

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 859 Session of 2019

INTRODUCED BY BARRAR, SAINATO, DeLUCA, FARRY, GILLEN, HILL- EVANS, JAMES, MILLARD, NEILSON, PICKETT, QUINN, READSHAW, RYAN, SAYLOR, WHEELAND, ZIMMERMAN, KORTZ AND DELLOSO, MARCH 18, 2019

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, OCTOBER 22, 2019

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, in 911 emergency communication
3 services, further providing for counties DEFINITIONS, FOR <--
4 TELECOMMUNICATIONS MANAGEMENT, FOR COUNTIES, FOR FUND, FOR <--
5 TELEPHONE RECORDS, for inventory and for termination OF <--
6 CHAPTER.; AND PROVIDING FOR NONPROFIT SECURITY GRANT FUND. <--

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

9 Section 1. Sections 5304(c), 5314(a) and (c) and 5398 of <--
10 Title 35 of the Pennsylvania Consolidated Statutes are amended <--
11 to read:

12 § 5304. Counties.

13 * * *

14 SECTION 1. THE DEFINITIONS OF "911 SYSTEM" AND "PUBLIC <--
15 SAFETY ANSWERING POINT" OR "PSAP" IN SECTION 5302 OF TITLE 35 OF <--
16 THE PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED TO READ:

17 § 5302. DEFINITIONS.

18 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER

1 ~~SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE~~
2 ~~CONTEXT CLEARLY INDICATES OTHERWISE:~~

3 * * *

4 ~~"911 SYSTEM." A SYSTEM CAPABLE OF RECEIVING AND PROCESSING A~~
5 ~~911 COMMUNICATION THROUGHOUT A DEFINED GEOGRAPHIC AREA. THE TERM~~
6 ~~SHALL INCLUDE A [CITY,] COUNTY[,] OR COUNTY BASED REGIONAL 911~~
7 ~~SYSTEM OR A PSAP.~~

8 * * *

9 ~~"PUBLIC SAFETY ANSWERING POINT" OR "PSAP." THE AGENCY~~
10 ~~APPROVED ENTITY THAT RECEIVES 911 COMMUNICATIONS FROM A DEFINED~~
11 ~~GEOGRAPHIC AREA AND PROCESSES THOSE CALLS ACCORDING TO A~~
12 ~~SPECIFIC OPERATIONAL POLICY. THE TERM SHALL REFER TO A COUNTY OR~~
13 ~~COUNTY BASED REGIONAL 911 SYSTEM.~~

14 * * *

15 ~~SECTION 2. SECTION 5303(A) (15) AND (B) (1), (3) AND (4) OF~~
16 ~~TITLE 35 ARE AMENDED TO READ:~~

17 ~~§ 5303. TELECOMMUNICATIONS MANAGEMENT.~~

18 ~~(A) POWERS AND DUTIES OF AGENCY. THE AGENCY SHALL HAVE THE~~
19 ~~FOLLOWING POWERS AND DUTIES:~~

20 * * *

21 ~~(15) TO ADOPT, IN CONSULTATION WITH THE BOARD, MINIMUM~~
22 ~~TRAINING [AND] CERTIFICATION AND QUALITY ASSURANCE STANDARDS~~
23 ~~FOR EMERGENCY DISPATCHERS, CALL TAKERS AND SUPERVISORS.~~

24 * * *

25 ~~(B) ESTABLISHMENT OF 911 BOARD. THERE IS ESTABLISHED A~~
26 ~~BOARD WITHIN THE AGENCY TO BE KNOWN AS THE 911 BOARD. THE BOARD~~
27 ~~SHALL BE COMPRISED OF THE FOLLOWING:~~

28 ~~(1) THE FOLLOWING STATE OFFICIALS, WHO SHALL SERVE AS~~
29 ~~VOTING MEMBERS:~~

30 ~~(I) THE DIRECTOR OF THE AGENCY, WHO SHALL ACT AS~~

1 CHAIRPERSON.

2 ~~(II) THE STATE 911 COORDINATOR.~~

3 ~~(III) THE COMMISSIONER OF THE PENNSYLVANIA STATE~~
4 ~~POLICE.~~

5 ~~(IV) THE CHAIRMAN OF THE VETERANS AFFAIRS AND~~
6 ~~EMERGENCY PREPAREDNESS COMMITTEE OF THE SENATE.~~

7 ~~(V) THE MINORITY CHAIRMAN OF THE VETERANS AFFAIRS~~
8 ~~AND EMERGENCY PREPAREDNESS COMMITTEE OF THE SENATE.~~

9 ~~(VI) THE CHAIRMAN OF THE VETERANS AFFAIRS AND~~
10 ~~EMERGENCY PREPAREDNESS COMMITTEE OF THE HOUSE OF~~
11 ~~REPRESENTATIVES.~~

