT OR SUSPENSION).

9 (6) SECTION 541 (RELATING TO APPROVAL OF ACCOUNTING
10 SYSTEM).

11 (7) SECTION 542 (RELATING TO MULTITERM CONTRACTS).

12 (8) SECTION 551 (RELATING TO RIGHT TO INSPECT PLANT).

13 (9) SECTION 552 (RELATING TO RIGHT TO AUDIT RECORDS).

14 (10) SECTION 562 (RELATING TO ANTICOMPETITIVE
15 PRACTICES).

16 (11) SECTION 563 (RELATING TO RETENTION OF PROCUREMENT
17 RECORDS).

18 (12) SECTION 902 (RELATING TO BID OR PROPOSAL SECURITY).

19 (13) SECTION 903 (RELATING TO CONTRACT PERFORMANCE
20 SECURITY AND PAYMENT BONDS).

21 (14) SECTION 904 (RELATING TO COPIES OF BONDS).

22 (15) CHAPTER 17 (RELATING TO LEGAL AND CONTRACTUAL
23 REMEDIES).

24 (16) CHAPTER 23 (RELATING TO ETHICS IN PUBLIC
25 CONTRACTING).

26 (17) CHAPTER 35 (RELATING TO IRAN-FREE PROCUREMENT).

27 (18) CHAPTER 36 (RELATING TO PROHIBITED CONTRACTS).

28 (19) SECTION 3701 (RELATING TO CONTRACT PROVISIONS
29 PROHIBITING DISCRIMINATION).

30 (20) SECTION 3921 (RELATING TO RETAINAGE).

1 (21) SECTION 3922 (RELATING TO PAYMENT OF RETAINAGE TO
2 SUBCONTRACTORS) .

3 (22) SECTION 3931 (RELATING TO PERFORMANCE BY CONTRACTOR
4 OR SUBCONTRACTOR) .

5 (23) SECTION 3932 (RELATING TO GOVERNMENT AGENCY'S
6 PROGRESS PAYMENT OBLIGATIONS) .

7 (24) SECTION 3933 (RELATING TO CONTRACTORS' AND
8 SUBCONTRACTORS' PAYMENT OBLIGATIONS) .

9 (25) SECTION 3934 (RELATING TO WITHHOLDING OF PAYMENT
10 FOR GOOD FAITH CLAIMS) .

11 (26) SECTION 3935 (RELATING TO PENALTY AND ATTORNEY
12 FEES) .

13 (27) SECTION 3936 (RELATING TO CONTRACTS INVOLVING
14 FEDERAL AID) .

15 (28) SECTION 3937 (RELATING TO CERTAIN PROVISIONS
16 UNENFORCEABLE) .

17 (29) SECTION 3938 (RELATING TO APPLICABILITY) .

18 (30) SECTION 3939 (RELATING TO CLAIMS BY INNOCENT
19 PARTIES) .

20 (31) SECTION 3941 (RELATING TO SUBSTANTIAL/FINAL PAYMENT
21 UNDER CONTRACT) .

22 (32) SECTION 3942 (RELATING TO ARBITRATION) .

23 (33) SECTION 4506 (RELATING TO LIABILITY FOR INCREASED
24 COSTS) .

25 (34) SECTION 4507 (RELATING TO NONCOLLUSION AFFIDAVITS) .
26 SECTION 1605-Q.3. LIMITATION ON POWERS AND DUTIES AND EXISTING
27 CONTRACTS .

28 (A) RESTRICTION.--THE POWERS AND DUTIES OF THE COMMISSION
29 UNDER THIS ARTICLE MAY NOT BE EXERCISED BEGINNING FOUR YEARS
30 AFTER THE EFFECTIVE DATE OF THIS SECTION .

1 (B) EXCEPTION.--NOTWITHSTANDING SUBSECTION (A), ALL FULLY
2 EXECUTED CONTRACTS PROCURED BY USE OF THIS ARTICLE SHALL REMAIN
3 IN FULL FORCE AND EFFECT, UNLESS TERMINATED IN ACCORDANCE WITH
4 THE TERMS OF THE CONTRACT.

5 SECTION 1606-Q.3 PROJECT REPORTING.

6 (A) PROJECT INFORMATION.--THE COMMISSION SHALL INCLUDE
7 PROJECT INFORMATION RELATED TO DESIGN BUILD BEST VALUE ON THE
8 COMMISSION'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.

9 (B) REPORT.--THE COMMISSION SHALL PREPARE A REPORT ON DESIGN
10 BUILD BEST VALUE. THE REPORT SHALL INCLUDE, AND IS NOT LIMITED
11 TO, THE DESCRIPTION OF ANY PROJECT APPROVED, INCLUDING THE
12 CONDITIONS FOR USE UNDER SECTION 1603-Q.3, COST BENEFIT ANALYSIS
13 OF PURSUING THE PROJECT WITH DESIGN BUILD BEST VALUE INSTEAD OF
14 NORMAL PROCUREMENT METHODS, RECOMMENDATIONS TO IMPROVE THE ACT
15 AND DESCRIPTIONS OF HOW THE COMMISSION IS MANAGING DESIGN BUILD
16 BEST VALUE, INCLUDING ANY POLICY GUIDANCE. THE COMMISSION SHALL
17 COMPLETE THE REPORT FOLLOWING COMPLETION OF THE PROCUREMENT
18 USING DESIGN BUILD BEST VALUE AND PROVIDE A COPY TO THE
19 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE TRANSPORTATION
20 COMMITTEE OF THE SENATE AND THE CHAIRPERSON AND MINORITY
21 CHAIRPERSON OF THE TRANSPORTATION COMMITTEE OF THE HOUSE OF
22 REPRESENTATIVES.

23 SECTION 10. SECTION 1602-T(1)(I) OF THE ACT IS AMENDED TO
24 READ:

25 SECTION 1602-T. MEDICAL ASSISTANCE PAYMENTS FOR INSTITUTIONAL
26 CARE.

27 NOTWITHSTANDING SECTION 443.1(7)(IV) OF THE ACT OF JUNE 13,
28 1967 (P.L.31, NO.21), KNOWN AS THE HUMAN SERVICES CODE:

29 (1) PAYMENTS TO COUNTY AND NONPUBLIC NURSING FACILITIES
30 ENROLLED IN THE MEDICAL ASSISTANCE PROGRAM AS PROVIDERS OF

1 NURSING FACILITY SERVICES SHALL BE DETERMINED IN ACCORDANCE
2 WITH THE METHODOLOGIES FOR ESTABLISHING PAYMENT RATES FOR
3 COUNTY AND NONPUBLIC NURSING FACILITIES SPECIFIED IN THE
4 DEPARTMENT OF HUMAN SERVICES'S REGULATIONS AND THE
5 COMMONWEALTH'S APPROVED TITLE XIX STATE PLAN FOR NURSING
6 FACILITY SERVICES IN EFFECT AFTER JUNE 30, 2007. THE
7 FOLLOWING SHALL APPLY:

8 (I) SUBJECT TO FEDERAL APPROVAL OF SUCH AMENDMENTS
9 AS MAY BE NECESSARY TO THE COMMONWEALTH'S APPROVED TITLE
10 XIX STATE PLAN, THE DEPARTMENT OF HUMAN SERVICES SHALL
11 APPLY A REVENUE ADJUSTMENT NEUTRALITY FACTOR TO COUNTY
12 AND NONPUBLIC NURSING FACILITY PAYMENT RATES SO THAT THE
13 ESTIMATED STATEWIDE DAY-WEIGHTED AVERAGE PAYMENT RATE IN
14 EFFECT FOR THAT FISCAL YEAR IS LIMITED TO THE AMOUNT
15 PERMITTED BY THE FUNDS APPROPRIATED BY THE GENERAL
16 APPROPRIATION ACT FOR THE FISCAL YEAR. THE DEPARTMENT OF
17 HUMAN SERVICES SHALL APPLY THE REVENUE ADJUSTMENT
18 NEUTRALITY FACTOR AS FOLLOWS:

19 (A) THE REVENUE ADJUSTMENT NEUTRALITY FACTOR
20 SHALL REMAIN IN EFFECT UNTIL THE SOONER OF JUNE 30,
21 [2026] 2028, OR THE DATE ON WHICH A NEW RATE-SETTING
22 METHODOLOGY FOR MEDICAL ASSISTANCE NURSING FACILITY
23 SERVICES WHICH REPLACES THE RATE-SETTING METHODOLOGY
24 CODIFIED IN 55 PA. CODE CHS. 1187 (RELATING TO
25 NURSING FACILITY SERVICES) AND 1189 (RELATING TO
26 COUNTY NURSING FACILITY SERVICES) TAKES EFFECT.

27 (B) BEGINNING ON JANUARY 1, 2027, THE DEPARTMENT
28 OF HUMAN SERVICES SHALL APPLY A REVENUE ADJUSTMENT
29 NEUTRALITY FACTOR OF NOT LESS THAN 0.86 TO NONPUBLIC
30 NURSING FACILITY RATES.

* * *

SECTION 11. SECTION 1603-T(A) INTRODUCTORY PARAGRAPH, (2) (I) AND (II) AND (3), (B) (2) (II) (C) AND (5) AND (C) (3) (II) OF THE ACT, AMENDED NOVEMBER 12, 2025 (P.L.156, NO.45), ARE AMENDED TO READ:

SECTION 1603-T. RESIDENT CARE AND RELATED COSTS.

(A) COUNTY AND NONPUBLIC NURSING FACILITY.--THE FOLLOWING APPLIES TO A COUNTY AND NONPUBLIC NURSING FACILITY ENROLLED IN THE MEDICAL ASSISTANCE PROGRAM, INCLUDING A NURSING FACILITY AFFILIATED WITH A CONTINUING CARE RETIREMENT COMMUNITY:

* * *

(2) [EXCEPT AS PROVIDED UNDER PARAGRAPH (3), THE] THE DEPARTMENT OF HUMAN SERVICES SHALL USE THE FOLLOWING METHODOLOGY TO DETERMINE THE FACILITY'S COMPLIANCE WITH PARAGRAPH (1):

(I) ADD THE FACILITY'S [UNALLOCATED TOTAL NET OPERATING COSTS] ALLOWABLE NURSING FACILITY NET OPERATING COSTS REPORTED [AS TOTAL EXPENSES] ON COLUMN G OF THE FACILITY'S SCHEDULE C OF THE MA-11, PLUS THE [FOLLOWING CAPITAL COSTS] RENT OF THE FACILITY REPORTED BY THE FACILITY ON COLUMN G OF ITS SCHEDULE C, PLUS EXCESS ADMINISTRATIVE COSTS AS REPORTED ON SCHEDULE G ON THE MA-11 MULTIPLIED BY THE NURSING FACILITY ALLOCATION PERCENTAGE ON COLUMN I OF THE ADMINISTRATIVE COST CENTER OF THE FACILITY'S SCHEDULE C TO DETERMINE THE FACILITY'S TOTAL COSTS.[:]

(A) REAL ESTATE TAXES.

(B) NURSING FACILITY ASSESSMENT/HAI ASSESSMENT.

(C) DEPRECIATION.

(D) INTEREST ON CAPITAL INDEBTEDNESS.

1 (E) RENT ON FACILITY.

2 (F) AMORTIZATION CAPITAL COSTS.]

3 (II) [ADD THE FACILITY'S UNALLOCATED TOTAL RESIDENT
4 CARE COSTS REPORTED AS TOTAL EXPENSES ON THE FACILITY'S
5 SCHEDULE C AND THE UNALLOCATED TOTAL OTHER RESIDENT
6 RELATED COSTS REPORTED AS TOTAL EXPENSES ON THE
7 FACILITY'S SCHEDULE C TO DETERMINE THE FACILITY'S TOTAL
8 RESIDENT COST OF CARE.] ADD THE FACILITY'S ALLOWABLE
9 NURSING FACILITY TOTAL RESIDENT CARE COSTS AS REPORTED ON
10 COLUMN G OF THE FACILITY'S SCHEDULE C AND THE ALLOWABLE
11 NURSING FACILITY'S TOTAL OTHER RESIDENT RELATED COSTS AS
12 REPORTED ON COLUMN G OF THE FACILITY'S SCHEDULE C.

13 * * *

14 [(3) WHEN A COUNTY OR NONPUBLIC NURSING FACILITY IS
15 AFFILIATED WITH A CONTINUING CARE RETIREMENT COMMUNITY, THE
16 FOLLOWING SHALL APPLY:

17 (I) THE FACILITY SHALL SUBMIT A SUPPLEMENTAL COST
18 REPORT FORM APPORTIONING THE CAPITAL COSTS RELATED TO THE
19 NURSING FACILITY, IN A FORM AND MANNER AS PRESCRIBED BY
20 THE DEPARTMENT OF HUMAN SERVICES.

21 (II) THE DEPARTMENT OF HUMAN SERVICES SHALL USE THE
22 FOLLOWING METHODOLOGY TO DETERMINE THE FACILITY'S
23 COMPLIANCE WITH PARAGRAPH (1):

24 (A) ADD THE FACILITY'S UNALLOCATED TOTAL NET
25 OPERATING COSTS REPORTED AS TOTAL EXPENSES ON THE
26 FACILITY'S SCHEDULE C OF THE MA-11, PLUS THE
27 FOLLOWING CAPITAL COSTS, REPORTED BY THE FACILITY ON
28 ITS SUPPLEMENTAL COST REPORT FORM UNDER SUBPARAGRAPH
29 (I), TO DETERMINE THE FACILITY'S TOTAL COSTS:

30 (I) REAL ESTATE TAXES.

1 (II) NURSING FACILITY ASSESSMENT/HAI

2 ASSESSMENT.

3 (III) DEPRECIATION.

4 (IV) INTEREST ON CAPITAL INDEBTEDNESS.

5 (V) RENT ON FACILITY.

6 (VI) AMORTIZATION CAPITAL COSTS.

7 (B) ADD THE FACILITY'S UNALLOCATED TOTAL

8 RESIDENT CARE COSTS REPORTED AS TOTAL EXPENSES ON THE

9 FACILITY'S SCHEDULE C AND THE UNALLOCATED TOTAL OTHER

10 RESIDENT RELATED COSTS REPORTED AS TOTAL EXPENSES ON

11 THE FACILITY'S SCHEDULE C TO DETERMINE THE FACILITY'S

12 TOTAL RESIDENT COST OF CARE.

13 (C) DIVIDE THE FACILITY'S TOTAL RESIDENT COST OF

14 CARE UNDER CLAUSE (B) BY THE FACILITY'S TOTAL COSTS

15 UNDER CLAUSE (A) TO DETERMINE THE PERCENTAGE OF TOTAL

16 COSTS RELATED TO RESIDENT CARE AND OTHER RESIDENT-

17 RELATED COSTS.]

18 (B) PENALTY.--

19 * * *

20 (2) THE FORMULA FOR DETERMINING THE MAXIMUM PENALTY
21 AMOUNT IS AS FOLLOWS:

22 * * *

23 (II) DETERMINE THE PENALTY AMOUNT AS FOLLOWS:

24 * * *

25 (C) MULTIPLY THE PRODUCT UNDER CLAUSE (B) BY THE

26 COUNTY OR NONPUBLIC NURSING FACILITY'S FEE-FOR-

27 SERVICE PER DIEM PAYMENT RATE AS OF [JUNE 30, 2022.]

28 THE LAST DAY OF THE COST REPORTING PERIOD OF THE

29 FACILITY'S MA-11 USED FOR THE CALCULATIONS IN

30 SUBSECTION (A) (2).

1 * * *

2 (5) PARAGRAPH (4) SHALL EXPIRE DECEMBER 31, [2026] 2031.

3 (C) NURSING FACILITY QUALITY IMPROVEMENT FUND.--

4 * * *

5 (3) MONEY IN THE FUND SHALL BE EXPENDED BY THE
6 DEPARTMENT OF HUMAN SERVICES FOR THE FOLLOWING PURPOSES:

7 * * *

8 (II) TO PROVIDE FUNDING FOR NURSING FACILITY QUALITY
9 IMPROVEMENT OR INNOVATION.

10 * * *

11 SECTION 12. SECTION 1604-T OF THE ACT IS AMENDED TO READ:
12 SECTION 1604-T. LIFE PROGRAM.

13 [(A) APPLICABILITY.--THIS SECTION SHALL APPLY
14 NOTWITHSTANDING SECTION 602 OF THE ACT OF JUNE 13, 1967 (P.L.31,
15 NO.21), KNOWN AS THE HUMAN SERVICES CODE.]

16 (A.1) INFORMATION MATERIALS.--INFORMATIONAL MATERIALS AND
17 [DEPARTMENT OF HUMAN SERVICES] DEPARTMENT CORRESPONDENCE USED BY
18 THE [DEPARTMENT OF HUMAN SERVICES] DEPARTMENT AND THE
19 INDEPENDENT ENROLLMENT BROKER TO EDUCATE OR NOTIFY AN ELIGIBLE
20 INDIVIDUAL ABOUT LONG-TERM CARE SERVICES AND SUPPORTS, INCLUDING
21 [AN] THE ELIGIBLE INDIVIDUAL'S RIGHTS, RESPONSIBILITIES AND
22 CHOICE OF MANAGED CARE ORGANIZATION TO COVER LONG-TERM CARE
23 SERVICES AND SUPPORTS, SHALL INCLUDE THE FOLLOWING:

24 (1) A DESCRIPTION OF THE LIFE PROGRAM[.], INCLUDING A
25 LIST OF FREQUENTLY ASKED QUESTIONS DEVELOPED WITH INPUT FROM
26 LIFE PROVIDERS TO PROVIDE CLARIFICATION ON SPECIFIC PROGRAM
27 BENEFITS AND REQUIREMENTS.

28 (2) A STATEMENT THAT [AN] THE ELIGIBLE INDIVIDUAL HAS
29 THE OPTION TO ENROLL IN THE LIFE PROGRAM OR A MANAGED CARE
30 ORGANIZATION UNDER THE COMMUNITY HEALTHCHOICES PROGRAM.

(3) CONTACT INFORMATION FOR [LIFE PROVIDERS.] THE
ASSIGNED LIFE PROVIDER FOR THE ELIGIBLE INDIVIDUAL'S
RESIDENCE.

(4) A COMPARISON OF THE SERVICES PROVIDED BY THE
COMMUNITY HEALTHCHOICES PROGRAM AND BY THE LIFE PROGRAM.

(5) AN ATTESTATION FORM TO BE SIGNED BY THE ELIGIBLE
INDIVIDUAL INDICATING THE ELIGIBLE INDIVIDUAL'S UNDERSTANDING
OF THE SERVICES OFFERED BY THE LIFE PROGRAM. THE DEPARTMENT
SHALL ENGAGE LIFE PROVIDERS IN DEVELOPING THE LANGUAGE AND
CONTENT OF THE ATTESTATION FORM UNDER THIS PARAGRAPH.

(B) TRAINING.--THE [DEPARTMENT OF HUMAN SERVICES] DEPARTMENT
SHALL CONTINUE TO PROVIDE TRAINING TO THE INDEPENDENT ENROLLMENT
BROKER ON THE LIFE PROGRAM THROUGH THE INDEPENDENT ENROLLMENT
BROKER LIFE MODULE TO BETTER EDUCATE THE INDEPENDENT ENROLLMENT
BROKER AND TO REQUIRE THAT THE LIFE PROGRAM IS OFFERED EQUALLY
TO ELIGIBLE INDIVIDUALS.

(C) REPORT.--AT THE END OF EACH QUARTER, THE [DEPARTMENT OF
HUMAN SERVICES] DEPARTMENT SHALL ISSUE A REPORT TO THE
CHAIRPERSON AND MINORITY CHAIRPERSON OF THE HEALTH AND HUMAN
SERVICES COMMITTEE OF THE SENATE AND THE CHAIRPERSON AND
MINORITY CHAIRPERSON OF THE HUMAN SERVICES COMMITTEE OF THE
HOUSE OF REPRESENTATIVES THAT TRACKS BY COUNTY THE ENROLLMENT OF
ELIGIBLE INDIVIDUALS IN LONG-TERM CARE SERVICE PROGRAMS BY THE
INDEPENDENT ENROLLMENT BROKER, INCLUDING MANAGED CARE
ORGANIZATIONS AND LIFE PROGRAMS. THE REPORT SHALL ALSO INCLUDE
DOCUMENTATION OF COMPLIANCE WITH SUBSECTIONS (A) AND (B).

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

"DEPARTMENT." THE DEPARTMENT OF HUMAN SERVICES OF THE

1 COMMONWEALTH.

2 "ELIGIBLE INDIVIDUAL." AN INDIVIDUAL 55 YEARS OF AGE OR
3 OLDER WHO IS A RESIDENT OF THIS COMMONWEALTH, RESIDES IN AN AREA
4 SERVED BY A LIFE PROGRAM AND REQUIRES LONG-TERM SERVICES OR
5 SUPPORTS IN ORDER TO REMAIN LIVING IN THE COMMUNITY AND NOT IN A
6 NURSING FACILITY.

7 "INDEPENDENT ENROLLMENT BROKER." A CONTRACTED STATEWIDE
8 ENTITY THAT FACILITATES THE ELIGIBILITY AND ENROLLMENT PROCESS
9 FOR INDIVIDUALS SEEKING HOME- AND COMMUNITY-BASED SERVICES AND
10 WORKS WITH SERVICE COORDINATION PROVIDERS TO RESPOND TO
11 PARTICIPANTS' NEEDS.

12 "LIFE PROGRAM." A PROGRAM WHICH IS A MANAGED CARE PROGRAM
13 THAT PROVIDES ALL-INCLUSIVE CARE FOR ELDERLY INDIVIDUALS IN THIS
14 COMMONWEALTH AS ESTABLISHED IN ACCORDANCE WITH 42 CFR PT. 460
15 (RELATING TO PROGRAMS OF ALL-INCLUSIVE CARE FOR THE ELDERLY
16 (PACE)).

17 SECTION 13. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:
18 SECTION 1607-T. TRANSITION TO CHIP-ENABLED ACCESS CARDS.

19 (A) REQUIREMENT.--TO THE EXTENT MONEY IS APPROPRIATED FOR
20 THIS PURPOSE, THE DEPARTMENT OF HUMAN SERVICES SHALL TRANSITION
21 ALL ACCESS CARDS FOR USE IN THE SUPPLEMENTAL NUTRITION
22 ASSISTANCE PROGRAM TO INCLUDE CHIP-ENABLED TECHNOLOGY NO LATER
23 THAN JANUARY 1, 2028.

24 (B) FISCAL RESPONSIBILITY.--THE DEPARTMENT OF HUMAN SERVICES
25 SHALL IMPLEMENT THE TRANSITION UNDER SUBSECTION (A) IN A MANNER
26 THAT BALANCES EFFICIENCY AND COST-EFFECTIVENESS AND PROVIDES
27 ENHANCED SECURITY FEATURES SUCH AS TAP-TO-PAY TECHNOLOGY OR
28 OTHER TECHNOLOGY TO PREVENT BENEFIT THEFT.

29 (C) COST.--THE DEPARTMENT SHALL PROVIDE ONE CHIP-ENABLED
30 ACCESS CARD PER ELIGIBLE RECIPIENT AT NO COST TO THE RECIPIENT.

1 (D) DUTY OF DEPARTMENT.--THE DEPARTMENT OF HUMAN SERVICES
2 SHALL:

3 (1) WITHIN 90 DAYS OF CHIP-ENABLED ACCESS CARDS BEING
4 MADE AVAILABLE IN EVERY COUNTY, ISSUE A FINAL REPORT
5 EVALUATING THE TRANSITION TO CHIP-ENABLED ACCESS CARDS UNDER
6 THIS SECTION TO:

7 (I) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
8 HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE.

9 (II) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
10 HUMAN SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

11 (2) PERFORM OUTREACH TO VENDORS ON THE TRANSITION UNDER
12 SUBSECTION (A), INCLUDING SYSTEM UPGRADES THAT A VENDOR MAY
13 NEED TO IMPLEMENT.

14 (3) PERFORM OUTREACH TO RECIPIENTS ON THE TRANSITION,
15 INCLUDING POSTING ON THE DEPARTMENT'S PUBLICLY ACCESSIBLE
16 INTERNET WEBSITE, IN A SHAREABLE FORMAT, RESOURCES AND
17 FREQUENTLY ASKED QUESTIONS REGARDING THE USE OF ACCESS CARDS
18 WITH CHIP-ENABLED TECHNOLOGY.

19 (4) ESTABLISH A PROCEDURE TO DISTRIBUTE ACCESS CARDS TO
20 ELIGIBLE RECIPIENTS IN EMERGENCY SITUATIONS.

21 (5) TAKE NECESSARY STEPS, WHERE POSSIBLE, TO MAXIMIZE
22 FUNDING WITH FEDERAL OR OTHER FUNDING SOURCES BY OCTOBER 1,
23 2026.

24 (E) CONSTRUCTION.--NOTHING IN THIS SECTION SHALL BE
25 CONSTRUED TO LIMIT THE DEPARTMENT OF HUMAN SERVICES' AUTHORITY
26 TO IMPLEMENT FUTURE CHANGES TO ACCESS CARDS TO ENHANCE BENEFIT
27 SECURITY.

28 SECTION 1608-T. MEDICAL ASSISTANCE REENTRY PROGRAM.

29 NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AND SUBJECT TO
30 FEDERAL APPROVAL AND CONTINGENT ON FUNDING BEING APPROPRIATED

1 FOR THIS PURPOSE, BEGINNING JULY 1, 2026, THE DEPARTMENT OF
2 HUMAN SERVICES IS AUTHORIZED TO ESTABLISH A REENTRY PROGRAM
3 UNDER THE MEDICAL ASSISTANCE PROGRAM FOR RECIPIENTS WHO ARE
4 INCARCERATED IN A PARTICIPATING CORRECTIONAL INSTITUTION. THE
5 REENTRY PROGRAM SHALL, AT A MINIMUM, PROVIDE ELIGIBLE RECIPIENTS
6 ACCESS TO SUBSTANCE USE DISORDER TREATMENT AND CASE MANAGEMENT
7 SERVICES PRIOR TO RELEASE FROM A PARTICIPATING CORRECTIONAL
8 INSTITUTION.

9 SECTION 1609-T. CHILDREN'S TRUST FUND.

10 (A) TRAINING.--ORGANIZATIONS PROVIDING TRAINING, TECHNICAL
11 ASSISTANCE AND OTHER SUPPORT TO COURT-APPOINTED SPECIAL
12 ADVOCATES SHALL BE ELIGIBLE TO APPLY FOR GRANTS AWARDED BY THE
13 CHILDREN'S TRUST FUND. APPLICATIONS MEETING GRANT SOLICITATION
14 CRITERIA SHALL BE ACCEPTED FROM THE FOLLOWING:

15 (1) AN ORGANIZATION THAT SERVES ONE OR MORE COUNTIES.

16 (2) AN ORGANIZATION THAT OPERATES STATEWIDE TO ESTABLISH
17 NEW COUNTY-LEVEL PROGRAMS.

18 (B) APPLICABILITY.--THE FOLLOWING SHALL APPLY TO AN
19 ORGANIZATION APPLYING UNDER SUBSECTION (A) (2):

20 (1) THE APPLICATION MUST INCLUDE A LETTER OF SUPPORT
21 FROM THE COURT OF COMMON PLEAS IN THE COUNTY IN WHICH THE NEW
22 PROGRAM WILL BE LOCATED.

23 (2) THE ORGANIZATION MAY USE ANY FUNDS AVAILABLE TO MEET
24 MATCH REQUIREMENTS TO THE EXTENT PERMITTED BY LAW.

25 (3) AN ORGANIZATION UNDER THIS SUBSECTION MAY SUBMIT
26 MORE THAN ONE APPLICATION PER SOLICITATION PROVIDED THAT NO
27 APPLICATION IS WITH THE SAME COUNTY-LEVEL PARTNER.

28 (C) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
29 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
30 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

1 "CHILDREN'S TRUST FUND." THE TRUST FUND ESTABLISHED UNDER
2 THE ACT OF DECEMBER 15, 1988 (P.L.1235, NO.151), KNOWN AS THE
3 CHILDREN'S TRUST FUND ACT.

4 "COURT-APPOINTED SPECIAL ADVOCATE" OR "CASA." AS DEFINED IN
5 42 PA.C.S. § 6302 (RELATING TO DEFINITIONS).
6 SECTION 1610-T. MEDICAL ASSISTANCE PHARMACY SERVICES.

7 (A) AUTHORIZATION.--A PHARMACY BENEFIT MANAGER OR PHARMACY
8 SERVICES ADMINISTRATION ORGANIZATION THAT HAS TERMINATED A
9 CONTRACT WITH OR DISENROLLED A PHARMACY FOR CAUSE SHALL
10 AUTHORIZE THE PHARMACY TO REAPPLY TO BE INCLUDED WITHIN THE
11 NETWORK WHERE:

12 (1) 12 MONTHS HAVE LAPSED FROM THE DATE OF TERMINATION
13 OR DISENROLLMENT; AND

14 (2) THE PHARMACY IS QUALIFIED TO PARTICIPATE AND IS
15 ENROLLED IN THE MEDICAL ASSISTANCE PROGRAM.

16 (B) CONSTRUCTION.--THIS SECTION SHALL NOT BE CONSTRUED TO
17 REQUIRE A PHARMACY BENEFIT MANAGER OR PHARMACY SERVICES
18 ADMINISTRATION ORGANIZATION TO CONTRACT WITH A PHARMACIST OR
19 PHARMACY IF THE PHARMACIST OR PHARMACY WAS DISENROLLED OR
20 TERMINATED FOR ANY OF THE FOLLOWING:

21 (1) A VIOLATION OF SECTION 1407 OF THE ACT OF JUNE 13,
22 1967 (P.L.31, NO.21), KNOWN AS THE HUMAN SERVICES CODE.

23 (2) A CRIMINAL VIOLATION OF THE ACT OF APRIL 14, 1972
24 (P.L.233, NO.64), KNOWN AS THE CONTROLLED SUBSTANCE, DRUG,
25 DEVICE AND COSMETIC ACT.

26 (3) A CRIMINAL VIOLATION OF 21 U.S.C. § 841 (RELATING TO
27 PROHIBITED ACTS A).

28 (4) A VIOLATION OF A SIMILAR OFFENSE TO PARAGRAPH (1) OR
29 (2) IN ANOTHER JURISDICTION.

30 (C) WILLING PARTICIPANT.--A QUALIFIED PHARMACY UNDER

1 SUBSECTION (A) THAT WAS NOT TERMINATED OR DISENROLLED SUBJECT TO
2 VIOLATIONS IN SUBSECTION (B) SHALL BE DEEMED A WILLING PROVIDER
3 AND THE MANAGED CARE ORGANIZATION, ITS PHARMACY BENEFIT MANAGER
4 OR PHARMACY SERVICES ADMINISTRATION ORGANIZATION SHALL CONTRACT
5 WITH THE QUALIFIED PHARMACY THAT IS WILLING TO COMPLY WITH
6 PAYMENT RATES AND ADHERE TO QUALITY STANDARDS IN ACCORDANCE WITH
7 SECTION 449 OF THE HUMAN SERVICES CODE.

8 (D) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
9 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
10 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

11 "MANAGED CARE ORGANIZATION." A LICENSED MANAGED CARE
12 ORGANIZATION WITH AN AGREEMENT WITH THE DEPARTMENT OF HUMAN
13 SERVICES TO PROVIDE OR ARRANGE SERVICES TO A MEDICAL ASSISTANCE
14 RECIPIENT.

15 "PHARMACY BENEFIT MANAGER." AS DEFINED IN SECTION 449 OF THE
16 HUMAN SERVICES CODE.

17 "PHARMACY SERVICES ADMINISTRATION ORGANIZATION." AS DEFINED
18 IN SECTION 449 OF THE HUMAN SERVICES CODE.

19 SECTION 13.1. ARTICLE XVI-X OF THE ACT IS AMENDED BY ADDING
20 SUBARTICLES TO READ:

21 SUBARTICLE D

22 ADDITIONAL ZONE FOR SHIPBUILDING
23 SECTION 1631-X. ADDITIONAL KEYSTONE OPPORTUNITY EXPANSION ZONE
24 FOR SHIPBUILDING.

25 (A) DESIGNATION.--IN ADDITION TO A DESIGNATION UNDER THIS
26 ARTICLE, ARTICLE XIX-D OF THE TAX REFORM CODE OF 1971 OR CHAPTER
27 3 OF THE KOZ ACT, THE DEPARTMENT MAY DESIGNATE ONE ADDITIONAL
28 KEYSTONE OPPORTUNITY EXPANSION ZONE IN A CITY AND COUNTY OF THE
29 FIRST CLASS.

30 (B) CRITERIA.--NOTWITHSTANDING ARTICLE XIX-D OF THE TAX

1 REFORM CODE OF 1971 AND THE KOZ ACT, THE ADDITIONAL KEYSTONE
2 OPPORTUNITY EXPANSION ZONE UNDER SUBSECTION (A) SHALL SATISFY
3 ALL OF THE FOLLOWING CRITERIA:

4 (1) THE ADDITIONAL KEYSTONE OPPORTUNITY EXPANSION ZONE
5 MAY NOT EXCEED 350 ACRES IN THE AGGREGATE.

6 (2) EACH PARCEL COMPRISING THE ADDITIONAL KEYSTONE
7 OPPORTUNITY EXPANSION ZONE SHALL, ON A DATE DETERMINED BY THE
8 DEPARTMENT, SATISFY ANY OF THE FOLLOWING:

9 (I) BE DETERIORATED PROPERTY.

10 (II) BE UNDERUTILIZED.

11 (III) BE AN UNOCCUPIED PARCEL.

12 (3) EACH PARCEL SHALL HAVE BEEN FORMERLY USED AS A NAVAL
13 BASE OR FOR COMMERCIAL SHIPBUILDING AND RELATED ACTIVITIES.

14 (4) THE ADDITIONAL KEYSTONE OPPORTUNITY EXPANSION ZONE
15 MAY NOT INCLUDE A PARCEL DESIGNATED AS A KEYSTONE OPPORTUNITY
16 EXPANSION ZONE ON THE EFFECTIVE DATE OF THIS PARAGRAPH.

17 (C) AUTHORIZATION.--

18 (1) A QUALIFIED BUSINESS LOCATED WITHIN THE ADDITIONAL
19 KEYSTONE OPPORTUNITY EXPANSION ZONE AUTHORIZED UNDER
20 SUBSECTION (A) SHALL BE ENTITLED TO ALL TAX EXEMPTIONS,
21 DEDUCTIONS, ABATEMENTS OR CREDITS UNDER CHAPTER 5 OF THE KOZ
22 ACT FOR A PERIOD OF 10 YEARS.

23 (2) THE EXEMPTION FOR SALES AND USE TAX UNDER SECTION
24 511(A) OF THE KOZ ACT SHALL COMMENCE UPON DESIGNATION OF THE
25 ADDITIONAL KEYSTONE OPPORTUNITY EXPANSION ZONE BY THE
26 DEPARTMENT AND SHALL CONTINUE FOR A PERIOD OF 10 YEARS.

27 (D) APPLICATION.--

28 (1) TO RECEIVE A DESIGNATION UNDER SUBSECTION (A), ONE
29 OR MORE BUSINESSES MUST SUBMIT AN APPLICATION TO THE
30 DEPARTMENT ON A FORM DEVELOPED BY THE DEPARTMENT. THE

1 DEPARTMENT MUST RECEIVE THE APPLICATION NO LATER THAN OCTOBER
2 1, 2026.

3 (2) THE DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT
4 OF REVENUE, SHALL REVIEW THE APPLICATION. IF THE DEPARTMENT
5 APPROVES THE APPLICATION, THE DEPARTMENT SHALL ISSUE A
6 CERTIFICATION OF ALL TAX EXEMPTIONS, DEDUCTIONS, ABATEMENTS
7 OR CREDITS UNDER CHAPTER 5 OF THE KOZ ACT CONSISTENT WITH
8 SUBSECTION (C) WITHIN THREE MONTHS AFTER RECEIVING THE
9 APPLICATION.

10 (3) THE DEPARTMENT SHALL ACT ON AN APPLICATION FOR A
11 DESIGNATION UNDER SUBSECTION (A) NO LATER THAN JULY 31, 2027.
12 A DESIGNATION APPROVED UNDER SUBSECTION (A) SHALL TAKE EFFECT
13 AUGUST 1, 2027.

14 (E) ELIGIBILITY AND NONCOMPLIANCE.--

15 (1) UPON DESIGNATION OF THE ADDITIONAL KEYSTONE
16 OPPORTUNITY EXPANSION ZONE UNDER SUBSECTION (A), A QUALIFIED
17 BUSINESS SHALL BE ELIGIBLE FOR ALL TAX EXEMPTIONS,
18 DEDUCTIONS, ABATEMENTS OR CREDITS UNDER CHAPTER 5 OF THE KOZ
19 ACT.

20 (2) IF THE DEPARTMENT DETERMINES THAT A QUALIFIED
21 BUSINESS HAS FAILED TO SATISFY THE REQUIREMENTS OF THE KOZ
22 AGREEMENT, THE FOLLOWING SHALL APPLY:

23 (I) THE QUALIFIED BUSINESS SHALL NO LONGER BE
24 ELIGIBLE TO RECEIVE A TAX EXEMPTION, DEDUCTION, ABATEMENT
25 OR CREDIT UNDER CHAPTER 5 OF THE KOZ ACT FOR BUSINESS
26 ACTIVITY CONDUCTED AT ONE OR MORE PARCELS IN THE
27 ADDITIONAL KEYSTONE OPPORTUNITY EXPANSION ZONE.

28 (II) THE DEPARTMENT MAY REQUIRE THE QUALIFIED
29 BUSINESS TO REFUND ALL OR PART OF A TAX EXEMPTION,
30 DEDUCTION, ABATEMENT OR CREDIT RECEIVED UNDER THIS

1 SECTION FOR BUSINESS ACTIVITY CONDUCTED AT ONE OR MORE
2 PARCELS IN THE ADDITIONAL KEYSTONE OPPORTUNITY EXPANSION
3 ZONE.

4 (F) APPLICABILITY.--

5 (1) A TAX EXEMPTION, DEDUCTION, ABATEMENT OR CREDIT
6 AUTHORIZED UNDER CHAPTER 7 OF THE KOZ ACT SHALL NOT APPLY TO
7 THE ADDITIONAL KEYSTONE OPPORTUNITY EXPANSION ZONE DESIGNATED
8 UNDER SUBSECTION (A).

9 (2) THE DEPARTMENT MAY NOT REQUIRE A QUALIFIED POLITICAL
10 SUBDIVISION IN WHICH A PARCEL PROPOSED FOR INCLUSION IN THE
11 ADDITIONAL KEYSTONE OPPORTUNITY EXPANSION ZONE IS LOCATED TO
12 APPROVE AN APPLICATION SUBMITTED UNDER SUBSECTION (D).

13 (3) A TAX EXEMPTION, DEDUCTION, ABATEMENT OR CREDIT
14 AUTHORIZED UNDER CHAPTER 5 OF THE KOZ ACT APPLIES ONLY TO
15 BUSINESS ACTIVITY CONDUCTED WITHIN A PARCEL COMPRISING THE
16 ADDITIONAL KEYSTONE OPPORTUNITY EXPANSION ZONE.

17 (4) A DETERMINATION BY THE DEPARTMENT AS TO WHETHER A
18 QUALIFIED BUSINESS HAS SATISFIED THE REQUIREMENTS OF THE KOZ
19 AGREEMENT SHALL BIND THE DEPARTMENT OF REVENUE.

20 (G) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
21 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
22 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

23 "DETERIORATED PROPERTY." AS DEFINED IN SECTION 103 OF THE
24 KOZ ACT.

25 "KOZ AGREEMENT." AN AGREEMENT AMONG A BUSINESS, THE
26 BUSINESS'S AFFILIATES AND THE DEPARTMENT, ON A FORM DEVELOPED BY
27 THE DEPARTMENT, UNDER WHICH THE BUSINESS AND THE BUSINESS'S
28 AFFILIATES COMMIT, IN THE AGGREGATE, TO SATISFY ALL OF THE
29 FOLLOWING REQUIREMENTS:

30 (1) CREATE AT LEAST 250 FULL-TIME JOBS AT ONE OR MORE

1 PARCELS IN THE ADDITIONAL KEYSTONE OPPORTUNITY EXPANSION ZONE
2 WITHIN FIVE YEARS AFTER A DATE DETERMINED BY THE DEPARTMENT
3 AND MAINTAIN THOSE JOBS AT ONE OR MORE PARCELS IN THE
4 ADDITIONAL KEYSTONE OPPORTUNITY EXPANSION ZONE FOR AN
5 ADDITIONAL FIVE YEARS.

