

WEEKLY SESSION NOTES

SENATE REPUBLICAN POLICY COMMITTEE – MARIO M. SCAVELLO, CHAIRMAN

Monday, June 21, 2021

[Senate Bill 324](#) (Langerholc) would amend the Public School Code of 1949 to require any school entity receiving a student experiencing education instability beginning in the 2021-2022 school year to:

- Assign a point of contact to the student;
- Develop policies and procedures to apply full or partial credit for any satisfactorily completed coursework from the student's prior school entity;
- Not penalize a student for a school uniform or dress code violation related to a delay in obtaining a uniform;
- Waive all fees that would otherwise be assessed against the student; and
- Allow the student to participate in any school-sponsored or extracurricular activity for which the student meets relevant requirements.

The student's point of contact would be directed to work in consultation with school officials to:

- Expedite consultation with mental health professionals as appropriate;
- Facilitate prompt placement in appropriate courses and education services;
- Request student records from the prior school entity or county agency; and
- Develop a graduation plan in collaboration with a student in grades nine through twelve.

A school entity would be required to ensure a timely graduation for a student experiencing education instability. To achieve this goal, a school entity could waive a specific course required for graduation for students in grades nine through twelve if similar coursework has been satisfactorily completed in another school entity or a student has demonstrated competency in the content area.

If a course required for graduation is not waived by a receiving school entity, the school would have to provide an alternative or modified course which is currently offered to other students and assist the student with completing graduation requirements. For a student with a disability, the school entity would have to comply with applicable laws and regulations regarding student evaluation, placement, and graduation. If the student is ineligible to graduate from the

receiving school entity, the receiving school entity could request a diploma from the prior school entity to be issued if the student meets the prior school entity's graduation requirements.

After exhausting all other options under the section, a student who completes the requirements of Section 121 (c), (c.1), or (c.3) (relating to Keystone exams and graduation requirements) in any school year in which demonstration of proficiency on a Keystone Exam is required for high school graduation could as a last resort be eligible to obtain a statewide secondary diploma, known as a Keystone Diploma, issued by the Department of Education. The Department of Education, in consultation with the Department of Human Services, would be required to issue guidelines and best practices within 180 days of the effective date of the section to assist school entities in implementing the provisions in the section and facilitate the transition between school entities. **Passed: 50-0.**

Senate Bill 439 (Argall) would amend the Recorder of Deeds Fee Law to remove the 10-year sunset on the additional deed and mortgage-recording fee used for the demolition of blighted property located in the county. **Passed: 48-2.**

Senate Bill 559 (Argall) would amend the Administrative Code of 1929 to add the number of vaccines administered and the number of wasted vaccines as public records under the Right-To-Know Law. Further, the name of the provider or organization that reported wasted vaccines and the reason why it was wasted would have to be reported by the Department of Health on its website. **Passed: 50-0.**

Executive Session

Mark J. Schindler – Adjutant General of Pennsylvania. **Confirmed: 50-0.**

Benjamin M. Carson – Major General, Pennsylvania Air National Guard. **Confirmed: 50-0.**

Tuesday, June 22, 2021

Senate Bill 208 (DiSanto) would amend the Municipalities Planning Code to clarify that a municipality could not require a developer to post a financial security greater than 110 percent of the cost of improvements related to a project. An additional change would clarify that a municipality could retain 110 percent of the remaining costs of improvements prior to completion of a project. **Passed: 50-0.**

Senate Bill 305 (Brooks) would amend Title 18 (Crimes and Offenses) and Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes to add urgent care centers to the list of safe havens where a parent can surrender a newborn. An urgent care center accepting newborns would have to ensure that its building and grounds display signs that specify the operating hours the center accepts newborns. **Passed: 50-0.**

Senate Bill 419 (Scavello) would amend Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to authorize the use of electronic devices, such as radio-microwave devices or radar, and light detection and ranging devices, known as LIDAR, by a police officer or as part of an

automated speed enforcement system. Prior to enforcing the speed limit with radar or LIDAR, a police officer, except for a member of the Pennsylvania State Police, would have to complete a training approved by the State Police and the Municipal Police Officers' Education and Training Commission. In addition, official traffic-control devices, including advanced warning signs indicating the use of electronic speed meters, radar, or LIDAR, would have to be erected within 500 feet of the border of a political subdivision on the main arteries entering the political subdivision. At a minimum, the electronic speed meters, radar, or LIDAR device would have to be calibrated and tested every 365 days.