12 ~~(VII) THE MINORITY CHAIRMAN OF THE VETERANS AFFAIRS~~
13 ~~AND EMERGENCY PREPAREDNESS COMMITTEE OF THE HOUSE OF~~
14 ~~REPRESENTATIVES.~~

15 ~~(VIII) THE STATE FIRE COMMISSIONER.~~

16 ~~(IX) THE CHAIRPERSON OF THE STATE GEOSPATIAL~~
17 ~~COORDINATING BOARD.~~

18 * * *

19 ~~(3) A REPRESENTATIVE FROM THE FOLLOWING STATE AGENCIES,~~
20 ~~WHO SHALL SERVE AS NONVOTING MEMBERS, TO BE APPOINTED BY THE~~
21 ~~CHIEF EXECUTIVE OR ADMINISTRATIVE OFFICER OF EACH AGENCY:~~

22 ~~(I) THE PENNSYLVANIA PUBLIC UTILITY COMMISSION.~~

23 ~~[(II) THE OFFICE OF THE STATE FIRE COMMISSIONER.]~~

24 ~~(III) THE GOVERNOR'S OFFICE OF ADMINISTRATION.~~

25 ~~(4) A REPRESENTATIVE FROM THE FOLLOWING STATEWIDE~~
26 ~~ASSOCIATIONS, WHO SHALL SERVE AS NONVOTING MEMBERS:~~

27 ~~(I) THE PENNSYLVANIA CHIEFS OF POLICE ASSOCIATION.~~

28 ~~(II) THE FRATERNAL ORDER OF POLICE.~~

29 ~~(III) THE PENNSYLVANIA EMERGENCY HEALTH SERVICES~~
30 ~~COUNCIL.~~

1 ~~(IV) THE PENNSYLVANIA FIRE AND EMERGENCY SERVICES~~
2 ~~INSTITUTE.~~

3 ~~(V) THE ASSOCIATION OF PUBLIC SAFETY COMMUNICATIONS~~
4 ~~OFFICIALS.~~

5 ~~(VI) THE PENNSYLVANIA CHAPTER OF THE NATIONAL~~
6 ~~EMERGENCY NUMBER ASSOCIATION.~~

7 ~~(VII) THE KEYSTONE EMERGENCY MANAGEMENT ASSOCIATION.~~

8 ~~(VIII) THE PENNSYLVANIA PROFESSIONAL FIRE FIGHTERS~~
9 ~~ASSOCIATION.~~

10 ~~(IX) THE FIREMEN'S ASSOCIATION OF THE STATE OF~~
11 ~~PENNSYLVANIA.~~

12 ~~(X) THE PENNSYLVANIA WIRELESS ASSOCIATION.~~

13 ~~(XI) THE PENNSYLVANIA TELEPHONE ASSOCIATION.~~

14 ~~(XII) THE BROADBAND CABLE ASSOCIATION OF~~
15 ~~PENNSYLVANIA.~~

16 ~~(XIII) THE PENNSYLVANIA MUNICIPAL LEAGUE.~~

17 ~~(XIV) THE PENNSYLVANIA STATE ASSOCIATION OF~~
18 ~~BOROUGHES.~~

19 ~~(XV) THE PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP~~
20 ~~SUPERVISORS.~~

21 ~~(XVI) THE PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP~~
22 ~~COMMISSIONERS.~~

23 ~~(XVII) THE AMBULANCE ASSOCIATION OF PENNSYLVANIA.~~

24 ~~(XVIII) THE PENNSYLVANIA ASSOCIATION OF COUNCILS OF~~
25 ~~GOVERNMENTS.~~

26 * * *

27 ~~SECTION 3. SECTION 5304(C) OF TITLE 35 IS AMENDED AND~~
28 ~~SUBSECTION (A) IS AMENDED BY ADDING A PARAGRAPH TO READ:~~
29 ~~§ 5304. COUNTIES.~~

30 ~~(A) POWERS AND DUTIES. EACH COUNTY SHALL HAVE THE FOLLOWING~~

1 ~~POWERS AND DUTIES IN RELATION TO A 911 SYSTEM:~~

2 ~~* * *~~

3 ~~(10) TO MAKE REASONABLE EFFORTS TO ENSURE REQUIRED~~
4 ~~GEOGRAPHIC INFORMATION SYSTEM (GIS) INFORMATION IS AVAILABLE~~
5 ~~AND MAINTAINED TO SUPPORT NEXT GENERATION 911 CALL DELIVERY.~~