6 (2) MAKE A CAPITAL INVESTMENT OF AT LEAST \$100,000,000
7 AT ONE OR MORE PARCELS IN THE ADDITIONAL KEYSTONE OPPORTUNITY
8 EXPANSION ZONE WITHIN FIVE YEARS AFTER A DATE DETERMINED BY
9 THE DEPARTMENT.

10 (3) CONDUCT SHIPBUILDING ACTIVITIES AT ONE OR MORE
11 PARCELS IN THE ADDITIONAL KEYSTONE OPPORTUNITY EXPANSION ZONE
12 FOR AT LEAST 10 YEARS BEGINNING ON A DATE DETERMINED BY THE
13 DEPARTMENT.

14 "QUALIFIED BUSINESS." A BUSINESS THAT MEETS ALL OF THE
15 FOLLOWING REQUIREMENTS:

16 (1) IS AUTHORIZED TO DO BUSINESS IN THIS COMMONWEALTH.

17 (2) IS LOCATED OR PARTIALLY LOCATED WITHIN THE
18 ADDITIONAL KEYSTONE OPPORTUNITY EXPANSION ZONE DESIGNATED
19 UNDER SUBSECTION (A).

20 (3) ENGAGES IN COMMERCIAL SHIPBUILDING ACTIVITIES WITHIN
21 THE ADDITIONAL KEYSTONE OPPORTUNITY EXPANSION ZONE.

22 (4) MEETS THE REQUIREMENTS OF SECTION 307 OF THE KOZ ACT
23 FOR THE TAXABLE YEAR.

24 (5) HAS ENTERED INTO A KOZ AGREEMENT.

25 "QUALIFIED POLITICAL SUBDIVISION." AS DEFINED IN SECTION 103
26 OF THE KOZ ACT.

27 SUBARTICLE E

28 ADDITIONAL ZONES

29 SECTION 1641-X. ADDITIONAL KEYSTONE OPPORTUNITY EXPANSION ZONE
30 FOR CERTAIN COUNTIES OF THE SECOND CLASS A.

1 (A) ESTABLISHMENT.--IN ADDITION TO ANY DESIGNATIONS UNDER
2 ARTICLES XVI-X, XVI-X.1 AND XIX-D OF THE TAX REFORM CODE OF 1971
3 OR THE KOZ ACT, THE DEPARTMENT MAY DESIGNATE ONE ADDITIONAL
4 KEYSTONE OPPORTUNITY EXPANSION ZONE THAT INCLUDES AN AREA IN A
5 TOWNSHIP OF THE SECOND CLASS THAT IS LOCATED IN A COUNTY OF THE
6 SECOND CLASS A AND HAS A POPULATION OF AT LEAST 60,000 BUT LESS
7 THAN 65,000 BASED ON THE 2020 FEDERAL DECENNIAL CENSUS.

8 (B) CRITERIA.--NOTWITHSTANDING ARTICLE XIX-D OF THE TAX
9 REFORM CODE OF 1971 AND THE KOZ ACT, THE ADDITIONAL KEYSTONE
10 OPPORTUNITY EXPANSION ZONE UNDER SUBSECTION (A):

11 (1) MAY NOT BE LESS THAN 15 ACRES IN SIZE.

12 (2) MAY NOT EXCEED, IN THE AGGREGATE, A TOTAL OF 25
13 ACRES.

14 (C) AUTHORIZATION.--

15 (1) BUSINESSES AND AFFILIATES OF THE BUSINESSES LOCATED
16 WITHIN THE ADDITIONAL KEYSTONE OPPORTUNITY EXPANSION ZONE
17 AUTHORIZED UNDER THIS SECTION SHALL BE ENTITLED TO ALL TAX
18 EXEMPTIONS, DEDUCTIONS, ABATEMENTS OR CREDITS UNDER CHAPTER 5
19 OF THE KOZ ACT FOR A PERIOD OF 10 YEARS.

20 (2) EXEMPTIONS FOR SALES AND USE TAXES UNDER SECTION
21 511(A) OF THE KOZ ACT SHALL COMMENCE UPON DESIGNATION OF THE
22 KEYSTONE OPPORTUNITY EXPANSION ZONE BY THE DEPARTMENT AND
23 SHALL CONTINUE FOR 10 YEARS.

24 (D) APPLICATION.--

25 (1) IN ORDER TO RECEIVE A DESIGNATION UNDER THIS
26 SECTION, THE DEPARTMENT MUST RECEIVE AN APPLICATION FROM AN
27 ECONOMIC DEVELOPMENT AUTHORITY, OR AN ECONOMIC DEVELOPMENT
28 AUTHORITY'S DESIGNEE, NO LATER THAN OCTOBER 1, 2027. THE
29 APPLICATION MUST CONTAIN THE INFORMATION REQUIRED UNDER
30 SECTION 302(A)(1), (2)(I) AND (IX) AND (5) OF THE KOZ ACT.

1 (2) THE DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT
2 OF REVENUE, SHALL REVIEW THE APPLICATION AND, IF APPROVED,
3 ISSUE A CERTIFICATION OF ALL TAX EXEMPTIONS, DEDUCTIONS,
4 ABATEMENTS OR CREDITS UNDER CHAPTER 5 OF THE KOZ ACT
5 CONSISTENT WITH SUBSECTION (C) WITHIN THREE MONTHS OF RECEIPT
6 OF THE APPLICATION.

7 (3) THE DEPARTMENT SHALL ACT ON AN APPLICATION FOR A
8 DESIGNATION UNDER THIS SECTION NO LATER THAN DECEMBER 31,
9 2027.

10 (E) APPLICABILITY.--

11 (1) THE PROVISIONS OF SECTION 902 OF THE KOZ ACT SHALL
12 APPLY TO THE ADDITIONAL KEYSTONE OPPORTUNITY EXPANSION ZONE
13 APPROVED UNDER THIS SECTION.

14 (2) THE EXEMPTIONS, DEDUCTIONS, ABATEMENTS OR CREDITS
15 AUTHORIZED UNDER CHAPTER 7 OF THE KOZ ACT SHALL NOT APPLY TO
16 THIS SECTION.

17 (3) THE DEPARTMENT MAY NOT REQUIRE THAT THE POLITICAL
18 SUBDIVISION IN WHICH THE ADDITIONAL KEYSTONE OPPORTUNITY
19 EXPANSION ZONE UNDER THIS SECTION IS LOCATED APPROVE AN
20 APPLICATION SUBMITTED UNDER SUBSECTION (D).

21 SECTION 14. THE ACT IS AMENDED BY ADDING ARTICLES TO READ:

22 ARTICLE XVI-X.2

23 RESIDENTIAL REVITALIZATION KEYSTONE OPPORTUNITY ZONES
24 SECTION 1601-X.2. DEFINITIONS.

25 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
26 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
27 CONTEXT CLEARLY INDICATES OTHERWISE:

28 "APPROVED RESIDENTIAL REVITALIZATION ZONES." A RESIDENTIAL
29 REVITALIZATION KEYSTONE OPPORTUNITY ZONE APPROVED BY THE
30 DEPARTMENT.

1 "BLIGHTED RESIDENTIAL PROPERTY." A PROPERTY MEETING ONE OR
2 MORE OF THE CONDITIONS DECLARED UNDER SECTION 2 OF THE ACT OF
3 MAY 24, 1945 (P.L.991, NO.385), KNOWN AS THE URBAN REDEVELOPMENT
4 LAW.

5 "DEPARTMENT." THE DEPARTMENT OF COMMUNITY AND ECONOMIC
6 DEVELOPMENT OF THE COMMONWEALTH.

7 "INDUSTRIAL AND COMMERCIAL DEVELOPMENT AUTHORITY." AN
8 AUTHORITY ORGANIZED UNDER THE ACT OF AUGUST 23, 1967 (P.L.251,
9 NO.102), KNOWN AS THE ECONOMIC DEVELOPMENT FINANCING LAW, OR ANY
10 SUCCESSOR ENTITY DESIGNATED BY THE COUNTY TO ADMINISTER PROJECTS
11 UNDER THIS ARTICLE.

12 "KOZ ACT." THE ACT OF OCTOBER 6, 1998 (P.L.705, NO.92),
13 KNOWN AS THE KEYSTONE OPPORTUNITY ZONE, KEYSTONE OPPORTUNITY
14 EXPANSION ZONE AND KEYSTONE OPPORTUNITY IMPROVEMENT ZONE ACT.

15 "RESIDENTIAL REVITALIZATION KEYSTONE OPPORTUNITY ZONE." A
16 PROJECT THAT INCLUDES ONE OR MORE OF THE FOLLOWING:

17 (1) ACQUISITION OF BLIGHTED RESIDENTIAL PROPERTY.

18 (2) DEMOLITION OF BLIGHTED RESIDENTIAL PROPERTY
19 STRUCTURES.

20 (3) ENVIRONMENTAL REMEDIATION.

21 (4) SITE PREPARATION.

22 (5) PUBLIC OR PRIVATE INFRASTRUCTURE IMPROVEMENTS.

23 (6) REHABILITATION OR RECONSTRUCTION OF EXISTING
24 STRUCTURES.

25 (7) ADAPTIVE REUSE OF EXISTING STRUCTURES.

26 (8) NEW RESIDENTIAL CONSTRUCTION.

27 (9) MIXED-USE DEVELOPMENT CONTAINING A RESIDENTIAL
28 COMPONENT.

29 "TAX REFORM CODE OF 1971." THE ACT OF MARCH 4, 1971 (P.L.6,
30 NO.2), KNOWN AS THE TAX REFORM CODE OF 1971.

1 SECTION 1602-X.2. RESIDENTIAL REVITALIZATION KEYSTONE

2 OPPORTUNITY ZONES.

3 (A) ESTABLISHMENT.--IN ADDITION TO ANY DESIGNATIONS UNDER
4 THIS ACT, ARTICLE XIX-D OF THE TAX REFORM CODE OF 1971 OR THE
5 KOZ ACT, THE DEPARTMENT SHALL DESIGNATE UP TO 300 ACRES IN THE
6 AGGREGATE FOR RESIDENTIAL REVITALIZATION KEYSTONE OPPORTUNITY
7 ZONES IN COUNTIES OF THE FOURTH CLASS HAVING A POPULATION OF AT
8 LEAST 130,000 BUT LESS THAN 135,000 BASED ON THE 2020 FEDERAL
9 DECENNIAL CENSUS. OF THE 300 ACRES, AT LEAST 50 ACRES MUST BE
10 WITHIN CITIES OF THE THIRD CLASS SITUATED IN A COUNTY OF THE
11 FOURTH CLASS.

12 (B) PROPOSED PROJECTS.--TO BE DESIGNATED AS AN APPROVED
13 RESIDENTIAL REVITALIZATION ZONE:

14 (1) PARCELS MAY BE LESS THAN 10 ACRES; AND

15 (2) APPLICATIONS MAY CONTAIN MORE THAN ONE PARCEL.

16 SECTION 1603-X.2. STATE TAX BENEFITS AUTHORIZATION.

17 AN APPROVED RESIDENTIAL REVITALIZATION ZONE SHALL BE UTILIZED
18 PRIMARILY FOR RESIDENTIAL REDEVELOPMENT PURPOSES AND THE
19 FOLLOWING APPLY:

20 (1) AN APPROVED RESIDENTIAL REVITALIZATION ZONE SHALL BE
21 ENTITLED TO ALL TAX EXEMPTIONS, DEDUCTIONS, ABATEMENTS OR
22 CREDITS UNDER CHAPTER 5 OF THE KOZ ACT.

23 (2) EXEMPTIONS FOR SALES AND USE TAXES UNDER SECTION
24 511(A) OF THE KOZ ACT SHALL COMMENCE UPON DESIGNATION UNDER
25 SUBSECTION (A) AND SHALL CONTINUE FOR 10 YEARS.

26 (3) IN ACCORDANCE WITH SECTION 306 OF THE KOZ ACT, A
27 PERSON WHO IS A RESIDENT OF OR A BUSINESS OPERATING WITHIN A
28 PARCEL IN AN APPROVED RESIDENTIAL REVITALIZATION ZONE SHALL
29 RECEIVE THE EXEMPTIONS, DEDUCTIONS, ABATEMENTS OR CREDITS AS
30 PROVIDED UNDER CHAPTER 5 OF THE KOZ ACT FOR THE DURATION OF

1 THE APPROVED RESIDENTIAL REVITALIZATION ZONE. EXEMPTIONS,
2 DEDUCTIONS, ABATEMENTS OR CREDITS SHALL EXPIRE ON THE DATE OF
3 EXPIRATION OF THE APPROVED RESIDENTIAL REVITALIZATION ZONE.

4 (4) THE DEPARTMENT OF REVENUE SHALL ADMINISTER, CONSTRUE
5 AND ENFORCE THE PROVISIONS OF THIS SECTION IN CONJUNCTION
6 WITH ARTICLES II, III, IV, VI, VII, IX AND XV OF THE TAX
7 REFORM CODE OF 1971.

8 SECTION 1604-X.2. APPLICATIONS.

9 APPLICATIONS FOR AN APPROVED RESIDENTIAL REVITALIZATION ZONE
10 SHALL COMPLY WITH THE FOLLOWING:

11 (1) IN ORDER TO RECEIVE A DESIGNATION UNDER THIS
12 ARTICLE, THE DEPARTMENT MUST RECEIVE AN APPLICATION FROM AN
13 INDUSTRIAL AND COMMERCIAL DEVELOPMENT AUTHORITY OR A
14 MUNICIPALITY LOCATED IN A COUNTY DESCRIBED UNDER SECTION
15 1602-X.2 (A) BETWEEN OCTOBER 1, 2026, AND NO LATER THAN
16 OCTOBER 1, 2029.

17 (2) THE DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT
18 OF REVENUE, SHALL REVIEW APPLICATIONS AND, IF APPROVED, ISSUE
19 A CERTIFICATE OF ALL TAX EXEMPTIONS, DEDICATIONS, ABATEMENTS
20 OR CREDITS UNDER CHAPTER 5 OF THE KOZ ACT, CONSISTENT WITH
21 SECTION 1603-X.2, WITHIN THREE MONTHS OF RECEIPT OF THE
22 APPLICATION.

23 (3) THE DEPARTMENT SHALL APPROVE OR DISAPPROVE ALL
24 APPLICATIONS FOR RESIDENTIAL REVITALIZATION KEYSTONE
25 OPPORTUNITY ZONES BEFORE DECEMBER 31, 2029.

26 SECTION 1605-X.2. APPLICABILITY.

27 THE FOLLOWING APPLY:

28 (1) EXEMPTIONS, DEDICATIONS, ABATEMENTS OR CREDITS UNDER
29 CHAPTER 7 OF THE KOZ ACT SHALL NOT APPLY TO THIS ARTICLE.

30 (2) THE DEPARTMENT MAY NOT REQUIRE THAT THE POLITICAL

1 SUBDIVISION IN WHICH THE APPROVED RESIDENTIAL REVITALIZATION
2 ZONE IS LOCATED APPROVES AN APPLICATION SUBMITTED UNDER
3 SECTION 1604-X.2.

4 (3) SECTION 902 OF THE KOZ ACT SHALL APPLY TO APPROVED
5 RESIDENTIAL REVITALIZATION ZONES.

6 ARTICLE XVI-Z.2

7 VIOLENT INCIDENT CLEARANCE AND

8 TECHNOLOGICAL INVESTIGATIVE METHODS

9 SECTION 1601-Z.2. DEFINITIONS.

10 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
11 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
12 CONTEXT CLEARLY INDICATES OTHERWISE:

13 "CLEARED BY ARREST." REFERRING TO AN OFFENSE THAT A LAW
14 ENFORCEMENT AGENCY REPORTS IS SOLVED AND CLOSED FOR CRIME
15 REPORTING PURPOSES, WHEN AT LEAST ONE INDIVIDUAL HAS BEEN
16 ARRESTED, CHARGED WITH THE COMMISSION OF THE OFFENSE AND TURNED
17 OVER TO THE COURT FOR PROSECUTION, WHETHER FOLLOWING ARREST,
18 COURT SUMMONS OR POLICE NOTICE.

19 "CLEARED BY EXCEPTIONAL MEANS." REFERRING TO AN OFFENSE FOR
20 WHICH A LAW ENFORCEMENT AGENCY HAS:

21 (1) IDENTIFIED THE OFFENDER;

22 (2) GATHERED ENOUGH EVIDENCE TO SUPPORT AN ARREST, MAKE
23 A CHARGE AND TURN OVER THE OFFENDER TO THE COURT FOR
24 PROSECUTION;

25 (3) IDENTIFIED THE OFFENDER'S EXACT LOCATION SO THAT THE
26 OFFENDER COULD BE TAKEN INTO CUSTODY IMMEDIATELY; AND

27 (4) ENCOUNTERED A CIRCUMSTANCE OUTSIDE THE CONTROL OF
28 THE LAW ENFORCEMENT AGENCY THAT PROHIBITS THE LAW ENFORCEMENT
29 AGENCY FROM ARRESTING, CHARGING AND PROSECUTING THE OFFENDER.

30 "COMMISSION." THE PENNSYLVANIA COMMISSION ON CRIME AND

1 DELINQUENCY.

2 "HOMICIDE." EITHER OF THE FOLLOWING:

3 (1) MURDER OF THE FIRST DEGREE AS DEFINED IN 18 PA.C.S.
4 § 2502 (A) (RELATING TO MURDER).

5 (2) MURDER OF THE SECOND DEGREE AS DEFINED IN 18 PA.C.S.
6 § 2502 (B).

7 "LAW ENFORCEMENT AGENCY." A PUBLIC AGENCY OF A POLITICAL
8 SUBDIVISION HAVING GENERAL POLICE POWERS AND CHARGED WITH
9 INVESTIGATING AND MAKING ARRESTS IN CONNECTION WITH VIOLENT
10 CRIMES.

11 "PROGRAM." THE VIOLENT INCIDENT CLEARANCE AND TECHNOLOGICAL
12 INVESTIGATIVE METHODS PROGRAM ESTABLISHED UNDER SECTION 1602-
13 Z.2 (A).

14 "VIOLENT CRIME." A CRIME OF VIOLENCE AS DEFINED IN 42
15 PA.C.S. § 9714 (G) (RELATING TO SENTENCES FOR SECOND AND
16 SUBSEQUENT OFFENSES).

17 SECTION 1602-Z.2. VIOLENT INCIDENT CLEARANCE AND TECHNOLOGICAL
18 INVESTIGATIVE METHODS PROGRAM.

19 (A) ESTABLISHMENT.--THE VIOLENT INCIDENT CLEARANCE AND
20 TECHNOLOGICAL INVESTIGATIVE METHODS PROGRAM IS ESTABLISHED IN
21 THE COMMISSION.

22 (B) PURPOSE.--THE PROGRAM SHALL PROVIDE GRANTS TO LAW
23 ENFORCEMENT AGENCIES SO THAT LAW ENFORCEMENT AGENCIES HAVE THE
24 NECESSARY TOOLS AND RESOURCES TO IMPROVE CLEARANCE RATES OF
25 HOMICIDES AND OTHER VIOLENT CRIMES.

26 (C) APPLICATIONS.--THE COMMISSION SHALL PRESCRIBE THE FORM
27 AND MANNER IN WHICH AN APPLICATION MAY BE SUBMITTED TO RECEIVE A
28 GRANT UNDER THE PROGRAM. THE COMMISSION SHALL ACCEPT
29 APPLICATIONS ON AN ANNUAL BASIS.

30 (D) USE OF GRANTS.--A LAW ENFORCEMENT AGENCY MAY USE A GRANT

1 UNDER THE PROGRAM FOR ANY OF THE FOLLOWING:

2 (1) RETAINING AND TRAINING OF EXISTING PERSONNEL
3 RESPONSIBLE FOR INVESTIGATING HOMICIDES AND OTHER VIOLENT
4 CRIMES AND COSTS ASSOCIATED WITH THE RETENTION AND TRAINING.

5 (2) ACQUIRING, UPGRADING OR REPLACING TECHNOLOGY OR
6 EQUIPMENT RELATED TO EVIDENCE COLLECTION, EVIDENCE PROCESSING
7 AND FORENSIC TESTING RELATED TO HOMICIDES AND OTHER VIOLENT
8 CRIMES.

9 (3) RETAINING AND TRAINING OF EXISTING PERSONNEL
10 RESPONSIBLE FOR THE COLLECTION, PROCESSING AND FORENSIC
11 TESTING OF EVIDENCE RELATED TO HOMICIDES AND OTHER VIOLENT
12 CRIMES AND COSTS ASSOCIATED WITH THE RETENTION AND TRAINING.

13 (4) RETAINING AND TRAINING OF EXISTING PERSONNEL
14 ANALYZING HOMICIDES AND OTHER VIOLENT CRIMES, INCLUDING THE
15 TEMPORAL AND GEOGRAPHIC TRENDS AND COSTS ASSOCIATED WITH THE
16 RETENTION AND TRAINING.

17 (5) UPGRADING RECORD MANAGEMENT SYSTEMS TO ACHIEVE
18 COMPLIANCE WITH THE REPORTING REQUIREMENTS SPECIFIED IN THIS
19 ARTICLE.

20 (6) SUPPORTING WITNESSES TO HELP IN THE INVESTIGATIONS
21 OF HOMICIDES AND OTHER VIOLENT CRIMES.

22 (7) ENSURING COMPLIANCE WITH THE REPORTING REQUIREMENTS
23 OF THIS ARTICLE.

24 (E) SUPPLEMENTAL NATURE OF GRANTS.--GRANTS ALLOCATED THROUGH
25 THE PROGRAM SHALL BE USED TO SUPPLEMENT AND NOT SUPPLANT
26 EXISTING FUNDING FOR LAW ENFORCEMENT AGENCIES.

27 (F) SUBSEQUENT APPLICATIONS.--NOTHING IN THIS SECTION SHALL
28 BE CONSTRUED TO PROHIBIT A LAW ENFORCEMENT AGENCY FROM MAKING AN
29 APPLICATION TO RECEIVE A GRANT UNDER THE PROGRAM IN A SUBSEQUENT
30 YEAR FOR THE SAME PURPOSE AND AMOUNT AS IN THE PRIOR YEAR.

1 (G) GEOGRAPHIC DIVERSITY.--

2 (1) THE COMMISSION SHALL ENSURE THAT GRANTS AWARDED
3 UNDER THE PROGRAM ARE GEOGRAPHICALLY DISPERSED THROUGHOUT
4 THIS COMMONWEALTH.

5 (2) THE COMMISSION SHALL RESERVE NOT LESS THAN 10% OF
6 AVAILABLE GRANTS UNDER THE PROGRAM FOR LAW ENFORCEMENT
7 AGENCIES SERVING RURAL COMMUNITIES.

8 (H) MULTIJURISDICTIONAL APPLICATIONS.--TWO OR MORE OTHERWISE
9 ELIGIBLE LAW ENFORCEMENT AGENCIES REPRESENTING DIFFERENT
10 JURISDICTIONS WITHIN THIS COMMONWEALTH MAY SUBMIT A JOINT
11 APPLICATION FOR A GRANT UNDER THIS PROGRAM.

12 SECTION 1603-Z.2. REPORTING.

13 EACH GRANT RECIPIENT UNDER THE PROGRAM SHALL SUBMIT A REPORT
14 TO THE COMMISSION IN THE FORM AND MANNER DETERMINED BY THE
15 COMMISSION. AT A MINIMUM, EACH REPORT SHALL CONTAIN THE
16 FOLLOWING:

17 (1) THE NUMBER OF CRIMINAL INCIDENTS INVOLVING ONE OR
18 MORE HOMICIDES OR VIOLENT OFFENSES AS FOLLOWS:

19 (I) THE NUMBER OF HOMICIDES OR VIOLENT OFFENSES PER
20 CRIMINAL INCIDENT.

21 (II) THE NUMBER OF OFFENSES INVOLVED IN EACH
22 CRIMINAL INCIDENT THAT WERE CLEARED BY ARREST.

23 (III) THE NUMBER OF OFFENSES INVOLVED IN EACH
24 CRIMINAL INCIDENT THAT WERE CLEARED BY EXCEPTIONAL MEANS.

25 (2) FOR EACH OFFENSE IN PARAGRAPH (1), THE DATE THE
26 OFFENSE WAS COMMITTED AND THE DATE THE OFFENSE WAS CLEARED.

27 (3) THE NUMBER OF PERSONNEL, INCLUDING SWORN LAW
28 ENFORCEMENT OFFICERS AND NONSWORN CIVILIAN STAFF, HIRED OR
29 ASSIGNED TO INVESTIGATE HOMICIDES AND OTHER VIOLENT CRIMES.

30 (4) THE NUMBER OF PERSONNEL HIRED OR ASSIGNED TO

1 COLLECT, PROCESS AND TEST FORENSIC EVIDENCE.

2 (5) THE DESCRIPTION OF ANY TRAINING DEVELOPED OR
3 IMPLEMENTED.

4 (6) THE DESCRIPTION OF ANY TECHNOLOGY OR RECORD
5 MANAGEMENT SYSTEMS PURCHASED, ACQUIRED OR UPGRADED.

6 (7) THE PERCENTAGE OF THE GRANT AWARD UTILIZED FOR EACH
7 ELIGIBLE USE SPECIFIED IN THIS ARTICLE.

8 SECTION 1604-Z.2. EVALUATION.

9 (A) PURPOSE.--THE COMMISSION SHALL EVALUATE THE PROGRAM TO
10 HELP IDENTIFY:

11 (1) WHETHER THE OBJECTIVES OF THE PROGRAM HAVE BEEN MET;
12 AND

13 (2) THE PROGRAM'S IMPACT, STRENGTHS AND AREAS OF
14 POTENTIAL IMPROVEMENT.

15 (B) CONTENTS.--EACH EVALUATION OF THE PROGRAM SHALL INCLUDE
16 THE FOLLOWING:

17 (1) PERFORMANCE METRICS, WHICH MUST INCLUDE:

18 (I) THE FRACTION OF OFFENSES IN EACH CATEGORY THAT
19 WERE CLEARED BY ARREST AND CLEARED BY EXCEPTIONAL MEANS.

20 (II) THE AVERAGE DURATION BETWEEN THE DATE OF THE
21 OFFENSE AND THE DATE OF THE CLEARANCE FOR EACH OFFENSE
22 CATEGORY INCLUDED IN THE REPORTING UNDER THIS ARTICLE.

23 (III) THE PERCENTAGE OF THE AWARD UTILIZED FOR EACH
24 ELIGIBLE USE.

25 (2) PROGRAM ASSESSMENT, WHICH MUST INCLUDE AN ANALYSIS
26 OF:

27 (I) PRACTICES IMPLEMENTED BY GRANT RECIPIENTS UNDER
28 THE PROGRAM THAT THE COMMISSION DEEMS TO BE SUCCESSFUL IN
29 IMPROVING CLEARANCE RATES.

30 (II) AREAS FOR IMPROVEMENT THAT WOULD ENHANCE THE

1 IMPACT OF THE PROGRAM SPECIFICALLY AND INCREASE CLEARANCE
2 RATES GENERALLY.

3 (C) SUBMITTAL.--NO LATER THAN ONE YEAR AFTER THE EFFECTIVE
4 DATE OF THIS SUBSECTION AND BY MARCH 31 OF EACH YEAR THEREAFTER,
5 THE COMMISSION SHALL SUBMIT AN EVALUATION IN ACCORDANCE WITH
6 THIS SECTION TO:

7 (1) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
8 APPROPRIATIONS COMMITTEE OF THE SENATE.

9 (2) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
10 APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

11 (3) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
12 JUDICIARY COMMITTEE OF THE SENATE.

13 (4) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
14 JUDICIARY COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

15 (D) LIMITATION ON ADMINISTRATIVE EXPENSES.--THE COMMISSION
16 MAY NOT EXPEND MORE THAN 3% OF MONEY APPROPRIATED TO THE
17 COMMISSION FOR THE PROGRAM ON ADMINISTRATIVE EXPENSES.

18 SECTION 15. SECTION 1702-A(B) (1) OF THE ACT IS AMENDED BY
19 ADDING A SUBPARAGRAPH TO READ:

20 SECTION 1702-A. FUNDING.

21 * * *

22 (B) TRANSFER OF PORTION OF SURPLUS.--

23 (1) EXCEPT AS MAY BE PROVIDED IN PARAGRAPH (2), FOR
24 FISCAL YEARS BEGINNING AFTER JUNE 30, 2002, THE FOLLOWING
25 APPLY:

26 * * *

27 (XV) NO AMOUNT OF THE SURPLUS IN THE GENERAL FUND
28 FOR FISCAL YEAR 2025-2026 MAY BE DEPOSITED INTO THE
29 BUDGET STABILIZATION RESERVE FUND.

30 * * *

SECTION 15.1. SECTION 1777-A(B) OF THE ACT, ADDED JULY 11,
2024 (P.L.550, NO.54), IS AMENDED AND THE SECTION IS AMENDED BY
ADDING A SUBSECTION TO READ:

SECTION 1777-A. PENNSYLVANIA CONVENTION CENTER.

* * *

(B) ITEMIZATION EXTENSION.--A BASE PROJECT ALLOCATION OF
\$234,900,000 SHALL BE MADE IN ADDITION TO THE AMOUNTS AUTHORIZED
IN SECTION 3(51)(I)(A) OF ACT 53 OF 2007. THE FOLLOWING SHALL
APPLY:

(1) THE AMOUNT ALLOCATED UNDER THIS SUBSECTION TO THE
PROJECT MAY NOT EXCEED A CUMULATIVE AMOUNT OF \$234,900,000.
THE PAYMENTS SHALL BE FOR REIMBURSEMENT TO THE COMMONWEALTH,
ANY OTHER BODY CORPORATE AND POLITIC CREATED BY LAW OR A CITY
OF THE FIRST CLASS TO THE EXTENT THAT THE COMMONWEALTH, ANY
OTHER BODY CORPORATE AND POLITIC CREATED BY LAW OR THE CITY
OF THE FIRST CLASS HAS MADE THEIR DEBT SERVICE PAYMENTS FOR
THE PENNSYLVANIA CONVENTION CENTER OR HAS MADE PAYMENTS FOR
THE CAPITAL, DEBT AND OPERATING EXPENSES, INCLUDING REQUIRED
RESERVES, OF THE PENNSYLVANIA CONVENTION CENTER APPROVED BY
THE SECRETARY OF THE BUDGET. ANY PAYMENTS MADE PURSUANT TO
THIS PARAGRAPH WHICH ARE REIMBURSEMENTS TO THE COMMONWEALTH
SHALL BE DEPOSITED INTO THE CAPITAL DEBT FUND FOR REPAYMENT
OF DEBT ISSUED. THE AMOUNT ALLOCATED UNDER THIS SUBSECTION TO
THE PROJECT SHALL BE AVAILABLE UNTIL DECEMBER 31, 2039.

(2) NOTWITHSTANDING ANY OTHER LAW, IN ANY YEAR, THE
AMOUNTS FOR THE PROJECT MAY BE EXPENDED ONLY IF:

(I) THE AMOUNTS ALLOCATED TO THE PROJECT, OTHER THAN
THE AMOUNTS UNDER PARAGRAPH (1), FROM THE PENNSYLVANIA
GAMING ECONOMIC DEVELOPMENT AND TOURISM FUND PURSUANT TO
SECTION 3(51)(I)(A) OF ACT 53 OF 2007 HAVE BEEN EXPENDED

1 FOR THE PROJECT TO THEIR FULLEST EXTENT ALLOWABLE IN THAT
2 YEAR; OR

3 (II) THE PURPOSE FOR WHICH THE AMOUNTS ARE BEING
4 UTILIZED FOR THE PROJECT IS A PURPOSE THAT IS NOT A
5 PERMISSIBLE PURPOSE UNDER SECTION 3(51)(I)(A) OF ACT 53
6 OF 2007 BUT IS A PERMISSIBLE PURPOSE UNDER PARAGRAPH (1).

7 (3) NOTHING UNDER THIS SUBSECTION IS INTENDED TO
8 SUPERSEDE OR MODIFY SECTIONS 3(51)(I)(A) AND 4(9) OF ACT 53
9 OF 2007.

10 (4) PAYMENTS AUTHORIZED UNDER THIS SUBSECTION MAY NOT
11 EXCEED \$234,900,000.

12 [(B) DEFINITION.--AS USED IN THIS SECTION, THE TERM
13 "OPERATING AGREEMENT" MEANS AN] (C) DEFINITIONS.--AS USED IN
14 THIS SECTION, THE FOLLOWING WORDS AND PHRASES SHALL HAVE THE
15 MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS THE CONTEXT
16 CLEARLY INDICATES OTHERWISE:

17 "ACT 53 OF 2007." THE ACT OF JULY 25, 2007 (P.L.342, NO.53),
18 KNOWN AS PENNSYLVANIA GAMING ECONOMIC DEVELOPMENT AND TOURISM
19 FUND CAPITAL BUDGET ITEMIZATION ACT OF 2007.

20 "OPERATING AGREEMENT." AN AGREEMENT BETWEEN THE
21 COMMONWEALTH, A CITY OF THE FIRST CLASS AND A CONVENTION CENTER
22 AUTHORITY ESTABLISHED UNDER 64 PA.C.S. CH. 60 (RELATING TO
23 PENNSYLVANIA CONVENTION CENTER AUTHORITY) AND EXECUTED PRIOR TO
24 THE EFFECTIVE DATE OF THIS SUBSECTION.

25 "PROJECT." THE PROJECT DESCRIBED IN SECTION 3(51)(I)(A) OF
26 ACT 53 OF 2007.

27 SECTION 15.2. THE ACT IS AMENDED BY ADDING A SECTION TO
28 READ:

29 SECTION 1702-A.1. VETERANS' TRUST FUND BOARD.

30 (A) ESTABLISHMENT OF BOARD.--THE VETERANS' TRUST FUND BOARD

1 IS ESTABLISHED AS AN ADVISORY BOARD WITHIN THE DEPARTMENT. THE
2 FOLLOWING SHALL APPLY:

3 (1) THE PURPOSE OF THE BOARD IS TO INCREASE DONATIONS TO
4 THE FUND, PROVIDE FOR THE EFFECTIVE MANAGEMENT OF THE FUND
5 AND EFFECTUATE AN EQUITABLE AND BROAD DISTRIBUTION OF MONEY
6 IN THE FUND.

7 (2) THE BOARD SHALL HAVE THE FOLLOWING DUTIES:

8 (I) ADVISE THE DEPARTMENT ON THE PRIORITIES OF THE
9 VETERANS' TRUST FUND GRANTS.

10 (II) REVIEW VETERANS' TRUST FUND GRANT APPLICATIONS.

11 (III) RAISE PUBLIC AWARENESS OF THE FUND TO
12 ENCOURAGE DONATIONS AND ORGANIZATION PARTICIPATION.

13 (IV) REVIEW FUND AUDITS AND REPORTS AND RECOMMEND
14 PERFORMANCE AUDIT METRICS IN CONSULTATION WITH THE
15 AUDITOR GENERAL TO BE UTILIZED AND IMPLEMENTED BY
16 ORGANIZATIONS RECEIVING VETERANS' TRUST FUND GRANTS.

17 (V) RECOMMEND LEGISLATIVE OR POLICY CHANGES
18 NECESSARY TO ENHANCE THE FUND AND THE DISTRIBUTION OF
19 MONEY FROM THE FUND.

20 (3) THE DUTIES OF THE BOARD UNDER PARAGRAPH (2) RELATING
21 TO GRANTS SHALL NOT APPLY TO FUNDS DISTRIBUTED UNDER 51
22 PA.C.S. CH. 85 (RELATING TO VETERANS' TEMPORARY ASSISTANCE).

23 (4) MEMBERS OF THE BOARD SHALL BE VETERANS, FAMILY
24 MEMBERS OF VETERANS OR INDIVIDUALS WHO HAVE EXPERIENCE IN
25 SERVING VETERANS. IN DETERMINING WHO TO APPOINT TO THE BOARD,
26 CONSIDERATION SHALL BE GIVEN TO SUBJECT MATTER EXPERTS IN
27 VETERANS ISSUES REGARDING BEHAVIORAL HEALTH, MENTAL HEALTH,
28 POSTTRAUMATIC STRESS DISORDER INJURIES, PHYSICAL
29 DISABILITIES, EMPLOYMENT, HOUSING OR OTHER SOCIAL
30 DETERMINANTS OF HEALTH. THE BOARD SHALL CONSIST OF THE

1 FOLLOWING:

2 (I) THE DEPUTY ADJUTANT GENERAL FOR VETERANS'
3 AFFAIRS OR A DESIGNEE, WHO SHALL SERVE EX OFFICIO.

4 (II) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
5 VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE OF
6 THE SENATE, OR THEIR DESIGNEES, WHO SHALL SERVE EX
7 OFFICIO AND IN AN ADVISORY ROLE.

8 (III) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF
9 THE VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE
10 OF THE HOUSE OF REPRESENTATIVES, OR THEIR DESIGNEES, WHO
11 SHALL SERVE EX OFFICIO AND IN AN ADVISORY ROLE.

12 (IV) TWO MEMBERS OF THE COMMISSION RECOMMENDED BY
13 THE CHAIRPERSON OF THE COMMISSION AND APPOINTED BY THE
14 GOVERNOR.

15 (V) ONE MEMBER RECOMMENDED BY THE ADJUTANT GENERAL
16 FROM EACH OF THE PA VETCONNECT PROGRAM REGIONS OR ANY
17 SUCCESSOR REGIONS AND APPOINTED BY THE GOVERNOR.

18 (5) EXCEPT AS PROVIDED UNDER THIS PARAGRAPH, MEMBERS
19 APPOINTED BY THE GOVERNOR TO THE BOARD SHALL SERVE A TERM OF
20 FOUR YEARS AND UNTIL A SUCCESSOR HAS BEEN APPOINTED. THE
21 INITIAL MEMBERS APPOINTED BY THE GOVERNOR TO THE BOARD SHALL
22 SERVE TERMS AS FOLLOWS AS DETERMINED BY THE GOVERNOR:

23 (I) TWO MEMBERS SHALL SERVE A TERM OF ONE YEAR.

24 (II) TWO MEMBERS SHALL SERVE A TERM OF TWO YEARS.

25 (III) TWO MEMBERS SHALL SERVE A TERM OF THREE YEARS.

26 (IV) ONE MEMBER SHALL SERVE A TERM OF FOUR YEARS.

27 (6) UPON RECOMMENDATION FROM THE ADJUTANT GENERAL, THE
28 GOVERNOR MAY REMOVE A MEMBER APPOINTED BY THE GOVERNOR TO THE
29 BOARD IF THE MEMBER FAILS TO ATTEND THREE CONSECUTIVE
30 MEETINGS OF THE BOARD WITHOUT GOOD CAUSE. THE GOVERNOR SHALL

1 FILL THE VACANCY CREATED UNDER THIS PARAGRAPH FOR THE
2 REMAINDER OF THE UNEXPIRED TERM.

3 (7) THE BOARD SHALL ANNUALLY ELECT A CHAIRPERSON AND
4 VICE CHAIRPERSON AT THE FIRST MEETING COMMENCING NO LATER
5 THAN MARCH 31, 2027. THE DEPARTMENT SHALL DESIGNATE AN
6 EXECUTIVE SECRETARY TO THE BOARD.

7 (8) MEMBERS OF THE BOARD SHALL RECEIVE NO COMPENSATION
8 FOR THEIR SERVICES BUT SHALL RECEIVE REIMBURSEMENT FOR THEIR
9 NECESSARY AND PROPER EXPENSES INCURRED IN EXECUTING THEIR
10 DUTIES AS MEMBERS OF THE BOARD.

11 (9) THE BOARD SHALL MEET UPON THE CALL OF THE
12 CHAIRPERSON OR THE DEPUTY ADJUTANT GENERAL OF VETERANS'
13 AFFAIRS. FOUR MEMBERS OF THE BOARD SHALL CONSTITUTE A QUORUM.

14 (10) EXCEPT FOR THE DEPUTY ADJUTANT GENERAL FOR
15 VETERANS' AFFAIRS, MEMBERS OF THE BOARD MAY NOT BE CURRENT
16 EMPLOYEES OF THE DEPARTMENT.