The legislation stipulates that the primary use of radar or LIDAR by a local police officer would be for traffic safety. Radar or LIDAR could not be used to time the rate of speed of vehicles within 500 feet after a speed limit sign indicating a decrease of speed. This limitation would not apply to speed limit signs indicating school zones, bridge and elevated structure speed limits, hazardous grade speed limits and work zone speed limits. A person could not be convicted with evidence obtained through the devices unless the speed recorded is more than 10 miles per hour in excess of the speed limit on a highway or more than 6 miles per hour on an interstate highway or freeway with a speed limit of 70 miles per hour.

Political subdivisions would be required to adopt a local ordinance prior to local or regional police officers enforcing the speed limit with radar or LIDAR. During the initial 90 days of speed enforcement by the local or regional police department, an individual could only be sanctioned for a violation with a written warning. If the fine amounts collected under these provisions exceed 10 percent of the political subdivision's total budget, the excess sum would have to be remitted to the Treasury Department for deposit into the Highway Safety Cadet Training Restricted Receipts Account within the General Fund for the purpose of recruiting, training or equipping State Police cadets. [Passed: 49-1.](#)

[Senate Bill 434](#) (Vogel) would amend Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes to require that pasteurized milk sold for resale be conspicuously and legibly marked with a "sell by date" or "best by date." A "sell by date" would be the date after which the product could not be sold or offered for sale and a "best by date" would be a date established by the milk processor as a product quality guideline. The "sell by date" or "best by date" could not exceed 17 days from the date the milk was pasteurized, unless the Department of Agriculture approves a longer time period. A milk processor could apply to the Department to use a date that exceeds the 17-day period after providing the required information to the Department. The legislation would exempt certain pasteurized milk products that contain a lot number or manufacturing date code that is traceable in the marketplace. The Department could sample containers of pasteurized milk in the possession of a processor or distributor at any time before the pasteurized milk is delivered to the store or the customer. Samples would have to be analyzed by a Pennsylvania-approved dairy laboratory, with results reported to both the milk processor and the Department. The legislation would require the Department to establish reasonable rules and regulations necessary to carry out the provisions. [Concurrence in House Amendments: 50-0.](#)

[Senate Bill 668](#) (J. Ward) would amend the State Lottery Law to expand the income eligibility for the PACENET program from \$27,500 to \$33,500 for single individuals and from \$35,500 to \$41,500 for married couples. The bill would also allow the Department of Aging to have the

discretion to require that a claimant enroll in a Part D plan that meets the prescription drug needs and pharmacy preferences of the claimant. An additional change would remove the requirement that a PACENET claimant pay a monthly premium if not enrolled in a Part D plan. Additionally, the measure would eliminate the requirement that Part D enrollees enrolled in PACENET pay the Part D premiums charged by their prescription drug plan. **Passed: 50-0.**

Senate Bill 769 (Browne) would create the Small Wireless Facilities Deployment Act to codify federal guidelines pertaining to the deployment of small wireless facilities within a right-of-way. The bill would establish guidelines for right-of-way use for small wireless facilities and utility poles with small wireless facilities attached. A municipality could not enter into an exclusive arrangement for the use of the right-of-way for the co-location, installation, operation, modification or replacement of utility poles with small wireless facilities attached. A municipality would be able to charge an annual fee for the use of the right-of-way. Each new or modified small wireless facility could not extend more than five feet above the existing pole or more than 50 feet above ground level. A wireless provider would be required to repair all damage to the right-of-way or any other land disturbed directly by its activities or those of its contractors. If repairs are not made within 30 days, the municipality could make the repairs and charge the wireless provider for the costs of the repairs and a penalty not to exceed \$500.

A municipality could require an applicant to obtain one or more permits to co-locate, maintain and modify small wireless facilities. An applicant seeking to co-locate within a single municipality would be allowed to file a consolidated application as long as the number of facilities does not exceed 20. The co-location, modification, replacement or installation of a utility pole would have to be completed within one year of the permit issuance date. An application would not be required for routine maintenance, repair work or replacement of a similar facility. A municipality would have the right to charge an application fee and could adjust its fee levels if the Federal Communications Commission adjusts its fee levels.

Passed: 49-1. (Similar legislation, House Bill 1621, was passed by the Senate on Friday, June 25, 2021.)

House Bill 664 (Hershey) would amend Title 53 (Municipalities Generally) and Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes to prevent municipalities and homeowners' associations from requiring business licenses for certain temporary businesses. Specifically, a municipality could not require a business to obtain a license to operate if the following apply:

- The business is operated by a minor under the age of 18;
- The business is open for less than 84 days in a calendar year;
- The business generates less than \$5,000 in net proceeds per year, unless the money is raised and used for charitable purpose; and
- The business is located somewhere that it is not in direct competition with a business required to get a license.