6 ~~THE FOLLOWING APPLY:~~

7 ~~(I) COUNTIES MUST COOPERATE WITH EACH OTHER TO~~
8 ~~DEVELOP THE PSAP BOUNDARY, EMERGENCY SERVICE BOUNDARY,~~
9 ~~PROVISIONING BOUNDARY AND ROAD CENTERLINE DATA SETS.~~

10 ~~(II) COUNTIES SHALL SHARE GIS DATA NEEDED TO SUPPORT~~
11 ~~GEOSPATIAL CALL ROUTING.~~

12 ~~{(c) Cities of second class, second class A and third~~
13 ~~class. A city of the second class, second class A or third~~
14 ~~class that has established a 911 system prior to September 4,~~
15 ~~1990, may exercise the powers and duties of counties under this~~
16 ~~chapter or may join a county or regional PSAP.}~~

17 ~~SECTION 4. SECTIONS 5306.1(D) (2), 5309(A), 5314(A) AND (C) <--~~
18 ~~AND 5398 OF TITLE 35 ARE AMENDED TO READ:~~

19 ~~§ 5306.1. FUND.~~

20 ~~* * *~~

21 ~~(D) DISTRIBUTION. WITHIN 30 DAYS AFTER THE END OF EACH~~
22 ~~QUARTER, THE AGENCY SHALL DETERMINE THE AMOUNT AVAILABLE FROM~~
23 ~~THE FUND FOR DISTRIBUTION AND MAKE DISBURSEMENTS IN ACCORDANCE~~
24 ~~WITH THE STATEWIDE 911 PLAN AND THIS CHAPTER AND IN ACCORDANCE~~
25 ~~WITH THE FOLLOWING:~~

26 ~~* * *~~

27 ~~(2) UP TO 15% OF THE AMOUNT IN THE FUND SHALL BE USED BY~~
28 ~~THE AGENCY TO ESTABLISH, ENHANCE, OPERATE OR MAINTAIN~~
29 ~~STATEWIDE INTERCONNECTIVITY OF 911 SYSTEMS, INCLUDING, BUT~~
30 ~~NOT LIMITED TO, THE USE OR OBLIGATIONS OF MONEY FOR DEBT~~

~~SERVICE RELATED TO REGIONAL OR STATEWIDE INTERCONNECTIVITY.
MONEY UNDER THIS PARAGRAPH MAY ALSO BE USED TO PURCHASE A
STATEWIDE SYSTEM DESIGNED TO ALLOW INDIVIDUALS TO IDENTIFY
THEIR PHONE NUMBERS AS ASSOCIATED WITH A PERSON WITH A
PHYSICAL DISABILITY, SO THAT WHEN AN INDIVIDUAL MAKES A 911
CALL, THE PSAP HAS THIS INFORMATION.~~

~~* * *~~

~~§ 5309. TELEPHONE RECORDS.~~

~~(A) ACCESS. A TELEPHONE SERVICE SUPPLIER SHALL PROVIDE
CUSTOMER TELEPHONE NUMBERS, NAMES AND SERVICE ADDRESSES TO PSAPS
WHEN REQUESTED BY THEM FOR USE IN RESPONDING TO 911 CALLS AND
FOR THE SYNCHRONIZATION OF REQUIRED GEOGRAPHIC INFORMATION
SYSTEM (GIS) DATABASE LAYERS FOR GEOSPATIAL CALL ROUTING WITH
THE MASTER STREET ADDRESS GUIDE, THE ALI DATA AND SITE AND
STRUCTURE LOCATIONS AND, WHEN REQUIRED, TO PROVIDERS OF
EMERGENCY NOTIFICATION SERVICES AND EMERGENCY SUPPORT SERVICES,
SOLELY FOR THE PURPOSES OF DELIVERING OR ASSISTING IN THE
DELIVERY OF EMERGENCY NOTIFICATION SERVICES AND EMERGENCY
SUPPORT SERVICES. A WIRELESS PROVIDER SHALL PROVIDE THE
TELEPHONE NUMBER AND GEOGRAPHICAL LOCATION OF THE WIRELESS
DEVICE, AS REQUIRED UNDER THE FCC E 911 ORDER, TO PSAPS WHEN
REQUESTED BY THEM FOR USE IN RESPONDING TO 911 CALLS. CUSTOMER
TELEPHONE NUMBERS, NAMES AND SERVICE ADDRESSES, AND TELEPHONE
NUMBERS AND GEOGRAPHICAL LOCATIONS OF WIRELESS DEVICES, SHALL
REMAIN THE PROPERTY OF THE DISCLOSING SERVICE SUPPLIER. THE
TOTAL COST OF THE 911 SYSTEM SHALL INCLUDE EXPENSES TO REIMBURSE
TELEPHONE SERVICE SUPPLIERS FOR PROVIDING AND MAINTAINING 911
INFORMATION. A TELEPHONE SERVICE SUPPLIER SHALL NOT BE
REIMBURSED DIRECTLY FROM THE FUND FOR PROVIDING AND MAINTAINING
911 INFORMATION. THIS INFORMATION SHALL BE USED ONLY IN~~