17 (B) AUDIT.--BY JULY 31, 2028, AND EVERY THREE YEARS
18 THEREAFTER, THE AUDITOR GENERAL SHALL SUBMIT A PERFORMANCE AUDIT
19 OF THE FUND TO THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
20 VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE OF THE
21 SENATE AND THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
22 VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE OF THE
23 HOUSE OF REPRESENTATIVES. THE PERFORMANCE AUDIT SHALL BE
24 CONDUCTED IN ACCORDANCE WITH GENERALLY ACCEPTED GOVERNMENT
25 AUDITING STANDARDS AND EXAMINE THE IMPACTS ON VETERANS BY
26 ORGANIZATIONS FUNDED THROUGH THE FUND.

27 (C) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
28 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
29 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

30 "BOARD." THE VETERANS' TRUST FUND BOARD ESTABLISHED UNDER

1 SUBSECTION (A) .

2 "DEPARTMENT." THE DEPARTMENT OF MILITARY AND VETERANS
3 AFFAIRS OF THE COMMONWEALTH.

4 "FUND." THE VETERANS' TRUST FUND ESTABLISHED UNDER SECTION
5 1701-A.1.

6 SECTION 16. SECTIONS 1712-A.1(A)(2)(II) AND 1713-A.1(B)(1.8)
7 INTRODUCTORY PARAGRAPH AND (II)(B)(II)(D) AND (1.9) OF THE ACT,
8 AMENDED NOVEMBER 12, 2025 (P.L.156, NO.45), ARE AMENDED TO READ:
9 SECTION 1712-A.1. ESTABLISHMENT OF SPECIAL FUND AND ACCOUNT.

10 (A) TOBACCO SETTLEMENT FUND.--

11 * * *

12 (2) THE FOLLOWING SHALL BE DEPOSITED INTO THE TOBACCO
13 SETTLEMENT FUND:

14 * * *

15 (II) FOR FISCAL YEARS 2019-2020, 2020-2021, 2021-
16 2022, 2022-2023, 2023-2024, 2024-2025 [AND], 2025-2026
17 AND 2026-2027, AN AMOUNT EQUAL TO THE ANNUAL DEBT SERVICE
18 DUE IN THE FISCAL YEAR AS CERTIFIED BY THE SECRETARY OF
19 THE BUDGET PURSUANT TO SECTION 2804 OF THE TAX REFORM
20 CODE OF 1971, AS PUBLISHED IN THE PENNSYLVANIA BULLETIN
21 ON MARCH 3, 2018, AT 48 PA.B. 1406, SHALL BE TRANSFERRED
22 TO THE FUND FROM THE TAXES COLLECTED UNDER ARTICLE XII OF
23 THE TAX REFORM CODE OF 1971 BY APRIL 30 FOLLOWING THE
24 BEGINNING OF THE FISCAL YEAR. A DEPOSIT UNDER THIS
25 PARAGRAPH SHALL OCCUR PRIOR TO THE DEPOSITS AND TRANSFERS
26 UNDER SECTION 1296 OF THE TAX REFORM CODE OF 1971.

27 * * *

28 SECTION 1713-A.1. USE OF FUND.

29 * * *

30 (B) APPROPRIATIONS.--THE FOLLOWING SHALL APPLY:

1 * * *

2 (1.8) FOR FISCAL YEARS 2021-2022, 2022-2023, 2023-2024,

3 2024-2025 ~~[AND]~~, 2025-2026 AND 2026-2027, THE GENERAL

4 ASSEMBLY SHALL APPROPRIATE MONEY IN THE FUND IN ACCORDANCE

5 WITH THE FOLLOWING PERCENTAGES BASED ON THE SUM OF THE

6 PORTION OF THE ANNUAL PAYMENT DEPOSITED AND THE AMOUNT

7 DEPOSITED UNDER SECTION 1712-A.1(A)(2)(II) IN THE FISCAL

8 YEAR:

9 * * *

10 (II) TWELVE AND SIX-TENTHS PERCENT TO BE ALLOCATED

11 AS FOLLOWS:

12 * * *

13 (B) THIRTY PERCENT AS FOLLOWS:

14 * * *

15 (II) FROM THE AMOUNT REMAINING AFTER THE

16 AMOUNT UNDER SUBCLAUSE (I) HAS BEEN DETERMINED

17 AND NOTWITHSTANDING ANY PROVISIONS OF CHAPTER 9

18 OF THE TOBACCO SETTLEMENT ACT TO THE CONTRARY:

19 * * *

20 [(D) MONEY APPROPRIATED FOR AMYOTROPHIC

21 LATERAL SCLEROSIS SUPPORT SERVICES SHALL BE

22 DISTRIBUTED TO GRANTEEES IN THE SAME

23 PROPORTION AS DISTRIBUTED IN FISCAL YEAR

24 2024-2025.]

25 * * *

26 (1.9) IN ADDITION TO THE GRANT PERIOD PROVIDED FOR IN

27 SECTION 904 OF THE TOBACCO SETTLEMENT ACT, IF REQUESTED BY

28 THE GRANT AWARDEE, THE DEPARTMENT ~~[MAY]~~ SHALL APPROVE A ONE

29 YEAR EXTENSION FOR ~~[EACH PEDIATRIC CANCER]~~ A RESEARCH GRANT

30 AWARDED ~~[PRIOR TO FISCAL YEAR 2025-2026]~~ UNDER CHAPTER 9 OF

1 THE TOBACCO SETTLEMENT ACT.

2 * * *

3 SECTION 17. SECTION 1723-A.1(A)(3) OF THE ACT IS AMENDED BY
4 ADDING A SUBPARAGRAPH TO READ:

5 SECTION 1723-A.1. DISTRIBUTIONS FROM PENNSYLVANIA RACE HORSE
6 DEVELOPMENT FUND.

7 (A) DISTRIBUTIONS.--FUNDS IN THE FUND ARE APPROPRIATED TO
8 THE DEPARTMENT ON A CONTINUING BASIS FOR THE PURPOSES SET FORTH
9 IN THIS SUBSECTION AND SHALL BE DISTRIBUTED TO EACH ACTIVE AND
10 OPERATING CATEGORY 1 LICENSEE CONDUCTING LIVE RACING AS FOLLOWS:

11 * * *

12 (3) THE FOLLOWING SHALL APPLY:

13 * * *

14 (XI) FOR FISCAL YEAR 2026-2027, THE DEPARTMENT SHALL
15 TRANSFER \$16,305,000 FROM THE FUND TO THE STATE RACING
16 FUND UNDER SUBSECTION (B).

17 * * *

18 SECTION 18. SECTION 1742-A.2(A) OF THE ACT IS AMENDED BY
19 ADDING A PARAGRAPH TO READ:

20 SECTION 1742-A.2. DEPOSITS.

21 (A) DEPOSITS.--FROM THE CONTRIBUTIONS PAID UNDER SECTION
22 301.4 OF THE UNEMPLOYMENT COMPENSATION LAW, THE FOLLOWING
23 AMOUNTS SHALL BE DEPOSITED INTO THE FUND:

24 * * *

25 (4) FOR THE FISCAL YEAR BEGINNING JULY 1, 2026, THE
26 AMOUNT TO BE DEPOSITED INTO THE FUND UNDER THIS SUBSECTION
27 SHALL BE \$115,600,000.

28 * * *

29 SECTION 19. ARTICLE XVII-A.2 OF THE ACT IS AMENDED BY ADDING
30 A SUBARTICLE TO READ:

1 SUBARTICLE G

2 PROFESSIONAL LICENSURE AUGMENTATION ACCOUNT

3 SECTION 1761-A.2. DEPARTMENT OF STATE.

4 (A) USE OF FUNDS IN THE PROFESSIONAL LICENSURE AUGMENTATION
5 ACCOUNT UNDER THE STATE BOARD OF MEDICINE.--

6 (1) MONEY APPROPRIATED FROM THE PROFESSIONAL LICENSURE
7 AUGMENTATION ACCOUNT TO THE STATE BOARD OF MEDICINE SHALL
8 INCLUDE SUFFICIENT MONEY TO ISSUE LICENSES AND CERTIFICATIONS
9 TO INDIVIDUALS WHO APPLY FOR AND MEET THE QUALIFICATIONS OF A
10 LICENSED NURSE-MIDWIFE OR CERTIFIED MIDWIFE UNDER THE ACT OF
11 DECEMBER 20, 1985 (P.L.457, NO.112), KNOWN AS THE MEDICAL
12 PRACTICE ACT OF 1985.

13 (2) MONEY APPROPRIATED FROM THE PROFESSIONAL LICENSURE
14 AUGMENTATION ACCOUNT TO THE STATE BOARD OF MEDICINE MAY NOT
15 BE USED TO ISSUE LICENSES OR CERTIFICATES TO INDIVIDUALS
16 UNDER THE FORMER ACT OF APRIL 4, 1929 (P.L.160, NO.155),
17 REFERRED TO AS THE MIDWIFE REGULATION LAW.

18 (B) (RESERVED).

19 SECTION 20. SECTION 1712-E(A)(8) AND (F)(2) OF THE ACT,
20 AMENDED OR ADDED NOVEMBER 12, 2025 (P.L.156, NO.45), ARE AMENDED
21 AND SUBSECTION (F) IS AMENDED BY ADDING A PARAGRAPH TO READ:
22 SECTION 1712-E. EXECUTIVE OFFICES.

23 (A) APPROPRIATIONS.--THE FOLLOWING SHALL APPLY TO
24 APPROPRIATIONS FOR THE EXECUTIVE OFFICES:

25 * * *

26 (8) ANY UNCOMMITTED MONEY AVAILABLE TO THE PENNSYLVANIA
27 COMMISSION ON CRIME AND DELINQUENCY UNDER SECTION 902(C)(4)
28 OF THE MEDICAL MARIJUANA ACT [THROUGH THE 2025-2026 FISCAL
29 YEAR SHALL] MAY BE TRANSFERRED TO THE CRIME VICTIM SERVICES
30 AND COMPENSATION FUND.

* * *

(F) ENTERPRISE AND TECHNOLOGY RESTRICTED ACCOUNT.--

* * *

(1.2) FOR FISCAL YEAR 2026-2027, NO LATER THAN 60 DAYS AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH, THE SECRETARY OF THE BUDGET SHALL TRANSFER \$96,838,000 TO THE ACCOUNT FROM MONEY APPROPRIATED TO AGENCIES UNDER THE GOVERNOR'S JURISDICTION FOR OPERATING EXPENSES FOR FISCAL YEAR 2025-2026 AND PRIOR FISCAL YEARS, WHICH REMAINS UNEXPENDED, UNENCUMBERED OR UNCOMMITTED. MONEY IN THE ACCOUNT IS APPROPRIATED ON A CONTINUING BASIS AS FOLLOWS:

(I) \$60,000,000 FOR THE ENTERPRISE SYSTEMS LIFECYCLE PROJECT IN THE OFFICE OF THE BUDGET.

(II) \$3,700,000 FOR THE COMMONWEALTH OFFICE OF DIGITAL EXPERIENCE IN THE OFFICE OF ADMINISTRATION.

(III) \$10,000,000 FOR ENHANCED ENTERPRISE CYBERSECURITY PROJECTS IN THE OFFICE OF ADMINISTRATION.

(IV) \$16,138,000 FOR THE SPACE OPTIMIZATION AND UTILIZATION IMPROVEMENT PROJECT IN THE DEPARTMENT OF GENERAL SERVICES.

(V) \$7,000,000 FOR SNAP/EBT CHIP CARDS IN THE DEPARTMENT OF HUMAN SERVICES.

(2) NO LATER THAN 10 DAYS BEFORE THE TRANSFER UNDER PARAGRAPHS (1) [AND], (1.1) AND (1.2), THE SECRETARY OF THE BUDGET SHALL PROVIDE A LIST OF APPROPRIATIONS AND THE AMOUNTS TRANSFERRED TO THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE SENATE AND THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

SECTION 21. SECTION 1718-E(A) (4) (IV) OF THE ACT, ADDED JULY

11, 2024 (P.L.550, NO.54), IS AMENDED, THE PARAGRAPH IS AMENDED
BY ADDING A SUBPARAGRAPH AND THE SECTION IS AMENDED BY ADDING A
SUBSECTION TO READ:

SECTION 1718-E. DEPARTMENT OF AGRICULTURE.

(A) APPROPRIATIONS.--THE FOLLOWING SHALL APPLY TO
APPROPRIATIONS FOR THE DEPARTMENT OF AGRICULTURE:

* * *

(4) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FROM
REMAINING MONEY ALLOCATED FOR HIGHLY PATHOGENIC AVIAN
INFLUENZA PRIOR TO FISCAL YEAR 2024-2025, THE FOLLOWING SHALL
APPLY:

* * *

(IV) [MONEY] EXCEPT AS PROVIDED UNDER SUBPARAGRAPH
(V), MONEY APPROPRIATED FOR THE PURPOSE OF MAKING HIGHLY
PATHOGENIC AVIAN INFLUENZA INDEMNITY PAYMENTS SHALL NOT
BE REALLOCATED UNDER THIS PARAGRAPH.

(V) IN THE 2026-2027 FISCAL YEAR, THE DEPARTMENT
SHALL ALLOCATE AMOUNTS FROM THE AVAILABLE MONEY FOR THE
ESTABLISHMENT AND OPERATION OF OUTREACH AND EDUCATION
PROGRAMS, INCLUDING TO LIVE BIRD MARKETS, TO ASSIST WITH
THE DEVELOPMENT AND IMPLEMENTATION OF BIOSECURITY PLANS,
EMERGENCY RESPONSE PLANNING AND BEST MANAGEMENT PRACTICES
TO PREPARE FOR AND MITIGATE HIGHLY PATHOGENIC AVIAN
INFLUENZA AS FOLLOWS:

(A) AN AMOUNT NOT TO EXCEED \$2,000,000 TO
AGRICULTURAL CENTERS OF EXCELLENCE SUPPORTED BY THE
DEPARTMENT.

(B) AN AMOUNT NOT TO EXCEED \$3,000,000 TO A
LAND-GRANT UNIVERSITY IN THIS COMMONWEALTH.

* * *

1 (C) AGRICULTURE LENDING.--NOTWITHSTANDING 12 PA.C.S. §
2 2306(C)(1)(I) (RELATING TO CAPITAL DEVELOPMENT LOANS), A LOAN
3 APPROVED BY THE PENNSYLVANIA INDUSTRIAL DEVELOPMENT AUTHORITY
4 UNDER 12 PA.C.S. § 2306(C)(1)(I) FOR LAND, BUILDINGS AND
5 MACHINERY AND EQUIPMENT MAY NOT EXCEED THE LESSER OF \$2,000,000
6 OR 50% OF THE TOTAL CAPITAL DEVELOPMENT PROJECT COSTS.

7 SECTION 22. SECTION 1721-E(B) OF THE ACT IS AMENDED AND THE
8 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

9 SECTION 1721-E. DEPARTMENT OF CORRECTIONS.

10 * * *

11 (B) [(RESERVED) .] APPROPRIATIONS TO THE PENNSYLVANIA PAROLE
12 BOARD.--THE FOLLOWING SHALL APPLY TO FUNDS APPROPRIATED FOR THE
13 PENNSYLVANIA PAROLE BOARD:

14 (1) MEMBERS OF THE BOARD WHO RECEIVE COMPENSATION FROM
15 THE FUNDS APPROPRIATED TO THE PENNSYLVANIA PAROLE BOARD SHALL
16 NOT HOLD ANY OTHER PUBLIC OFFICE.

17 (2) MEMBERS OF THE BOARD WHO RECEIVE COMPENSATION FROM
18 THE FUNDS APPROPRIATED TO THE PENNSYLVANIA PAROLE BOARD MAY
19 NOT ENGAGE IN ANY BUSINESS, PROFESSION OR EMPLOYMENT DURING
20 THEIR TERMS OF SERVICES AS A MEMBER UNLESS THE MEMBER
21 RECEIVES PRIOR APPROVAL FROM THE OFFICE OF GENERAL COUNSEL
22 THAT THE BUSINESS, PROFESSION OR EMPLOYMENT:

23 (I) IS NOT INCOMPATIBLE WITH THE MEMBER'S OFFICIAL
24 DUTIES.

25 (II) DOES NOT CREATE A CONFLICT OF INTEREST WITH THE
26 MEMBER'S OFFICIAL DUTIES.

27 (C) MEMBER VACANCIES.--

28 (1) NOTWITHSTANDING 61 PA.C.S. § 6111(B) (RELATING TO
29 PENNSYLVANIA PAROLE BOARD), A MEMBER OF THE BOARD WHOSE TERM
30 HAS EXPIRED MAY ONLY SERVE SIX MONTHS BEYOND THE EXPIRATION

1 OF THE MEMBER'S APPOINTED TERM.

2 (2) NOTWITHSTANDING 61 PA.C.S. § 6111(C), THE GOVERNOR
3 SHALL NOMINATE A PERSON TO FILL A VACANCY ON THE PENNSYLVANIA
4 PAROLE BOARD NOT LATER THAN SIX MONTHS AFTER THE DATE THE
5 VACANCY FIRST OCCURRED.

6 SECTION 22.1. SECTION 1727-E OF THE ACT IS AMENDED BY ADDING
7 A SUBSECTION TO READ:

8 SECTION 1727-E. DEPARTMENT OF LABOR AND INDUSTRY.

9 * * *

10 (D) BUREAU OF OCCUPATIONAL AND INDUSTRIAL SAFETY.--

11 (1) FROM MONEY COLLECTED BY THE DEPARTMENT OF LABOR AND
12 INDUSTRY UNDER SECTION 613-A(A) OF THE ADMINISTRATIVE CODE OF
13 1929, THE FOLLOWING AMOUNTS SHALL AUGMENT APPROPRIATIONS MADE
14 TO THE BUREAU OF OCCUPATIONAL AND INDUSTRIAL SAFETY IN A
15 GENERAL APPROPRIATIONS ACT:

16 (I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2026, AND
17 EACH FISCAL YEAR THEREAFTER, \$1,500,000.

18 (II) (RESERVED).

19 (2) THE AMOUNTS MADE AVAILABLE TO AUGMENT THE
20 APPROPRIATIONS FOR THE BUREAU OF OCCUPATIONAL AND INDUSTRIAL
21 SAFETY UNDER PARAGRAPH (1) SHALL BE IN ADDITION TO AMOUNTS
22 MADE AVAILABLE UNDER SECTION 2219 OF THE ADMINISTRATIVE CODE
23 OF 1929.

24 SECTION 22.2. SECTION 1732-E OF THE ACT IS AMENDED TO READ:
25 SECTION 1732-E. DEPARTMENT OF TRANSPORTATION [(RESERVED)].

26 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE
27 DEPARTMENT OF TRANSPORTATION:

28 (1) FROM MONEY APPROPRIATED FOR TRAFFIC SIGNALS UNDER 75
29 PA.C.S. § 9511(E.1) (RELATING TO ALLOCATION OF PROCEEDS),
30 \$5,000,000 SHALL BE USED BY THE DEPARTMENT TO PROVIDE GRANTS

1 TO MUNICIPALITIES TO INSTALL AND MAINTAIN TRAFFIC SIGNAL
2 TECHNOLOGIES AT TRAFFIC CONTROL SIGNALS THAT WILL BE
3 CONNECTED TO A CENTRAL LOCATION USING THE COMMONWEALTH
4 COMMUNICATIONS NETWORK. MUNICIPALITIES SHALL NOT BE REQUIRED
5 TO PROVIDE MATCHING FUNDS AS A CONDITION OF RECEIVING A GRANT
6 UNDER THIS PARAGRAPH. THE FOLLOWING TRAFFIC SIGNAL
7 TECHNOLOGIES SHALL BE ELIGIBLE FOR A GRANT UNDER THIS
8 PARAGRAPH:

9 (I) A SYSTEM THAT SYNCHRONIZES AND TIMES TRAFFIC
10 SIGNALS.

11 (II) ADAPTIVE SIGNAL CONTROL TECHNOLOGY THAT
12 UTILIZES SENSORS TO MONITOR TRAFFIC FLOW, VEHICLE DELAY
13 AND QUEUES IN ORDER TO OPTIMIZE THE TIMING PLAN OF THE
14 TRAFFIC SIGNAL IN REAL TIME.

15 (III) CONTROLLER, DETECTION AND COMMUNICATION
16 TECHNOLOGY TO SUPPORT TRAFFIC SIGNAL TIMING AND
17 SYNCHRONIZATION UPDATES USING AUTOMATED TRAFFIC SIGNAL
18 PERFORMANCE MEASURES.

19 (IV) CONTROLLER AND COMMUNICATION TECHNOLOGY TO
20 SUPPORT UNIFIED COMMAND AND CONTROL.

21 (2) (RESERVED).

22 SECTION 23. THE ACT IS AMENDED BY ADDING A SECTION TO READ:
23 SECTION 1735-E. PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY.
24 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE
25 PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY:

26 (1) MONEY APPROPRIATED FOR STATE DISASTER ASSISTANCE
27 SHALL BE USED TO PROVIDE DISASTER RECOVERY ASSISTANCE FOR
28 EMERGENCIES AND DECLARED DISASTERS. AMOUNTS UNDER THIS
29 PARAGRAPH SHALL BE USED AS FOLLOWS:

30 (I) REGISTRATION AND DISASTER CASE MANAGEMENT FOR

1 IMPACTED INDIVIDUALS, TEMPORARY HOUSING FOR INDIVIDUALS,
2 REPAIR OF RESIDENTIAL PROPERTY AND IMMEDIATE SERIOUS-
3 NEEDS ASSISTANCE AFTER AN EMERGENCY OR DECLARED DISASTER.
4 ONE-TIME SERIOUS-NEEDS PAYMENTS MAY BE MADE TO ELIGIBLE
5 HOUSEHOLDS PER DISASTER UPON A VERIFIED DAMAGE ASSESSMENT
6 AND IN COMPLIANCE WITH ELIGIBILITY RULES ISSUED BY THE
7 AGENCY. A HOUSEHOLD SHALL NOT BE ELIGIBLE UNDER THIS
8 SUBPARAGRAPH IF THE HOUSEHOLD RECEIVED COMPENSATION FROM
9 INSURANCE OR ANOTHER FUNDING SOURCE.

10 (II) ASSISTANCE TO COUNTY AND MUNICIPAL GOVERNMENTS
11 TO RESTORE PUBLIC INFRASTRUCTURE TO PREDISASTER
12 CONDITION, REMOVE DEBRIS AND TAKE EMERGENCY PROTECTIVE
13 MEASURES THAT ARE NOT COMPENSATED BY INSURANCE OR ANOTHER
14 FUNDING SOURCE IN COMPLIANCE WITH ELIGIBILITY RULES
15 ISSUED BY THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY.

16 (III) ADMINISTRATIVE COSTS OF THE PENNSYLVANIA
17 EMERGENCY MANAGEMENT AGENCY DIRECTLY RELATED TO
18 ADMINISTERING THIS PARAGRAPH IN AN AMOUNT NOT MORE THAN
19 2% OF THE APPROPRIATION.

20 (2) THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY SHALL
21 DEVELOP GUIDELINES TO IMPLEMENT PARAGRAPH (1) AND SUBMIT THE
22 GUIDELINES TO THE LEGISLATIVE REFERENCE BUREAU FOR
23 PUBLICATION IN THE NEXT AVAILABLE ISSUE OF THE PENNSYLVANIA
24 BULLETIN.

25 (3) PARAGRAPH (1) SHALL APPLY TO ALL MONEY APPROPRIATED
26 PRIOR TO THE 2026-2027 FISCAL YEAR AND EACH FISCAL YEAR
27 THEREAFTER.

28 (4) ASSISTANCE TO FIRE COMPANIES AND EMS COMPANIES SHALL
29 BE AS FOLLOWS:

30 (I) NOTWITHSTANDING 35 PA.C.S. § 7364(A)(1)

1 (RELATING TO ASSISTANCE TO FIRE COMPANIES AND EMS
2 COMPANIES), THE AMOUNT OF A LOAN FOR ESTABLISHING OR
3 MODERNIZING FACILITIES MADE TO ANY ONE FIRE COMPANY OR
4 EMS COMPANY MAY NOT EXCEED 50% OF THE TOTAL COST OF
5 FACILITIES OR MODERNIZATION OR \$750,000, WHICHEVER IS
6 LESS.

7 (II) NOTWITHSTANDING 35 PA.C.S. § 7364(A)(2), AND
8 SUBJECT TO PARAGRAPH (3), THE AMOUNT OF A LOAN MADE FOR
9 PURCHASING FIREFIGHTING APPARATUS TO ANY ONE FIRE COMPANY
10 MAY NOT EXCEED \$375,000 FOR A SINGLE FIREFIGHTING
11 APPARATUS EQUIPMENT OR UTILITY OR SPECIAL SERVICE VEHICLE
12 OR HEAVY DUTY RESCUE VEHICLE AS DEFINED BY REGULATION OR
13 GUIDELINE OF THE OFFICE OF THE STATE FIRE COMMISSIONER OR
14 50% OF THE TOTAL COST OF THE EQUIPMENT OR VEHICLE,
15 WHICHEVER IS LESS.

16 (III) A LOAN FOR FIREFIGHTING AERIAL APPARATUS AS
17 DEFINED BY REGULATION OR GUIDELINE OF THE AGENCY MAY NOT
18 EXCEED \$750,000.

19 (IV) THE AMOUNT OF A LOAN MADE TO ANY ONE FIRE
20 COMPANY OR EMS COMPANY FOR ANY AMBULANCE OR LIGHT DUTY
21 RESCUE VEHICLE AS DEFINED BY REGULATION OR GUIDELINE OF
22 THE AGENCY MAY NOT EXCEED \$200,000 AND, FOR A WATERCRAFT
23 RESCUE VEHICLE, MAY NOT EXCEED \$75,000 OR 50% OF THE COST
24 OF THE AMBULANCE OR RESCUE VEHICLE, WHICHEVER IS LESS.

25 (V) PROTECTIVE EQUIPMENT OBTAINED THROUGH LOANS
26 UNDER 35 PA.C.S. § 7364 MUST MEET STANDARDS ADOPTED BY
27 THE STATE FIRE COMMISSIONER TO ENSURE THAT THE PROTECTIVE
28 EQUIPMENT DOES NOT CONTAIN PERFLUOROALKYL AND
29 POLYFLUOROALKYL SUBSTANCES.

30 (VI) NOTWITHSTANDING 35 PA.C.S. § 7364(A)(3), A

1 NOTARIZED FINANCIAL STATEMENT MUST BE FILED AND A LOAN
2 UNDER THIS SUBCHAPTER FOR THE PURCHASE OF PROTECTIVE,
3 ACCESSORY OR COMMUNICATIVE EQUIPMENT MAY NOT EXCEED
4 \$75,000.

5 (VII) NOTWITHSTANDING 35 PA.C.S. § 7364(A)(5), A
6 LOAN FOR REPAIR OR REHABILITATION OF A SINGLE APPARATUS
7 EQUIPMENT THAT NO LONGER MEETS THE STANDARDS OF THE
8 NATIONAL FIRE PROTECTION ASSOCIATION AND THE REPAIR OR
9 REHABILITATION OF WHICH WILL BRING THE EQUIPMENT INTO
10 COMPLIANCE WITH THE STANDARDS SHALL BE FOR AT LEAST
11 \$3,000 AND MAY NOT EXCEED THE LESSER OF \$150,000 OR 80%
12 OF THE TOTAL COST OF REPAIR OR REHABILITATION.

13 (VIII) NOTWITHSTANDING 35 PA.C.S. § 7364(A)(6), A
14 LOAN FOR THE PURCHASE OF USED SINGLE FIREFIGHTING
15 APPARATUS OR EQUIPMENT, USED AMBULANCES, USED RESCUE
16 VEHICLE, USED COMMUNICATIONS EQUIPMENT, USED ACCESSORY
17 EQUIPMENT OR USED PROTECTIVE EQUIPMENT, EXCEPT FOR A USED
18 VEHICLE AND EQUIPMENT, THAT MEETS THE STANDARDS OF THE
19 NATIONAL FIRE PROTECTION ASSOCIATION MAY NOT EXCEED
20 \$300,000 OR 80% OF THE TOTAL COST OF THE EQUIPMENT,
21 WHICHEVER IS LESS.

22 (IX) NOTWITHSTANDING 35 PA.C.S. § 7364(B), A LOAN
23 MADE BY THE OFFICE OF THE STATE FIRE COMMISSIONER IN:

24 (A) THE AMOUNT OF \$50,000 OR LESS SHALL BE FOR A
25 PERIOD OF NOT MORE THAN 10 YEARS;

26 (B) THE AMOUNT OF \$50,000 BUT NOT IN EXCESS OF
27 \$300,000 SHALL BE FOR A PERIOD OF NOT MORE THAN 20
28 YEARS; AND

29 (C) EXCESS OF \$300,000 MAY NOT EXCEED 30 YEARS.

30 (X) BEGINNING JANUARY 1, 2028, AND CONTINUING EACH

1 JANUARY 1 THEREAFTER, ALL LOAN LIMITS SPECIFIED UNDER
2 THIS PARAGRAPH SHALL INCREASE AT THE RATE OF INFLATION AS
3 OUTLINED IN THE CONSUMER PRICE INDEX FOR ALL URBAN
4 CONSUMERS FOR THE PHILADELPHIA-CAMDEN-WILMINGTON, PA-NJ-
5 DE-MD AREA FOR THE MOST RECENT 12-MONTH PERIOD FOR WHICH
6 THE FIGURES HAVE BEEN REPORTED BY THE UNITED STATES
7 DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS. IF THE
8 RATE OF INFLATION DOES NOT INCREASE, ALL LOAN LIMITS
9 SHALL REMAIN THE SAME AS FOR THE PREVIOUS YEAR. THE
10 OFFICE OF THE STATE FIRE COMMISSIONER SHALL TRANSMIT
11 NOTICE OF LOAN LIMIT INCREASES TO THE LEGISLATIVE
12 REFERENCE BUREAU FOR PUBLICATION IN THE NEXT AVAILABLE
13 ISSUE OF THE PENNSYLVANIA BULLETIN.

14 SECTION 24. SECTION 1753.2-E(B.1) OF THE ACT, AMENDED
15 NOVEMBER 12, 2025 (P.L.156, NO.45), IS AMENDED AND SUBSECTION
16 (H) IS AMENDED BY ADDING A PARAGRAPH TO READ:
17 SECTION 1753.2-E. COMMONWEALTH FINANCING AUTHORITY.

18 * * *

19 (B.1) SOLAR FOR SCHOOLS ELIGIBILITY.--

20 (1) BEGINNING IN FISCAL YEAR 2024-2025, A PROJECT
21 APPROVED BY THE DEPARTMENT UNDER THE SOLAR FOR SCHOOLS GRANT
22 PROGRAM SHALL BE AN ELIGIBLE PROJECT. THE BOARD SHALL APPROVE
23 FUNDING FROM FUNDS AVAILABLE FOR THE SOLAR FOR SCHOOLS GRANT
24 PROGRAM. THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
25 SHALL USE UP TO 3% OF THE MONEY AVAILABLE FOR THE SOLAR FOR
26 SCHOOLS GRANT PROGRAM TO PAY DIRECT ADMINISTRATIVE COSTS,
27 INCLUDING PROVIDING TECHNICAL ASSISTANCE TO ELIGIBLE
28 APPLICANTS.

29 (2) THE FOLLOWING SHALL APPLY:

30 (I) NOTWITHSTANDING SECTION 2 OF THE ACT OF JULY 17,

1 2024 (P.L.813, NO.68), KNOWN AS THE SOLAR FOR SCHOOLS
2 ACT, THE TERM "ELIGIBLE PROJECT COSTS" SHALL INCLUDE
3 COSTS RELATED TO A POWER PURCHASE AGREEMENT AND TECHNICAL
4 ASSISTANCE PROVIDED BY THIRD-PARTY ENTITIES.

5 (II) NOTWITHSTANDING SECTION 2 OF THE SOLAR FOR
6 SCHOOLS ACT, THE TERM "SCHOOL FACILITY" SHALL INCLUDE
7 SUPPORT BUILDINGS, INCLUDING BUS GARAGES AND DISTRICT
8 OFFICES, OWNED BY AN ELIGIBLE APPLICANT.

9 (III) NOTWITHSTANDING SECTION 3(G) OF THE SOLAR FOR
10 SCHOOLS ACT, AN ELIGIBLE APPLICANT MAY RECEIVE A GRANT OF
11 UP TO 75% OF THE ELIGIBLE PROJECT COSTS FOR THE SOLAR
12 ENERGY PROJECT.

13 (IV) NOTWITHSTANDING SECTION 3(I)(1) OF THE SOLAR
14 FOR SCHOOLS ACT, AFTER AN APPLICATION PERIOD HAS BEEN
15 OPEN FOR SIX MONTHS, THE GEOGRAPHIC DISPERSAL REQUIREMENT
16 SHALL NOT APPLY AND THE DEPARTMENT MAY ALLOCATE FUNDS ON
17 A FIRST-COME, FIRST-SERVED BASIS TO ELIGIBLE APPLICANTS.

18 * * *

19 (H) FUNDING.--

20 * * *

21 (6) FROM MONEY TRANSFERRED TO THE AUTHORITY IN FISCAL
22 YEAR 2026-2027 FOR TRANSFER TO PUBLIC SCHOOL FACILITY
23 IMPROVEMENT GRANT PROGRAM - COMMONWEALTH FINANCING AUTHORITY:

24 (I) \$100,000,000 SHALL BE USED IN ADDITION TO THE
25 MONEY APPROPRIATED IN FISCAL YEAR 2025-2026 TO MAKE
26 AWARDS FROM APPLICATIONS RECEIVED DURING THE 2025-2026
27 FISCAL YEAR. THE AUTHORITY SHALL PROVIDE A SUPPLEMENTAL
28 APPLICATION PERIOD OF AT LEAST 10 DAYS DURING WHICH A
29 SCHOOL ENTITY MAY SUBMIT ADDITIONAL APPLICATIONS; AND

30 (II) \$25,000,000 SHALL BE USED TO FUND PROJECTS

1 RECOMMENDED BY THE DEPARTMENT UNDER SUBSECTION (B.1).

2 * * *

3 SECTION 25. SECTION 1798.1-E(B) (1) AND (2) INTRODUCTORY
4 PARAGRAPH AND (G) (2) AND (3) OF THE ACT, AMENDED NOVEMBER 12,
5 2025 (P.L.156, NO.45), ARE AMENDED AND THE SUBSECTIONS ARE
6 AMENDED BY ADDING PARAGRAPHS TO READ:
7 SECTION 1798.1-E. FEDERAL AND COMMONWEALTH USE OF FOREST LAND.

8 * * *

9 (B) CHARGE.--EXCEPT AS PROVIDED UNDER SUBSECTION (G), THE
10 FOLLOWING SHALL APPLY:

11 (1) FOR LAND OWNED BY THE DEPARTMENT OF CONSERVATION AND
12 NATURAL RESOURCES, SUBJECT TO SUBSECTION (C), REAL PROPERTY
13 UNDER SUBSECTION (A) SHALL BE SUBJECT TO AN ANNUAL CHARGE OF
14 ALL OF THE FOLLOWING:

15 (I) THREE DOLLARS PER ACRE FOR THE BENEFIT OF EACH
16 COUNTY WHERE THE REAL PROPERTY IS LOCATED[. ONE DOLLAR
17 AND TWENTY CENTS SHALL BE PAID BY THE DEPARTMENT OF
18 CONSERVATION AND NATURAL RESOURCES AND \$1.80], WHICH
19 SHALL BE PAID FROM MONEY AVAILABLE UNDER 4 PA.C.S. § 1403
20 (RELATING TO ESTABLISHMENT OF STATE GAMING FUND AND NET
21 SLOT MACHINE REVENUE DISTRIBUTION).

22 (II) THREE DOLLARS PER ACRE FOR THE BENEFIT OF THE
23 SCHOOLS IN EACH SCHOOL DISTRICT WHERE THE REAL PROPERTY
24 IS LOCATED[. ONE DOLLAR AND TWENTY CENTS SHALL BE PAID BY
25 THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES AND
26 \$1.80], WHICH SHALL BE PAID FROM MONEY AVAILABLE UNDER 4
27 PA.C.S. § 1403.

28 (III) THREE DOLLARS PER ACRE FOR THE BENEFIT OF THE
29 TOWNSHIP WHERE THE REAL PROPERTY IS LOCATED[. ONE DOLLAR
30 AND TWENTY CENTS SHALL BE PAID BY THE DEPARTMENT OF

1 CONSERVATION AND NATURAL RESOURCES AND \$1.80], WHICH
2 SHALL BE PAID FROM MONEY AVAILABLE UNDER 4 PA.C.S. §
3 1403.

4 (2) FOR LAND OWNED BY [THE PENNSYLVANIA GAME COMMISSION
5 OR] THE PENNSYLVANIA FISH AND BOAT COMMISSION, REAL PROPERTY
6 UNDER SUBSECTION (A) SHALL BE SUBJECT TO AN ANNUAL CHARGE OF
7 ALL OF THE FOLLOWING:

8 * * *

9 (2.1) FOR LAND OWNED BY THE PENNSYLVANIA GAME
10 COMMISSION, REAL PROPERTY UNDER SUBSECTION (A) SHALL BE
11 SUBJECT TO AN ANNUAL CHARGE OF ALL OF THE FOLLOWING:

12 (I) THREE DOLLARS PER ACRE FOR THE BENEFIT OF EACH
13 COUNTY WHERE THE REAL PROPERTY IS LOCATED, WHICH SHALL BE
14 PAID FROM MONEY AVAILABLE IN THE GAME FUND UNDER 34
15 PA.C.S. § 521 (RELATING TO ESTABLISHMENT AND USE OF GAME
16 FUND)).

17 (II) THREE DOLLARS PER ACRE FOR THE BENEFIT OF THE
18 SCHOOLS IN EACH SCHOOL DISTRICT WHERE THE REAL PROPERTY
19 IS LOCATED, WHICH SHALL BE PAID FROM MONEY AVAILABLE IN
20 THE GAME FUND UNDER 34 PA.C.S. § 521.

21 (III) THREE DOLLARS PER ACRE FOR THE BENEFIT OF THE
22 TOWNSHIP WHERE THE REAL PROPERTY IS LOCATED, WHICH SHALL
23 BE PAID FROM MONEY AVAILABLE IN THE GAME FUND UNDER 34
24 PA.C.S. § 521.

25 * * *

26 (G) ADJUSTMENTS BASED ON CONSUMER PRICE INDEX.--BEGINNING IN
27 FISCAL YEAR 2030-2031, AND EVERY FIVE YEARS THEREAFTER, THE
28 SECRETARY OF THE BUDGET SHALL INCREASE THE AMOUNTS OF THE
29 PAYMENTS UNDER SUBSECTION (B) BY THE PERCENTAGE INCREASE IN THE
30 CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (CPI-U) FOR THE

PENNSYLVANIA, NEW JERSEY, DELAWARE AND MARYLAND AREA BETWEEN
JULY 1 OF THE FISCAL YEAR IN WHICH THE AMOUNTS LAST WENT INTO
EFFECT AND JULY 1 OF THE FISCAL YEAR IN WHICH THE NEXT INCREASES
WILL TAKE EFFECT. THE INCREASES SHALL TAKE EFFECT ON JULY 1 OF
THE FIRST YEAR OF EACH FIVE-YEAR PERIOD. THE SECRETARY SHALL
DETERMINE THE PERCENTAGE INCREASE AND THE NEW AMOUNTS BASED ON
THE MOST RECENTLY REPORTED CONSUMER PRICE INDEX FOR ALL URBAN
CONSUMERS (CPI-U) FOR THE PENNSYLVANIA, NEW JERSEY, DELAWARE AND
MARYLAND AREA BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU
OF LABOR STATISTICS AND SHALL TRANSMIT NOTICE OF THE PERCENTAGE
INCREASE AND NEW AMOUNTS TO THE LEGISLATIVE REFERENCE BUREAU FOR
PUBLICATION IN THE NEXT AVAILABLE ISSUE OF THE PENNSYLVANIA
BULLETIN NO LATER THAN AUGUST 31 OF EACH FISCAL YEAR IN WHICH
THE INCREASES TAKE EFFECT. WHEN DETERMINING THE INCREASES AND
AMOUNT, THE SECRETARY SHALL TAKE THE FOLLOWING INTO ACCOUNT:

* * *

(2) PAYMENT OF THE INCREASED AMOUNTS SHALL BE ALLOCATED
[EQUALLY BETWEEN THE FUNDING AVAILABLE TO THE AGENCY FOR THE
PAYMENTS UNDER SUBSECTION (B) (1) AND] FROM THE FUNDING
AVAILABLE UNDER 4 PA.C.S. § 1403 (RELATING TO ESTABLISHMENT
OF STATE GAMING FUND AND NET SLOT MACHINE REVENUE
DISTRIBUTION).