Further, a municipality could not prohibit a business operated by a minor from operating in a primarily residential zone or un-zoned area. A municipality could still enact and enforce ordinances that regulate how a minor-owned business operates without requiring a permit or license. The changes to Title 68 would prohibit an association, such as a homeowners' association, from requiring a license for a business operated on an occasional basis by a minor. An association could still impose and enforce association rules relating to the manner in which a business operates. **Passed: 50-0.**

Executive Session

Noe Ortega – Secretary of Education. **Confirmed: 44-6.**

Jennifer L. Berrier – Secretary of Labor and Industry. **Confirmed: 45-5.**

Wednesday, June 23, 2021

Senate Bill 550 (Robinson) would amend the Second Class County Code to update the responsibilities related to the decoration of service members' graves and the authority for cemeteries to remove and replace decorations. The legislation would require the county governing body to provide flags for deceased service members each Memorial Day. The flags would be purchased at the expense of the county and would have to be American made. The county could coordinate with local veterans' organizations to ensure that cemeteries are decorated in compliance with these provisions. The flags could be removed by a family member after the first working day following Veterans Day or by cemetery staff if a flag has become unsightly or weather worn. A person convicted of the unauthorized removal of flags would be subject to pay a fine of \$300. Failure to pay the fine would result in a prison sentence of no more than 90 days. **Passed: 50-0.**

Senate Bill 735 (J. Ward) would amend Article VII, Section 1 of the Pennsylvania Constitution to require a qualified elector to provide a valid identification before receiving a ballot to vote in person. When not voting in person, the qualified elector would have to provide proof of a valid identification with his or her ballot. For these purposes, the term valid identification would mean any valid government-issued identification, unless otherwise provided by law. An additional change would reduce the voting age from 21 years of age to 18 years of age to bring the Pennsylvania Constitution into alignment with the United States Constitution. A constitutional amendment must pass the General Assembly during two consecutive legislative sessions before it is presented to the voters for approval. **Passed: 30-20.**

Senate Resolution 144 (Aument) is a concurrent resolution establishing the 2030 Commission on Education and Economic Competitiveness. **Adopted: 50-0.**

House Bill 196 (Day) would amend Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes to extend employment discrimination protections to Pennsylvania residents who are members of a National Guard or Reserve unit in another state. **Passed: 50-0.**

[House Bill 827](#) (Gillespie) would amend Title 72 (Taxation and Fiscal Affairs) of the Pennsylvania Consolidated Statutes to add Chapter 31 (Microenterprise Assistance) to authorize an administrative entity as defined in the legislation to create a microenterprise loan program to assist start-up entrepreneurs and, to the extent possible, low-income individuals and diverse groups in the establishment of a microenterprise. An administrative entity would be permitted to negotiate for loans and grants from both public and private sources in order to fund the program and to acquire property by the methods delineated in the bill to lease to start-up entrepreneurs to facilitate the establishment of a microenterprise. An administrative entity would be required to maintain and make available for public review and inspection an inventory of real property held by the administrative entity for the program. The entity could receive funding through grants from the federal government, the Commonwealth, a municipality and private sources. The cost of administering the program would be limited to a maximum of 10 percent of the program's operating budget.

A municipality and school district would have the power to grant property tax abatement to properties leased to a microenterprise and owned by an administrative entity for up to ten years. An administrative entity would not have the power of eminent domain by establishing and implementing a program. An administrative entity could issue loans to low-income individuals seeking to start a microenterprise or partner with private entities to issue loans under the program. If a loan becomes delinquent, the administrative entity could offer a hardship agreement to restructure the payment process. A loan applicant under the microenterprise program would be required to complete business courses and workshops on operating a business, creating a market strategy and customer interaction to be eligible to receive a loan. If the entrepreneur is a worker cooperative corporation, all owning members would have to attend the training required under the bill. [Passed: 50-0.](#)

Thursday, June 24, 2021

[Senate Bill 78](#) (Baker) would amend Title 23 (Domestic Relations) and Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes to revise procedures relating to child custody matters and provide for child abuse and domestic abuse education and training programs for judges and court personnel. The bill stipulates that, after considering certain specified factors, if the court finds a history of harm to the child or a household member by a party or a present risk of harm to the child or an abused party, and awards any form of custody to the abuser, it would have to include in the custody order certain safety conditions, restrictions or safeguards as listed in the bill as reasonably necessary to protect the child or the abused party. The court would have to include in the custody order the reason for imposing the safety conditions, restrictions or safeguards and an explanation of why they are in the best interest of the child or abused party. If supervised contact is ordered, there would have to be a review of the risk of harm and need for continued supervision on at least an annual basis.