1 ~~PROVIDING EMERGENCY RESPONSE SERVICES TO A 911 CALL,~~
2 ~~SYNCHRONIZING MASTER STREET ADDRESS GUIDE, ALI AND GIS DATA SETS~~
3 ~~OR FOR PURPOSES OF DELIVERING OR ASSISTING IN THE DELIVERY OF~~
4 ~~EMERGENCY NOTIFICATION SERVICES OR EMERGENCY SUPPORT SERVICES. A~~
5 ~~PERSON WHO USES OR DISCLOSES ANI/ALI DATABASE INFORMATION FOR~~
6 ~~PURPOSES OTHER THAN PROVIDING EMERGENCY RESPONSE SERVICES TO A~~
7 ~~911 CALL, DELIVERING OR ASSISTING IN THE DELIVERY OF EMERGENCY~~
8 ~~NOTIFICATION SERVICES COMMITS A MISDEMEANOR OF THE THIRD DEGREE.~~

9 * * *

10 ~~§ 5314. Inventory.~~

11 ~~(a) Comprehensive inventory required. The agency, in~~
12 ~~consultation with the board, shall [conduct] maintain and update~~
13 ~~on a biennial basis a comprehensive inventory of each county~~
14 ~~PSAP's facilities, hardware, software, communications~~
15 ~~infrastructure, network capabilities and related equipment and~~
16 ~~services procured to determine the status of each PSAP's 911~~
17 ~~system's stage of advancement to NG911.~~

18 * * *

19 ~~(c) Counties to cooperate. Counties shall cooperate with~~
20 ~~the agency by providing the information identified in this~~
21 ~~section and other information deemed necessary by the agency to~~
22 ~~complete an inventory as required under subsection (a). Counties~~
23 ~~that do not provide the information requested by the agency~~
24 ~~within 45 days of the request shall be suspended from any grant~~
25 ~~or funding program or be required to forfeit fund disbursements.~~
26 ~~{The agency, in consultation with the board and the Governor's~~
27 ~~Interoperability Council, shall complete the inventory and issue~~
28 ~~a report detailing its findings and recommendations to the~~
29 ~~General Assembly by March 31, 2016. The agency shall be~~
30 ~~responsible for maintaining and updating the inventory on a~~

1 ~~biannual basis.]~~

2 ~~§ 5398. Termination.~~

3 ~~This chapter shall expire [June 30, [2019] 2023 JANUARY 31, <--~~
4 ~~2024.~~

5 SECTION 1. SECTION 5303(A) OF TITLE 35 OF THE PENNSYLVANIA <--
6 CONSOLIDATED STATUTES IS AMENDED TO READ:

7 § 5303. TELECOMMUNICATIONS MANAGEMENT.

8 (A) POWERS AND DUTIES OF AGENCY.--THE AGENCY SHALL HAVE THE
9 FOLLOWING POWERS AND DUTIES:

10 (1) TO ADOPT RULES AND REGULATIONS AS NECESSARY TO
11 ENFORCE THIS CHAPTER. RULES AND REGULATIONS PROPOSED UNDER
12 THE AUTHORITY OF THIS SECTION SHALL BE SUBJECT TO REVIEW BY
13 THE GENERAL COUNSEL AND THE ATTORNEY GENERAL IN THE MANNER
14 PROVIDED FOR THE REVIEW OF PROPOSED RULES AND REGULATIONS
15 PURSUANT TO THE ACT OF OCTOBER 15, 1980 (P.L.950, NO.164),
16 KNOWN AS THE COMMONWEALTH ATTORNEYS ACT, AND THE ACT OF JUNE
17 25, 1982 (P.L.633, NO.181), KNOWN AS THE REGULATORY REVIEW
18 ACT.