(3) PAYMENT OF THE INCREASED AMOUNTS SHALL BE ALLOCATED
BETWEEN THE FUNDING AVAILABLE TO THE [AGENCIES] PENNSYLVANIA
FISH AND BOAT COMMISSION UNDER SUBSECTION (B) (2) AND THE
FUNDING AVAILABLE UNDER 4 PA.C.S. § 1403 IN THE SAME
PROPORTIONS AS SPECIFIED IN SUBSECTION (B) (2).

(4) THE INCREASED AMOUNTS FOR THE PAYMENTS UNDER
SUBSECTION (B) (2.1) SHALL BE PAYABLE FROM MONEY AVAILABLE TO
THE PENNSYLVANIA GAME COMMISSION IN THE GAME FUND UNDER 34

1 PA.C.S. § 521.

2 SECTION 26. SECTION 1798.3-E(D) OF THE ACT, AMENDED NOVEMBER
3 12, 2025 (P.L.156, NO.45), IS AMENDED TO READ:

4 SECTION 1798.3-E. MULTIMODAL TRANSPORTATION FUND.

5 * * *

6 (D) EXPIRATION.--THIS SECTION SHALL EXPIRE DECEMBER 31,
7 [2026] 2027.

8 SECTION 27. SECTION 1798.5-E OF THE ACT, ADDED JULY 11, 2024
9 (P.L.550, NO.54), IS AMENDED TO READ:

10 SECTION 1798.5-E. SCHOOL SAFETY AND SECURITY FUND.

11 SECTION 1795.2-E SHALL NOT APPLY TO FISCAL YEARS 2024-2025
12 [AND], 2025-2026, 2026-2027, 2027-2028 AND 2028-2029.

13 SECTION 28. SECTION 1799-E OF THE ACT IS AMENDED BY ADDING A
14 SUBSECTION TO READ:

15 SECTION 1799-E. STATE GAMING FUND.

16 * * *

17 (H) APPROPRIATION.--NOTWITHSTANDING 4 PA.C.S. § 1408, THE
18 GENERAL ASSEMBLY MAY APPROPRIATE IN A GENERAL APPROPRIATION ANY
19 UNEXPENDED, UNENCUMBERED OR UNCOMMITTED FUNDS IN THE STATE
20 GAMING FUND.

21 SECTION 29. SECTIONS 1799.7-E AND 1799.8-E OF THE ACT ARE
22 AMENDED TO READ:

23 SECTION 1799.7-E. STATE EMPLOYEES' RETIREMENT SYSTEM

24 [RESTRICTED ACCOUNT].

25 (A) AUTHORITY.--NOTWITHSTANDING ANY OTHER LAW TO THE
26 CONTRARY, THE STATE EMPLOYEES' RETIREMENT BOARD SHALL RECEIVE,
27 AS PART OF THE AMOUNTS TRANSFERRED TO THE BOARD, AN AMOUNT OF
28 \$5,269,000 TO BE PLACED IN A RESTRICTED ACCOUNT FOR USE BY THE
29 BOARD.

30 (B) USE OF FUNDS.--THE FUNDS SHALL ONLY BE EXPENDED FOR THE

PURPOSE OF PAYING THE ADMINISTRATIVE EXPENSES OF THE BOARD TO
ESTABLISH AND IMPLEMENT THE STATE EMPLOYEES' DEFINED
CONTRIBUTION PLAN ESTABLISHED UNDER 71 PA.C.S. CH. 58 (RELATING
TO STATE EMPLOYEES' DEFINED CONTRIBUTION PLAN).

(C) NATURE OF FUNDS.--NO FUNDS MAY BE TRANSFERRED UNDER
SUBSECTION (A) THAT ARE OTHERWISE REQUIRED TO BE TRANSFERRED TO
THE BOARD FOR ANY OTHER PURPOSE REQUIRED BY LAW.

(D) ANNUAL STRESS TEST OF SYSTEM.--NOTWITHSTANDING 71
PA.C.S. § 5909 (RELATING TO STRESS TEST OF SYSTEM):

(1) THE STATE EMPLOYEES' RETIREMENT BOARD SHALL, AS
REQUIRED UNDER 71 PA.C.S. § 5909(A), CONDUCT THE ANNUAL
STRESS TEST OF THE STATE EMPLOYEES' RETIREMENT SYSTEM AND
SUBMIT THE RESULTS OF THE STRESS TEST NO LATER THAN OCTOBER 1
OF EACH YEAR.

(2) THE INDEPENDENT FISCAL OFFICE SHALL PRODUCE THE
REPORT REQUIRED UNDER 71 PA.C.S. § 5909(B) NO LATER THAN
DECEMBER 1 OF EACH YEAR.

SECTION 1799.8-E. PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM
[RESTRICTED ACCOUNT].

(A) AUTHORITY.--FROM THE AMOUNTS APPROPRIATED BUT UNEXPENDED
FOR SCHOOL EMPLOYEES' RETIREMENT FOR FISCAL YEARS PRIOR TO
FISCAL YEAR 2017-2018, THE SUM OF \$6,801,000 SHALL BE
TRANSFERRED TO THE PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM
AND PLACED IN A RESTRICTED ACCOUNT FOR USE BY THE BOARD.

(B) USE OF FUNDS.--THE FUNDS TRANSFERRED UNDER SUBSECTION
(A) SHALL ONLY BE USED FOR THE PURPOSE OF PAYING THE
ADMINISTRATIVE EXPENSES OF THE BOARD TO ESTABLISH AND IMPLEMENT
THE PUBLIC SCHOOL EMPLOYEES' DEFINED CONTRIBUTION PLAN
ESTABLISHED UNDER 24 PA.C.S. CH. 84 (RELATING TO SCHOOL
EMPLOYEES' DEFINED CONTRIBUTION PLAN).

1 (C) NATURE OF FUNDS.--NO FUNDS MAY BE TRANSFERRED UNDER
2 SUBSECTION (A) THAT ARE OTHERWISE REQUIRED TO BE TRANSFERRED TO
3 THE BOARD FOR ANY OTHER PURPOSE REQUIRED BY LAW.

4 (D) ANNUAL STRESS TEST OF SYSTEM.--NOTWITHSTANDING 24
5 PA.C.S. § 8510 (RELATING TO STRESS TEST OF SYSTEM):

6 (1) THE PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD SHALL,
7 AS REQUIRED UNDER 24 PA.C.S. § 8510(A), CONDUCT THE ANNUAL
8 STRESS TEST OF THE PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM
9 AND SUBMIT THE RESULTS OF THE STRESS TEST NO LATER THAN APRIL
10 1 OF EACH YEAR.

11 (2) THE INDEPENDENT FISCAL OFFICE SHALL PRODUCE THE
12 REPORT REQUIRED UNDER 24 PA.C.S. § 8510(B) NO LATER THAN JUNE
13 1 OF EACH YEAR.

14 SECTION 29.1. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:
15 SECTION 1703-N. 2026 SPECIAL AD HOC MUNICIPAL POLICE AND
16 FIREFIGHTER POSTRETIREMENT ADJUSTMENT.

17 (A) ENTITLEMENT.--A MUNICIPAL RETIREMENT SYSTEM SHALL PAY A
18 RETIRED POLICE OFFICER OR FIREFIGHTER A SPECIAL AD HOC
19 POSTRETIREMENT ADJUSTMENT UNDER THIS SECTION IF ALL OF THE
20 FOLLOWING APPLY:

21 (1) THE RETIREE TERMINATED ACTIVE EMPLOYMENT WITH A
22 MUNICIPALITY AS A POLICE OFFICER OR FIREFIGHTER.

23 (2) THE RETIREE RECEIVES A RETIREMENT BENEFIT FROM A
24 MUNICIPAL RETIREMENT SYSTEM ON THE BASIS OF ACTIVE EMPLOYMENT
25 WITH THE MUNICIPALITY AS A POLICE OFFICER OR FIREFIGHTER.

26 (3) THE RETIREE BEGAN RECEIVING THE RETIREMENT BENEFIT
27 BEFORE JANUARY 1, 2021.

28 (4) THE RETIREE HAS NOT FILED A WRITTEN NOTICE WITH THE
29 MUNICIPAL RETIREMENT SYSTEM REQUESTING THAT THE ADDITIONAL
30 MONTHLY POSTRETIREMENT ADJUSTMENT NOT BE PAID.

1 (B) AMOUNT.--

2 (1) EXCEPT AS PROVIDED UNDER PARAGRAPHS (2) AND (3), A
3 MUNICIPAL RETIREMENT SYSTEM SHALL PAY A RETIRED POLICE
4 OFFICER OR FIREFIGHTER A MONTHLY SPECIAL AD HOC
5 POSTRETIREMENT ADJUSTMENT UNDER SUBSECTION (A) IN ANY OF THE
6 FOLLOWING AMOUNTS:

7 (I) \$75 PER MONTH IF, ON JANUARY 1, 2026, THE
8 RETIREE HAS BEEN RETIRED AT LEAST FIVE YEARS BUT LESS
9 THAN 10 YEARS.

10 (II) \$150 PER MONTH IF, ON JANUARY 1, 2026, THE
11 RETIREE HAS BEEN RETIRED AT LEAST 10 YEARS BUT LESS THAN
12 20 YEARS.

13 (III) \$300 PER MONTH IF, ON JANUARY 1, 2026, THE
14 RETIREE HAS BEEN RETIRED AT LEAST 20 YEARS.

15 (2) IF A RETIREE IS ENTITLED TO RECEIVE A SPECIAL AD HOC
16 POSTRETIREMENT ADJUSTMENT UNDER SUBSECTION (A) FROM MORE THAN
17 ONE MUNICIPAL RETIREMENT SYSTEM, EACH MUNICIPAL RETIREMENT
18 SYSTEM SHALL REDUCE THE AMOUNT OF THE SPECIAL AD HOC
19 POSTRETIREMENT ADJUSTMENT UNDER PARAGRAPH (1) SO THAT THE
20 AGGREGATE AMOUNT OF ALL SPECIAL AD HOC POSTRETIREMENT
21 ADJUSTMENTS PAID TO THE RETIREE DOES NOT EXCEED THE AMOUNT
22 SPECIFIED UNDER PARAGRAPH (1).

23 (3) THE AMOUNT OF THE SPECIAL AD HOC POSTRETIREMENT
24 ADJUSTMENT UNDER PARAGRAPH (1) SHALL BE REDUCED EACH YEAR BY
25 65% OF THE TOTAL AMOUNT OF A POSTRETIREMENT ADJUSTMENT
26 PROVIDED TO THE RETIREE UNDER THE MUNICIPAL RETIREMENT SYSTEM
27 AFTER DECEMBER 31, 2001, AND BEFORE JANUARY 1, 2026, AND PAID
28 IN THE IMMEDIATELY PRECEDING YEAR.

29 (C) PAYMENT.--A MUNICIPAL RETIREMENT SYSTEM SHALL BEGIN
30 PAYING THE SPECIAL AD HOC POSTRETIREMENT ADJUSTMENT UNDER

1 SUBSECTION (A) WITH THE FIRST RETIREMENT BENEFIT PAYMENT MADE ON
2 OR AFTER AUGUST 1, 2026. IF THE MUNICIPAL RETIREMENT SYSTEM DOES
3 NOT INCLUDE THE SPECIAL AD HOC POSTRETIREMENT ADJUSTMENT IN THE
4 FIRST RETIREMENT BENEFIT PAYMENT MADE ON OR AFTER AUGUST 1,
5 2026, THE MUNICIPAL RETIREMENT SYSTEM SHALL INCLUDE THE SPECIAL
6 AD HOC POSTRETIREMENT ADJUSTMENT AS SOON AS PRACTICABLE IN A
7 SUBSEQUENT RETIREMENT BENEFIT PAYMENT TO THE RETIREE. THE FIRST
8 RETIREMENT BENEFIT PAYMENT THAT INCLUDES THE SPECIAL AD HOC
9 POSTRETIREMENT ADJUSTMENT SHALL ALSO INCLUDE THE AGGREGATE
10 AMOUNT OF SPECIAL AD HOC POSTRETIREMENT ADJUSTMENTS OMITTED FROM
11 RETIREMENT BENEFIT PAYMENTS MADE ON OR AFTER AUGUST 1, 2026.

12 (D) MUNICIPAL CERTIFICATION.--TO RECEIVE REIMBURSEMENT UNDER
13 SUBSECTION (E), A MUNICIPALITY SHALL CERTIFY TO THE AUDITOR
14 GENERAL, BY APRIL 1 OF EACH YEAR IN WHICH REIMBURSEMENT WILL BE
15 MADE, THE MUNICIPALITY'S ANNUAL AMORTIZATION COST FOR THE PRIOR
16 YEAR ATTRIBUTABLE TO THE SPECIAL AD HOC POSTRETIREMENT
17 ADJUSTMENT REQUIRED UNDER SUBSECTION (A). THE MUNICIPALITY SHALL
18 MAKE THE CERTIFICATION IN THE FORM AND MANNER REQUIRED BY THE
19 AUDITOR GENERAL.

20 (E) REIMBURSEMENT.--FROM MONEY AVAILABLE IN THE ACCOUNT, THE
21 AUDITOR GENERAL SHALL REIMBURSE A MUNICIPALITY FOR THE ANNUAL
22 AMORTIZATION COST OF THE INCREASE IN UNFUNDED ACTUARIAL ACCRUED
23 LIABILITY ATTRIBUTABLE TO THE SPECIAL AD HOC POSTRETIREMENT
24 ADJUSTMENT REQUIRED UNDER SUBSECTION (A), AMORTIZED OVER A
25 PERIOD OF 10 YEARS.

26 (F) AUDITOR GENERAL CERTIFICATION.--BY JUNE 1 OF EACH YEAR
27 IN WHICH A MUNICIPALITY IS ELIGIBLE TO RECEIVE REIMBURSEMENT
28 UNDER SUBSECTION (E), THE AUDITOR GENERAL SHALL CERTIFY TO THE
29 DEPARTMENT OF REVENUE AND THE STATE TREASURER THE TOTAL AMOUNT
30 OF REIMBURSEMENTS FOR ELIGIBLE MUNICIPALITIES FOR THE YEAR.

1 (G) ACCOUNT.--THE 2026 SPECIAL AD HOC POSTRETIREMENT
2 ADJUSTMENT ACCOUNT IS ESTABLISHED AS A RESTRICTED ACCOUNT WITHIN
3 THE MUNICIPAL PENSION AID FUND. MONEY IN THE ACCOUNT IS
4 APPROPRIATED TO THE DEPARTMENT OF THE AUDITOR GENERAL ON A
5 CONTINUING BASIS TO REIMBURSE MUNICIPALITIES UNDER SUBSECTION
6 (E).

7 (H) CASH FLOW SHORTAGE.--THE AUDITOR GENERAL MAY USE MONEY
8 AVAILABLE IN THE MUNICIPAL PENSION AID FUND TO ADDRESS AN ACUTE
9 CASH FLOW SHORTAGE OF A MUNICIPALITY IF THE AUDITOR GENERAL
10 DETERMINES THAT THE SHORTAGE IS DIRECTLY ATTRIBUTABLE TO ANY OF
11 THE FOLLOWING:

12 (1) THE PAYMENT OF THE SPECIAL AD HOC POSTRETIREMENT
13 ADJUSTMENT REQUIRED UNDER SUBSECTION (A).

14 (2) THE REIMBURSEMENT METHOD UNDER SUBSECTION (E).

15 (I) RECONCILIATION.--THE AUDITOR GENERAL SHALL RECONCILE
16 MONEY MADE AVAILABLE TO A MUNICIPALITY UNDER SUBSECTION (H)
17 AGAINST SUBSEQUENT REIMBURSEMENT TO THE MUNICIPALITY UNDER
18 SUBSECTION (E).

19 (J) CALCULATION OF AID.--A COST ATTRIBUTABLE TO THE SPECIAL
20 AD HOC POSTRETIREMENT ADJUSTMENT REQUIRED UNDER SUBSECTION (A)
21 THAT IS REIMBURSABLE UNDER SUBSECTION (E) MAY NOT BE INCLUDED
22 FOR THE PURPOSE OF ALLOCATING AID UNDER THE ACT OF DECEMBER 18,
23 1984 (P.L.1005, NO.205), KNOWN AS THE MUNICIPAL PENSION PLAN
24 FUNDING STANDARD AND RECOVERY ACT.

25 (K) EXCLUSION FROM INCOME.--A POSTRETIREMENT ADJUSTMENT
26 PROVIDED UNDER THIS SECTION SHALL BE EXCLUDED FROM INCOME FOR
27 ELIGIBILITY DETERMINATIONS FOR STATE BENEFITS AND PROGRAMS
28 UNLESS OTHERWISE PROHIBITED BY FEDERAL OR STATE LAW.

29 (L) MUNICIPAL RECEIPT OF PAYMENT.--UPON RECEIPT OF THE
30 REIMBURSEMENT PAYMENT FROM THE COMMONWEALTH UNDER SUBSECTION

1 (E), THE TREASURER OF THE MUNICIPALITY SHALL DEPOSIT THE
2 REIMBURSEMENT PAYMENT INTO THE MUNICIPALITY'S GENERAL FUND.

3 (M) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
4 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
5 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

6 "ACCOUNT." THE 2026 SPECIAL AD HOC POSTRETIREMENT ADJUSTMENT
7 ACCOUNT ESTABLISHED UNDER SUBSECTION (G).

8 "ACT 147." THE ACT OF DECEMBER 14, 1988 (P.L.1192, NO.147),
9 KNOWN AS THE SPECIAL AD HOC MUNICIPAL POLICE AND FIREFIGHTER
10 POSTRETIREMENT ADJUSTMENT ACT.

11 "ACTIVE EMPLOYMENT." THE SITUATION OF AN INDIVIDUAL, OTHER
12 THAN AN INDEPENDENT CONTRACTOR, WHO PERFORMS FOR COMPENSATION
13 REGULAR SERVICES FOR A MUNICIPALITY AND WHO IS REGULARLY ENTERED
14 ON THE PAYROLL OF THE MUNICIPALITY.

15 "FIREFIGHTER." A MUNICIPAL EMPLOYEE WHO HOLDS A FULL-TIME
16 POSITION IN THE FIREFIGHTING SERVICE OF A MUNICIPALITY AND HAS
17 RETIREMENT COVERAGE PROVIDED BY A RETIREMENT SYSTEM.

18 "MUNICIPALITY." A BOROUGH, CITY, COUNTY OF THE SECOND CLASS,
19 INCORPORATED TOWN OR TOWNSHIP, HOWEVER CONSTITUTED, WHETHER
20 OPERATING UNDER A LEGISLATIVE CHARTER; A MUNICIPAL CODE; AN
21 OPTIONAL CHARTER ADOPTED UNDER THE ACT OF JULY 15, 1957
22 (P.L.901, NO.399), KNOWN AS THE OPTIONAL THIRD CLASS CITY
23 CHARTER LAW; A HOME RULE CHARTER OR AN OPTIONAL PLAN ADOPTED
24 UNDER THE FORMER ACT OF APRIL 13, 1972 (P.L.184, NO.62), KNOWN
25 AS THE HOME RULE CHARTER AND OPTIONAL PLANS LAW; OR OTHER
26 ARRANGEMENT; OR AN ASSOCIATION OF THESE MUNICIPALITIES
27 COOPERATING UNDER THE FORMER ACT OF JULY 12, 1972 (P.L.762,
28 NO.180), REFERRED TO AS THE INTERGOVERNMENTAL COOPERATION LAW.

29 "POLICE OFFICER." A MUNICIPAL EMPLOYEE WHO HOLDS A FULL-TIME
30 POSITION IN THE POLICE SERVICE OF A MUNICIPALITY AND HAS

1 RETIREMENT COVERAGE PROVIDED BY A RETIREMENT SYSTEM.

2 "POSTRETIREMENT ADJUSTMENT." AN INCREASE IN OR CHANGE IN THE
3 AMOUNT OF A RETIREMENT ANNUITY, RETIREMENT BENEFIT, SERVICE
4 PENSION OR DISABILITY PENSION BENEFIT GRANTED OR EFFECTIVE AFTER
5 ACTIVE EMPLOYMENT CEASES.

6 "PUBLIC EMPLOYEE RETIREMENT SYSTEM." AN ENTITY, WHETHER A
7 SEPARATE ENTITY OR PART OF A GOVERNMENTAL ENTITY, THAT COLLECTS
8 RETIREMENT AND OTHER EMPLOYEE BENEFIT CONTRIBUTIONS FROM
9 GOVERNMENT EMPLOYEES AND EMPLOYERS; HOLDS AND MANAGES THE
10 RESULTING ASSETS AS RESERVES FOR PRESENT AND FUTURE RETIREMENT
11 ANNUITY, RETIREMENT BENEFIT, SERVICE PENSION OR DISABILITY
12 PENSION BENEFIT PAYMENTS; AND MAKES PROVISION FOR THESE PAYMENTS
13 TO QUALIFIED RETIREES AND BENEFICIARIES.

14 "RETIREMENT BENEFIT." THE AMOUNT PAID ON A REGULAR BASIS TO
15 A RETIRED OR DISABLED POLICE OFFICER OR FIREFIGHTER BY A
16 MUNICIPAL RETIREMENT SYSTEM ESTABLISHED FOR POLICE OFFICERS OR
17 FIREFIGHTERS.

18 "RETIREMENT SYSTEM." A PUBLIC EMPLOYEE RETIREMENT SYSTEM.

19 "SPECIAL AD HOC ADJUSTMENT" OR "SPECIAL AD HOC POSTRETIREMENT
20 ADJUSTMENT." AN INCREASE IN THE AMOUNT OF A RETIREMENT BENEFIT
21 AS PROVIDED UNDER ACT 147 AND THIS SECTION.

22 SECTION 1704-N. SUPPLEMENTAL ANNUITIES FOR PUBLIC SCHOOL
23 EMPLOYEES COMMENCING 2026.

24 (A) BENEFITS.--COMMENCING WITH THE FIRST MONTHLY ANNUITY
25 PAYMENT ON OR AFTER JULY 1, 2026, AN ELIGIBLE BENEFIT RECIPIENT
26 SHALL BE ENTITLED TO RECEIVE AN ADDITIONAL MONTHLY SUPPLEMENTAL
27 ANNUITY FROM THE PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM. THE
28 ADDITIONAL MONTHLY SUPPLEMENTAL ANNUITY UNDER THIS SECTION SHALL
29 BE IN ADDITION TO THE SUPPLEMENTAL ANNUITIES PROVIDED FOR UNDER
30 24 PA.C.S. §§ 8348 (RELATING TO SUPPLEMENTAL ANNUITIES), 8348.1

1 (RELATING TO ADDITIONAL SUPPLEMENTAL ANNUITIES), 8348.2
2 (RELATING TO FURTHER ADDITIONAL SUPPLEMENTAL ANNUITIES), 8348.3
3 (RELATING TO SUPPLEMENTAL ANNUITIES COMMENCING 1994), 8348.4
4 (RELATING TO SPECIAL SUPPLEMENTAL POSTRETIREMENT ADJUSTMENT),
5 8348.5 (RELATING TO SUPPLEMENTAL ANNUITIES COMMENCING 1998),
6 8348.6 (RELATING TO SUPPLEMENTAL ANNUITIES COMMENCING 2002) AND
7 8348.7 (RELATING TO SUPPLEMENTAL ANNUITIES COMMENCING 2003).

8 (B) AMOUNT OF ADDITIONAL SUPPLEMENTAL ANNUITY.--THE AMOUNT
9 OF THE SUPPLEMENTAL ANNUITY PAYABLE UNDER THIS SECTION SHALL BE
10 A PERCENTAGE OF THE AMOUNT OF THE MONTHLY ANNUITY PAYMENT ON
11 JULY 1, 2026, DETERMINED ON THE BASIS OF THE MOST RECENT
12 EFFECTIVE DATE OF RETIREMENT AS FOLLOWS:

<u>MOST RECENT EFFECTIVE DATE</u>	<u>PERCENTAGE FACTOR</u>
<u>OF RETIREMENT</u>	
<u>JULY 2, 2000, THROUGH JULY 1, 2001</u>	<u>15%</u>
<u>JULY 2, 1999, THROUGH JULY 1, 2000</u>	<u>15.5%</u>
<u>JULY 2, 1998, THROUGH JULY 1, 1999</u>	<u>16%</u>
<u>JULY 2, 1997, THROUGH JULY 1, 1998</u>	<u>16.5%</u>
<u>JULY 2, 1996, THROUGH JULY 1, 1997</u>	<u>17%</u>
<u>JULY 2, 1995, THROUGH JULY 1, 1996</u>	<u>17.5%</u>
<u>JULY 2, 1994, THROUGH JULY 1, 1995</u>	<u>18%</u>
<u>JULY 2, 1993, THROUGH JULY 1, 1994</u>	<u>18.5%</u>
<u>JULY 2, 1992, THROUGH JULY 1, 1993</u>	<u>19%</u>
<u>JULY 2, 1991, THROUGH JULY 1, 1992</u>	<u>19.5%</u>
<u>JULY 2, 1990, THROUGH JULY 1, 1991</u>	<u>20%</u>
<u>JULY 2, 1989, THROUGH JULY 1, 1990</u>	<u>20.5%</u>
<u>JULY 2, 1988, THROUGH JULY 1, 1989</u>	<u>21%</u>
<u>JULY 2, 1987, THROUGH JULY 1, 1988</u>	<u>21.5%</u>
<u>JULY 2, 1986, THROUGH JULY 1, 1987</u>	<u>22%</u>
<u>JULY 2, 1985, THROUGH JULY 1, 1986</u>	<u>22.5%</u>

1	<u>JULY 2, 1984, THROUGH JULY 1, 1985</u>	<u>23%</u>
2	<u>JULY 2, 1983, THROUGH JULY 1, 1984</u>	<u>23.5%</u>
3	<u>JULY 2, 1982, THROUGH JULY 1, 1983</u>	<u>24%</u>
4	<u>PRIOR TO JULY 2, 1982</u>	<u>24.5%</u>

5 (C) PAYMENT.--THE SUPPLEMENTAL ANNUITY PROVIDED UNDER THIS
6 SECTION SHALL BE PAID AUTOMATICALLY UNLESS THE ANNUITANT FILES A
7 WRITTEN NOTICE WITH THE BOARD REQUESTING THAT THE ADDITIONAL
8 MONTHLY SUPPLEMENTAL ANNUITY NOT BE PAID. THE BOARD SHALL MAKE
9 THE INITIAL PAYMENT OF THE SUPPLEMENTAL ANNUITY PROVIDED UNDER
10 THIS SECTION AND ANY RETROACTIVE PAYMENTS DUE UNDER THIS SECTION
11 TO EACH ELIGIBLE BENEFIT RECIPIENT AS SOON AS ADMINISTRATIVELY
12 FEASIBLE.

13 (D) CONDITIONS.--THE SUPPLEMENTAL ANNUITY PROVIDED UNDER
14 THIS SECTION SHALL BE PAYABLE UNDER THE SAME TERMS AND
15 CONDITIONS AS PROVIDED UNDER THE OPTION PLAN IN EFFECT AS OF
16 JULY 1, 2026, AND SHALL BE SUBJECT TO ANY SUBSEQUENT
17 MODIFICATION OF THAT OPTION PLAN.

18 (E) BENEFITS TO BENEFICIARIES OR SURVIVORS.--NO SUPPLEMENTAL
19 ANNUITY PROVIDED UNDER THIS SECTION SHALL BE PAYABLE TO THE
20 BENEFICIARY OR SURVIVOR ANNUITANT OF A MEMBER WHO DIES BEFORE
21 JULY 1, 2026.

22 (F) FUNDING.--THE INCREASE IN THE UNFUNDED ACTUARIAL ACCRUED
23 LIABILITY ATTRIBUTABLE TO THE SUPPLEMENTAL ANNUITY PROVIDED
24 UNDER THIS SECTION SHALL BE FUNDED IN EQUAL DOLLAR ANNUAL
25 INSTALLMENTS AMORTIZED OVER A PERIOD OF 10 YEARS BEGINNING IN
26 FISCAL YEAR 2027-2028 IN ACCORDANCE WITH THE FOLLOWING:

27 (1) BY JUNE 1, 2027, AND EACH JUNE 1 THEREAFTER THROUGH
28 2036, THE BOARD SHALL CERTIFY TO THE DEPARTMENT OF REVENUE
29 AND THE STATE TREASURER THE AMOUNT OF THE ANNUAL INSTALLMENT
30 TO BE PAID IN THE SUBSEQUENT FISCAL YEAR.

1 (2) THE BOARD SHALL USE THE MONEY PAID UNDER SECTION
2 1706-N(2) (I) TO PAY THE ANNUAL INSTALLMENT FOR THE YEAR IN
3 WHICH PAYMENT IS RECEIVED.

4 (3) THE BOARD SHALL NOT CONSIDER THE INCREASE IN THE
5 UNFUNDED ACTUARIAL ACCRUED LIABILITY ATTRIBUTABLE TO THE
6 SUPPLEMENTAL ANNUITY PROVIDED UNDER THIS SECTION WHEN SETTING
7 AND ACCEPTING AN ANNUAL EMPLOYER CONTRIBUTION RATE.

8 (G) ELIGIBLE BENEFIT RECIPIENT.--

9 (1) AN ELIGIBLE BENEFIT RECIPIENT IS AN INDIVIDUAL:

10 (I) WHO IS RECEIVING A SUPERANNUATION, WITHDRAWAL OR
11 DISABILITY ANNUITY ON JULY 1, 2026;

12 (II) WHOSE MOST RECENT EFFECTIVE DATE OF RETIREMENT
13 IS PRIOR TO JULY 2, 2001;

14 (III) WHOSE CREDITED SERVICE DOES NOT INCLUDE ANY
15 SERVICE CREDITED AS CLASS T-D SERVICE; AND

16 (IV) WHO IS NOT A MULTIPLE SERVICE MEMBER WITH CLASS
17 D-4 SERVICE OR CLASS AA SERVICE CREDITED IN THE STATE
18 EMPLOYEES' RETIREMENT SYSTEM.

19 (2) A SUPPLEMENTAL ANNUITY PROVIDED UNDER THIS SECTION
20 SHALL NOT BE PAYABLE TO AN ANNUITANT RECEIVING A WITHDRAWAL
21 ANNUITY PRIOR TO THE FIRST DAY OF JULY COINCIDENT WITH OR
22 FOLLOWING THE ANNUITANT'S ATTAINMENT OF SUPERANNUATION OR
23 NORMAL RETIREMENT AGE.

24 (H) EXCLUSION FROM INCOME.--A SUPPLEMENTAL ANNUITY PROVIDED
25 UNDER THIS SECTION SHALL BE EXCLUDED FROM INCOME FOR ELIGIBILITY
26 DETERMINATIONS FOR STATE BENEFITS AND PROGRAMS UNLESS OTHERWISE
27 PROHIBITED BY LAW.

28 (I) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
29 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
30 SUBSECTION:

1 "ANNUITANT." AS DEFINED IN 24 PA.C.S. § 8102 (RELATING TO
2 DEFINITIONS).

3 "BENEFICIARY." AS DEFINED IN 24 PA.C.S. § 8102.

4 "BOARD." AS DEFINED IN 24 PA.C.S. § 8102.

5 "SUPERANNUATION OR NORMAL RETIREMENT AGE." AS DEFINED IN 24
6 PA.C.S. § 8102.

7 "SURVIVOR ANNUITANT." AS DEFINED IN 24 PA.C.S. § 8102.

8 SECTION 1705-N. SUPPLEMENTAL ANNUITIES FOR STATE EMPLOYEES
9 COMMENCING 2026.

10 (A) BENEFITS.--COMMENCING WITH THE FIRST MONTHLY ANNUITY
11 PAYMENT ON OR AFTER JULY 1, 2026, AN ELIGIBLE BENEFIT RECIPIENT
12 SHALL BE ENTITLED TO RECEIVE AN ADDITIONAL MONTHLY SUPPLEMENTAL
13 ANNUITY FROM THE STATE EMPLOYEES' RETIREMENT SYSTEM. THE
14 ADDITIONAL MONTHLY SUPPLEMENTAL ANNUITY UNDER THIS SECTION SHALL
15 BE IN ADDITION TO THE SUPPLEMENTAL ANNUITIES PROVIDED FOR UNDER
16 71 PA.C.S. §§ 5708 (RELATING TO SUPPLEMENTAL ANNUITIES), 5708.1
17 (RELATING TO ADDITIONAL SUPPLEMENTAL ANNUITIES), 5708.2
18 (RELATING TO FURTHER ADDITIONAL SUPPLEMENTAL ANNUITIES), 5708.3
19 (RELATING TO SUPPLEMENTAL ANNUITIES COMMENCING 1994), 5708.4
20 (RELATING TO SPECIAL SUPPLEMENTAL POSTRETIREMENT ADJUSTMENT),
21 5708.5 (RELATING TO SUPPLEMENTAL ANNUITIES COMMENCING 1998),
22 5708.6 (RELATING TO SUPPLEMENTAL ANNUITIES COMMENCING 2002),
23 5708.7 (RELATING TO SUPPLEMENTAL ANNUITIES COMMENCING 2003) AND
24 5708.8 (RELATING TO SPECIAL SUPPLEMENTAL POSTRETIREMENT
25 ADJUSTMENT OF 2002).

26 (B) AMOUNT OF ADDITIONAL SUPPLEMENTAL ANNUITY.--THE AMOUNT
27 OF THE SUPPLEMENTAL ANNUITY UNDER THIS SECTION SHALL BE A
28 PERCENTAGE OF THE AMOUNT OF THE MONTHLY ANNUITY PAYMENT ON JULY
29 1, 2026, DETERMINED ON THE BASIS OF THE MOST RECENT EFFECTIVE
30 DATE OF RETIREMENT AS FOLLOWS:

MOST RECENT EFFECTIVE DATE PERCENTAGE FACTOR

OF RETIREMENT

<u>JULY 2, 2000, THROUGH JULY 1, 2001</u>	<u>15%</u>
<u>JULY 2, 1999, THROUGH JULY 1, 2000</u>	<u>15.5%</u>
<u>JULY 2, 1998, THROUGH JULY 1, 1999</u>	<u>16%</u>
<u>JULY 2, 1997, THROUGH JULY 1, 1998</u>	<u>16.5%</u>
<u>JULY 2, 1996, THROUGH JULY 1, 1997</u>	<u>17%</u>
<u>JULY 2, 1995, THROUGH JULY 1, 1996</u>	<u>17.5%</u>
<u>JULY 2, 1994, THROUGH JULY 1, 1995</u>	<u>18%</u>
<u>JULY 2, 1993, THROUGH JULY 1, 1994</u>	<u>18.5%</u>
<u>JULY 2, 1992, THROUGH JULY 1, 1993</u>	<u>19%</u>
<u>JULY 2, 1991, THROUGH JULY 1, 1992</u>	<u>19.5%</u>
<u>JULY 2, 1990, THROUGH JULY 1, 1991</u>	<u>20%</u>
<u>JULY 2, 1989, THROUGH JULY 1, 1990</u>	<u>20.5%</u>
<u>JULY 2, 1988, THROUGH JULY 1, 1989</u>	<u>21%</u>
<u>JULY 2, 1987, THROUGH JULY 1, 1988</u>	<u>21.5%</u>
<u>JULY 2, 1986, THROUGH JULY 1, 1987</u>	<u>22%</u>
<u>JULY 2, 1985, THROUGH JULY 1, 1986</u>	<u>22.5%</u>
<u>JULY 2, 1984, THROUGH JULY 1, 1985</u>	<u>23%</u>
<u>JULY 2, 1983, THROUGH JULY 1, 1984</u>	<u>23.5%</u>
<u>JULY 2, 1982, THROUGH JULY 1, 1983</u>	<u>24%</u>
<u>PRIOR TO JULY 2, 1982</u>	<u>24.5%</u>

(C) PAYMENT.--THE SUPPLEMENTAL ANNUITY PROVIDED UNDER THIS SECTION SHALL BE PAID AUTOMATICALLY UNLESS THE ANNUITANT FILES A WRITTEN NOTICE WITH THE BOARD REQUESTING THAT THE ADDITIONAL MONTHLY SUPPLEMENTAL ANNUITY NOT BE PAID. THE BOARD SHALL MAKE THE INITIAL PAYMENT OF THE SUPPLEMENTAL ANNUITY PROVIDED UNDER THIS SECTION AND ANY RETROACTIVE PAYMENTS DUE UNDER THIS SECTION TO EACH ELIGIBLE BENEFIT RECIPIENT AS SOON AS ADMINISTRATIVELY FEASIBLE.

1 (D) CONDITIONS.--THE SUPPLEMENTAL ANNUITY PROVIDED UNDER
2 THIS SECTION SHALL BE PAYABLE UNDER THE SAME TERMS AND
3 CONDITIONS AS PROVIDED UNDER THE OPTION PLAN IN EFFECT AS OF
4 JULY 1, 2026, AND SHALL BE SUBJECT TO ANY SUBSEQUENT
5 MODIFICATION OF THAT OPTION PLAN.

6 (E) BENEFITS TO BENEFICIARIES OR SURVIVORS.--NO SUPPLEMENTAL
7 ANNUITY PROVIDED UNDER THIS SECTION SHALL BE PAYABLE TO THE
8 BENEFICIARY OR SURVIVOR ANNUITANT OF A MEMBER WHO DIES BEFORE
9 JULY 1, 2026.

10 (F) FUNDING.--THE INCREASE IN THE UNFUNDED ACTUARIAL ACCRUED
11 LIABILITY ATTRIBUTABLE TO THE SUPPLEMENTAL ANNUITY PROVIDED
12 UNDER THIS SECTION SHALL BE FUNDED IN EQUAL DOLLAR ANNUAL
13 INSTALLMENTS AMORTIZED OVER A PERIOD OF 10 YEARS BEGINNING IN
14 FISCAL YEAR 2027-2028 IN ACCORDANCE WITH THE FOLLOWING:

15 (1) BY JUNE 1, 2027, AND EACH JUNE 1 THEREAFTER THROUGH
16 2036, THE BOARD SHALL CERTIFY TO THE DEPARTMENT OF REVENUE
17 AND THE STATE TREASURER THE AMOUNT OF THE ANNUAL INSTALLMENT
18 TO BE PAID IN THE SUBSEQUENT FISCAL YEAR.

19 (2) THE BOARD SHALL USE THE MONEY PAID UNDER SECTION
20 1706-N(2)(II) TO PAY THE ANNUAL INSTALLMENT FOR THE YEAR IN
21 WHICH PAYMENT IS RECEIVED.

22 (3) THE BOARD SHALL NOT CONSIDER THE INCREASE IN THE
23 UNFUNDED ACTUARIAL ACCRUED LIABILITY ATTRIBUTABLE TO THE
24 SUPPLEMENTAL ANNUITY PROVIDED UNDER THIS SECTION WHEN SETTING
25 AND ACCEPTING AN ANNUAL EMPLOYER CONTRIBUTION RATE.

26 (G) ELIGIBLE BENEFIT RECIPIENT.--

27 (1) AN ELIGIBLE BENEFIT RECIPIENT IS AN INDIVIDUAL:

28 (I) WHO IS RECEIVING A SUPERANNUATION, WITHDRAWAL OR
29 DISABILITY ANNUITY ON JULY 1, 2026;

30 (II) WHOSE MOST RECENT EFFECTIVE DATE OF RETIREMENT

1 IS PRIOR TO JULY 2, 2001;

2 (III) WHOSE CREDITED SERVICE DOES NOT INCLUDE ANY
3 SERVICE CREDITED AS EITHER CLASS D-4 SERVICE OR CLASS AA
4 SERVICE; AND

5 (IV) WHO IS NOT A MULTIPLE SERVICE MEMBER WITH CLASS
6 T-D SERVICE CREDITED IN THE PUBLIC SCHOOL EMPLOYEES'
7 RETIREMENT SYSTEM.

8 (2) A SUPPLEMENTAL ANNUITY PROVIDED UNDER THIS SECTION
9 SHALL NOT BE PAYABLE TO AN ANNUITANT RECEIVING A WITHDRAWAL
10 ANNUITY PRIOR TO THE FIRST DAY OF JULY COINCIDENT WITH OR
11 FOLLOWING THE ANNUITANT'S ATTAINMENT OF SUPERANNUATION AGE.

12 (H) EXCLUSION FROM INCOME.--A SUPPLEMENTAL ANNUITY PROVIDED
13 UNDER THIS SECTION SHALL BE EXCLUDED FROM INCOME FOR ELIGIBILITY
14 DETERMINATIONS FOR STATE BENEFITS AND PROGRAMS UNLESS OTHERWISE
15 PROHIBITED BY LAW.

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

19 "ANNUITANT." AS DEFINED IN 71 PA.C.S. § 5102 (RELATING TO
20 DEFINITIONS).

21 "BENEFICIARY." AS DEFINED IN 71 PA.C.S. § 5102.

22 "BOARD." AS DEFINED IN 71 PA.C.S. § 5102.

23 "SUPERANNUATION AGE." AS DEFINED IN 71 PA.C.S. § 5102.

24 "SURVIVOR ANNUITANT." AS DEFINED IN 71 PA.C.S. § 5102.

25 SECTION 1706-N. PAYMENT OF SUPPLEMENTAL ANNUITY AND SPECIAL AD
26 HOC POSTRETIREMENT ADJUSTMENT.

27 NOTWITHSTANDING 4 PA.C.S. § 13B52(D) (3) (RELATING TO
28 INTERACTIVE GAMING TAX), BEGINNING IN FISCAL YEAR 2027-2028 AND
29 EACH FISCAL YEAR THEREAFTER, THE DEPARTMENT OF REVENUE SHALL
30 DISTRIBUTE THE MONEY THAT WOULD OTHERWISE BE DEPOSITED UNDER 4

1 PA.C.S. § 13B52(D)(3) IN THE FOLLOWING ORDER:

2 (1) FIRST, THE DEPARTMENT OF REVENUE SHALL DEPOSIT INTO
3 THE 2026 SPECIAL AD HOC POSTRETIREMENT ADJUSTMENT ACCOUNT
4 ESTABLISHED UNDER SECTION 1703-N(G) AN AMOUNT EQUAL TO THE
5 AMOUNT CERTIFIED BY THE AUDITOR GENERAL UNDER SECTION 1703-
6 N(F).

7 (2) SECOND, THE DEPARTMENT OF REVENUE SHALL TAKE THE
8 FOLLOWING ACTIONS:

9 (I) PAY TO THE PUBLIC SCHOOL EMPLOYEES' RETIREMENT
10 SYSTEM THE AMOUNT OF THE ANNUAL INSTALLMENT CERTIFIED TO
11 THE DEPARTMENT OF REVENUE UNDER SECTION 1704-N(F)(1).

12 (II) PAY TO THE STATE EMPLOYEES' RETIREMENT SYSTEM
13 THE AMOUNT OF THE ANNUAL INSTALLMENT CERTIFIED TO THE
14 DEPARTMENT OF REVENUE UNDER SECTION 1705-N(F)(1).

15 (3) THIRD, THE DEPARTMENT OF REVENUE SHALL DEPOSIT THE
16 REMAINING MONEY INTO A RESTRICTED RECEIPTS ACCOUNT TO BE
17 ESTABLISHED IN THE COMMONWEALTH FINANCING AUTHORITY TO BE
18 USED EXCLUSIVELY FOR GRANTS FOR PROJECTS IN THE PUBLIC
19 INTEREST IN THIS COMMONWEALTH.

20 SECTION 29.2. ARTICLE XVIII-B OF THE ACT IS AMENDED BY
21 ADDING A SUBARTICLE HEADING IMMEDIATELY PRECEDING SECTION 1801-B
22 TO READ:

23 SUBARTICLE A

24 ELECTRICITY LOAD FORECASTS

25 SECTION 29.3. SECTIONS 1801-B, 1803-B, 1805-B(A) AND (B) AND
26 1806-B(A) AND (B)(1) OF THE ACT, ADDED NOVEMBER 12, 2025
27 (P.L.156, NO.45), ARE AMENDED TO READ:

28 SECTION 1801-B. SCOPE OF [ARTICLE] SUBARTICLE.

29 THIS [ARTICLE] SUBARTICLE RELATES TO ELECTRICITY LOAD
30 FORECASTS SUBMITTED TO PJM.

1 SECTION 1803-B. DEFINITIONS.

2 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS [ARTICLE]
3 SUBARTICLE SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION
4 UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

5 "COMMISSION." THE PENNSYLVANIA PUBLIC UTILITY COMMISSION.

6 "ELECTRIC DISTRIBUTION COMPANY." AS DEFINED IN 66 PA.C.S. §
7 2803 (RELATING TO DEFINITIONS).

8 "LOAD FORECAST." INFORMATION USED TO ESTIMATE FUTURE PEAK
9 DEMAND WITHIN A UTILITY SERVICE TERRITORY THAT IS PROVIDED TO
10 AND UTILIZED BY PJM TO ESTABLISH THE RELIABILITY REQUIREMENT
11 USED IN THE CAPACITY MARKET. THE TERM DOES NOT INCLUDE SHORT-
12 TERM OR DAY-AHEAD FORECASTS USED FOR MARKET OPERATIONS.

13 "PJM." PJM INTERCONNECTION, L.L.C., REGIONAL TRANSMISSION
14 ORGANIZATION OR ITS SUCCESSOR.

15 "UTILITY." AN ELECTRIC DISTRIBUTION COMPANY.

16 SECTION 1805-B. ACCESS TO CONFIDENTIAL CONTRACTS AND
17 INFORMATION.

18 (A) AUTHORITY--IN ORDER TO PERFORM THE COMMISSION'S DUTIES
19 UNDER THIS [ARTICLE] SUBARTICLE, THE COMMISSION, INCLUDING THE
20 BUREAU OF INVESTIGATION AND ENFORCEMENT OF THE COMMISSION, ALONG
21 WITH THE OFFICE OF SMALL BUSINESS ADVOCATE AND THE OFFICE OF
22 CONSUMER ADVOCATE, MAY REVIEW CONTRACTS, AGREEMENTS AND
23 COMMITMENTS BETWEEN INTERCONNECTING CUSTOMERS AND UTILITIES THAT
24 AFFECT LOAD-FORECAST ASSUMPTIONS.

25 (B) PRODUCTION.--UPON REQUEST BY THE COMMISSION, A UTILITY
26 SHALL PROVIDE THE CONTRACTS, AGREEMENTS OR RELATED MATERIALS TO
27 THE COMMISSION FOR THE PURPOSES OF THIS [ARTICLE] SUBARTICLE.

28 * * *

29 SECTION 1806-B. ANNUAL REPORT.

30 (A) REPORT.--NO LATER THAN JUNE 30 OF EACH YEAR, THE

1 COMMISSION SHALL SUBMIT A REPORT TO THE CHAIRPERSON AND MINORITY
2 CHAIRPERSON OF THE CONSUMER PROTECTION AND PROFESSIONAL
3 LICENSURE COMMITTEE OF THE SENATE AND THE CHAIRPERSON AND
4 MINORITY CHAIRPERSON OF THE CONSUMER PROTECTION, TECHNOLOGY AND
5 UTILITIES COMMITTEE OF THE HOUSE OF REPRESENTATIVES ON THE
6 IMPLEMENTATION OF THIS [ARTICLE] SUBARTICLE AND SHALL POST THE
7 REPORT ON THE COMMISSION'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.

8 (B) CONTENTS.--THE REPORT SHALL DESCRIBE ALL OF THE
9 FOLLOWING:

10 (1) ACTIONS TAKEN BY THE COMMISSION TO IMPLEMENT THIS
11 [ARTICLE] SUBARTICLE DURING THE PRIOR FISCAL YEAR.

12 * * *

13 SECTION 29.4. ARTICLE XVIII-B OF THE ACT IS AMENDED BY
14 ADDING SUBARTICLES TO READ:

15 SUBARTICLE B

16 ENERGY AND WATER REPORTING

17 SECTION 1811-B. SCOPE OF SUBARTICLE.

18 THIS SUBARTICLE RELATES TO DATA CENTER ENERGY AND WATER
19 REPORTING.

20 SECTION 1812-B. DEFINITIONS.

21 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS SUBARTICLE
22 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
23 CONTEXT CLEARLY INDICATES OTHERWISE:

24 "COMMISSION." THE PENNSYLVANIA PUBLIC UTILITY COMMISSION.

25 "DATA CENTER." A FACILITY, CAMPUS OF FACILITIES OR
26 INTERCONNECTED ARRAY OF FACILITIES THAT MAY BE COMPOSED OF ONE
27 OR MORE BUSINESSES, OWNERS OR TENANTS, THAT MEET ALL OF THE
28 FOLLOWING:

29 (1) ARE PREDOMINANTLY USED TO HOUSE WORKING SERVERS OR
30 SIMILAR DATA STORAGE SYSTEMS.

(2) HAVE A PEAK ELECTRIC DEMAND OF 10 MEGAWATTS OR GREATER.

"DEPARTMENT." THE DEPARTMENT OF ENVIRONMENTAL PROTECTION OF THE COMMONWEALTH.

"ELECTRIC DISTRIBUTION COMPANY." AS DEFINED UNDER 66 PA.C.S. § 2803 (RELATING TO DEFINITIONS).

"ENERGY CONSUMPTION." THE TOTAL AMOUNT OF ELECTRICITY OR OTHER FORMS OF ENERGY CONSUMED BY A DATA CENTER, MEASURED IN KILOWATT-HOURS.

"FACILITY." ONE OR MORE PARCELS OF LAND IN THIS COMMONWEALTH AND ANY STRUCTURES AND PERSONAL PROPERTY CONTAINED ON THE LAND.

"WATER CONSUMPTION." THE TOTAL AMOUNT OF WATER CONSUMED BY A DATA CENTER, INCLUDING WATER USED FOR COOLING, MEASURED IN GALLONS.

SECTION 1813-B. REPORTING REQUIREMENTS.

(A) ANNUAL REPORT.--EACH DATA CENTER OPERATING IN THIS COMMONWEALTH SHALL SUBMIT AN ANNUAL REPORT TO THE DEPARTMENT ON THE FACILITY'S ENERGY CONSUMPTION AND WATER CONSUMPTION FOR THE PRECEDING CALENDAR YEAR.

(B) CONTENTS.--THE REPORT SHALL INCLUDE THE FOLLOWING:

(1) THE NAME AND ADDRESS OF THE FACILITY, INCLUDING THE NATURE OR PURPOSE OF THE FACILITY.

(2) TOTAL ENERGY CONSUMPTION FOR THE PREVIOUS CALENDAR YEAR, SPECIFIED BY MONTH AND THE ENERGY SOURCE CONSUMED.

(3) THE ESTIMATED AVERAGE AMOUNT OF ENERGY USAGE PER HOUR DURING THE DATA CENTER'S PEAK LOAD, MEASURED IN KILOWATT-HOURS.

(4) TOTAL WATER CONSUMPTION FOR THE PREVIOUS CALENDAR YEAR, ALONG WITH THE MAXIMUM DAY DEMAND, SPECIFIED BY MONTH, WATER SOURCE AND WHETHER THE CONSUMPTION WAS INTENDED FOR

1 COOLING OR ANOTHER APPLICATION.

2 (5) ANY MEASURES UNDERTAKEN IN THE PREVIOUS CALENDAR
3 YEAR TO IMPROVE ENERGY OR WATER EFFICIENCY AND REDUCE ENERGY
4 CONSUMPTION OR WATER CONSUMPTION.

5 (6) ANY MEASURES UNDERTAKEN TO PROTECT THE ENVIRONMENT
6 AND PUBLIC FROM POLLUTED WATER.

7 (7) ANY MEASURES UNDERTAKEN TO GENERATE ELECTRICITY ON
8 SITE OR OFF SITE TO REDUCE CARBON EMISSIONS OR IMPACTS ON THE
9 ELECTRIC GRID, INCLUDING THE SPECIFIC ENERGY SOURCE, AND ANY
10 POTENTIAL FUTURE MEASURES TO GENERATE ELECTRICITY OR OTHER
11 FORM OF ENERGY ON SITE OR OFF SITE.

12 (8) ANY MEASURES UNDERTAKEN TO RECOVER WASTE HEAT TO
13 POWER THE DATA CENTER, OR TO RECOVER WASTE HEAT FOR PURPOSES
14 RELATING TO GENERAL BUILDING HEATING, COOLING SYSTEMS OR
15 COOLANT SYSTEMS SPECIFICALLY FOR THE CAPTURE OF WASTE HEAT
16 FROM PROCESSORS.

17 (9) AN ESTIMATION OF THE PROJECTED TOTAL ENERGY AND
18 WATER DEMAND FOR THE FOLLOWING YEAR, INCLUDING A COMPARISON
19 OF THE PREVIOUS YEAR'S TOTAL ENERGY CONSUMPTION AND WATER
20 CONSUMPTION, IF APPLICABLE.

21 (10) ANY OTHER INFORMATION REQUIRED BY THE DEPARTMENT.

22 (C) SUBMISSION.--BY JULY 1, 2027, AND EACH JULY 1
23 THEREAFTER, THE ANNUAL REPORT SHALL BE SUBMITTED IN A MANNER
24 DETERMINED BY THE DEPARTMENT.

25 SECTION 1814-B. DEPARTMENT DUTIES.

26 THE DEPARTMENT, IN CONSULTATION WITH THE COMMISSION, SHALL
27 PUBLISH AN ANNUAL REPORT ON THE AGGREGATE ENERGY CONSUMPTION AND
28 WATER CONSUMPTION TRENDS FOR DATA CENTERS OPERATING IN THIS
29 COMMONWEALTH, INCLUDING ENVIRONMENTAL IMPACTS AND
30 RECOMMENDATIONS TO ADDRESS IDENTIFIED ISSUES. THE REPORT SHALL

1 BE MADE AVAILABLE ON THE DEPARTMENT'S PUBLICLY ACCESSIBLE
2 INTERNET WEBSITE AND SHALL BE SUBMITTED IN PAPER FORM OR
3 ELECTRONICALLY TO:

4 (1) THE GOVERNOR.

5 (2) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
6 ENVIRONMENTAL RESOURCES AND ENERGY COMMITTEE OF THE SENATE.

7 (3) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
8 ENERGY COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

9 (4) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
10 ENVIRONMENTAL AND NATURAL RESOURCE PROTECTION COMMITTEE OF
11 THE HOUSE OF REPRESENTATIVES.

12 (5) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
13 CONSUMER PROTECTION AND PROFESSIONAL LICENSURE COMMITTEE OF
14 THE SENATE.

15 (6) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
16 CONSUMER PROTECTION, TECHNOLOGY AND UTILITIES COMMITTEE OF
17 THE HOUSE OF REPRESENTATIVES.

18 SECTION 1815-B. DATA CONFIDENTIALITY.

19 (A) PROPRIETARY INFORMATION.--FOR ANNUAL REPORTS SUBMITTED
20 UNDER SECTION 1813-B(A), PROPRIETARY INFORMATION SHALL BE EXEMPT
21 FROM PUBLIC DISCLOSURE.

22 (B) PUBLIC DATA.--ALL AGGREGATED AND ANONYMIZED DATA SHALL
23 BE MADE PUBLICLY AVAILABLE.

24 SECTION 1816-B. ENFORCEMENT AND PENALTIES.

25 (A) VIOLATIONS.--A DATA CENTER THAT FAILS TO COMPLY WITH THE
26 REPORTING REQUIREMENTS UNDER SECTION 1813-B SHALL BE SUBJECT TO
27 A CIVIL PENALTY OF \$10,000 PER DAY UNTIL THE REPORT IS SUBMITTED
28 TO THE DEPARTMENT.

29 (B) DEPOSIT OF PENALTIES COLLECTED.--PENALTIES COLLECTED
30 UNDER THIS SECTION SHALL BE DEPOSITED INTO THE LOW-INCOME

ELECTRIC CUSTOMER ASSISTANCE PROGRAM OF THE ELECTRIC
DISTRIBUTION COMPANY FOR THE SERVICE TERRITORY IN WHICH THE DATA
CENTER IN VIOLATION IS LOCATED.

SUBARTICLE C

ADVANCED TRANSMISSION TECHNOLOGIES

SECTION 1817-B. DEFINITIONS.

THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
CONTEXT CLEARLY INDICATES OTHERWISE:

"COMMISSION." THE PENNSYLVANIA PUBLIC UTILITY COMMISSION.
SECTION 1818-B. ADVANCED TRANSMISSION TECHNOLOGIES.

(A) APPLICABILITY.--THIS SECTION SHALL APPLY TO EACH
TRANSMISSION SITING APPLICATION FILED WITH THE COMMISSION UNDER
52 PA. CODE CH. 57 SUBCH. G (RELATING TO COMMISSION REVIEW OF
SITING AND CONSTRUCTION OF ELECTRIC TRANSMISSION LINES) AND EACH
LETTER OF NOTIFICATION IN LIEU OF APPLICATION FILED WITH THE
COMMISSION UNDER 52 PA. CODE CH. 57 (RELATING TO ELECTRIC
SERVICE).

(B) REPORT OF EVALUATION.--AN APPLICANT SHALL PROVIDE TO THE
COMMISSION A REPORT DOCUMENTING THAT THE APPLICANT EVALUATED AND
ASSESSED THE USE OF ADVANCED TRANSMISSION TECHNOLOGIES FOR ANY
OF THE FOLLOWING:

(1) EXISTING TRANSMISSION INFRASTRUCTURE.

(2) PROPOSED TRANSMISSION INFRASTRUCTURE AND UPGRADES
IDENTIFIED IN THE APPLICATION OR LETTER OF NOTIFICATION,
INCLUDING INFRASTRUCTURE FOR WHICH THE PROPOSED VOLTAGE WOULD
BE INCREASED ABOVE EXISTING LEVELS AND INFRASTRUCTURE THAT
WOULD BE RECONDUCTORED OR RECONSTRUCTED WITHIN THE
JURISDICTION OF THE COMMISSION.

(C) REBUTTABLE PRESUMPTION.--IF AN APPLICANT INCLUDES AN

1 ANALYSIS OF ADVANCED TRANSMISSION TECHNOLOGIES, THERE SHALL BE A
2 REBUTTABLE PRESUMPTION THAT THE ELECTRIC DISTRIBUTION COMPANY
3 HAS CONSIDERED APPROPRIATE ADVANCED TRANSMISSION TECHNOLOGIES
4 FOR THE PROPOSED TRANSMISSION INFRASTRUCTURE.

5 (D) NOTICE FOR COLOCATED INFRASTRUCTURE.--

6 (1) WHEN THE EVALUATION UNDER SUBSECTION (B) INCLUDES
7 THE USE OF ADVANCED TRANSMISSION TECHNOLOGY THAT WOULD
8 INCREASE THE ENERGY-CARRYING CAPACITY OF AN EXISTING OR
9 PROPOSED TRANSMISSION LINE, THE APPLICANT SHALL USE
10 REASONABLE EFFORTS TO NOTIFY ALL KNOWN OWNERS OR OPERATORS OF
11 PIPELINES OR OTHER CRITICAL ENERGY INFRASTRUCTURE LOCATED
12 WITHIN OR ADJACENT TO THE EXISTING OR PROPOSED RIGHT-OF-WAY.

13 (2) NOTHING IN THIS SUBSECTION SHALL BE CONSTRUED TO
14 RELIEVE ANY PARTY OF OBLIGATIONS UNDER FEDERAL PIPELINE
15 SAFETY REGULATIONS OR TO REQUIRE DISCLOSURE OF PROPRIETARY OR
16 SECURITY-SENSITIVE INFORMATION.

17 (E) CONDITIONAL APPROVAL.--IF, UPON CONSIDERATION OF RECORD
18 EVIDENCE, THE COMMISSION DETERMINES IT IS IN THE PUBLIC
19 INTEREST, THE COMMISSION MAY, AS A CONDITION OF APPROVING AN
20 APPLICATION, AND IN ADDITION TO ANY OTHER RELIEF GRANTED, ORDER
21 THE APPLICANT TO INTEGRATE ADVANCED TRANSMISSION TECHNOLOGIES TO
22 HELP FULLY OR PARTIALLY RESOLVE THE NEED IDENTIFIED IN THE
23 APPLICATION.

24 (F) COMPETITIVE BIDS.--FOR EACH TRANSMISSION SITING
25 APPLICATION SUBJECT TO A COMPETITIVE BID PROCESS, THE COMMISSION
26 SHALL GIVE FULL CONSIDERATION FOR THE REGIONAL BENEFITS
27 IDENTIFIED IN THE APPLICATION.

28 (G) COMMISSION REQUIREMENTS.--NO LATER THAN ONE YEAR AFTER
29 THE EFFECTIVE DATE OF THIS SUBSECTION, THE COMMISSION SHALL
30 ADOPT REGULATIONS, ORDERS OR STATEMENTS OF POLICY SPECIFYING THE

1 ADVANCED TRANSMISSION TECHNOLOGY ASSESSMENT REQUIREMENTS AND
2 METHODS THAT AN APPLICANT SHALL USE TO SATISFY SUBSECTION (B).

3 (H) CONSTRUCTION.--NOTHING IN THIS SECTION SHALL BE
4 CONSTRUED TO LIMIT THE COMMISSION'S AUTHORITY UNDER ANY OTHER
5 PROVISION OF STATE LAW TO REGULATE A PUBLIC UTILITY SERVICE OR
6 FACILITY.

7 (I) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
8 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
9 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

10 "ADVANCED POWER FLOW CONTROLLER." A HARDWARE OR SOFTWARE
11 TECHNOLOGY THAT MODULATES CIRCUIT IMPEDANCE OR OTHER ELECTRICAL
12 PROPERTIES TO REROUTE POWER FLOWS.

13 "ADVANCED TRANSMISSION TECHNOLOGIES." ANY OF THE FOLLOWING:

14 (1) GRID-ENHANCING TECHNOLOGIES, INCLUDING DYNAMIC LINE
15 RATING, ADVANCED POWER FLOW CONTROLLER AND TOPOLOGY
16 OPTIMIZATION SOFTWARE.

17 (2) HIGH-PERFORMANCE CONDUCTORS.

18 (3) ANY OTHER TECHNOLOGY IDENTIFIED BY THE COMMISSION
19 THAT MAY AVOID THE CONSTRUCTION OF NEW TRANSMISSION
20 INFRASTRUCTURE, INCREASE THE CAPACITY, EFFICIENCY OR
21 RELIABILITY OF THE TRANSMISSION SYSTEM, REDUCE TRANSMISSION
22 SYSTEM CONGESTION, REDUCE ENVIRONMENTAL IMPACTS OR PROVIDE
23 OTHER BENEFITS TO THE TRANSMISSION SYSTEM.

24 "ALUMINUM CONDUCTOR STEEL REINFORCED CONDUCTOR." A STRANDED
25 OVERHEAD ELECTRICAL CONDUCTOR COMPOSED OF ONE OR MORE LAYERS OF
26 HARD-DRAWN ALUMINUM WIRE HELICALLY LAID AROUND A CENTRAL CORE OF
27 GALVANIZED OR OTHERWISE COATED STEEL STRANDS, DESIGNED TO
28 PROVIDE ENHANCED TENSILE STRENGTH AND ELECTRICAL CONDUCTIVITY
29 FOR TRANSMISSION OR DISTRIBUTION APPLICATIONS.

30 "DYNAMIC LINE RATING." A SYSTEM THAT USES REAL-TIME AND

1 FORECASTED WEATHER AND OPERATING CONDITIONS, INCLUDING WIND
2 SPEED AND DIRECTION, TO DETERMINE THE TRANSFER CAPACITY OF A
3 TRANSMISSION LINE.

4 "HIGH-PERFORMANCE CONDUCTOR." A CONDUCTOR USED IN AN
5 ELECTRIC TRANSMISSION SYSTEM, INCLUDING A CARBON FIBER
6 CONDUCTOR, COMPOSITE CORE CONDUCTOR OR SUPERCONDUCTOR, THAT HAS
7 ALL OF THE FOLLOWING:

8 (1) A SIMILAR DIAMETER AND WEIGHT AS A TRADITIONAL
9 ALUMINUM CONDUCTOR STEEL REINFORCED CONDUCTOR.

10 (2) A DIRECT ELECTRICAL RESISTANCE THAT IS AT LEAST 10%
11 LOWER THAN A TRADITIONAL ALUMINUM CONDUCTOR STEEL REINFORCED
12 CONDUCTOR OF A SIMILAR DIAMETER AND WEIGHT.

13 (3) AN ENERGY-CARRYING CAPACITY THAT IS AT LEAST 75%
14 GREATER THAN A TRADITIONAL ALUMINUM CONDUCTOR STEEL
15 REINFORCED CONDUCTOR OF A SIMILAR DIAMETER AND WEIGHT.

16 "TOPOLOGY OPTIMIZATION SOFTWARE." SOFTWARE THAT IDENTIFIES
17 SWITCHING CONFIGURATIONS TO REROUTE ELECTRICITY AND ALLEVIATE
18 TRANSMISSION CONSTRAINTS.

19 SECTION 30. SECTION 1918 OF THE ACT IS AMENDED BY ADDING A
20 PARAGRAPH TO READ:

21 SECTION 1918. DEPARTMENT OF AGRICULTURE.

22 THE FOLLOWING APPLY TO APPROPRIATIONS FOR THE DEPARTMENT OF
23 AGRICULTURE:

24 * * *

25 (7) FROM MONEY APPROPRIATED FOR FRUIT GROWER DISASTER
26 SUPPORT, NO LESS THAN \$10,000,000 SHALL BE USED FOR FREEZE
27 DISASTER ASSISTANCE RECOVERY GRANTS TO ASSIST WITH BUSINESS
28 CONTINUITY FOR A FRUIT GROWER THAT INCURRED A LOSS OF AN
29 ELIGIBLE SPECIALTY CROP BECAUSE OF FREEZE EVENTS. THE
30 FOLLOWING APPLY:

1 (I) THE DEPARTMENT OF AGRICULTURE SHALL AWARD GRANTS
2 TO A FRUIT GROWER THAT EXPERIENCED A LOSS OF AT LEAST 30%
3 OF EXPECTED PRODUCTION FOR AN ELIGIBLE SPECIALTY CROP
4 BECAUSE OF THE FREEZE EVENTS.

5 (II) AN APPLICANT FOR A GRANT AWARD SHALL PROVIDE
6 ALL OF THE FOLLOWING:

7 (A) VERIFICATION OF THE ELIGIBLE ACREAGE OF EACH
8 ELIGIBLE SPECIALTY CROP IN PRODUCTION BETWEEN APRIL
9 1, 2026, AND APRIL 21, 2026.

10 (B) A MAP IDENTIFYING EACH PARCEL ON WHICH AN
11 ELIGIBLE SPECIALTY CROP WAS PRODUCED AND THE TOTAL
12 ACREAGE IMPACTED BY THE FREEZE EVENTS.

13 (III) THE DEPARTMENT OF AGRICULTURE SHALL DEVELOP A
14 PER-ACRE PAYMENT METHODOLOGY FOR EACH ELIGIBLE SPECIALTY
15 CROP.

16 (IV) THE DEPARTMENT OF AGRICULTURE SHALL ADJUST
17 GRANT AWARDS TO REFLECT THE AMOUNT OF MONEY AVAILABLE
18 UNDER THIS PARAGRAPH. A GRANT AWARD LIMITATION
19 ESTABLISHED BY THE DEPARTMENT OF AGRICULTURE SHALL APPLY
20 BY FEDERAL EMPLOYER IDENTIFICATION NUMBER.

21 (V) WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS
22 SUBPARAGRAPH, THE DEPARTMENT OF AGRICULTURE SHALL DEVELOP
23 GUIDELINES TO IMPLEMENT THIS PARAGRAPH AND SUBMIT THE
24 GUIDELINES TO THE LEGISLATIVE REFERENCE BUREAU FOR
25 PUBLICATION IN THE NEXT AVAILABLE ISSUE OF THE
26 PENNSYLVANIA BULLETIN.

27 (VI) AS USED IN THIS PARAGRAPH, THE FOLLOWING WORDS
28 AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
29 SUBPARAGRAPH UNLESS THE CONTEXT CLEARLY INDICATES
30 OTHERWISE:

1 "ELIGIBLE SPECIALTY CROP." A POME FRUIT, STONE
2 FRUIT, GRAPE OR BERRY GROWN IN THIS COMMONWEALTH.

3 "FREEZE EVENTS." THE FREEZE EVENTS THAT OCCURRED
4 BETWEEN APRIL 1, 2026, AND APRIL 21, 2026.

5 SECTION 30.1. SECTION 1930(11) (V) OF THE ACT, ADDED NOVEMBER
6 12, 2025 (P.L.156, NO.45), IS AMENDED TO READ:

7 SECTION 1930. DEPARTMENT OF HUMAN SERVICES.

8 THE FOLLOWING APPLY TO APPROPRIATIONS FOR THE DEPARTMENT OF
9 HUMAN SERVICES:

10 * * *

11 (11) FROM MONEY APPROPRIATED FOR MEDICAL ASSISTANCE
12 LONG-TERM LIVING:

13 * * *

14 (V) [(RESERVED).] AN ADDITIONAL \$250,000 SHALL BE
15 PAID TO A MEDICAL ASSISTANCE NURSING FACILITY PROVIDER
16 LOCATED IN A TOWNSHIP OF THE FIRST CLASS IN A COUNTY OF
17 THE SECOND CLASS A WHICH REMAINS OPEN AS OF THE EFFECTIVE
18 DATE OF THIS SUBPARAGRAPH WITH A PERCENTAGE OF MEDICAL
19 ASSISTANCE RECIPIENT RESIDENTS WHO REQUIRED MEDICALLY
20 NECESSARY VENTILATOR CARE OR TRACHEOSTOMY CARE EQUAL TO
21 OR GREATER THAN 90% AS OF AUGUST 1, 2022.

22 * * *

23 SECTION 30.2. SECTION 1938 OF THE ACT IS AMENDED BY ADDING A
24 PARAGRAPH TO READ:

25 SECTION 1938. PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY.

26 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE
27 PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY:

28 * * *

29 (4) FROM MONEY APPROPRIATED FOR MATCHING PAYMENTS FOR
30 STUDENT AID, \$2,500,000 SHALL BE USED BY THE AGENCY FOR THE

NURSING SHORTAGE ASSISTANCE PROGRAM AS AUTHORIZED BY ARTICLE
XVIII-B OF THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN
AS THE PUBLIC SCHOOL CODE OF 1949.

SECTION 31. THE ACT IS AMENDED BY ADDING ARTICLES TO READ:

ARTICLE XIX-B

2026-2027 BUDGET IMPLEMENTATION

SUBARTICLE A

PRELIMINARY PROVISIONS

SECTION 1901-B. APPLICABILITY.

EXCEPT AS SPECIFICALLY PROVIDED IN THIS ARTICLE, THIS ARTICLE
APPLIES TO THE GENERAL APPROPRIATION ACT OF 2026 AND ALL OTHER
APPROPRIATION ACTS OF 2026.

SECTION 1902-B. DEFINITIONS.

THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
CONTEXT CLEARLY INDICATES OTHERWISE:

"GENERAL APPROPRIATION ACT OF 2026." THE ACT OF _____, 2026
(P.L. _____, NO. _____), KNOWN AS THE GENERAL APPROPRIATION ACT OF 2026.

"HUMAN SERVICES CODE." THE ACT OF JUNE 13, 1967 (P.L.31,
NO.21), KNOWN AS THE HUMAN SERVICES CODE.

"PUBLIC SCHOOL CODE OF 1949." THE ACT OF MARCH 10, 1949
(P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949.

"SECRETARY." THE SECRETARY OF THE BUDGET OF THE
COMMONWEALTH.

"TANFBG." TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
GRANT.

SUBARTICLE B

EXECUTIVE DEPARTMENTS

SECTION 1911-B. GOVERNOR (RESERVED).

SECTION 1912-B. EXECUTIVE OFFICES.

1 THE FOLLOWING APPLY TO APPROPRIATIONS FOR THE EXECUTIVE
2 OFFICES:

3 (1) THE FOLLOWING APPLY TO MONEY APPROPRIATED FOR THE
4 PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY:

5 (I) NO LESS THAN THE AMOUNT USED IN THE 2014-2015
6 FISCAL YEAR SHALL BE USED TO SUPPORT THE STATEWIDE
7 AUTOMATED VICTIM INFORMATION AND NOTIFICATION SYSTEM
8 (SAVIN) TO PROVIDE OFFENDER INFORMATION THROUGH COUNTY
9 JAILS.

10 (II) NO LESS THAN THE AMOUNT USED IN THE 2014-2015
11 FISCAL YEAR SHALL BE USED FOR A RESIDENTIAL TREATMENT
12 COMMUNITY FACILITY FOR AT-RISK YOUTH LOCATED IN A COUNTY
13 OF THE FIFTH CLASS.

14 (III) FROM THE AMOUNT APPROPRIATED, \$400,000 SHALL
15 BE USED FOR AN INNOVATIVE POLICE DATA SHARING POINTER
16 INDEX SYSTEM THAT WILL ALLOW PARTICIPATING LAW
17 ENFORCEMENT AGENCIES ACCESS TO INCIDENT REPORT DATA.

18 (IV) FROM THE AMOUNT APPROPRIATED, \$750,000 SHALL BE
19 USED FOR A DIVERSION PROGRAM FOR FIRST-TIME NONVIOLENT
20 OFFENDERS FACING PRISON SENTENCES. THE DIVERSION PROGRAM
21 MUST INCLUDE EDUCATION AND EMPLOYMENT SERVICES, CASE
22 MANAGEMENT AND MENTORING.

23 (V) NO LESS THAN \$3,000,000 SHALL BE AVAILABLE AS A
24 PILOT PROGRAM TO OFFSET COSTS INCURRED BY A CITY OF THE
25 FIRST CLASS AND A COUNTY OF THE SECOND CLASS A THAT IS
26 ALSO A HOME RULE COUNTY IN CONNECTION WITH HIRING
27 ADDITIONAL ASSISTANT DISTRICT ATTORNEYS DESIGNATED AS A
28 SPECIAL UNITED STATES ATTORNEY BY A UNITED STATES
29 ATTORNEY'S OFFICE THROUGH PARTICIPATION IN THE PROJECT
30 SAFE NEIGHBORHOODS PROGRAM AND WHO WILL EXCLUSIVELY

1 PROSECUTE CRIMES UNDER 18 U.S.C. § 922(G) (RELATING TO
2 UNLAWFUL ACTS).

3 (VI) \$500,000 SHALL BE USED TO SUPPORT A STATEWIDE
4 CHILD PREDATOR UNIT.

5 (VII) \$500,000 SHALL BE USED FOR TRAINING AND
6 EQUIPMENT NEEDS TO SUPPORT IMPROVEMENTS IN THE
7 IDENTIFICATION, INVESTIGATION AND PROSECUTION OF 18
8 PA.C.S. § 6312 (RELATING TO SEXUAL ABUSE OF CHILDREN).

9 (VIII) NO LESS THAN \$2,600,000 SHALL BE DISTRIBUTED
10 TO A NONPROFIT ORGANIZATION SPECIFIED IN 61 PA.C.S. §
11 3512 (RELATING TO DEFINITIONS), THE FOLLOWING SHALL
12 APPLY:

13 (A) THE SUM OF \$2,000,000 SHALL BE USED TO
14 MONITOR CONDITIONS IN STATE AND COUNTY CORRECTIONAL
15 INSTITUTIONS, INCLUDING THROUGH INDEPENDENT DATA
16 COLLECTION AND ANALYSIS OF CONDITIONS AND TO ASSIST
17 INCARCERATED INDIVIDUALS WITH CONCERNS RELATED TO
18 THEIR HEALTH, SAFETY AND DIGNITY.

19 (B) THE SUM OF \$600,000 SHALL BE USED TO PROVIDE
20 TRANSPORTATION TO STATE CORRECTIONAL INSTITUTIONS FOR
21 FAMILIES OF INCARCERATED INDIVIDUALS.

22 (IX) NO LESS THAN \$1,750,000 SHALL BE USED FOR
23 MEDICATION SUBSTANCE USE DISORDER TREATMENT FOR ELIGIBLE
24 OFFENDERS. THE PENNSYLVANIA COMMISSION ON CRIME AND
25 DELINQUENCY SHALL USE THE MONEY FOR GRANTS TO COUNTIES TO
26 PROVIDE MEDICATION-ASSISTED TREATMENT, IN COMBINATION
27 WITH COMPREHENSIVE SUBSTANCE USE DISORDER TREATMENT, TO
28 ELIGIBLE OFFENDERS WHO MEET THE CLINICAL CRITERIA FOR AN
29 OPIOID USE DISORDER OR AN ALCOHOL USE DISORDER, AS
30 DETERMINED BY A PHYSICIAN, WHILE INCARCERATED AND UPON

1 RELEASE FROM A COUNTY CORRECTIONAL INSTITUTION. AS USED
2 IN THIS SUBPARAGRAPH, THE TERM "MEDICATION-ASSISTED
3 TREATMENT" MEANS THE USE OF UNITED STATES FOOD AND DRUG
4 ADMINISTRATION-APPROVED MEDICATIONS, TOGETHER WITH
5 NONMEDICATION TREATMENT, AS CLINICALLY INDICATED, TO
6 TREAT SUBSTANCE USE DISORDERS, INCLUDING OPIOID USE
7 DISORDERS AND ALCOHOL USE DISORDERS.

8 (X) NO LESS THAN \$2,500,000 SHALL BE USED FOR THE
9 VIOLENT INCIDENT CLEARANCE AND TECHNOLOGICAL
10 INVESTIGATIVE METHODS PROGRAM ESTABLISHED UNDER SECTION
11 1602-Z.2 (A) .

12 (2) FROM MONEY APPROPRIATED FOR VIOLENCE AND DELINQUENCY
13 PREVENTION PROGRAMS:

14 (I) NO LESS THAN THE AMOUNT USED IN THE 2014-2015
15 FISCAL YEAR SHALL BE USED FOR PROGRAMS IN A CITY OF THE
16 SECOND CLASS.

17 (II) NO LESS THAN THE AMOUNT USED IN THE 2014-2015
18 FISCAL YEAR SHALL BE USED FOR BLUEPRINT MENTORING
19 PROGRAMS THAT ADDRESS REDUCING YOUTH VIOLENCE IN CITIES
20 OF THE FIRST, SECOND AND THIRD CLASS WITH PROGRAMS IN
21 CITIES OF THE SECOND CLASS AND THIRD CLASS ALSO RECEIVING
22 A PROPORTIONAL SHARE OF \$350,000.

23 (3) FROM MONEY APPROPRIATED FOR VIOLENCE INTERVENTION
24 AND PREVENTION, NO LESS THAN \$11,500,000 SHALL BE USED BY THE
25 SCHOOL SAFETY AND SECURITY COMMITTEE TO PROVIDE GRANTS FOR
26 OUT-OF-SCHOOL PROGRAMMING FOR AT-RISK SCHOOL-AGE YOUTH. AN
27 ELIGIBLE GRANTEE UNDER THIS PARAGRAPH SHALL INCLUDE ANY
28 SCHOOL DISTRICT, AREA CAREER AND TECHNICAL SCHOOL, LIBRARY,
29 STATEWIDE YOUTH-SERVING NONPROFIT ORGANIZATION OR COMMUNITY-
30 BASED NONPROFIT ORGANIZATION THAT IS NOT A MEMBER OF A

1 STATEWIDE YOUTH-SERVING NONPROFIT. OUT-OF-SCHOOL PROGRAMMING
2 UNDER THIS PARAGRAPH SHALL INCLUDE STRUCTURED PROGRAMS OR
3 ACTIVITIES WITH ENGAGED MENTORS AND EVIDENCE-BASED OR
4 EVIDENCE-INFORMED PRACTICES PROVIDED TO SCHOOL-AGE YOUTH
5 BEFORE SCHOOL, AFTER SCHOOL OR DURING THE SUMMER TO IMPROVE
6 SOCIAL, EMOTIONAL, ACADEMIC OR CAREER-READINESS, PREVENT AND
7 REDUCE TEENAGE PREGNANCIES, REDUCE NEGATIVE BEHAVIORS,
8 PROVIDE SAFE OUT-OF-SCHOOL ENVIRONMENTS, ENGAGE IN CAREER
9 EXPLORATION OR FORMAL OR INFORMAL WORK-BASED LEARNING OR ANY
10 OTHER ACTIVITY APPROVED BY THE SCHOOL SAFETY AND SECURITY
11 COMMITTEE. SECTION 1306-B(B), (C), (D), (E), (G.1) AND (G.2)
12 OF THE PUBLIC SCHOOL CODE OF 1949 SHALL APPLY TO GRANTS
13 PROVIDED UNDER THIS PARAGRAPH.