19 (2) TO PUBLISH GUIDELINES AND APPLICATION PROCEDURES FOR
20 THE COLLECTION AND DISTRIBUTION OF FEES COLLECTED UNDER THIS
21 CHAPTER.

22 (3) TO RECEIVE, REVIEW AND APPROVE OR DISAPPROVE ALL 911
23 SYSTEM PLANS IN ACCORDANCE WITH STANDARDS DEVELOPED IN
24 CONSULTATION WITH THE BOARD.

25 (4) TO ESTABLISH, IN CONSULTATION WITH THE BOARD, A
26 STATEWIDE 911 PLAN THAT SETS FORTH PRIORITIES FOR 911 SYSTEMS
27 IN THIS COMMONWEALTH AND PLANS FOR NEXT GENERATION 911
28 TECHNOLOGY.

29 (5) TO DESIGNATE A STATE 911 COORDINATOR WHO SHALL BE AN
30 EMPLOYEE OF THE AGENCY.

1 (6) TO PROVIDE ADMINISTRATIVE AND SUPPORT STAFF TO THE
2 BOARD AS NECESSARY.

3 (7) TO ESTABLISH FORMULAS AND METHODS TO DISTRIBUTE
4 MONEY IN ACCORDANCE WITH SECTION 5306.1 (RELATING TO FUND) IN
5 CONSULTATION WITH THE BOARD.

6 (8) TO ESTABLISH AND PUBLISH ANNUALLY UNIFORM STANDARDS
7 RELATING TO TECHNOLOGY, NEXT GENERATION 911 TECHNOLOGY,
8 ADMINISTRATION AND OPERATION OF 911 SYSTEMS IN CONSULTATION
9 WITH THE BOARD.

10 (9) TO COOPERATE WITH COUNTY AND REGIONAL 911 SYSTEMS TO
11 DEVELOP INTERCONNECTIVITY OF 911 SYSTEMS THROUGH THE
12 ESTABLISHMENT, ENHANCEMENT, OPERATION AND MAINTENANCE OF AN
13 INTERNET PROTOCOL NETWORK.

14 (10) TO ESTABLISH AND PUBLISH ANNUALLY, IN CONSULTATION
15 WITH THE BOARD, ELIGIBLE USES FOR MONEY RECEIVED UNDER THIS
16 CHAPTER, INCLUDING NEXT GENERATION 911 TECHNOLOGY.

17 (11) TO REQUEST INFORMATION AND REQUIRE AUDITS OR
18 REPORTS RELATING TO PROGRAM COMPLIANCE FROM ANY ENTITY
19 REMITTING THE SURCHARGE TO OR RECEIVING DISBURSEMENTS FROM
20 THE FUND.

21 (11.1) TO SUBPOENA WITNESSES, ADMINISTER OATHS, EXAMINE
22 WITNESSES, TAKE SUCH TESTIMONY AND COMPEL THE PRODUCTION OF
23 SUCH BOOKS, RECORDS, PAPERS AND DOCUMENTS AS IT MAY DEEM
24 NECESSARY OR PROPER IN AND PERTINENT TO ANY PROCEEDING,
25 INVESTIGATION OR HEARING.

26 (12) TO REQUIRE A BIENNIAL PERFORMANCE AUDIT OF EACH 911
27 SYSTEM'S USE OF MONEY FROM THE FUND, INCLUDING ALLOCATIONS TO
28 CAPITAL OR OPERATING RESERVES.

29 (13) TO PRESCRIBE THE APPLICATIONS AND FORMS NECESSARY
30 TO ENFORCE THIS CHAPTER.

1 (14) [TO] NO LATER THAN DECEMBER 1 OF EACH YEAR, TO
2 REPORT TO THE GENERAL ASSEMBLY [ANNUALLY] ON THE REVENUE AND
3 DISTRIBUTIONS FROM THE FUND FOR THE PREVIOUS FISCAL YEAR AND
4 THE COMPLIANCE WITH THE COMMONWEALTH'S 911 PRIORITIES. IN
5 ADDITION THE REPORT SHALL INCLUDE A LISTING OF ANY 911
6 SYSTEMS THAT HAVE MERGED OR CONSOLIDATED DURING THE PREVIOUS
7 YEAR.

8 (15) TO ADOPT, IN CONSULTATION WITH THE BOARD, MINIMUM
9 TRAINING, CERTIFICATION AND QUALITY ASSURANCE STANDARDS FOR
10 EMERGENCY DISPATCHERS, CALL TAKERS AND SUPERVISORS.