14 (4) MONEY APPROPRIATED FOR COUNTY INTERMEDIATE
15 PUNISHMENT SHALL BE DISTRIBUTED TO COUNTIES FOR COUNTY ADULT
16 PROBATION SUPERVISION AND DRUG AND ALCOHOL AND MENTAL HEALTH
17 TREATMENT PROGRAMS FOR OFFENDERS SENTENCED TO RESTRICTIVE
18 CONDITIONS OF PROBATION IMPOSED UNDER 42 PA.C.S. § 9763(C) OR
19 (D) (RELATING TO CONDITIONS OF PROBATION) AND ARE CERTIFIED
20 IN ACCORDANCE WITH 42 PA.C.S. § 2154.1(B) (RELATING TO
21 ADOPTION OF GUIDELINES FOR RESTRICTIVE CONDITIONS). THE
22 PORTION OF MONEY FOR DRUG AND ALCOHOL AND MENTAL HEALTH
23 TREATMENT PROGRAMS SHALL BE BASED ON NATIONAL STATISTICS THAT
24 IDENTIFY THE PERCENTAGE OF INCARCERATED INDIVIDUALS THAT ARE
25 IN NEED OF TREATMENT FOR SUBSTANCE ISSUES BUT IN NO CASE
26 SHALL BE LESS THAN 80% OF THE AMOUNT APPROPRIATED.

27 (5) FROM MONEY APPROPRIATED TO GRANTS TO THE ARTS, NO
28 LESS THAN \$1,000,000 SHALL BE USED BY THE COUNCIL OF THE ARTS
29 TO AWARD GRANTS FOR MULTIYEAR, TIERED TECHNICAL ASSISTANCE
30 AND ORGANIZATIONAL DEVELOPMENT SERVICES FOR ARTS AND CULTURAL

1 ORGANIZATIONS ROOTED IN AND SERVING HISTORICALLY UNDERSERVED
2 COMMUNITIES, TO STRENGTHEN ORGANIZATIONAL CAPACITY, COMMUNITY
3 ENGAGEMENT, ARTIST DEVELOPMENT AND LONG-TERM SUSTAINABILITY.
4 THIS FUNDING SHALL SUPPLEMENT AND NOT SUPPLANT FUNDS AWARDED
5 BY THE COUNCIL OF THE ARTS FOR THESE PURPOSES IN FISCAL YEAR
6 2025-2026.

7 SECTION 1912.1-B. OFFICE OF THE BUDGET (RESERVED).

8 SECTION 1913-B. LIEUTENANT GOVERNOR (RESERVED).

9 SECTION 1914-B. ATTORNEY GENERAL.

10 THE FOLLOWING APPLY TO APPROPRIATIONS TO THE ATTORNEY
11 GENERAL:

12 (1) UP TO \$1,200,000 IS INCLUDED IN THE APPROPRIATION
13 FOR GENERAL GOVERNMENT OPERATIONS FOR COSTS RELATED TO THE
14 IMPLEMENTATION OF 74 PA.C.S. § 1786 (RELATING TO SPECIAL
15 PROSECUTOR FOR MASS TRANSIT).

16 (2) THE SUM OF \$8,431,000 SHALL BE DISTRIBUTED BETWEEN
17 THE ATTORNEY GENERAL AND THE DISTRICT ATTORNEY'S OFFICE IN A
18 CITY OF THE FIRST CLASS FOR COSTS ASSOCIATED WITH THE
19 OPERATION OF THE JOINT LOCAL-STATE FIREARM TASK FORCE IN THE
20 CITY OF THE FIRST CLASS. NO MORE THAN 20% MAY BE ALLOCATED
21 FOR THE DISTRICT ATTORNEY'S OFFICE IN A CITY OF THE FIRST
22 CLASS.

23 (3) THE SUM OF \$3,508,308 SHALL BE DISTRIBUTED TO THE
24 ATTORNEY GENERAL FOR COSTS ASSOCIATED WITH A JOINT LOCAL-
25 STATE FIREARM TASK FORCE IN A CITY OF THE FIRST CLASS.

26 (4) THE SUM OF \$1,537,952 SHALL BE USED TO COVER THE
27 COSTS ASSOCIATED WITH ESTABLISHING AND OPERATING A JOINT
28 LOCAL-STATE FIREARM TASK FORCE IN A COUNTY OF THE SECOND
29 CLASS.

30 (5) THE SUM OF \$889,692 SHALL BE DISTRIBUTED TO THE

1 ATTORNEY GENERAL FOR OPERATING AND PROPERTY COSTS RELATED TO
2 THE JOINT TASK FORCE AS NEEDED.

3 (6) THE ATTORNEY GENERAL MAY EXPEND MONEY FROM THE
4 FOLLOWING RESTRICTED ACCOUNTS FOR GENERAL GOVERNMENT
5 OPERATIONS:

6 (I) THE CRIMINAL ENFORCEMENT RESTRICTED ACCOUNT
7 ESTABLISHED UNDER SECTION 1713-A.1.

8 (II) THE COLLECTION ADMINISTRATION ACCOUNT
9 ESTABLISHED UNDER SECTION 922.1 OF THE ACT OF APRIL 9,
10 1929 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE
11 OF 1929.

12 (III) THE RESTRICTED ACCOUNT ESTABLISHED UNDER
13 SECTION 1795.1-E(C)(3)(III).

14 (IV) THE STRAW PURCHASE PREVENTION EDUCATION FUND
15 ESTABLISHED UNDER 18 PA.C.S. § 6186 (RELATING TO STRAW
16 PURCHASE PREVENTION EDUCATION FUND).

17 (V) THE RESTRICTED ACCOUNT ESTABLISHED UNDER SECTION
18 4 OF THE ACT OF DECEMBER 4, 1996 (P.L.911, NO.147), KNOWN
19 AS THE TELEMARKETER REGISTRATION ACT.

20 (VI) THE RESTRICTED ACCOUNT KNOWN AS THE PUBLIC
21 PROTECTION LAW ENFORCEMENT RESTRICTED ACCOUNT.

22 (VII) THE STATE COURT AWARDED ASSET FORFEITURE
23 RESTRICTED ACCOUNT AS ESTABLISHED BY THE ATTORNEY GENERAL
24 UNDER 42 PA.C.S. § 5803 (RELATING TO ASSET FORFEITURE).

25 (7) FROM MONEY APPROPRIATED FOR GENERAL GOVERNMENT
26 OPERATIONS, NO LESS THAN \$35,000 SHALL BE UTILIZED TO DEVELOP
27 AND IMPLEMENT REGIONAL FIRST RESPONSE AND INVESTIGATIVE
28 TRAINING PROGRAMS FOR LAW ENFORCEMENT OFFICERS WHO RESPOND TO
29 INCIDENTS INVOLVING ONLINE CHILD EXPLOITATION, CHILD SEXUAL
30 ABUSE MATERIAL GENERATED BY ARTIFICIAL INTELLIGENCE,

SEXTORTION, UNLAWFUL DISSEMINATION OF INTIMATE IMAGES OR
OTHER RELATED INTERNET-FACILITATED CRIMES AGAINST CHILDREN.
SECTION 1915-B. AUDITOR GENERAL (RESERVED).
SECTION 1916-B. TREASURY DEPARTMENT (RESERVED).
SECTION 1917-B. DEPARTMENT OF AGING (RESERVED).
SECTION 1918-B. DEPARTMENT OF AGRICULTURE.

THE FOLLOWING APPLY TO APPROPRIATIONS FOR THE DEPARTMENT OF
AGRICULTURE:

(1) FROM MONEY APPROPRIATED FOR GENERAL GOVERNMENT
OPERATIONS, NO LESS THAN \$250,000 SHALL BE USED FOR THE
COMMISSION FOR AGRICULTURAL EDUCATION EXCELLENCE TO ASSIST IN
THE DEVELOPMENT AND IMPLEMENTATION OF AGRICULTURAL EDUCATION
PROGRAMMING.

(2) FROM MONEY APPROPRIATED FOR AGRICULTURAL
PREPAREDNESS AND RESPONSE, NO LESS THAN \$6,000,000 SHALL BE
USED FOR COSTS INCURRED BY THE PENNSYLVANIA ANIMAL DIAGNOSTIC
LABORATORY SYSTEM ACROSS THIS COMMONWEALTH IN PREPARING FOR
AND RESPONDING TO AN OUTBREAK OF HIGHLY PATHOGENIC AVIAN
INFLUENZA.

(3) FROM MONEY APPROPRIATED FOR AGRICULTURAL EXCELLENCE,
NO LESS THAN \$1,400,000 SHALL BE USED FOR BEEF EXCELLENCE
SUPPORTED PROGRAMS AND INITIATIVES.

(3.1) FROM MONEY APPROPRIATED FOR THE FARMERS MARKET
FOOD COUPONS:

(I) \$5,000,000 SHALL BE USED TO REDUCE FOOD WASTE
AND STRENGTHEN FOOD ACCESS PROGRAMS.

(II) \$2,000,000 SHALL BE DISTRIBUTED TO A NONPROFIT
ORGANIZATION THAT IS HEADQUARTERED IN A CITY OF THE FIRST
CLASS AND HAS RECEIVED A GRANT UNDER 7 U.S.C. § 7517
(RELATING TO THE GUS SCHUMACHER NUTRITION INCENTIVE

1 PROGRAM) TO BE USED FOR ADMINISTRATION AND PROGRAM COSTS
2 ASSOCIATED WITH A BENEFIT INCENTIVE PROGRAM FOR
3 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM PARTICIPANTS TO
4 PURCHASE FRUITS AND VEGETABLES AT ELIGIBLE FOOD
5 RETAILERS.

6 (4) FROM MONEY APPROPRIATED FOR AGRICULTURAL RESEARCH,
7 THE FOLLOWING APPLY:

8 (I) NO LESS THAN \$300,000 SHALL BE USED FOR AN
9 AGRICULTURAL RESOURCE CENTER.

10 (II) NO LESS THAN \$100,000 SHALL BE USED FOR
11 AGRICULTURAL LAW RESEARCH PROGRAMS, INCLUDING THOSE
12 ADDRESSING ENERGY DEVELOPMENT, IN CONJUNCTION WITH A
13 LAND-GRANT UNIVERSITY.

14 (5) FROM MONEY APPROPRIATED FOR HARDWOODS RESEARCH AND
15 PROMOTION, AT LEAST 80% OF THE MONEY SHALL BE EQUALLY
16 DISTRIBUTED AMONG THE HARDWOOD UTILIZATION GROUPS OF THIS
17 COMMONWEALTH ESTABLISHED PRIOR TO THE EFFECTIVE DATE OF THIS
18 PARAGRAPH.

19 SECTION 1919-B. DEPARTMENT OF COMMUNITY AND ECONOMIC
20 DEVELOPMENT.

21 THE FOLLOWING APPLY TO APPROPRIATIONS FOR THE DEPARTMENT OF
22 COMMUNITY AND ECONOMIC DEVELOPMENT:

23 (1) FROM MONEY APPROPRIATED FOR GENERAL GOVERNMENT
24 OPERATIONS, NO LESS THAN \$1,900,000 SHALL BE USED TO SUPPORT
25 A MANUFACTURING TECHNOLOGY DEVELOPMENT EFFORT, TO ASSIST
26 PENNSYLVANIA SMALL BUSINESSES WITH ENHANCED CYBER SECURITY
27 AND TO TEST COAL ASH REFUSE EXTRACTION OF RARE EARTH METALS
28 FOR DOMESTIC CHIP MANUFACTURING IN A COUNTY OF THE FOURTH
29 CLASS WITH A POPULATION OF AT LEAST 130,000, BUT NOT MORE
30 THAN 135,000, UNDER THE MOST RECENT FEDERAL DECENNIAL CENSUS.

1 (2) FROM MONEY APPROPRIATED FOR MARKETING TO ATTRACT
2 TOURISTS, FUNDS SHALL INCLUDE ADDITIONAL ALLOCATIONS TO BE
3 USED TO PLAN, MARKET AND CONDUCT A SERIES OF ARTS AND
4 CULTURAL ACTIVITIES THAT GENERATE STATEWIDE AND REGIONAL
5 ECONOMIC IMPACT. THE SUM OF \$1,000,000 SHALL BE USED FOR
6 REGIONAL ATHLETIC COMPETITIONS, ACTIVITIES AND COSTS RELATING
7 TO AN ANNUAL STATEWIDE COMPETITION SERVING APPROXIMATELY
8 2,000 ATHLETES WITH INTELLECTUAL DISABILITIES FROM ACROSS
9 THIS COMMONWEALTH TO BE HELD IN A COUNTY OF THE FOURTH CLASS.

10 (3) FROM MONEY APPROPRIATED FOR PENNSYLVANIA FIRST, NO
11 LESS THAN \$8,000,000 SHALL BE USED TO FUND THE WORKFORCE AND
12 ECONOMIC DEVELOPMENT NETWORK OF PENNSYLVANIA (WEDNETPA) FOR
13 WORKFORCE TRAINING GRANTS PROVIDED THROUGH AN ALLIANCE OF
14 EDUCATIONAL PROVIDERS, INCLUDING, BUT NOT LIMITED TO, STATE
15 SYSTEM OF HIGHER EDUCATION UNIVERSITIES, THE PENNSYLVANIA
16 COLLEGE OF TECHNOLOGY AND COMMUNITY COLLEGES LOCATED IN THIS
17 COMMONWEALTH.

18 (4) MONEY APPROPRIATED FOR KEYSTONE COMMUNITIES SHALL BE
19 USED FOR PROJECTS SUPPORTING ECONOMIC GROWTH, COMMUNITY
20 DEVELOPMENT AND MUNICIPAL ASSISTANCE THROUGHOUT THIS
21 COMMONWEALTH.

22 (5) MONEY APPROPRIATED FOR MAIN STREET MATTERS SHALL
23 SUPPORT REVITALIZATION AND COMMUNITY BUILDING EFFORTS,
24 INCLUDING, BUT NOT LIMITED TO, PLANNING, BUSINESS SUPPORT,
25 AESTHETIC IMPROVEMENTS, DISABILITY ACCESSIBILITY IMPROVEMENTS
26 AND THE INCREASE OF SAFETY AND SECURITY. MONEY APPROPRIATED
27 FOR MAIN STREET MATTERS MAY ALSO BE USED TO SUPPORT THE
28 OPERATIONS OF MAIN STREET PROGRAM OR ELM STREET PROGRAM AS
29 DESIGNATED BY THE DEPARTMENT OF COMMUNITY AND ECONOMIC
30 DEVELOPMENT.

1 (6) NOTWITHSTANDING SECTION 4(1) OF THE ACT OF OCTOBER
2 11, 1984 (P.L.906, NO.179), KNOWN AS THE COMMUNITY
3 DEVELOPMENT BLOCK GRANT ENTITLEMENT PROGRAM FOR NONURBAN
4 COUNTIES AND CERTAIN OTHER MUNICIPALITIES, THE COMMONWEALTH
5 MAY USE UP TO 3% OF THE MONEY RECEIVED PURSUANT TO THE
6 HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 (PUBLIC LAW 93-
7 383, 88 STAT. 633) FOR ADMINISTRATIVE COSTS.

8 (7) MONEY APPROPRIATED FOR LOCAL MUNICIPAL RELIEF SHALL
9 INCLUDE AN ALLOCATION TO PROVIDE STATE ASSISTANCE TO
10 INDIVIDUALS, PERSONS OR POLITICAL SUBDIVISIONS DIRECTLY
11 AFFECTED BY NATURAL OR MANMADE DISASTERS, PUBLIC SAFETY
12 EMERGENCIES, OTHER SITUATIONS THAT POSE A PUBLIC SAFETY
13 DANGER OR OTHER SITUATIONS AT THE DISCRETION OF THE
14 DEPARTMENT. STATE ASSISTANCE MAY BE LIMITED TO GRANTS FOR
15 PROJECTS THAT DO NOT QUALIFY FOR FEDERAL ASSISTANCE TO HELP
16 REPAIR DAMAGES TO PRIMARY RESIDENCES, PERSONAL PROPERTY AND
17 PUBLIC FACILITIES AND STRUCTURES. GRANTS SHALL BE MADE
18 AVAILABLE FOR REIMBURSEMENT IN A DISASTER EMERGENCY AREA ONLY
19 WHEN A PRESIDENTIAL DISASTER DECLARATION DOES NOT COVER THE
20 AREA OR WHEN THE DEPARTMENT OF COMMUNITY AND ECONOMIC
21 DEVELOPMENT DETERMINES THAT A PUBLIC SAFETY EMERGENCY HAS
22 OCCURRED.

23 (8) MONEY APPROPRIATED FOR HOSPITAL AND HEALTH SYSTEM
24 EMERGENCY RELIEF SHALL INCLUDE AN ALLOCATION TO PROVIDE STATE
25 ASSISTANCE FOR HOSPITAL AND HEALTH CARE SYSTEMS THAT
26 EXPERIENCE FINANCIAL DISTRESS. MONEY APPROPRIATED FOR
27 HOSPITAL AND HEALTH SYSTEM EMERGENCY RELIEF MAY ALSO BE USED
28 TO PROVIDE FUNDING FOR RESEARCH TO STUDY RURAL HEALTH AND
29 ALTERNATIVE PAYMENT METHODS FOR RURAL HEALTH CARE, INCLUDING
30 DATA COLLECTION AND MODELING. AS USED IN THIS PARAGRAPH, THE

1 TERM "HOSPITAL AND HEALTH SYSTEM" SHALL INCLUDE A FOUNDATION,
2 TRUST OR NONPROFIT ORGANIZATION AFFILIATED WITH A HOSPITAL OR
3 HEALTH SYSTEM, WHICH IS AUTHORIZED BY THE HOSPITAL OR HEALTH
4 SYSTEM TO APPLY FOR GRANTS ON BEHALF OF THE HOSPITAL OR
5 HEALTH SYSTEM.

6 (9) MONEY APPROPRIATED FOR COMMUNITY AND ECONOMIC
7 ASSISTANCE SHALL INCLUDE AN ALLOCATION TO PROVIDE STATE
8 ASSISTANCE IN THE FORM OF GRANTS TO ASSIST IN COMMUNITY AND
9 ECONOMIC DEVELOPMENT, INCLUDING PROJECTS IN THE PUBLIC
10 INTEREST.

11 (10) MONEY APPROPRIATED FOR WORKFORCE DEVELOPMENT SHALL
12 BE DISTRIBUTED IN THE SAME PROPORTION AS DISTRIBUTED IN
13 FISCAL YEAR 2022-2023.

14 (11) MONEY APPROPRIATED FOR BIOTECHNOLOGY RESEARCH SHALL
15 INCLUDE ALLOCATIONS FOR REGENERATIVE MEDICINE RESEARCH,
16 REGENERATIVE MEDICINE MEDICAL TECHNOLOGY, HEPATITIS AND VIRAL
17 RESEARCH, DRUG RESEARCH AND CLINICAL TRIALS RELATED TO
18 CANCER, GENETIC AND MOLECULAR RESEARCH FOR DISEASE
19 IDENTIFICATION AND ERADICATION, VACCINE IMMUNE RESPONSE
20 DIAGNOSTICS, NANOTECHNOLOGY AND THE COMMERCIALIZATION OF
21 APPLIED RESEARCH.

22 SECTION 1920-B. DEPARTMENT OF CONSERVATION AND NATURAL
23 RESOURCES.

24 THE FOLLOWING APPLY TO APPROPRIATIONS FOR THE DEPARTMENT OF
25 CONSERVATION AND NATURAL RESOURCES:

26 (1) MONEY APPROPRIATED FOR PARKS, FORESTS AND RECREATION
27 PROJECTS SHALL BE USED FOR GRANTS FOR PROJECTS TO ENHANCE
28 PARKS, FORESTS AND RECREATION ACTIVITIES.

29 (2) (RESERVED).

30 SECTION 1921-B. DEPARTMENT OF CORRECTIONS (RESERVED).

1 SECTION 1922-B. DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS

2 (RESERVED).

3 SECTION 1923-B. DEPARTMENT OF EDUCATION.

4 THE FOLLOWING APPLY TO APPROPRIATIONS TO THE DEPARTMENT OF
5 EDUCATION:

6 (1) FROM MONEY APPROPRIATED FOR THE PRE-K COUNTS
7 PROGRAM, THE PER-STUDENT GRANT AWARD AMOUNT FOR GRANTS MADE
8 UNDER SECTION 1514-D OF THE PUBLIC SCHOOL CODE OF 1949 SHALL
9 BE INCREASED BY 1.163% OVER THE AMOUNT PAID IN FISCAL YEAR
10 2025-2026.

11 (2) FROM AN APPROPRIATION FOR ADULT AND FAMILY LITERACY
12 PROGRAMS, SUMMER READING PROGRAMS AND THE ADULT HIGH SCHOOL
13 DIPLOMAS PROGRAM. THE FOLLOWING APPLY:

14 (I) NO LESS THAN THE AMOUNT ALLOCATED IN THE 2014-
15 2015 FISCAL YEAR SHALL BE ALLOCATED FOR AN AFTER-SCHOOL
16 LEARNING PROGRAM SERVICING LOW-INCOME STUDENTS LOCATED IN
17 A COUNTY OF THE SIXTH CLASS WITH A POPULATION, BASED ON
18 THE MOST RECENT FEDERAL DECENNIAL CENSUS, OF AT LEAST
19 64,730 BUT NOT MORE THAN 65,558.

20 (II) NO LESS THAN THE AMOUNT ALLOCATED IN THE 2016-
21 2017 FISCAL YEAR SHALL BE USED FOR AN AFTER-SCHOOL
22 LEARNING PROGRAM SERVICING LOW-INCOME STUDENTS LOCATED IN
23 A COUNTY OF THE THIRD CLASS WITH A POPULATION, BASED ON
24 THE MOST RECENT FEDERAL DECENNIAL CENSUS, OF AT LEAST
25 320,000 BUT NOT MORE THAN 330,000.

26 (III) FROM MONEY APPROPRIATED FOR ADULT AND FAMILY
27 LITERACY, AT LEAST \$1,050,000 SHALL BE USED TO ADMINISTER
28 A PROGRAM TO SUBSIDIZE THE COST OF HIGH SCHOOL
29 EQUIVALENCY TESTING THAT LEADS TO A COMMONWEALTH
30 SECONDARY SCHOOL DIPLOMA CREDENTIAL FOR INDIVIDUALS WHO

1 MEET REQUIREMENTS ESTABLISHED BY THE DEPARTMENT OF
2 EDUCATION AND TO EXPAND THE AVAILABILITY OF HIGH SCHOOL
3 EQUIVALENCY TESTING OPPORTUNITIES IN THIS COMMONWEALTH.

4 (3) THE APPROPRIATION FOR PUPIL TRANSPORTATION MAY NOT
5 BE REDIRECTED FOR ANY PURPOSE.

6 (4) FOR MONEY APPROPRIATED FOR PENNSYLVANIA CHARTERED
7 SCHOOLS FOR DEAF AND BLIND CHILDREN, THE FOLLOWING APPLY:

8 (I) UPON DISTRIBUTION OF THE FINAL TUITION PAYMENT
9 FOR THE FISCAL YEAR, THE BALANCE OF THE APPROPRIATION,
10 EXCLUDING AMOUNTS UNDER SUBPARAGRAPH (II), SHALL BE USED
11 TO PAY THE SCHOOLS' INCREASED SHARE OF REQUIRED
12 CONTRIBUTIONS FOR PUBLIC SCHOOL EMPLOYEES' RETIREMENT AND
13 SHALL BE DISTRIBUTED PRO RATA BASED ON EACH SCHOOL'S
14 CONTRIBUTIONS FOR THE PRIOR FISCAL YEAR.

15 (II) \$1,000,000 IS INCLUDED FOR CAPITAL-RELATED
16 COSTS AND DEFERRED MAINTENANCE TO BE DIVIDED EQUALLY
17 BETWEEN EACH SCHOOL.

18 (5) THE AMOUNT OF MONEY SET ASIDE UNDER SECTION 2509.8
19 OF THE PUBLIC SCHOOL CODE OF 1949 SHALL BE ALLOCATED TO EACH
20 APPROVED PRIVATE SCHOOL WITH A DAY TUITION DETERMINED TO BE
21 LESS THAN \$32,000 DURING THE 2010-2011 SCHOOL YEAR. THE
22 ALLOCATION SHALL BE NO LESS THAN 175% OF THE AMOUNT ALLOCATED
23 IN 2015-2016 FISCAL YEAR.

24 (6) MONEY APPROPRIATED FOR REGIONAL COMMUNITY COLLEGE
25 SERVICES SHALL BE DISTRIBUTED TO EACH ENTITY THAT RECEIVED
26 FUNDING IN FISCAL YEAR 2022-2023 IN AN AMOUNT EQUAL TO THE
27 AMOUNT RECEIVED IN THAT FISCAL YEAR.

28 (7) MONEY APPROPRIATED FOR COMMUNITY EDUCATION COUNCILS
29 SHALL BE DISTRIBUTED IN A MANNER THAT EACH COMMUNITY
30 EDUCATION COUNCIL WHICH RECEIVED FUNDING IN FISCAL YEAR 2022-

1 2023 SHALL RECEIVE AN AMOUNT EQUAL TO THE AMOUNT RECEIVED IN
2 THAT FISCAL YEAR.

3 (8) FROM MONEY APPROPRIATED FOR PARENT PATHWAYS, THE
4 DEPARTMENT OF EDUCATION SHALL EXPAND THE PARENT PATHWAYS
5 LEARNING NETWORK PILOT PROGRAM TO ASSIST PARENTING STUDENTS
6 IN PURSUING POSTSECONDARY PATHWAYS TO POSTSECONDARY DEGREE OR
7 CERTIFICATE COMPLETION. THE DEPARTMENT OF EDUCATION SHALL
8 PROVIDE FINANCIAL AND TECHNICAL ASSISTANCE TO POSTSECONDARY
9 INSTITUTIONS TO REMOVE BARRIERS TO POSTSECONDARY DEGREE OR
10 CERTIFICATE COMPLETION AND INCREASE ACCESS TO FAMILY-
11 SUSTAINING WAGES AND IN-DEMAND OCCUPATIONS.

12 (9) MONEY APPROPRIATED FOR JOB TRAINING AND EDUCATION
13 PROGRAMS SHALL BE USED FOR GRANTS FOR JOB TRAINING, DUAL
14 ENROLLMENT OR EDUCATIONAL PROGRAMS.

15 (10) FROM MONEY APPROPRIATED FOR MOBILE SCIENCE,
16 MATHEMATICS AND LITERACY PROGRAMS THE FOLLOWING SHALL APPLY:

17 (I) MONEY SHALL BE USED FOR GRANTS TO SUPPORT MOBILE
18 SCIENCE AND MATHEMATICS EDUCATION PROGRAMS.

19 (II) MONEY MAY ALSO BE USED FOR GRANTS UNDER SECTION
20 1507-N OF THE PUBLIC SCHOOL CODE OF 1949.

21 SECTION 1924-B. DEPARTMENT OF ENVIRONMENTAL PROTECTION

22 (RESERVED).

23 SECTION 1925-B. DEPARTMENT OF GENERAL SERVICES.

24 THE FOLLOWING APPLY TO APPROPRIATIONS TO THE DEPARTMENT OF
25 GENERAL SERVICES:

26 (1) FROM MONEY APPROPRIATED TO THE DEPARTMENT OF GENERAL
27 SERVICES FOR CAPITOL FIRE PROTECTION, THE CITY OF HARRISBURG
28 SHALL USE THE MONEY TO SUPPORT THE PROVISIONS OF FIRE
29 SERVICES TO THE CAPITOL COMPLEX.

30 (2) A PORTION OF THE MONEY APPROPRIATED TO THE

1 DEPARTMENT OF GENERAL SERVICES FOR RENTAL, RELOCATION AND
2 MUNICIPAL CHARGES MAY BE DISTRIBUTED, UPON APPROVAL OF THE
3 SECRETARY, TO OTHER STATE AGENCIES TO PAY FOR CHANGES IN RENT
4 AND OTHER LEASE AND BUILDING OPERATIONS COSTS DUE TO A STATE
5 AGENCY RELOCATION OR A CHANGE IN THE AMOUNT OF SPACE OCCUPIED
6 BY A STATE AGENCY. THE SECRETARY SHALL PROVIDE NOTICE AT
7 LEAST 10 DAYS BEFORE A DISTRIBUTION UNDER THIS PARAGRAPH TO
8 THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
9 APPROPRIATIONS COMMITTEE OF THE SENATE AND THE CHAIRPERSON
10 AND MINORITY CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF
11 THE HOUSE OF REPRESENTATIVES.

12 SECTION 1926-B. DEPARTMENT OF HEALTH.

13 THE FOLLOWING APPLY TO APPROPRIATIONS FOR THE DEPARTMENT OF
14 HEALTH:

15 (1) FROM MONEY APPROPRIATED FOR GENERAL GOVERNMENT
16 OPERATIONS, SUFFICIENT MONEY IS INCLUDED FOR THE COORDINATION
17 OF DONATED DENTAL SERVICES.

18 (2) FROM MONEY APPROPRIATED FOR PRIMARY HEALTH CARE
19 PRACTITIONER, THE FOLLOWING APPLY:

20 (I) NO LESS THAN \$3,451,000 SHALL BE USED FOR
21 PRIMARY CARE LOAN REPAYMENT GRANT AWARDS.

22 (II) NO LESS THAN \$1,500,000 SHALL BE USED FOR THE
23 PENNSYLVANIA ACADEMY OF FAMILY PHYSICIANS FAMILY
24 MEDICINE RESIDENCY EXPANSION PROGRAM.

25 (III) NO LESS THAN \$1,300,000 SHALL BE USED FOR THE
26 PENNSYLVANIA ACADEMY OF FAMILY PHYSICIANS FAMILY MEDICINE
27 PHYSICIAN RECRUITMENT AND RETENTION PROGRAMS.

28 (IV) GRANTEES OTHER THAN AS PROVIDED UNDER
29 SUBPARAGRAPHS (I), (II) AND (III) THAT RECEIVED AMOUNTS
30 IN THE 2022-2023 FISCAL YEAR SHALL RECEIVE THE AMOUNT

EACH GRANTEE RECEIVED IN THE 2022-2023 FISCAL YEAR.

(3) MONEY APPROPRIATED FOR SERVICES FOR CHILDREN WITH SPECIAL NEEDS SHALL BE DISTRIBUTED TO GRANTEES IN THE SAME PROPORTION AS DISTRIBUTED IN FISCAL YEAR 2019-2020.

(4) FROM MONEY APPROPRIATED FOR ADULT CYSTIC FIBROSIS AND OTHER CHRONIC RESPIRATORY ILLNESSES, THE FOLLOWING APPLY:

(I) \$212,000 SHALL BE USED FOR A PROGRAM PROMOTING CYSTIC FIBROSIS AND OTHER CHRONIC RESPIRATORY ILLNESSES AWARENESS IN A COUNTY OF THE SECOND CLASS.

(II) \$106,000 SHALL BE USED FOR RESEARCH RELATED TO CHILDHOOD CYSTIC FIBROSIS IN A CITY OF THE FIRST CLASS WITH A HOSPITAL THAT IS NATIONALLY ACCREDITED AS A CYSTIC FIBROSIS TREATMENT CENTER AND SPECIALIZES IN THE TREATMENT OF CHILDREN.

(III) ANY MONEY NOT USED UNDER SUBPARAGRAPH (I) OR (II) SHALL BE DISTRIBUTED TO GRANTEES IN THE SAME PROPORTION AS DISTRIBUTED IN FISCAL YEAR 2019-2020.

(5) MONEY APPROPRIATED FOR DIAGNOSIS AND TREATMENT FOR COOLEY'S ANEMIA SHALL BE DISTRIBUTED TO GRANTEES IN THE SAME PROPORTION AS DISTRIBUTED IN FISCAL YEAR 2019-2020.

(6) MONEY APPROPRIATED FOR HEMOPHILIA SERVICES SHALL BE DISTRIBUTED TO GRANTEES IN THE SAME PROPORTION AS DISTRIBUTED IN FISCAL YEAR 2019-2020.

(7) MONEY APPROPRIATED FOR LUPUS PROGRAMS SHALL BE DISTRIBUTED PROPORTIONATELY TO EACH ENTITY THAT RECEIVED FUNDING IN FISCAL YEAR 2018-2019.

(8) FROM MONEY APPROPRIATED FOR SICKLE CELL ANEMIA SERVICES, INCLUDING CAMPS FOR CHILDREN WITH SICKLE CELL ANEMIA, THE FOLLOWING SHALL APPLY:

(I) GRANTEES WHICH RECEIVED AMOUNTS IN FISCAL YEAR

1 2019-2020 SHALL RECEIVE AN AMOUNT WHICH IS IN THE SAME
2 PROPORTION AS DISTRIBUTED IN FISCAL YEAR 2019-2020.

3 (II) \$75,000 SHALL BE DISTRIBUTED TO A QUALIFYING
4 ACADEMIC MEDICAL CENTER LOCATED IN A COUNTY OF THE THIRD
5 CLASS WITH A POPULATION BETWEEN 280,000 AND 300,000 UNDER
6 THE MOST RECENT FEDERAL DECENNIAL CENSUS FOR EXPANDED
7 CARE OF ADULT SICKLE CELL DISEASE.

8 (9) MONEY APPROPRIATED FOR LYME DISEASE INCLUDES
9 \$1,200,000 FOR COSTS RELATED TO FREE TICK TESTING FOR
10 RESIDENTS, INCLUDING OUTREACH AND MARKETING AND \$1,000,000
11 FOR TICK MITIGATION, BOTH PERFORMED IN CONJUNCTION WITH A
12 UNIVERSITY THAT IS PART OF THE STATE SYSTEM OF HIGHER
13 EDUCATION.

14 (10) THE APPROPRIATION FOR AMYOTROPHIC LATERAL SCLEROSIS
15 SUPPORT SERVICES INCLUDES THE FOLLOWING:

16 (I) 69.8% OF THE APPROPRIATION SHALL BE DISTRIBUTED
17 TO AN ORGANIZATION THAT PROVIDES SPECIALIZED CARE
18 SERVICES IN 36 COUNTIES; AND

19 (II) 30.2% OF THE APPROPRIATION SHALL BE DISTRIBUTED
20 TO AN ORGANIZATION THAT PROVIDES SPECIALIZED CARE
21 SERVICES IN 31 COUNTIES.

22 (11) MONEY APPROPRIATED FOR NEURODEGENERATIVE DISEASE
23 RESEARCH SHALL BE USED FOR GRANTS TO ACADEMIC CLINICAL
24 MEDICAL CENTERS CONDUCTING NEURODEGENERATIVE DISEASE RESEARCH
25 IN THIS COMMONWEALTH.

26 SECTION 1927-B. INSURANCE DEPARTMENT (RESERVED).

27 SECTION 1928-B. DEPARTMENT OF LABOR AND INDUSTRY.

28 THE FOLLOWING APPLY TO APPROPRIATIONS TO THE DEPARTMENT OF
29 LABOR AND INDUSTRY:

30 (1) FROM MONEY APPROPRIATED FOR INDUSTRY PARTNERSHIPS,

1 NO LESS THAN THE AMOUNT ALLOCATED IN THE 2014-2015 FISCAL
2 YEAR SHALL BE USED FOR A WORK FORCE DEVELOPMENT PROGRAM THAT
3 LINKS VETERANS WITH EMPLOYMENT IN A HOME RULE COUNTY THAT IS
4 A COUNTY OF THE SECOND CLASS A.

5 (2) (RESERVED).

6 SECTION 1929-B. DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
7 (RESERVED).

8 SECTION 1930-B. DEPARTMENT OF HUMAN SERVICES.

9 THE FOLLOWING APPLY TO APPROPRIATIONS FOR THE DEPARTMENT OF
10 HUMAN SERVICES:

11 (1) FROM MONEY APPROPRIATED FOR MENTAL HEALTH SERVICES
12 OR FROM FEDERAL MONEY, \$580,000 SHALL BE USED FOR THE
13 FOLLOWING:

14 (I) THE OPERATION AND MAINTENANCE OF A NETWORK OF
15 WEB PORTALS THAT PROVIDE COMPREHENSIVE REFERRAL SERVICES,
16 SUPPORT AND INFORMATION RELATING TO EARLY INTERVENTION,
17 PREVENTION AND SUPPORT FOR INDIVIDUALS WITH MENTAL HEALTH
18 OR SUBSTANCE ABUSE ISSUES, COUNTY MENTAL HEALTH OFFICES,
19 PROVIDERS AND OTHERS THAT PROVIDE MENTAL AND BEHAVIORAL
20 HEALTH TREATMENT AND RELATED SERVICES.

21 (II) THE EXPANSION OF THE EXISTING WEB PORTALS,
22 INCLUDING SERVICES AND RESOURCES FOR MILITARY VETERANS
23 AND THEIR FAMILIES, INCLUDING COMPREHENSIVE REFERRAL
24 SERVICES FOR TRANSITIONAL, TEMPORARY AND PERMANENT
25 HOUSING, JOB PLACEMENT AND CAREER COUNSELING AND OTHER
26 SERVICES FOR MILITARY VETERANS RETURNING TO CIVILIAN
27 LIFE.

28 (2) FROM MONEY APPROPRIATED FOR MENTAL HEALTH SERVICES,
29 \$20,000,000 SHALL BE USED FOR COUNTY MENTAL HEALTH SERVICES
30 IN ADDITION TO THE COUNTY FUNDING UNDER THE ACT OF OCTOBER

1 20, 1966 (3RD SP. SESS., P.L.96, NO.6), KNOWN AS THE MENTAL
2 HEALTH AND INTELLECTUAL DISABILITY ACT OF 1966, AND THE HUMAN
3 SERVICES BLOCK GRANT PROGRAM UNDER ARTICLE XIV-B OF THE HUMAN
4 SERVICES CODE. THE FOLLOWING SHALL APPLY:

5 (I) MONEY SHALL BE ALLOCATED TO INDIVIDUAL COUNTIES
6 AND COUNTY LOCAL COLLABORATIVE ARRANGEMENTS BY USING THE
7 MOST RECENT FIVE-YEAR ESTIMATE OF THE UNITED STATES
8 CENSUS BUREAU'S AMERICAN COMMUNITY SURVEY, AS AVAILABLE
9 ON THE EFFECTIVE DATE OF THIS SUBPARAGRAPH, IN ACCORDANCE
10 WITH THE FOLLOWING:

11 (A) 20% OF THE ALLOCATION SHALL BE BASED ON THE
12 PERCENTAGE OF A COUNTY'S POPULATION.

13 (B) 40% OF THE ALLOCATION SHALL BE BASED ON THE
14 PERCENTAGE OF A COUNTY'S POPULATION WHOSE INCOME
15 LEVEL IS ABOVE 125% OF THE FEDERAL POVERTY LEVEL, BUT
16 IS NOT GREATER THAN 200% OF THE FEDERAL POVERTY
17 LEVEL.

18 (C) 40% OF THE ALLOCATION SHALL BE BASED ON THE
19 PERCENTAGE OF A COUNTY'S UNINSURED POPULATION.

20 (II) COUNTY MENTAL HEALTH SERVICES SHALL BE PROVIDED
21 AND REPORTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE
22 DEPARTMENT OF HUMAN SERVICES.

23 (III) MONEY RECEIVED UNDER THIS PARAGRAPH MAY NOT BE
24 INCLUDED IN THE CALCULATION OF THE ALLOCATION OF MONEY
25 UNDER THE HUMAN SERVICES BLOCK GRANT PROGRAM.

26 (IV) THE PROVISIONS OF THIS PARAGRAPH DO NOT APPLY
27 TO BEHAVIORAL HEALTH SERVICES APPROPRIATIONS.

28 (3) SUBJECT TO THE AVAILABILITY OF FEDERAL MONEY AND
29 ELIGIBILITY UNDER FEDERAL TANFBG RULES, GRANTEE WHO OPERATED
30 WITHIN THE PA WORKWEAR PROGRAM IN THE PRIOR FISCAL YEAR AND

1 WHO REMAIN IN OPERATION SHALL BE OFFERED A GRANT FOR THE
2 FISCAL YEAR TO CONTINUE SERVICE DELIVERY IN COMPLIANCE WITH
3 FEDERAL TANFBG RULES AND REPORTING REQUIREMENTS UNDER
4 SUBSTANTIALLY SIMILAR TERMS AS PREVIOUS PA WORKWEAR GRANTS
5 UNLESS BOTH PARTIES AGREE TO ALTERNATE TERMS. NOTHING IN THIS
6 PARAGRAPH SHALL PROHIBIT THE DEPARTMENT OF HUMAN SERVICES
7 FROM OFFERING A GRANT TO A PROSPECTIVE PA WORKWEAR PROVIDER
8 TO REPLACE A PRIOR GRANTEE WHO CHOOSES NOT TO CONTINUE TO
9 OPERATE IN THE PROGRAM.