11 (16) TO DEVELOP, IN CONSULTATION WITH THE BOARD, A
12 COMPREHENSIVE PLAN FOR THE IMPLEMENTATION OF A STATEWIDE
13 INTEROPERABLE INTERNET PROTOCOL NETWORK USING NEXT GENERATION
14 911 TECHNOLOGY THAT COORDINATES THE DELIVERY OF FEDERAL,
15 STATE, REGIONAL AND LOCAL EMERGENCY SERVICES.

16 (17) TO ENFORCE THIS CHAPTER THROUGH INJUNCTION,
17 MANDAMUS OR OTHER APPROPRIATE PROCEEDING.

18 (18) TO TAKE OTHER ACTIONS NECESSARY TO IMPLEMENT AND
19 ENFORCE THIS CHAPTER.

20 * * *

21 SECTION 2. TITLE 35 IS AMENDED BY ADDING A CHAPTER TO READ:

22 CHAPTER 56

23 NONPROFIT SECURITY GRANT FUND

24 SEC.

25 5601. DEFINITIONS.

26 5602. NONPROFIT SECURITY GRANT FUND.

27 5603. ADMINISTRATION.

28 5604. EXPIRATION.

29 § 5601. DEFINITIONS.

30 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER

1 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
2 CONTEXT CLEARLY INDICATES OTHERWISE:

3 "COMMISSION." THE PENNSYLVANIA COMMISSION ON CRIME AND
4 DELINQUENCY.

5 "ELIGIBLE APPLICANT." A NONPROFIT ORGANIZATION.

6 "ELIGIBLE PROJECT." SECURITY ENHANCEMENTS DESIGNED TO
7 PROTECT THE SAFETY AND SECURITY OF THE USERS OF A FACILITY
8 LOCATED IN THIS COMMONWEALTH THAT IS OWNED OR OPERATED BY A
9 NONPROFIT ORGANIZATION.

10 "FACILITY." A BUILDING OR PORTION OF A BUILDING OWNED OR
11 OPERATED BY A NONPROFIT ORGANIZATION AND USED TO CARRY OUT THE
12 ORGANIZATION'S MISSION, INCLUDING COMMUNITY SPACE, COMMUNITY
13 CENTERS, DAY CARE OR ADULT CARE FACILITIES.

14 "FUND." THE NONPROFIT SECURITY GRANT FUND ESTABLISHED UNDER
15 SECTION 5602 (RELATING TO NONPROFIT SECURITY GRANT FUND).

16 "NONPROFIT ORGANIZATION." A CORPORATION OR OTHER ENTITY
17 BASED IN THIS COMMONWEALTH WHICH:

18 (1) IS AN EXEMPT ORGANIZATION AS DEFINED UNDER SECTION
19 501(C)(3) OF THE INTERNAL REVENUE CODE OF 1986 (PUBLIC LAW
20 99-514, 26 U.S.C. § 501(C)(3)); AND

21 (2) PRINCIPALLY SERVES INDIVIDUALS, GROUPS OR
22 INSTITUTIONS THAT ARE INCLUDED WITHIN A BIAS MOTIVATION
23 CATEGORY FOR SINGLE BIAS HATE CRIME INCIDENTS IDENTIFIED BY
24 THE FEDERAL BUREAU OF INVESTIGATION IN ITS 2017 HATE CRIME
25 STATISTICS PUBLICATION UNDER THE UNIFORM CRIME REPORTING
26 PROGRAM.

27 "SECURITY ENHANCEMENTS." THE TERM INCLUDES:

28 (1) SAFETY AND SECURITY PLANNING.

29 (2) PURCHASE OF SAFETY AND SECURITY EQUIPMENT.

30 (3) PURCHASE OF SECURITY-RELATED TECHNOLOGY, WHICH MAY

1 INCLUDE, BUT IS NOT LIMITED TO:

2 (I) METAL DETECTORS.

3 (II) PROTECTIVE LIGHTING.

4 (III) SURVEILLANCE EQUIPMENT.

5 (IV) SPECIAL EMERGENCY COMMUNICATIONS EQUIPMENT.

6 (V) ELECTRONIC LOCKSETS.

7 (VI) DEADBOLTS.

8 (VII) TRAUMA KITS.

9 (VIII) THEFT CONTROL DEVICES.

10 (4) SAFETY AND SECURITY TRAINING.

11 (5) THREAT AWARENESS AND RESPONSE TRAINING.

12 (6) UPGRADES TO EXISTING STRUCTURES THAT ENHANCE SAFETY
13 AND SECURITY.

14 (7) VULNERABILITY AND THREAT ASSESSMENTS.

15 (8) SPECIALTY-TRAINED CANINES.

16 (9) ANY OTHER SAFETY OR SECURITY-RELATED PROJECT THAT
17 ENHANCES SAFETY OR SECURITY OF THE NONPROFIT ORGANIZATION.

18 § 5602. NONPROFIT SECURITY GRANT FUND.

19 (A) ESTABLISHMENT.--THE NONPROFIT SECURITY GRANT FUND IS
20 ESTABLISHED AS A SPECIAL FUND IN THE STATE TREASURY.

21 (B) APPROPRIATION.--ALL MONEY DEPOSITED IN THE FUND UNDER
22 SUBSECTION (D) AND THE INTEREST THE MONEY ACCRUES SHALL BE
23 APPROPRIATED TO THE COMMISSION ON A CONTINUING BASIS TO AWARD
24 GRANTS UNDER THIS CHAPTER.

25 (C) TRANSFERS FROM GENERAL FUND.--MONEY AVAILABLE TO THE
26 FUND SHALL INCLUDE TRANSFERS FROM THE GENERAL FUND AS PROVIDED
27 UNDER SUBSECTION (D).

28 (D) TRANSFER BY SECRETARY OF THE BUDGET.--NO LATER THAN 30
29 DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION, THE SECRETARY OF
30 THE BUDGET SHALL TRANSFER TO THE FUND \$5,000,000 OF THE

1 UNEXPENDED, UNENCUMBERED PRIOR YEAR FUNDS THAT WERE ORIGINALLY
2 APPROPRIATED FROM THE GENERAL FUND TO ANY EXECUTIVE BRANCH
3 AGENCY WHICH IS SUBJECT TO THE POLICY, SUPERVISION AND CONTROL
4 OF THE GOVERNOR. THE SECRETARY OF THE BUDGET MAY ONLY MAKE THE
5 TRANSFER OF FUNDS IF THE TRANSFER WILL NOT RESULT IN A DEFICIT
6 IN ANY APPROPRIATION FROM WHICH THE FUNDS ARE TRANSFERRED. NO
7 LESS THAN 10 DAYS PRIOR TO THE TRANSFER, THE SECRETARY OF THE
8 BUDGET SHALL SEND NOTIFICATION OF THE TRANSFER IN WRITING TO THE
9 CHAIRPERSON AND THE MINORITY CHAIRPERSON OF THE APPROPRIATION
10 COMMITTEE OF THE SENATE AND THE CHAIRPERSON AND THE MINORITY
11 CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF
12 REPRESENTATIVES.

13 (E) APPROPRIATION BY GENERAL ASSEMBLY.--BEGINNING WITH THE
14 2020-2021 FISCAL YEAR, THE GENERAL ASSEMBLY MAY APPROPRIATE
15 MONEY TO THE FUND.

16 (F) LAPSE OF FUNDS.--ALL UNEXPENDED AND UNENCUMBERED FUNDS
17 REMAINING IN THE FUND AS OF JULY 1, 2024, SHALL LAPSE AND BE
18 TRANSFERRED TO THE GENERAL FUND.

19 § 5603. ADMINISTRATION.

20 (A) APPLICATIONS.--AN APPLICATION FOR A GRANT UNDER THIS
21 CHAPTER SHALL BE SUBMITTED BY AN ELIGIBLE APPLICANT IN THE FORM
22 AND MANNER PRESCRIBED BY THE COMMISSION.

23 (B) INITIAL APPLICATION PERIOD.--NO LATER THAN MARCH 1,
24 2020, THE COMMISSION SHALL BEGIN TO ACCEPT APPLICATIONS FROM
25 ELIGIBLE APPLICANTS FOR GRANT MONEY AVAILABLE DURING THE FISCAL
26 YEAR. THE COMMISSION SHALL PROVIDE NOTICE OF THE APPLICATION
27 PERIOD ON THE COMMISSION'S PUBLICLY ACCESSIBLE INTERNET WEBSITE

28 (C) ADDITIONAL APPLICATION PERIOD.--IF MONEY IS AVAILABLE IN
29 THE FUND, NO LATER THAN OCTOBER 1, 2020, AND EACH OCTOBER 1
30 THEREAFTER, THE COMMISSION SHALL ACCEPT APPLICATIONS FROM

1 ELIGIBLE APPLICANTS DURING THE FISCAL YEAR. THE COMMISSION SHALL
2 PROVIDE NOTICE OF A NEW APPLICATION PERIOD ON THE COMMISSION'S
3 PUBLICLY ACCESSIBLE INTERNET WEBSITE.