10 (4) FROM MONEY APPROPRIATED FOR MEDICAL ASSISTANCE
11 CAPITATION, NO LESS THAN THE AMOUNT USED IN THE 2014-2015
12 FISCAL YEAR SHALL BE USED FOR PREVENTION AND TREATMENT OF
13 DEPRESSION AND ITS COMPLICATIONS IN OLDER PENNSYLVANIANS IN A
14 COUNTY OF THE SECOND CLASS.

15 (5) THE FOLLOWING SHALL APPLY TO AMOUNTS APPROPRIATED
16 FOR MEDICAL ASSISTANCE FEE-FOR-SERVICE:

17 (I) PAYMENTS TO HOSPITALS FOR COMMUNITY ACCESS FUND
18 GRANTS SHALL BE DISTRIBUTED UNDER THE FORMULAS UTILIZED
19 FOR THESE GRANTS IN FISCAL YEAR 2014-2015. IF THE TOTAL
20 FUNDING AVAILABLE UNDER THIS SUBPARAGRAPH IS LESS THAN
21 THAT AVAILABLE IN FISCAL YEAR 2014-2015, PAYMENTS SHALL
22 BE MADE ON A PRO RATA BASIS.

23 (II) AMOUNTS ALLOCATED FROM MONEY APPROPRIATED FOR
24 FEE-FOR-SERVICE USED FOR THE SELECTPLAN FOR WOMEN'S
25 PREVENTATIVE HEALTH SERVICES SHALL BE USED FOR WOMEN'S
26 MEDICAL SERVICES, INCLUDING NONINVASIVE CONTRACEPTION
27 SUPPLIES.

28 (III) MONEY APPROPRIATED FOR MEDICAL ASSISTANCE
29 PAYMENTS FOR FEE-FOR-SERVICE CARE, EXCLUSIVE OF INPATIENT
30 SERVICES PROVIDED THROUGH CAPITATION PLANS, SHALL INCLUDE

1 SUFFICIENT MONEY FOR TWO SEPARATE ALL PATIENT REFINED
2 DIAGNOSTIC RELATED GROUP PAYMENTS FOR INPATIENT ACUTE
3 CARE GENERAL HOSPITAL STAYS FOR:

4 (A) NORMAL NEWBORN CARE; AND

5 (B) MOTHERS' OBSTETRICAL DELIVERY.

6 (IV) NO LESS THAN \$405,000 SHALL BE USED FOR CLEFT
7 PALATES AND OTHER CRANIOFACIAL ANOMALIES.

8 (V) NO LESS THAN \$1,600,000 SHALL BE DISTRIBUTED TO
9 A HOSPITAL FOR CLINICAL OPHTHALMOLOGIC SERVICES LOCATED
10 IN A CITY OF THE FIRST CLASS.

11 (VI) NO LESS THAN \$5,000,000 SHALL BE DISTRIBUTED TO
12 ACUTE CARE GENERAL HOSPITALS IMPACTED BY THE CLOSURE OF A
13 HOSPITAL IN A CITY OF THE THIRD CLASS IN A HOME RULE
14 COUNTY THAT IS A COUNTY OF THE SECOND CLASS A, OF WHICH:

15 (A) 60% SHALL BE DISTRIBUTED TO AN ELIGIBLE
16 HOSPITAL LOCATED IN A TOWNSHIP OF THE SECOND CLASS,
17 IN THE SAME COUNTY AS THE CLOSED HOSPITAL; AND

18 (B) 40% SHALL BE DISTRIBUTED TO AN ELIGIBLE
19 HOSPITAL LOCATED IN CONTIGUOUS BOROUGHES IN THE SAME
20 COUNTY AS THE CLOSED HOSPITAL.

21 (VII) NO LESS THAN \$2,000,000 SHALL BE DISTRIBUTED
22 TO A UNIVERSITY LOCATED IN A CITY OF THE FIRST CLASS TO
23 RESEARCH THE IMPACT OF TRAUMA-INFORMED PROGRAMS ON
24 COMMUNITY VIOLENCE PREVENTION AND HEALTH DISPARITIES.

25 (VIII) NO LESS THAN \$3,000,000 SHALL BE DISTRIBUTED
26 TO AN ENROLLED OUTPATIENT THERAPY SERVICE PROVIDER
27 LOCATED IN A CITY OF THE SECOND CLASS IN A COUNTY OF THE
28 SECOND CLASS THAT PROVIDES BEHAVIORAL HEALTH AND MEDICAL
29 REHABILITATION PEDIATRIC OUTPATIENT SERVICES.

30 (IX) NO LESS THAN \$2,000,000 SHALL BE DISTRIBUTED TO

1 AN ACUTE CARE HOSPITAL IN A CITY OF THE THIRD CLASS WITH
2 A POPULATION BETWEEN 14,000 AND 15,000 ACCORDING TO THE
3 MOST RECENT FEDERAL DECENNIAL CENSUS IN A COUNTY OF THE
4 THIRD CLASS WITH A POPULATION BETWEEN 350,000 AND 360,000
5 ACCORDING TO THE MOST RECENT FEDERAL DECENNIAL CENSUS.

6 (X) THE SUM OF \$10,000,000 SHALL BE USED TO MAKE
7 ONE-TIME INPATIENT SUPPLEMENTAL PAYMENTS TO RURAL
8 HOSPITALS FOR THE PURPOSE OF STABILIZATION. THE FOLLOWING
9 SHALL APPLY TO PAYMENTS UNDER THIS SUBPARAGRAPH:

10 (A) THE DEPARTMENT OF HUMAN SERVICES, IN
11 CONSULTATION WITH THE HOSPITAL AND HEALTHSYSTEM
12 ASSOCIATION AND REPRESENTATIVES OF HOSPITALS
13 PARTICIPATING IN THE PENNSYLVANIA RURAL HEALTH MODEL,
14 SHALL DEVELOP A PAYMENT METHODOLOGY FOR THE
15 SUPPLEMENTAL PAYMENT. THE PAYMENT METHODOLOGY SHALL
16 USE A SPECIFIED, AUDITED MA-336 HOSPITAL COST REPORT
17 OR OTHER SPECIFIED REPORT IDENTIFIED BY THE
18 DEPARTMENT OF HUMAN SERVICES.

19 (B) TO BE ELIGIBLE FOR A PAYMENT UNDER THIS
20 SUBPARAGRAPH, A RURAL HOSPITAL SHALL MEET THE
21 FOLLOWING CRITERIA:

22 (I) BE LOCATED IN A COUNTY OF THE FOURTH,
23 FIFTH, SIXTH, SEVENTH OR EIGHTH CLASS.

24 (II) BE IN OPERATION AND PROVIDING INPATIENT
25 GENERAL ACUTE CARE SERVICES AS OF THE ISSUANCE
26 DATE OF A PAYMENT UNDER THIS SUBPARAGRAPH.

27 (C) A RURAL HOSPITAL THAT RECEIVES A PAYMENT
28 UNDER THIS SUBPARAGRAPH SHALL PROVIDE DOCUMENTATION
29 TO THE DEPARTMENT OF HUMAN SERVICES, IN A MANNER AND
30 FORMAT SPECIFIED BY THE DEPARTMENT OF HUMAN SERVICES,

1 FOR THE PURPOSES OF AN AUDIT REVIEW, IF REQUESTED.

2 (D) THE DEPARTMENT OF HUMAN SERVICES SHALL SEEK
3 FEDERAL MATCHING FUNDS FOR THE PAYMENTS. TO BE
4 ELIGIBLE FOR FEDERAL FUNDS, A RURAL HOSPITAL SHALL
5 MEET FEDERAL REQUIREMENTS.

6 (XI) NO LESS THAN \$2,000,000 SHALL BE DISTRIBUTED TO
7 A GENERAL ACUTE CARE HOSPITAL THAT IS:

8 (A) IN A COUNTY OF THE THIRD CLASS WITH A 2020
9 FEDERAL DECENNIAL CENSUS POPULATION BETWEEN 370,000
10 AND 375,000;

11 (B) A BURN CENTER; AND

12 (C) ACCREDITED BY THE PENNSYLVANIA TRAUMA SYSTEM
13 FOUNDATION AS AN ADULT TRAUMA CENTER AND PEDIATRIC
14 TRAUMA CENTER.

15 (XII) SUBJECT TO FEDERAL APPROVAL, NO LESS THAN
16 \$2,000,000 SHALL BE DISTRIBUTED TO A GENERAL ACUTE CARE
17 HOSPITAL IN A CITY OF THE THIRD CLASS IN A COUNTY OF THE
18 THIRD CLASS AS OF THE 2023-2024 FISCAL YEAR THAT OPERATES
19 CAMPUSES UNDER THE SAME LICENSE WITH ACUTE CARE HOSPITALS
20 IN A COUNTY OF THE SIXTH CLASS. THE GENERAL ACUTE CARE
21 HOSPITAL SHALL ALSO:

22 (A) BE ACCREDITED AS A LEVEL 1 TRAUMA CENTER AND
23 BE A MEMBER OF THE CHILDREN'S HOSPITAL ASSOCIATION,
24 AS DETERMINED BY THE DEPARTMENT AT THE TIME OF
25 PAYMENT;

26 (B) BE A MEDICAL SCHOOL IN A COUNTY OF THE THIRD
27 CLASS IN A MUNICIPALITY OF LESS THAN 5,000 RESIDENTS
28 UNDER THE 2020 FEDERAL DECENNIAL CENSUS; AND

29 (C) HAVE A FEDERALLY REPORTED LOW-INCOME
30 UTILIZATION RATE OF 20%.

1 (XIII) THE SUM OF \$1,000,000 SHALL BE DISTRIBUTED TO
2 A HOSPITAL THAT PROVIDES EMERGENCY DEPARTMENT OR HOSPITAL
3 SERVICES IN A HOME RULE COUNTY THAT IS A COUNTY OF THE
4 SECOND CLASS A IMPACTED BY THE CLOSURE OF A HOSPITAL IN A
5 CITY OF THE THIRD CLASS LOCATED WITHIN THE COUNTY.

6 (XIV) THE SUM OF \$500,000 SHALL BE DISTRIBUTED TO A
7 NONPUBLIC INPATIENT BEHAVIORAL HEALTH FACILITY LOCATED IN
8 A COUNTY OF THE THIRD CLASS WITH A POPULATION OF AT LEAST
9 325,000 BUT NOT MORE THAN 330,000 UNDER THE MOST RECENT
10 FEDERAL DECENNIAL CENSUS.

11 (XV) THE SUM OF \$285,000 SHALL BE DISTRIBUTED TO A
12 PROVIDER IN A CITY OF THE FIRST CLASS THAT WAS ENROLLED
13 IN THE MEDICAL ASSISTANCE PROGRAM AS A FEDERALLY
14 QUALIFIED HEALTH CENTER WITH PATIENTS SERVED BETWEEN
15 7,800 AND 7,850 IN 2024, AS REPORTED BY THE HEALTH
16 RESOURCES AND SERVICES ADMINISTRATION, WHOSE FOCUS IS ON
17 PROVIDING PRIMARY CARE, DENTAL AND MENTAL HEALTH CARE
18 SERVICES.

19 (XVI) THE SUM OF \$285,000 SHALL BE DISTRIBUTED TO A
20 PROVIDER IN A CITY OF THE FIRST CLASS THAT WAS ENROLLED
21 IN THE MEDICAL ASSISTANCE PROGRAM AS A FEDERALLY
22 QUALIFIED HEALTH CENTER LOOK-A-LIKE WITH PATIENTS SERVED
23 BETWEEN 8,900 AND 8,950 IN 2024, AS REPORTED BY THE
24 HEALTH RESOURCES AND SERVICES ADMINISTRATION, WHOSE FOCUS
25 IS ON PROVIDING PRIMARY CARE, DENTAL AND MENTAL HEALTH
26 CARE SERVICES.

27 (XVII) THE SUM OF \$430,000 SHALL BE DISTRIBUTED TO A
28 GENERAL ACUTE CARE HOSPITAL LOCATED IN A CITY OF THE
29 FIRST CLASS THAT HAS BETWEEN 460 AND 475 PATIENT BEDS TO
30 PROVIDE SERVICES IN A COUNTY OF THE SECOND CLASS A THAT

1 IS ALSO A HOME RULE COUNTY.

2 (XVIII) THE SUM OF \$3,275,000 SHALL BE DISTRIBUTED
3 TO A GENERAL ACUTE HOSPITAL LOCATED IN A CITY OF THE
4 SECOND CLASS A IN A COUNTY OF THE THIRD CLASS THAT HAS
5 BETWEEN 175 AND 200 LICENSED INPATIENT BEDS.

6 (XIX) NO LESS THAN \$836,000 SHALL BE USED TO
7 INCREASE THE MEDICAL ASSISTANCE FEE-FOR-SERVICE RATES PER
8 UNIT FOR DIRECT NURSING SERVICES PROVIDED BY A LICENSED
9 PRACTICAL NURSE AND REGISTERED NURSE IN THE HOME AND
10 COMMUNITY-BASED SETTINGS FOR HCPCS CODES G0299 U8 AND
11 G0300 U8. NOTHING IN THIS SUBPARAGRAPH SHALL BE CONSTRUED
12 TO APPLY TO FACILITY-BASED CARE SETTINGS.

13 (XX) NO MORE THAN \$900,000 MAY BE USED FOR A MEDICAL
14 ASSISTANCE REENTRY PROGRAM ESTABLISHED UNDER SECTION
15 1608-T.

16 (XXI) THE SUM OF \$600,000 SHALL BE DISTRIBUTED TO AN
17 INPATIENT PSYCHIATRIC HOSPITAL THAT:

18 (A) HAS BETWEEN 70 AND 75 LICENSED INPATIENT
19 BEDS;

20 (B) IS LOCATED IN A TOWNSHIP OF THE FIRST CLASS;
21 AND

22 (C) IS LOCATED IN A COUNTY OF THE SECOND CLASS A
23 WITH A POPULATION OF MORE THAN 850,000 UNDER THE 2020
24 FEDERAL DECENNIAL CENSUS.

25 (6) TO SUPPLEMENT THE MONEY APPROPRIATED TO THE
26 DEPARTMENT OF HUMAN SERVICES FOR MEDICAL ASSISTANCE FOR
27 WORKERS WITH DISABILITIES, THE FOLLOWING SHALL APPLY:

28 (I) IN ADDITION TO THE MONTHLY PREMIUM UNDER SECTION
29 1503(B)(1) OF THE ACT OF JUNE 26, 2001 (P.L.755, NO.77),
30 KNOWN AS THE TOBACCO SETTLEMENT ACT, THE DEPARTMENT OF

1 HUMAN SERVICES MAY ADJUST THE PERCENTAGE OF THE PREMIUM
2 UPON APPROVAL OF THE CENTERS FOR MEDICARE AND MEDICAID
3 SERVICES AS AUTHORIZED UNDER FEDERAL REQUIREMENTS.
4 FAILURE TO MAKE PAYMENTS IN ACCORDANCE WITH THIS
5 PARAGRAPH OR SECTION 1503(B)(1) OF THE TOBACCO SETTLEMENT
6 ACT SHALL RESULT IN THE TERMINATION OF MEDICAL ASSISTANCE
7 COVERAGE.

8 (II) (RESERVED).

9 (7) QUALIFYING PHYSICIAN PRACTICE PLANS THAT RECEIVED
10 MONEY FOR FISCAL YEAR 2017-2018 SHALL NOT RECEIVE LESS THAN
11 THE STATE APPROPRIATION MADE AVAILABLE TO THOSE PHYSICIAN
12 PRACTICE PLANS DURING FISCAL YEAR 2017-2018.

13 (8) FEDERAL OR STATE MONEY APPROPRIATED UNDER THE
14 GENERAL APPROPRIATION ACT OF 2026 IN ACCORDANCE WITH 35
15 PA.C.S. § 8107.3 (RELATING TO FUNDING) NOT USED TO MAKE
16 PAYMENTS TO HOSPITALS QUALIFYING AS LEVEL III TRAUMA CENTERS
17 OR SEEKING ACCREDITATION AS LEVEL III TRAUMA CENTERS SHALL BE
18 USED TO MAKE PAYMENTS TO HOSPITALS QUALIFYING AS LEVELS I AND
19 II TRAUMA CENTERS.

20 (9) QUALIFYING ACADEMIC MEDICAL CENTERS THAT RECEIVED
21 MONEY FOR FISCAL YEAR 2017-2018 SHALL RECEIVE THE SAME AMOUNT
22 FROM THE STATE APPROPRIATION MADE AVAILABLE TO THOSE ACADEMIC
23 MEDICAL CENTERS DURING FISCAL YEAR 2017-2018.

24 (10) MONEY APPROPRIATED FOR MEDICAL ASSISTANCE
25 TRANSPORTATION SHALL ONLY BE UTILIZED AS A PAYMENT OF LAST
26 RESORT FOR TRANSPORTATION FOR ELIGIBLE MEDICAL ASSISTANCE
27 RECIPIENTS.

28 (11) FROM MONEY APPROPRIATED FOR MEDICAL ASSISTANCE
29 LONG-TERM LIVING:

30 (I) NO LESS THAN THE AMOUNT DISTRIBUTED IN THE 2014-

1 2015 FISCAL YEAR SHALL BE DISTRIBUTED TO A COUNTY NURSING
2 HOME LOCATED IN A HOME RULE COUNTY THAT IS A COUNTY OF
3 THE SECOND CLASS A WITH MORE THAN 725 BEDS AND A MEDICAID
4 ACUITY AT 0.79 AS OF AUGUST 1, 2015.

5 (II) NO LESS THAN THE AMOUNT USED IN THE 2020-2021
6 FISCAL YEAR SHALL BE DISTRIBUTED TO A NONPUBLIC NURSING
7 HOME LOCATED IN A COUNTY OF THE FIRST CLASS WITH MORE
8 THAN 395 BEDS AND A MEDICAID ACUITY AT 1.06 AS OF AUGUST
9 1, 2022, TO ENSURE ACCESS TO NECESSARY NURSING CARE IN
10 THAT COUNTY.

11 (III) (RESERVED) .

12 (IV) AN ADDITIONAL \$500,000 SHALL BE PAID IN EQUAL
13 PAYMENTS TO MEDICAL ASSISTANCE NURSING FACILITY PROVIDERS
14 WHICH REMAIN OPEN AS OF THE EFFECTIVE DATE OF THIS
15 SUBPARAGRAPH THAT QUALIFIED FOR SUPPLEMENTAL VENTILATOR
16 CARE AND TRACHEOSTOMY CARE PAYMENTS IN FISCAL YEAR 2014-
17 2015 WITH A PERCENTAGE OF MEDICAL ASSISTANCE RECIPIENT
18 RESIDENTS WHO REQUIRED MEDICALLY NECESSARY VENTILATOR
19 CARE OR TRACHEOSTOMY CARE GREATER THAN 90%. TO RECEIVE
20 PAYMENT, A MEDICAL ASSISTANCE NURSING FACILITY SERVICES
21 PROVIDER SHALL HAVE BEEN ENROLLED IN THE MEDICAL
22 ASSISTANCE PROGRAM AS OF FISCAL YEAR 2014-2015 AND BE IN
23 OPERATION ON THE DATE OF THE ISSUANCE OF THE PAYMENT
24 UNDER THIS SUBPARAGRAPH.

25 (V) AN ADDITIONAL \$250,000 SHALL BE PAID TO A
26 NURSING FACILITY LOCATED IN A TOWNSHIP OF THE FIRST CLASS
27 IN A COUNTY OF THE SECOND CLASS A WHICH REMAINS OPEN AS
28 OF THE EFFECTIVE DATE OF THIS SUBPARAGRAPH WITH A
29 PERCENTAGE OF MEDICAL ASSISTANCE RECIPIENT RESIDENTS WHO
30 REQUIRED MEDICALLY NECESSARY VENTILATOR CARE OR

1 TRACHEOSTOMY CARE EQUAL TO OR GREATER THAN 90% AS OF
2 AUGUST 1, 2022.

3 (VI) AN ADDITIONAL \$250,000 SHALL BE PAID TO A
4 NURSING FACILITY LOCATED IN A CITY OF THE FIRST CLASS
5 WHICH COMMENCED OPERATIONS AFTER DECEMBER 31, 2017, AND
6 WHICH REMAINS OPEN AS OF THE EFFECTIVE DATE OF THIS
7 SUBPARAGRAPH WITH A PERCENTAGE OF MEDICAL ASSISTANCE
8 RECIPIENT RESIDENTS WHO REQUIRED MEDICALLY NECESSARY
9 VENTILATOR CARE OR TRACHEOSTOMY CARE EQUAL TO OR GREATER
10 THAN 90% AS OF AUGUST 1, 2022.

11 (VII) SUBJECT TO FEDERAL APPROVAL OF NECESSARY
12 AMENDMENTS OF THE TITLE XIX STATE PLAN, \$21,000,000 IS
13 ALLOCATED FOR MEDICAL ASSISTANCE DAY-ONE INCENTIVE
14 PAYMENTS TO QUALIFIED NONPUBLIC NURSING FACILITIES UNDER
15 METHODOLOGY AND CRITERIA UNDER SECTION 443.1(7)(VI) OF
16 THE HUMAN SERVICES CODE. THE DEPARTMENT OF HUMAN SERVICES
17 SHALL DETERMINE A NONPUBLIC NURSING FACILITY'S OVERALL
18 AND MEDICAL ASSISTANCE OCCUPANCY RATE TO QUALIFY FOR A
19 MEDICAL ASSISTANCE DAY-ONE INCENTIVE PAYMENT FOR THE
20 FISCAL YEAR BASED ON A NURSING FACILITY'S RESIDENT DAY
21 QUARTER ENDING DECEMBER 31, 2019, FOR THE FIRST OF TWO
22 PAYMENTS AND A NURSING FACILITY'S RESIDENT DAY QUARTER
23 ENDING MARCH 31, 2020, FOR THE SECOND OF TWO PAYMENTS.

24 (VIII) \$1,500,000 SHALL BE DISTRIBUTED TO A
25 NONPUBLIC NURSING HOME LOCATED IN A HOME RULE COUNTY THAT
26 IS A COUNTY OF THE SECOND CLASS A WITH MORE THAN 126 BEDS
27 AND A MEDICAID ACUITY AT 0.89 AS OF FEBRUARY 1, 2023, TO
28 ENSURE ACCESS TO NECESSARY NURSING HOME CARE IN THAT
29 COUNTY.

30 (IX) \$1,500,000 SHALL BE DISTRIBUTED TO A NONPROFIT

1 SKILLED NURSING HOME LOCATED IN A CITY OF THE SECOND
2 CLASS A IN A COUNTY OF THE THIRD CLASS WITH A MEDICAID
3 ACUITY AT 1.11 AS OF FEBRUARY 1, 2023, TO ENSURE ACCESS
4 TO NECESSARY SKILLED NURSING CARE IN THAT COUNTY.

5 (X) \$1,000,000 SHALL BE DISTRIBUTED TO A NONPUBLIC
6 SKILLED NURSING HOME LOCATED IN A COUNTY OF THE THIRD
7 CLASS WITH FEWER THAN 50 BEDS AND A MEDICAID ACUITY OF
8 1.03 AS OF APRIL 1, 2025, TO ENSURE ACCESS TO NECESSARY
9 SKILLED NURSING CARE IN THAT COUNTY.

10 (12) FROM MONEY APPROPRIATED FOR LONG-TERM CARE MANAGED
11 CARE, \$3,500,000 IS INCLUDED TO PROVIDE A 3.9% RATE INCREASE
12 FOR LIFE PROGRAM PROVIDERS, BEGINNING JANUARY 1, 2027.

13 (13) (RESERVED) .

14 (14) (RESERVED) .

15 (15) FROM MONEY APPROPRIATED FOR AUTISM INTERVENTION AND
16 SERVICES:

17 (I) \$600,000 SHALL BE ALLOCATED TO A BEHAVIORAL
18 HEALTH FACILITY LOCATED IN A COUNTY OF THE FIFTH CLASS
19 WITH A POPULATION BETWEEN 140,000 AND 145,000 UNDER THE
20 MOST RECENT FEDERAL DECENNIAL CENSUS AND SHALL BE
21 DISTRIBUTED TO A HEALTH SYSTEM THAT OPERATES BOTH A
22 GENERAL ACUTE CARE HOSPITAL AND A BEHAVIORAL HEALTH
23 FACILITY THAT HAS A CENTER FOR AUTISM AND DEVELOPMENTAL
24 DISABILITIES LOCATED IN A COUNTY OF THE FIFTH CLASS WITH
25 A POPULATION BETWEEN 140,000 AND 145,000 UNDER THE MOST
26 RECENT FEDERAL DECENNIAL CENSUS;

27 (II) \$300,000 SHALL BE ALLOCATED TO AN INSTITUTION
28 OF HIGHER EDUCATION THAT PROVIDES AUTISM EDUCATION AND
29 DIAGNOSTIC CURRICULUM LOCATED IN A CITY OF THE FIRST
30 CLASS THAT OPERATES A CENTER FOR AUTISM IN A COUNTY OF

1 THE SECOND CLASS A;

2 (III) \$300,000 SHALL BE ALLOCATED TO AN INSTITUTION
3 OF HIGHER EDUCATION THAT PROVIDES AUTISM EDUCATION AND
4 DIAGNOSTIC CURRICULUM AND IS LOCATED IN A COUNTY OF THE
5 SECOND CLASS;

6 (IV) NO LESS THAN THE AMOUNT DISTRIBUTED IN THE
7 2014-2015 FISCAL YEAR SHALL BE ALLOCATED FOR PROGRAMS TO
8 PROMOTE THE HEALTH AND FITNESS OF PERSONS WITH
9 DEVELOPMENTAL DISABILITIES LOCATED IN A CITY OF THE FIRST
10 CLASS; AND

11 (V) \$600,000 SHALL BE ALLOCATED FOR AN ENTITY THAT
12 PROVIDES ALTERNATIVE EDUCATIONAL SERVICES TO INDIVIDUALS
13 WITH AUTISM AND DEVELOPMENTAL DISABILITIES IN THE COUNTY
14 WHICH WAS MOST RECENTLY DESIGNATED AS A COUNTY OF THE
15 SECOND CLASS A.

16 (16) MONEY APPROPRIATED FOR BREAST CANCER SCREENING MAY
17 BE USED FOR WOMEN'S MEDICAL SERVICES, INCLUDING NONINVASIVE
18 CONTRACEPTION SUPPLIES.

19 (17) FROM THE APPROPRIATION FOR 2-1-1 COMMUNICATIONS,
20 \$750,000 SHALL BE ALLOCATED FOR A STATEWIDE 2-1-1 SYSTEM
21 GRANT PROGRAM.

22 (18) THE APPROPRIATION FOR SERVICES FOR THE VISUALLY
23 IMPAIRED SHALL INCLUDE THE FOLLOWING:

24 (I) AN ALLOCATION OF \$4,084,000 FOR A STATEWIDE
25 PROFESSIONAL SERVICES PROVIDER ASSOCIATION FOR THE BLIND
26 TO PROVIDE TRAINING AND SUPPORTIVE SERVICES FOR
27 INDIVIDUALS WHO ARE BLIND AND PRESCHOOL VISION SCREENINGS
28 AND EYE SAFETY EDUCATION;

29 (II) AN ALLOCATION OF \$818,000 TO PROVIDE
30 SPECIALIZED SERVICES AND PREVENTION OF BLINDNESS SERVICES

1 IN CITIES OF THE FIRST CLASS; AND

2 (III) AN ALLOCATION OF \$250,000 TO A NONPROFIT
3 ORGANIZATION LOCATED IN A COUNTY OF THE SECOND CLASS TO
4 PROVIDE VISION REHABILITATION SERVICES TO PENNSYLVANIA
5 RESIDENTS WHO ARE BLIND OR VISUALLY IMPAIRED.

6 (19) THE PROVISIONS OF 8 U.S.C. §§ 1611 (RELATING TO
7 ALIENS WHO ARE NOT QUALIFIED ALIENS INELIGIBLE FOR FEDERAL
8 PUBLIC BENEFITS), 1612 (RELATING TO LIMITED ELIGIBILITY OF
9 QUALIFIED ALIENS FOR CERTAIN FEDERAL PROGRAMS) AND 1642
10 (RELATING TO VERIFICATION OF ELIGIBILITY FOR FEDERAL PUBLIC
11 BENEFITS) SHALL APPLY TO PAYMENTS AND PROVIDERS.

12 (20) THE DEPARTMENT OF HUMAN SERVICES SHALL NOT ADD
13 NONMEDICALLY NECESSARY SERVICES TO THE MEDICAL ASSISTANCE
14 PROGRAM THAT WOULD RESULT IN THE NEED FOR A SUPPLEMENTAL
15 APPROPRIATION WITHOUT THE APPROVAL OF THE GENERAL ASSEMBLY.
16 EACH PROPOSED SERVICE SHALL BE OUTLINED IN THE GOVERNOR'S
17 EXECUTIVE BUDGET OR SUBSEQUENT UPDATES PROVIDED IN WRITING TO
18 THE GENERAL ASSEMBLY. NO MONEY APPROPRIATED TO THE DEPARTMENT
19 MAY BE USED TO PAY COSTS ASSOCIATED WITH ADDING NONMEDICALLY
20 NECESSARY SERVICES TO THE MEDICAL ASSISTANCE PROGRAM.

21 (21) THE FOLLOWING SHALL APPLY:

22 (I) THE SECRETARY OF HUMAN SERVICES SHALL REPORT ON
23 A QUARTERLY BASIS IN PERSON TO THE CHAIRPERSON AND
24 MINORITY CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF
25 THE SENATE AND THE CHAIRPERSON AND MINORITY CHAIRPERSON
26 OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF
27 REPRESENTATIVES INFORMATION DOCUMENTING EACH OF THE
28 FOLLOWING STATE APPROPRIATIONS AND THEIR ASSOCIATED
29 FEDERAL APPROPRIATIONS:

30 (A) MEDICAL ASSISTANCE - CAPITATION.

1 (B) MEDICAL ASSISTANCE - FEE-FOR-SERVICE.
2 (C) PAYMENT TO FEDERAL GOVERNMENT - MEDICARE
3 DRUG PROGRAM.
4 (D) MEDICAL ASSISTANCE - WORKERS WITH
5 DISABILITIES.
6 (E) MEDICAL ASSISTANCE - LONG-TERM LIVING.
7 (F) MEDICAL ASSISTANCE - COMMUNITY -
8 HEALTHCHOICES.
9 (G) LONG-TERM CARE MANAGED CARE.
10 (H) INTELLECTUAL DISABILITIES - INTERMEDIATE
11 CARE FACILITIES.
12 (I) INTELLECTUAL DISABILITIES - COMMUNITY WAIVER
13 PROGRAM.
14 (J) AUTISM INTERVENTION SERVICE.
15 (K) EARLY INTERVENTION.
16 (II) THE INFORMATION INCLUDED IN A REPORT UNDER
17 SUBPARAGRAPH (I) SHALL INCLUDE THE FOLLOWING:
18 (A) NUMBER OF ENROLLEES BY MONTH.
19 (B) AVERAGE COST PER ENROLLEE.
20 (C) REQUIRED PAYMENT AMOUNTS BY APPROPRIATION
21 DURING THE FISCAL YEAR.
22 (D) REVISED ESTIMATE OF THE MONEY NEEDED BY THE
23 APPROPRIATION TO MAKE REQUIRED PAYMENTS FOR THE
24 REMAINDER OF THE FISCAL YEAR.
25 (III) IF THE REVISED ESTIMATES UNDER SUBPARAGRAPH
26 (II) (D) INDICATE SUPPLEMENTAL MONEY MAY BE NECESSARY, THE
27 SECRETARY OF HUMAN SERVICES SHALL PROVIDE A DETAILED
28 EXPLANATION, IN WRITING, OF THE REASONS THE REVISED
29 ESTIMATES DIFFER FROM THE GENERAL APPROPRIATION ACT OF
30 2026, OR INFORMATION PROVIDED PREVIOUSLY UNDER THIS

1 PARAGRAPH.

2 SECTION 1931-B. DEPARTMENT OF REVENUE (RESERVED).

3 SECTION 1932-B. DEPARTMENT OF STATE (RESERVED).

4 SECTION 1933-B. DEPARTMENT OF TRANSPORTATION.

5 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE
6 DEPARTMENT OF TRANSPORTATION:

7 (1) BEGINNING IN THE 2026-2027 FISCAL YEAR, THE
8 SECRETARY OF TRANSPORTATION OR THE SECRETARY'S DESIGNEE
9 SHALL, ON A QUARTERLY BASIS, MEET IN PERSON WITH THE
10 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE APPROPRIATIONS
11 COMMITTEE OF THE SENATE AND THE CHAIRPERSON AND MINORITY
12 CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF
13 REPRESENTATIVES TO PRESENT A REPORT ON THE STATUS OF THE
14 MOTOR LICENSE FUND AND THE PUBLIC TRANSPORTATION TRUST FUND,
15 AS FOLLOWS:

16 (I) FOR THE MOTOR LICENSE FUND, THE REPORT SHALL
17 PROVIDE A RECONCILIATION FROM A BUDGETARY BASIS TO A CASH
18 BASIS AND SHALL DOCUMENT ACTUAL AND ESTIMATED
19 EXPENDITURES, COMMITMENTS AND AUGMENTATIONS, INCLUDING
20 FEDERAL MONEY, BY APPROPRIATION OR EXECUTIVE
21 AUTHORIZATION AND BY THE FISCAL YEAR IN WHICH THE
22 APPROPRIATION OR EXECUTIVE AUTHORIZATION WAS MADE.

23 (II) FOR THE PUBLIC TRANSPORTATION TRUST FUND, THE
24 REPORT SHALL PROVIDE A RECONCILIATION FROM A BUDGETARY
25 BASIS TO A CASH BASIS AND SHALL DOCUMENT ACTUAL AND
26 ESTIMATED EXPENDITURES, COMMITMENTS AND AUGMENTATIONS,
27 INCLUDING FEDERAL MONEY, BY PROGRAM, BY THE FISCAL YEAR
28 IN WHICH THE MONEY WAS ALLOCATED FOR THE PROGRAM AND BY
29 LOCAL TRANSPORTATION ORGANIZATION.

30 (2) (RESERVED).

1 SECTION 1934-B. PENNSYLVANIA STATE POLICE (RESERVED).

2 SECTION 1935-B. PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY.

3 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE
4 PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY:

5 (1) MONEY APPROPRIATED FOR SEARCH AND RESCUE PROGRAMS
6 SHALL BE USED TO SUPPORT PROGRAMS RELATED TO TRAINING WORKING
7 SERVICE DOGS FOCUSING ON RESCUE AND PUBLIC SAFETY.

8 (2) MONEY APPROPRIATED FOR THE STATE FIRE COMMISSIONER
9 INCLUDES FUNDING FOR A STATEWIDE RECRUITMENT AND RETENTION
10 COORDINATOR AND REGIONAL TECHNICAL ADVISORS TO DEVELOP,
11 IMPLEMENT AND DELIVER RECRUITMENT AND RETENTION TRAINING
12 PROGRAMS AND PROVIDE TECHNICAL ASSISTANCE TO LOCAL FIRE
13 ORGANIZATIONS AND LOCAL GOVERNMENTS.

14 (3) FROM MONEY APPROPRIATED FOR URBAN SEARCH AND RESCUE,
15 UP TO \$6,000,000 SHALL BE DISTRIBUTED TO THE SPONSORING
16 AGENCY OF AN URBAN SEARCH AND RESCUE TASK FORCE ORGANIZED
17 WITHIN A REGIONAL COUNTERTERRORISM TASK FORCE COVERING A
18 COUNTY OF THE SECOND CLASS ESTABLISHED UNDER 35 PA.C.S. CH.
19 72 (RELATING TO COUNTERTERRORISM PLANNING, PREPAREDNESS AND
20 RESPONSE). MONEY DISTRIBUTED UNDER THIS PARAGRAPH SHALL BE
21 USED FOR EQUIPMENT, EQUIPMENT STORAGE, TRAINING,
22 ADMINISTRATION AND OPERATING COSTS NECESSARY FOR THE URBAN
23 SEARCH AND RESCUE TASK FORCE TO MEET OR EXCEED THE MINIMUM
24 REQUIREMENTS OF A TYPE 3 URBAN SEARCH AND RESCUE TASK FORCE
25 AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY IN THE
26 RESOURCE-TYPING DEFINITION CONTAINED IN THE NATIONAL INCIDENT
27 MANAGEMENT SYSTEM GUIDELINES, DOCUMENT IDENTIFICATION NUMBER
28 8-508-1262, PUBLISHED IN SEPTEMBER 2020 AND AS DEFINED IN A
29 MUTUALLY-AGREED UPON BUDGET BETWEEN THE PENNSYLVANIA
30 EMERGENCY MANAGEMENT AGENCY AND THE SPONSORING AGENCY. THE

1 SPONSORING AGENCY MAY ALSO USE NO MORE THAN 3% OF THE MONEY
2 APPROPRIATED FOR ADMINISTRATIVE COSTS DIRECTLY RELATED TO
3 ADMINISTERING THIS PARAGRAPH. THE MINIMUM REQUIREMENTS OF A
4 TYPE 3 URBAN SEARCH AND RESCUE TASK FORCE AS DEFINED BY FEMA
5 IN THE RESOURCE-TYPING DEFINITION CONTAINED IN THE NIMS
6 GUIDELINES, DOCUMENT IDENTIFICATION NUMBER 8-508-1262,
7 PUBLISHED IN SEPTEMBER 2020 UNDER 35 PA.C.S. § 7214(A)(II)(B)
8 (RELATING TO URBAN SEARCH AND RESCUE TEAMS) SHALL BE MET BY
9 JANUARY 5, 2028.

10 (4) FOR FISCAL YEAR 2026-2027, THE AGENCY MAY USE UP TO
11 \$1,000,000 OF UNENCUMBERED, UNEXPENDED FUNDS PREVIOUSLY
12 APPROPRIATED FOR STATE DISASTER ASSISTANCE TO SUPPLEMENT
13 DISASTER PREPAREDNESS AND EMERGENCY MANAGEMENT ACTIVITIES.

14 SECTION 1936-B. STATE-RELATED UNIVERSITIES (RESERVED).

15 SECTION 1937-B. STATE SYSTEM OF HIGHER EDUCATION (RESERVED).

16 SECTION 1938-B. PENNSYLVANIA HIGHER EDUCATION ASSISTANCE

17 AGENCY.

18 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE

19 PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY:

20 (1) THE PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY
21 SHALL ALLOCATE \$500,000 FROM THE HIGHER EDUCATION ASSISTANCE
22 FUND FOR THE CHEYNEY UNIVERSITY KEYSTONE ACADEMY.

23 (2) FROM MONEY APPROPRIATED FOR PAYMENT OF EDUCATION
24 ASSISTANCE GRANTS, THE AMOUNT OF \$1,000,000 SHALL BE
25 ALLOCATED TO A STATE-OWNED UNIVERSITY LOCATED IN TIOGA COUNTY
26 FOR MERIT SCHOLARSHIPS.

27 (3) FROM MONEY APPROPRIATED FOR PENNSYLVANIA INTERNSHIP
28 PROGRAM GRANTS, FUNDS MAY BE USED FOR INTERNSHIP AND SEMINAR
29 PROGRAMS.

30 (4) FROM MONEY APPROPRIATED FOR MATCHING PAYMENTS FOR

1 STUDENT AID, \$2,500,000 SHALL BE USED BY THE AGENCY FOR THE
2 NURSING SHORTAGE ASSISTANCE PROGRAM AS AUTHORIZED UNDER
3 ARTICLE XVIII-B OF THE ACT OF MARCH 10, 1949 (P.L.30, NO.14),
4 KNOWN AS THE PUBLIC SCHOOL CODE OF 1949.

5 (5) FROM MONEY APPROPRIATED FOR MATCHING PAYMENTS FOR
6 STUDENT AID, \$3,000,000 SHALL BE ALLOCATED TO AN INSTITUTION
7 OF HIGHER EDUCATION TO AID STUDENTS ENROLLED IN AN ACCREDITED
8 COLLEGE OF OPTOMETRY LOCATED WITHIN THIS COMMONWEALTH.