4 (D) REVIEW PROCESS.--THE COMMISSION SHALL REVIEW
5 APPLICATIONS AND MAKE AWARDS SUBJECT TO SUBSECTION (E) ON A
6 ROLLING BASIS. NO LATER THAN 90 DAYS AFTER A COMPLETED
7 APPLICATION IS RECEIVED FROM AN ELIGIBLE APPLICANT, THE
8 COMMISSION, IN CONSULTATION WITH THE GOVERNOR'S OFFICE OF
9 HOMELAND SECURITY AND THE PENNSYLVANIA STATE POLICE, SHALL
10 REVIEW AND APPROVE OR DENY THE APPLICATION. AN ELIGIBLE
11 APPLICANT MAY REVISE AND RESUBMIT A DENIED APPLICATION TO THE
12 COMMISSION.

13 (E) ALLOCATION.--AN ELIGIBLE APPLICANT MAY NOT RECEIVE MORE
14 THAN THE FOLLOWING AMOUNTS IN ANY FISCAL YEAR:

15 (1) SUBJECT TO PARAGRAPHS (2), (3) AND (4):

16 (I) THE MINIMUM GRANT AMOUNT AWARDED SHALL BE NO
17 LESS THAN \$5,000.

18 (II) THE MAXIMUM GRANT AMOUNT AWARDED MAY NOT BE
19 MORE THAN \$150,000.

20 (2) THE COMMISSION MAY NOT REQUIRE NON-STATE FINANCIAL
21 PARTICIPATION FROM AN ELIGIBLE APPLICANT FOR A GRANT REQUEST
22 THAT IS \$25,000 OR LESS.

23 (3) THE COMMISSION MAY AWARD A GRANT BETWEEN \$25,001 AND
24 \$75,000 IF THE ELIGIBLE APPLICANT PROVIDES NON-STATE
25 FINANCIAL PARTICIPATION EQUAL TO 33% OF THE REQUESTED GRANT
26 AMOUNT.

27 (4) THE COMMISSION MAY AWARD A GRANT BETWEEN \$75,001 AND
28 \$150,000 IF THE ELIGIBLE APPLICANT PROVIDES NON-STATE
29 FINANCIAL PARTICIPATION EQUAL TO 50% OF THE REQUESTED GRANT
30 AMOUNT.

1 (F) LIMITATIONS.--THE FOLLOWING SHALL APPLY TO GRANT

2 APPLICATIONS:

3 (1) THE COMMISSION MAY NOT PROVIDE GRANTS IN EXCESS OF
4 THE AMOUNT IN THE FUND.

5 (2) THE COMMISSION MAY PRORATE THE GRANT AMOUNT TO AN
6 ELIGIBLE APPLICANT.

7 (G) ELIGIBLE PROJECTS.--THE COMMISSION MAY ONLY AWARD GRANTS
8 THROUGH THE FUND FOR ELIGIBLE PROJECTS. ELIGIBLE APPLICANTS MAY
9 ONLY EXPEND GRANT MONEY RECEIVED THROUGH THE FUND ON ELIGIBLE
10 PROJECTS.

11 (H) ELIGIBILITY FOR REDEVELOPMENT ASSISTANCE CAPITAL
12 PROJECT.--AN ELIGIBLE PROJECT WHICH RECEIVES A GRANT UNDER THIS
13 CHAPTER MAY BE THE SUBJECT OF AN AWARD FOR A REDEVELOPMENT
14 ASSISTANCE CAPITAL PROJECT UNDER CHAPTER 3 OF THE ACT OF
15 FEBRUARY 9, 1999 (P.L.1, NO.1), KNOWN AS THE CAPITAL FACILITIES
16 DEBT ENABLING ACT. NOTHING IN THIS SUBSECTION SHALL BE CONSTRUED
17 TO MODIFY THE ELIGIBILITY REQUIREMENTS FOR REDEVELOPMENT
18 ASSISTANCE CAPITAL PROJECTS UNDER THE CAPITAL FACILITIES DEBT
19 ENABLING ACT.

20 § 5604. EXPIRATION.

21 THIS CHAPTER SHALL EXPIRE JULY 1, 2024.

22 Section 2 5 3. This act shall take effect immediately.

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