9 SECTION 1939-B. THADDEUS STEVENS COLLEGE OF TECHNOLOGY.

10 THE FOLLOWING SHALL APPLY TO APPROPRIATIONS FOR THE THADDEUS
11 STEVENS COLLEGE OF TECHNOLOGY:

12 (1) FROM FUNDS APPROPRIATED FOR THADDEUS STEVENS COLLEGE
13 OF TECHNOLOGY, THE PRESIDENT OF THE COLLEGE SHALL CAUSE TO BE
14 PREPARED AND SUBMITTED TO THE SECRETARY OF EDUCATION, THE
15 PRESIDENT PRO TEMPORE OF THE SENATE, THE SPEAKER OF THE HOUSE
16 OF REPRESENTATIVES, THE MAJORITY LEADER AND THE MINORITY
17 LEADER OF THE SENATE, THE MAJORITY LEADER AND THE MINORITY
18 LEADER OF THE HOUSE OF REPRESENTATIVES, THE CHAIRPERSON AND
19 MINORITY CHAIRPERSON OF THE EDUCATION COMMITTEE OF THE SENATE
20 AND THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE EDUCATION
21 COMMITTEE OF THE HOUSE OF REPRESENTATIVES A COMPREHENSIVE
22 REPORT OUTLINING THE USE OF FUNDS APPROPRIATED, TO
23 SPECIFICALLY INCLUDE THE STRATEGIES AND USE OF FUNDS TO
24 EXPAND STUDENT ENROLLMENT.

25 (2) (RESERVED).

26 SECTION 1940-B. PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION

27 (RESERVED).

28 SECTION 1941-B. ENVIRONMENTAL HEARING BOARD (RESERVED).

29 SECTION 1942-B. HEALTH CARE COST CONTAINMENT COUNCIL

30 (RESERVED).

1 SECTION 1943-B. STATE ETHICS COMMISSION (RESERVED).
2 SECTION 1944-B. COMMONWEALTH FINANCING AUTHORITY (RESERVED).
3 SUBARTICLE C
4 STATE GOVERNMENT SUPPORT AGENCIES
5 SECTION 1951-B. LEGISLATIVE REFERENCE BUREAU (RESERVED).
6 SECTION 1952-B. LEGISLATIVE BUDGET AND FINANCE COMMITTEE
7 (RESERVED).
8 SECTION 1953-B. LEGISLATIVE DATA PROCESSING COMMITTEE
9 (RESERVED).
10 SECTION 1954-B. JOINT STATE GOVERNMENT COMMISSION (RESERVED).
11 SECTION 1955-B. LOCAL GOVERNMENT COMMISSION (RESERVED).
12 SECTION 1956-B. LEGISLATIVE AUDIT ADVISORY COMMISSION
13 (RESERVED).
14 SECTION 1957-B. INDEPENDENT REGULATORY REVIEW COMMISSION
15 (RESERVED).
16 SECTION 1958-B. CAPITOL PRESERVATION COMMITTEE (RESERVED).
17 SECTION 1959-B. PENNSYLVANIA COMMISSION ON SENTENCING
18 (RESERVED).
19 SECTION 1960-B. CENTER FOR RURAL PENNSYLVANIA (RESERVED).
20 SECTION 1961-B. COMMONWEALTH MAIL PROCESSING CENTER (RESERVED).
21 SECTION 1962-B. LEGISLATIVE REAPPORTIONMENT COMMISSION
22 (RESERVED).
23 SECTION 1963-B. INDEPENDENT FISCAL OFFICE (RESERVED).
24 SUBARTICLE D
25 JUDICIAL DEPARTMENT
26 SECTION 1971-B. SUPREME COURT (RESERVED).
27 SECTION 1972-B. SUPERIOR COURT (RESERVED).
28 SECTION 1973-B. COMMONWEALTH COURT (RESERVED).
29 SECTION 1974-B. COURTS OF COMMON PLEAS (RESERVED).
30 SECTION 1975-B. COMMUNITY COURTS; MAGISTERIAL DISTRICT JUDGES

1 (RESERVED).
2 SECTION 1976-B. PHILADELPHIA MUNICIPAL COURT (RESERVED).
3 SECTION 1977-B. JUDICIAL CONDUCT BOARD (RESERVED).
4 SECTION 1978-B. COURT OF JUDICIAL DISCIPLINE (RESERVED).
5 SECTION 1979-B. JUROR COST REIMBURSEMENT (RESERVED).
6 SECTION 1980-B. COUNTY COURT REIMBURSEMENT (RESERVED).

7 SUBARTICLE E
8 GENERAL ASSEMBLY
9 (RESERVED)

10 ARTICLE XIX-C
11 2026-2027 RESTRICTIONS ON APPROPRIATIONS
12 FOR FUNDS AND ACCOUNTS

13 SECTION 1901-C. APPLICABILITY.
14 EXCEPT AS SPECIFICALLY PROVIDED IN THIS ARTICLE, THIS ARTICLE
15 APPLIES TO THE GENERAL APPROPRIATION ACT OF 2026 AND ALL OTHER
16 APPROPRIATION ACTS OF 2026.

17 SECTION 1902-C. DEFINITIONS.
18 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
19 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
20 CONTEXT CLEARLY INDICATES OTHERWISE:

21 "GENERAL APPROPRIATION ACT OF 2026." THE ACT OF , 2026
22 (P.L. , NO.), KNOWN AS THE GENERAL APPROPRIATION ACT OF 2026.

23 SECTION 1903-C. STATE LOTTERY FUND.

24 THE FOLLOWING APPLY:

25 (1) MONEY APPROPRIATED FOR PENNCARE MAY NOT BE UTILIZED
26 FOR ADMINISTRATIVE COSTS BY THE DEPARTMENT OF AGING.

27 (2) MONEY APPROPRIATED TO THE DEPARTMENT OF AGING
28 INCLUDES SUFFICIENT MONEY FOR THE OPERATION OF THE
29 ALZHEIMER'S, DEMENTIA AND RELATED DISORDERS OFFICE.

30 SECTION 1904-C. TOBACCO SETTLEMENT FUND (RESERVED).

1 SECTION 1905-C. JUDICIAL COMPUTER SYSTEM AUGMENTATION ACCOUNT
2 (RESERVED).
3 SECTION 1906-C. EMERGENCY MEDICAL SERVICES OPERATING FUND
4 (RESERVED).
5 SECTION 1907-C. THE STATE STORES FUND (RESERVED).
6 SECTION 1908-C. MOTOR LICENSE FUND (RESERVED).
7 SECTION 1909-C. AVIATION RESTRICTED ACCOUNT (RESERVED).
8 SECTION 1910-C. HAZARDOUS MATERIAL RESPONSE FUND (RESERVED).
9 SECTION 1911-C. MILK MARKETING FUND (RESERVED).
10 SECTION 1912-C. HOME INVESTMENT TRUST FUND (RESERVED).
11 SECTION 1913-C. TUITION ACCOUNT GUARANTEED SAVINGS PROGRAM FUND
12 (RESERVED).
13 SECTION 1914-C. BANKING FUND (RESERVED).
14 SECTION 1915-C. FIREARM RECORDS CHECK FUND (RESERVED).
15 SECTION 1916-C. BEN FRANKLIN TECHNOLOGY DEVELOPMENT AUTHORITY
16 FUND (RESERVED).
17 SECTION 1917-C. OIL AND GAS LEASE FUND (RESERVED).
18 SECTION 1918-C. HOME IMPROVEMENT ACCOUNT (RESERVED).
19 SECTION 1919-C. CIGARETTE FIRE SAFETY AND FIREFIGHTER
20 PROTECTION ACT ENFORCEMENT FUND (RESERVED).
21 SECTION 1920-C. INSURANCE REGULATION AND OVERSIGHT FUND
22 (RESERVED).
23 SECTION 1921-C. PENNSYLVANIA RACE HORSE DEVELOPMENT RESTRICTED
24 RECEIPTS ACCOUNT (RESERVED).
25 SECTION 1922-C. JUSTICE REINVESTMENT FUND (RESERVED).
26 SECTION 1923-C. MULTIMODAL TRANSPORTATION FUND (RESERVED).
27 SECTION 1924-C. STATE RACING FUND (RESERVED).
28 SECTION 1925-C. ABLE SAVINGS PROGRAM FUND (RESERVED).
29 SECTION 1926-C. TOURISM PROMOTION FUND (RESERVED).
30 SECTION 1927-C. ENHANCED REVENUE COLLECTION ACCOUNT (RESERVED).

1 SECTION 1928-C. (RESERVED).

2 SECTION 1929-C. OPIOID SETTLEMENT RESTRICTED ACCOUNT
3 (RESERVED).

4 SECTION 1930-C. COVID-19 RESPONSE RESTRICTED ACCOUNT
5 (RESERVED).

6 SECTION 1931-C. PENNSYLVANIA PREFERRED® TRADEMARK LICENSING
7 FUND.

8 NOTWITHSTANDING 3 PA.C.S. § 4616 (RELATING TO PENNSYLVANIA
9 PREFERRED® TRADEMARK AND PENNSYLVANIA PREFERRED ORGANIC®
10 TRADEMARK LICENSING FUND), THE DEPARTMENT OF AGRICULTURE MAY USE
11 MONEY DEPOSITED INTO THE PENNSYLVANIA PREFERRED® TRADEMARK AND
12 PENNSYLVANIA PREFERRED ORGANIC® TRADEMARK LICENSING FUND TO
13 PROMOTE ONE OR MORE OF THE FUNDING OBJECTIVES UNDER 3 PA.C.S. §
14 4616(C) THROUGH THE AWARDING OF GRANTS.

15 SECTION 1932-C. AGRICULTURAL CONSERVATION EASEMENT PURCHASE
16 FUND.

17 THE FOLLOWING SHALL APPLY:

18 (1) IN ADDITION TO THE USES PROVIDED IN SECTION 7.3 OF
19 THE ACT OF JUNE 18, 1982 (P.L.549, NO.159), ENTITLED "AN ACT
20 PROVIDING FOR THE ADMINISTRATION OF CERTAIN COMMONWEALTH
21 FARMLAND WITHIN THE DEPARTMENT OF AGRICULTURE," THE
22 DEPARTMENT OF AGRICULTURE MAY USE UP TO A TOTAL OF \$165,000
23 IN THE AGRICULTURAL CONSERVATION EASEMENT PURCHASE FUND UNDER
24 SECTION 7.1 OF THE ACT OF JUNE 18, 1982 (P.L.549, NO.159),
25 ENTITLED "AN ACT PROVIDING FOR THE ADMINISTRATION OF CERTAIN
26 COMMONWEALTH FARMLAND WITHIN THE DEPARTMENT OF AGRICULTURE,"
27 TO ISSUE GRANTS NOT TO EXCEED \$5,000 EACH FOR SUCCESSION
28 PLANNING TO ENSURE THAT AGRICULTURAL OPERATIONS CONTINUE ON
29 LAND SUBJECT TO AGRICULTURAL CONSERVATION EASEMENTS. THE
30 DEPARTMENT OF AGRICULTURE, IN CONSULTATION WITH THE STATE

AGRICULTURAL LAND PRESERVATION BOARD, SHALL ESTABLISH
ELIGIBILITY CRITERIA FOR AWARDING GRANTS UNDER THIS SECTION.

(2) (RESERVED).

SECTION 1932.1-C. GAMING ECONOMIC DEVELOPMENT AND TOURISM FUND
(RESERVED).

SECTION 1932.2-C. STATE GAMING FUND.

THE FOLLOWING SHALL APPLY:

(1) MONEY APPROPRIATED FOR THE ANIMAL HEALTH AND
DIAGNOSTIC COMMISSION SHALL BE EQUALLY DISTRIBUTED TO THE
ANIMAL DIAGNOSTIC LABORATORY SYSTEM LABORATORIES LOCATED
WITHIN THIS COMMONWEALTH.

(2) MONEY APPROPRIATED FOR MARKETING TO ATTRACT TOURISTS
SHALL BE USED TO FUND THE ACTIVITIES OF THE TOURISM OFFICE
WITHIN THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
INCLUDING STATEWIDE MARKETING EFFORTS.

SECTION 1933-C. RESTRICTED RECEIPT ACCOUNTS.

(A) AUTHORITY.--THE SECRETARY OF THE BUDGET MAY CREATE
RESTRICTED RECEIPT ACCOUNTS FOR THE PURPOSE OF ADMINISTERING
FEDERAL GRANTS ONLY FOR THE PURPOSES DESIGNATED IN THIS SECTION.

(B) DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.--THE
FOLLOWING RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT:

(1) ARC HOUSING REVOLVING LOAN PROGRAM.

(2) BROWNFIELDS REVOLVING LOAN FUND.

(C) DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES.--THE
FOLLOWING RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES:

(1) FEDERAL AID TO VOLUNTEER FIRE COMPANIES.

(2) LAND AND WATER CONSERVATION FUND ACT OF 1965 (PUBLIC
LAW 88-578, 16 U.S.C. § 460L-4 ET SEQ.).

1 (3) NATIONAL FOREST RESERVE ALLOTMENT.

2 (D) DEPARTMENT OF EDUCATION.--THE FOLLOWING RESTRICTED
3 RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE DEPARTMENT OF
4 EDUCATION:

5 (1) EDUCATION OF THE DISABLED - PART C.

6 (2) LSTA - LIBRARY GRANTS.

7 (3) THE PENNSYLVANIA STATE UNIVERSITY FEDERAL AID.

8 (4) EMERGENCY IMMIGRATION EDUCATION ASSISTANCE.

9 (5) EDUCATION OF THE DISABLED - PART D.

10 (6) HOMELESS ADULT ASSISTANCE PROGRAM.

11 (7) SEVERELY HANDICAPPED.

12 (8) MEDICAL ASSISTANCE REIMBURSEMENTS TO LOCAL EDUCATION
13 AGENCIES.

14 (E) DEPARTMENT OF ENVIRONMENTAL PROTECTION.--THE FOLLOWING
15 RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE
16 DEPARTMENT OF ENVIRONMENTAL PROTECTION:

17 (1) FEDERAL WATER RESOURCES PLANNING ACT.

18 (2) FLOOD CONTROL PAYMENTS.

19 (3) SOIL AND WATER CONSERVATION ACT - INVENTORY OF
20 PROGRAMS.

21 (F) DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS.--THE FOLLOWING
22 RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE
23 DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS:

24 (1) SHARE LOAN PROGRAM.

25 (2) (RESERVED).

26 (G) DEPARTMENT OF TRANSPORTATION.--THE FOLLOWING RESTRICTED
27 RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE DEPARTMENT OF
28 TRANSPORTATION:

29 (1) CAPITAL ASSISTANCE ELDERLY AND HANDICAPPED PROGRAMS.

30 (2) RAILROAD REHABILITATION AND IMPROVEMENT ASSISTANCE.

1 (3) RIDESHARING/VAN POOL PROGRAM - ACQUISITION.

2 (H) PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY.--THE FOLLOWING
3 RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE
4 PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY:

5 (1) RECEIPTS FROM FEDERAL GOVERNMENT - DISASTER RELIEF -
6 DISASTER RELIEF ASSISTANCE TO STATE AND POLITICAL
7 SUBDIVISIONS.

8 (2) (RESERVED).
9 (I) PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION.--THE
10 FOLLOWING RESTRICTED RECEIPT ACCOUNTS MAY BE ESTABLISHED FOR THE
11 PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION:

12 (1) FEDERAL GRANT - NATIONAL HISTORIC PRESERVATION ACT.

13 (2) (RESERVED).

14 (J) EXECUTIVE OFFICES.--THE FOLLOWING RESTRICTED RECEIPT
15 ACCOUNTS MAY BE ESTABLISHED FOR THE EXECUTIVE OFFICES:

16 (1) RETIRED EMPLOYEES MEDICARE PART D.

17 (2) JUSTICE ASSISTANCE.

18 (3) JUVENILE ACCOUNTABILITY INCENTIVE.

19 (4) EARLY RETIREE REINSURANCE PROGRAM.

20 SECTION 1934-C. FUND TRANSFERS.

21 (A) TRANSFER TO ENVIRONMENTAL STEWARDSHIP FUND.--FROM MONEY
22 RECEIVED UNDER THE AUTHORITY OF ARTICLE III OF THE ACT OF MARCH
23 4, 1971 (P.L.6, NO.2), KNOWN AS THE TAX REFORM CODE OF 1971,
24 \$1,897,000 SHALL BE TRANSFERRED TO THE ENVIRONMENTAL STEWARDSHIP
25 FUND.

26 (B) WELL PLUGGING RESTRICTED REVENUE ACCOUNT.--FOR FISCAL
27 YEAR 2026-2027, A TOTAL OF \$19,026,000 MAY BE TRANSFERRED TO THE
28 WELL PLUGGING RESTRICTED REVENUE ACCOUNT FROM A COMBINATION OF
29 THE FOLLOWING:

30 (1) THE WASTE TRANSPORTATION SAFETY ACCOUNT.

1 (2) THE ALTERNATIVE FUELS INCENTIVE GRANT FUND.

2 (3) THE USED TIRE PILE REMEDIATION ACCOUNT.

3 (4) THE SOLID WASTE ABATEMENT FUND.

4 (5) THE COAL REFUSE DISPOSAL CONTROL FUND.

5 (6) THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION
6 FUND.

7 (7) THE SEWAGE FACILITIES PROGRAM ADMINISTRATION
8 ACCOUNT.

9 (8) THE DAMS AND ENCROACHMENT FUND.

10 (9) THE INDUSTRIAL LAND RECYCLING FUND.

11 (C) TRANSFER TO GENERAL FUND.--

12 (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE
13 CONTRARY, DURING THE 2026-2027 FISCAL YEAR, \$580,000,000
14 SHALL BE TRANSFERRED FROM AMOUNTS AVAILABLE IN RESTRICTED
15 ACCOUNTS AND SPECIAL FUNDS THAT ARE DESIGNATED AS TRUST FUNDS
16 AND OF WHICH THE SECRETARY OF THE BUDGET HAS DETERMINED THAT
17 A SURPLUS BALANCE EXISTS, THE TRANSFER OF WHICH, IN WHOLE OR
18 PART, WILL NOT JEOPARDIZE THE OBJECTIVES OF THE PROGRAM. THE
19 TRANSFERS UNDER THIS SUBSECTION SHALL BE IN ACCORDANCE WITH
20 THE FOLLOWING:

21 (I) THE SECRETARY OF THE BUDGET SHALL TRANSMIT TO
22 THE STATE TREASURER A LIST OF AMOUNTS TO BE TRANSFERRED
23 FROM SPECIAL FUNDS AND RESTRICTED ACCOUNTS TO THE GENERAL
24 FUND.

25 (II) UPON RECEIPT OF THE LIST UNDER SUBPARAGRAPH
26 (I), THE STATE TREASURER SHALL CAUSE THE TRANSFERS UNDER
27 THIS PARAGRAPH TO OCCUR.

28 (III) NO MONEY MAY BE TRANSFERRED FROM THE FUND
29 ESTABLISHED UNDER SECTION 1701-A.

30 (2) (RESERVED).

1 (D) TRANSFER TO CRIME VICTIM SERVICES AND COMPENSATION
2 FUND.--NOTWITHSTANDING SECTION 902 OF THE MEDICAL MARIJUANA ACT,
3 THE SECRETARY OF THE BUDGET SHALL TRANSFER \$4,500,000 FROM THE
4 MEDICAL MARIJUANA PROGRAM FUND TO THE CRIME VICTIM SERVICES AND
5 COMPENSATION FUND.

6 SECTION 32. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:
7 SECTION 8042. AMUSEMENT TAX CLARIFICATION.

8 A MUNICIPALITY THAT RECEIVES STATE FUNDING, INCLUDING GRANTS,
9 APPROPRIATIONS OR DISTRIBUTIONS AUTHORIZED BY LAW, MAY NOT
10 IMPOSE AN AMUSEMENT TAX, AS PROHIBITED UNDER THE ACT OF DECEMBER
11 31, 1965 (P.L.1257, NO.511), KNOWN AS THE LOCAL TAX ENABLING
12 ACT, ON COMPLIMENTARY OR RESORT-SPONSORED ADMISSION TO RESORT
13 PLACES OF AMUSEMENT THAT ARE PROVIDED BY THE RESORT TO OVERNIGHT
14 GUESTS WITHOUT A SEPARATE CHARGE FOR THE AMUSEMENT ADMISSION
15 UNLESS AND UNTIL THE LOCAL TAX ENABLING ACT IS AMENDED TO PERMIT
16 THAT AMUSEMENT TAX TO BE APPLIED.

17 SECTION 8043. SITUS FOR LOCAL SALES TAX FOR CITIES OF THE FIRST
18 CLASS.

19 NOTWITHSTANDING ANY PROVISIONS OF CHAPTER 5 OF THE ACT OF
20 JUNE 5, 1991 (P.L.9, NO.6), KNOWN AS THE PENNSYLVANIA
21 INTERGOVERNMENTAL COOPERATION AUTHORITY ACT FOR CITIES OF THE
22 FIRST CLASS, AND ARTICLE II-B OF THE ACT OF MARCH 4, 1971
23 (P.L.6, NO.2), KNOWN AS THE TAX REFORM CODE OF 1971, TO THE
24 CONTRARY, A SALE AT RETAIL SHALL BE DEEMED CONSUMMATED AT THE
25 SAME LOCATION THAT THE SALE IS DEEMED TO BE CONSUMMATED FOR
26 PURPOSES OF ARTICLE II OF THE TAX REFORM CODE OF 1971, EXCEPT AS
27 OTHERWISE PROVIDED IN ARTICLE II-A OF THE TAX REFORM CODE OF
28 1971.

29 SECTION 8044. SITUS FOR LOCAL SALES TAX FOR COUNTIES OF THE
30 SECOND CLASS.

1 NOTWITHSTANDING ANY PROVISIONS OF ARTICLE XXXI-B OF THE ACT
2 OF JULY 28, 1953 (P.L.723, NO.230), KNOWN AS THE SECOND CLASS
3 COUNTY CODE, TO THE CONTRARY, A SALE AT RETAIL SHALL BE DEEMED
4 CONSUMMATED AT THE SAME LOCATION THAT IT IS DEEMED TO BE
5 CONSUMMATED FOR PURPOSES OF ARTICLE II OF THE ACT OF MARCH 4,
6 1971 (P.L.6, NO.2), KNOWN AS THE TAX REFORM CODE OF 1971, EXCEPT
7 AS OTHERWISE PROVIDED IN ARTICLE II-A OF THE TAX REFORM CODE OF
8 1971.

9 SECTION 8045. NET INCOME.

10 (A) NET INCOME.--NOTWITHSTANDING THE DEFINITION OF "NET
11 INCOME" IN SECTION 2 OF THE ACT OF MAY 30, 1984 (P.L.345,
12 NO.69), KNOWN AS THE FIRST CLASS CITY BUSINESS TAX REFORM ACT,
13 FOR PURPOSES OF CALCULATING NET INCOME TO DETERMINE BUSINESS
14 INCOME AND RECEIPTS TAX LIABILITY IN A CITY OF THE FIRST CLASS,
15 NET INCOME HAS THE SAME MEANING AS TAXABLE INCOME UNDER SECTIONS
16 216 AND 217, WITH RESPECT TO THE TREATMENT OF ANY OF THE
17 FOLLOWING:

18 (1) RESEARCH AND EXPERIMENTAL EXPENDITURES UNDER 26
19 U.S.C. § 59(E) (RELATING TO OTHER DEFINITIONS AND SPECIAL
20 RULES), 174 (RELATING TO AMORTIZATION OF RESEARCH AND
21 EXPERIMENTAL EXPENDITURES), 174A (RELATING TO DOMESTIC
22 RESEARCH OR EXPERIMENTAL EXPENDITURES) OR 481 (RELATING TO
23 ADJUSTMENTS REQUIRED BY CHANGES IN METHOD OF ACCOUNTING).

24 (2) EXPENSES FOR QUALIFIED PRODUCTION PROPERTY UNDER 26
25 U.S.C. § 168(N) (RELATING TO ACCELERATED COST RECOVERY
26 SYSTEM).

27 (3) INTEREST DEDUCTIONS UNDER 26 U.S.C. § 163(J)
28 (RELATING TO INTEREST).

29 (B) TAXABLE INCOME.--FOR PURPOSES OF APPLYING SECTIONS 216
30 AND 217 UNDER SUBSECTION (A), A REFERENCE TO TAXABLE INCOME

1 SHALL BE DEEMED TO BE A REFERENCE TO NET INCOME TO DETERMINE
2 BUSINESS INCOME AND RECEIPTS TAX LIABILITY IN A CITY OF THE
3 FIRST CLASS.

4 (C) APPLICATION OF MODIFICATION.--A MODIFICATION AFTER THE
5 EFFECTIVE DATE OF THIS SUBSECTION TO THE CALCULATION OF TAXABLE
6 INCOME UNDER ARTICLE IV OF THE ACT OF MARCH 4, 1971 (P.L.6,
7 NO.2), KNOWN AS THE TAX REFORM CODE OF 1971, THAT REQUIRES AN
8 ADDITION, DEDUCTION, EXCLUSION OR OTHER ADJUSTMENT TO ACCOUNT
9 FOR A PROVISION OF 26 U.S.C. (RELATING TO INTERNAL REVENUE CODE)
10 AND TO PREVENT A REDUCTION IN REVENUE TO THE COMMONWEALTH, SHALL
11 APPLY TO THE CALCULATION OF NET INCOME TO DETERMINE BUSINESS
12 INCOME AND RECEIPTS TAX LIABILITY IN A CITY OF THE FIRST CLASS.
13 FOR PURPOSES OF APPLYING A MODIFICATION UNDER THIS SUBSECTION, A
14 REFERENCE TO TAXABLE INCOME SHALL BE DEEMED TO BE A REFERENCE TO
15 NET INCOME TO DETERMINE BUSINESS INCOME AND RECEIPTS TAX
16 LIABILITY IN A CITY OF THE FIRST CLASS.

17 SECTION 32.1. ARTICLE LXXX IS AMENDED BY ADDING SUBARTICLES
18 TO READ:

19 SUBARTICLE F

20 (RESERVED)

21 SUBARTICLE G

22 HOUSING

23 SECTION 8061. TRACKING SYSTEM FOR PUBLICLY FINANCED HOUSING.

24 (A) ESTABLISHMENT.--NO LATER THAN DECEMBER 31, 2027, THE
25 AGENCY SHALL POST TO ITS PUBLICLY ACCESSIBLE INTERNET WEBSITE A
26 SEARCHABLE DATABASE OF ALL PUBLICLY FINANCED RENTAL HOUSING
27 SUBJECT TO ONE OR MORE PUBLIC ASSISTANCE PROGRAMS ADMINISTERED
28 BY THE AGENCY. TO THE EXTENT DATA IS AVAILABLE AND PERMITTED TO
29 BE SHARED UNDER FEDERAL LAW, REGULATION OR CONTRACT, THE
30 DATABASE SHALL INCLUDE ALL OF THE FOLLOWING:

1 (1) THE ADDRESS OF THE PROPERTY.

2 (2) THE ANTICIPATED DATE ON WHICH THE AFFORDABILITY
3 RESTRICTIONS AFFECTING THE PROPERTY MAY TERMINATE. IN THE
4 EVENT THAT A PROPERTY IS SUBJECT TO MULTIPLE AFFORDABILITY
5 RESTRICTIONS UNDER ONE OR MORE PUBLIC ASSISTANCE PROGRAMS,
6 THE ANTICIPATED TERMINATION DATE FOR EACH AFFORDABILITY
7 RESTRICTION SHALL BE INCLUDED.

8 (3) INFORMATION AS TO WHETHER THE PUBLIC ASSISTANCE
9 PROGRAM OR PROGRAMS AFFECTING THE PROPERTY ALLOW THE OWNER TO
10 ELECT TO KEEP THE PROPERTY IN THE PROGRAM OR PROGRAMS AFTER
11 THE ANTICIPATED TERMINATION DATE OF AFFORDABILITY
12 RESTRICTIONS RELATING TO THE PROGRAM OR PROGRAMS.

13 (4) INFORMATION REGARDING WHETHER THE PROPERTY HAS BEEN
14 GRANTED AN EXTENSION OR MODIFICATION OF THE AFFORDABILITY
15 RESTRICTIONS AFFECTING THE PROPERTY AND THE NEW ANTICIPATED
16 TERMINATION DATE OF THE AFFORDABILITY RESTRICTIONS RESULTING
17 FROM THE EXTENSION OR MODIFICATION.

18 (5) ANY OTHER INFORMATION THAT THE AGENCY DEEMS
19 RELEVANT.

20 (B) MAINTENANCE.--SUBJECT TO THE AVAILABILITY OF DATA, THE
21 AGENCY SHALL MAINTAIN THE DATABASE REQUIRED UNDER SUBSECTION (A)
22 AND UPDATE THE CONTENTS, INCLUDING ANY UPDATES PROVIDED BY A
23 LOCAL HOUSING AGENCY UNDER SUBSECTION (D), NO LATER THAN
24 DECEMBER 31, 2027, AND EACH DECEMBER 31 THEREAFTER.

25 (C) REPORTS.--BY DECEMBER 31 OF EACH YEAR FOLLOWING THE
26 IMPLEMENTATION OF THE TRACKING SYSTEM ESTABLISHED UNDER
27 SUBSECTION (A), THE AGENCY SHALL SUBMIT A REPORT TO THE GOVERNOR
28 AND THE GENERAL ASSEMBLY, WHICH SHALL INCLUDE AGGREGATE DATA FOR
29 THE NEXT THREE CALENDAR YEARS FOR EACH PUBLICLY FINANCED RENTAL
30 HOUSING PROPERTY. THE AGENCY MAY INCLUDE ANY OTHER INFORMATION

1 THAT THE AGENCY DEEMS RELEVANT.

2 (D) DELIVERY.--TO THE EXTENT PERMITTED BY FEDERAL, STATE OR
3 LOCAL LAW OR REGULATION, A LOCAL HOUSING AGENCY MAY DELIVER TO
4 THE AGENCY ALL OF THE INFORMATION REQUIRED UNDER SUBSECTION (A)
5 WITH RESPECT TO EACH PUBLICLY FINANCED RENTAL PROPERTY OWNED OR
6 OPERATED BY THE LOCAL HOUSING AGENCY. FOLLOWING THE
7 IMPLEMENTATION OF THE TRACKING SYSTEM UNDER SUBSECTION (A), A
8 LOCAL HOUSING AGENCY THAT ELECTS TO DELIVER THE INFORMATION
9 DESCRIBED IN THIS SUBSECTION SHALL DELIVER THE INFORMATION TO
10 THE AGENCY NO LATER THAN OCTOBER 1, 2027, AND EACH OCTOBER 1
11 THEREAFTER. THE AGENCY SHALL INCORPORATE ALL INFORMATION
12 DELIVERED UNDER THIS SUBSECTION IN THE PUBLICLY ACCESSIBLE
13 DATABASE REQUIRED UNDER SUBSECTION (A) AND IN ALL REPORTS
14 REQUIRED UNDER SUBSECTION (C).

15 (E) THIRD PARTY.--THE AGENCY MAY PARTNER WITH A THIRD-PARTY
16 ENTITY TO ASSIST WITH THE REQUIREMENTS OF THIS SUBARTICLE.

17 (F) 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 "AFFORDABILITY RESTRICTION." A LIMIT ON RENT THAT AN OWNER
21 MAY CHARGE FOR OCCUPANCY OF A RENTAL UNIT IN A PUBLICLY FINANCED
22 RENTAL HOUSING DEVELOPMENT OR A LIMIT ON TENANT INCOME FOR
23 PERSONS OR FAMILIES SEEKING TO QUALIFY FOR ADMISSION TO A
24 PUBLICLY FINANCED RENTAL HOUSING DEVELOPMENT.

25 "AGENCY." THE PENNSYLVANIA HOUSING FINANCE AGENCY.

26 "LOCAL HOUSING AGENCY." AN ENTITY CREATED AND ORGANIZED FOR
27 THE PURPOSE OF OWNING, OPERATING, FINANCING OR ADMINISTERING ONE
28 OR MORE PUBLICLY FINANCED RENTAL HOUSING PROJECTS.

29 "OWNER." A NATURAL PERSON, FIRM, PARTNERSHIP, CORPORATION,
30 TRUST, ORGANIZATION, LIMITED LIABILITY COMPANY OR OTHER ENTITY,

1 OR ITS SUCCESSORS OR ASSIGNS, THAT HOLDS TITLE TO PUBLICLY
2 FINANCED RENTAL HOUSING.

3 "PUBLICLY FINANCED RENTAL HOUSING." A RESIDENTIAL RENTAL
4 DEVELOPMENT WITH FIVE OR MORE UNITS OF HOUSING THAT RECEIVES
5 GOVERNMENT ASSISTANCE FROM ANY OF THE FOLLOWING:

6 (1) UNITED STATES HOUSING AND URBAN DEVELOPMENT PROJECT
7 BASED RENTAL ASSISTANCE UNDER 42 U.S.C. CH. 8 SUBCH. I
8 (RELATING TO GENERAL PROGRAM OF ASSISTED HOUSING).

9 (2) A DIRECT LOAN AUTHORIZED UNDER 12 U.S.C. § 1701Q
10 (RELATING TO SUPPORTIVE HOUSING FOR THE ELDERLY).

11 (3) A MORTGAGE LOAN ON PUBLICLY FINANCED RENTAL HOUSING
12 INSURED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN
13 DEVELOPMENT.

14 (4) THE FEDERAL LOW-INCOME HOUSING TAX CREDIT PROGRAM
15 PROVIDED UNDER 26 U.S.C. § 42 (RELATING TO LOW-INCOME HOUSING
16 CREDIT).

17 (5) A RURAL HOUSING LOAN MADE UNDER 42 U.S.C. §§ 1484
18 (RELATING TO INSURANCE OF LOANS FOR HOUSING AND RELATED
19 FACILITIES FOR DOMESTIC FARM LABOR) AND 1485 (RELATING TO
20 HOUSING AND RELATED FACILITIES FOR ELDERLY PERSONS AND
21 FAMILIES OR OTHER PERSONS AND FAMILIES OF LOW INCOME).

22 (6) A RURAL DEVELOPMENT PROJECT UNDER 42 U.S.C. § 1490P-
23 2 (RELATING TO LOAN GUARANTEES FOR MULTIFAMILY RENTAL HOUSING
24 IN RURAL AREAS).

25 (7) PUBLIC HOUSING ESTABLISHED UNDER 42 U.S.C. CH. 8
26 (RELATING TO LOW-INCOME HOUSING).

27 (8) PROJECT-BASED RENTAL ASSISTANCE ISSUED BY THE UNITED
28 STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

29 (9) THE NATIONAL HOUSING TRUST FUND ESTABLISHED UNDER 12
30 U.S.C. § 4568 (RELATING TO HOUSING TRUST FUND).

1 (10) THE AFFORDABLE HOUSING TAX CREDIT PROVIDED UNDER
2 ARTICLE XVI-W.1.

3 (11) ANY OTHER RESIDENTIAL RENTAL DEVELOPMENT THE AGENCY
4 MAY CHOOSE TO BE DESIGNED AS RECEIVING GOVERNMENT ASSISTANCE.

5 "TENANT." A PERSON ENTITLED TO POSSESSION OR OCCUPANCY OF A
6 RENTAL UNIT IN PUBLICLY FINANCED RENTAL HOUSING, INCLUDING A
7 SUBTENANT, LESSEE OR SUBLESSEE.

8 "TERMINATION." THE CESSATION, DISCHARGE OR REMOVAL OF AN
9 AFFORDABILITY RESTRICTION AFFECTING PUBLICLY FINANCED RENTAL
10 HOUSING IN THE ABSENCE OF A SIMULTANEOUS REPLACEMENT OF THAT
11 RESTRICTION WITH AN EQUIVALENT AFFORDABILITY RESTRICTION,
12 INCLUDING:

13 (1) NONRENEWAL OR TERMINATION, IN WHOLE OR IN PART, OF A
14 GOVERNMENT PROGRAM CONTRACT.

15 (2) THE EXPIRATION, IN WHOLE OR IN PART, OF AN
16 AFFORDABILITY RESTRICTION UNDER A GOVERNMENT PROGRAM OR THE
17 REQUIREMENT TO RENEW THE RESTRICTION.

18 (3) PAYMENT IN FULL OF A GOVERNMENT PROGRAM MORTGAGE
19 LOAN.

20 (4) PREPAYMENT OF A GOVERNMENT PROGRAM MORTGAGE LOAN.

21 SECTION 33. THE PROVISIONS OF 25 PA. CODE § 287.101(B)(2)
22 (RELATING TO GENERAL REQUIREMENTS FOR PERMIT) ARE ABROGATED.

23 SECTION 34. REPEALS ARE AS FOLLOWS:

24 (1) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER
25 PARAGRAPH (2) IS NECESSARY TO EFFECTUATE THE AMENDMENT OF
26 SECTION 1604-T OF THE ACT.

27 (2) SECTION 602 OF THE ACT OF JUNE 13, 1967 (P.L.31,
28 NO.21), KNOWN AS THE HUMAN SERVICES CODE, IS REPEALED TO THE
29 EXTENT INCONSISTENT WITH THE AMENDMENT OF SECTION 1604-T OF
30 THE ACT.

1 (3) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER
2 PARAGRAPH (4) IS NECESSARY TO EFFECTUATE THE ADDITION OF
3 SUBARTICLE G OF ARTICLE XVII-A.2 OF THE ACT.

4 (4) THE ACT OF APRIL 4, 1929 (P.L.160, NO.155), REFERRED
5 TO AS THE MIDWIFE REGULATION LAW, IS REPEALED.

6 SECTION 35. THE FOLLOWING SHALL APPLY:

7 (1) THE AMENDMENT TO SECTION 1603-T(A) SHALL APPLY TO
8 MA-11 COST REPORTS SUBMITTED BY COUNTY AND NONPUBLIC NURSING
9 FACILITIES FOR REPORTING PERIODS ENDING ON OR AFTER JUNE 30,
10 2026.

11 (2) THE ADDITION OF SECTION 8043 OF THE ACT SHALL APPLY
12 TO TAX YEARS BEGINNING AFTER DECEMBER 31, 2025.

13 (3) THE ADDITION OF SECTION 8044 OF THE ACT SHALL APPLY
14 TO TAX YEARS BEGINNING AFTER DECEMBER 31, 2025.

15 (4) THE ADDITION OF SECTION 8045 OF THE ACT SHALL APPLY
16 TO TAX YEARS BEGINNING AFTER DECEMBER 31, 2024.

17 (5) THE PROVISIONS OF SECTION 615-B(H) AND (I) OF THE
18 ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS THE
19 ADMINISTRATIVE CODE OF 1929, ARE SUSPENDED FOR THE PURPOSE OF
20 CONSIDERING THIS BILL AND ALL AMENDMENTS TO IT.

21 SECTION 36. RETROACTIVITY IS AS FOLLOWS:

22 (1) THE AMENDMENT OF SECTION 1602-T(1)(I)(A) AND 1603-
23 T(A) OF THE ACT SHALL APPLY RETROACTIVELY TO JUNE 29, 2026.

24 (2) THE AMENDMENT OF SECTION 1753.2-E(B.1) OF THE ACT
25 SHALL APPLY RETROACTIVELY TO JANUARY 26, 2026.

26 SECTION 37. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

27 (1) THE ADDITION OF SECTIONS 1312, 1313, 1314, 1315,
28 1316 AND 1317 OF THE ACT AND SECTION 33 OF THIS ACT SHALL
29 TAKE EFFECT UPON PUBLICATION IN THE PENNSYLVANIA BULLETIN OF
30 THE FINAL-FORM REGULATIONS PROMULGATED UNDER SECTION 1311(A)

1 OF THE ACT.

2 (2) THE ADDITION OF SECTIONS 1322, 1323 AND 1324 OF THE
3 ACT SHALL TAKE EFFECT UPON THE PUBLICATION IN THE
4 PENNSYLVANIA BULLETIN OF THE TEMPORARY REGULATIONS
5 PROMULGATED UNDER SECTION 1325 OF THE ACT OR UPON PUBLICATION
6 IN THE PENNSYLVANIA BULLETIN OF THE FINAL-FORM REGULATIONS
7 PROMULGATED UNDER SECTION 1321(A)(2) OF THE ACT, WHICHEVER IS
8 EARLIER.

9 (3) THE ADDITION OF SECTIONS 1331, 1332, 1333, 1334 AND
10 1335 OF THE ACT SHALL TAKE EFFECT ON THE EARLIER OF A
11 PUBLICATION UNDER PARAGRAPH (1) OR (2).

12 (4) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT
13 IMMEDIATELY.