The legislation would add a requirement that in addition to the safety of the child, the court would be required to consider all relevant factors, giving weighted consideration to those factors which affect the health of the child. The measure would also expand the list of specified crimes that the court would have to consider when determining custody. Additional changes would authorize a court to appoint a guardian ad litem for a child if substantial allegations of

abuse are made and clarify that substantial allegations of abuse constitute a reasonable basis for appointing counsel for the child. In addition, the Administrative Office of the Pennsylvania Courts could develop and implement an ongoing education and training program for judges, magisterial district judges and relevant court personnel. The education and training program would have to include the latest best practices from evidence-based, peer-reviewed research by recognized experts in the types of child abuse specified. **Passed: 46-4.**

Senate Bill 241 (Brewster) would amend Title 30 (Fish) of the Pennsylvania Consolidated Statutes to provide for a therapeutic recreation exemption from fishing license requirements. **Passed: 50-0.**

Senate Bill 480 (Kearney) would amend Title 8 (Boroughs and Incorporated Towns) of the Pennsylvania Consolidated Statutes to make various technical changes and to create a new chapter regarding solid waste collection and disposition. The bill would repeal the existing section on specific powers regarding solid waste and create a new chapter 25B “Solid Waste Collection and Disposition.” The chapter would delineate the regulation of the accumulation, collection and disposal of municipal waste and recyclables, the acquisition of real property and facilities related to municipal waste and recyclables, and contracts, rates and charges related to municipal waste and recyclables. Among other modifications, the legislation would:

- Clarify that a mayor could join any mayors’ association in Pennsylvania and the borough council would have to pay dues not to exceed \$100;
- Clarify residency requirements to hold elected office in the borough;
- Authorize borough funds to be invested in those investments authorized under Act 53 of 1973, which authorizes investments for First and Second Class Cities; and
- Clarify that public notice of an ordinance would be required to be published no less than seven days and no more than 60 days before council votes on it. **Passed: 50-0.**

Senate Bill 618 (Phillips-Hill) would amend Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes to add Chapter 59 (Vaccinations) to prohibit a government entity or institution of higher education from requiring proof of vaccination against COVID-19 to use any service, enter any building or undertake any activity within its territorial limits or jurisdiction. The legislation would also prohibit a government entity or political subdivision from including information about vaccination status on an identification card and expending funds to develop an electronic tracking system for individuals’ COVID-19 vaccination status. In addition, the legislation would add Chapter 60 (Disease Prevention and Control) to prohibit the Secretary of Health from requiring an individual that has not been exposed or potentially exposed to a contagious disease to do any of the following:

- Order or otherwise require a closure; and
- Order or otherwise require an individual that has not been exposed or potentially exposed to a contagious disease to do any of the following:

- Physically distance from other individuals;
- Wear a universal face covering;
- Conduct a specific hygienic practice;
- Shelter in place, quarantine or isolate from other individuals; or
- Restrict travel. [Concurrence in House Amendments: 29-21.](#)

[Senate Bill 664](#) (Corman) would amend the Public School Code of 1949 to provide parents and students the ability to make up for lost educational opportunities resulting from the COVID-19 pandemic. Specifically, the bill would add Section 1383 (Extended Special Education Enrollment Due to COVID-19) to allow the parent of a student with a disability who is enrolled for the 2020-21 school year and reaches 21 years of age prior to the beginning of the 2021-22 school year to elect to enroll the student in school for the 2021-22 school year. The Department of Education would be required to develop a standard election form for a parent or guardian to elect to enroll the student which would have to be posted on the Department's website. The school entity would implement the student's most recent Individualized Education Program (IEP) and provide extended school year services during the summer after the 2020-21 school year in accordance with the student's most recent IEP. A student's attendance would be included in the school entity's average daily membership. Section 1501.10 (Optional Year of Education Due to COVID-19) would also be added to allow a student age 18 or older, or a parent or guardian of a student under the age of 18 for the 2021-22 school year, to elect to repeat a grade level to make up for any lost educational opportunities due to COVID-19, regardless of whether the student met the requirements to be promoted to the next grade level. The election would have to be made by July 15, 2021. The Department would be required to create an election form to make the election under the section which would have to be posted on the Department's website. [Concurrence in House Amendments: 50-0.](#)

[Senate Bill 675](#) (Schwank) would amend Title 11 (Cities) of the Pennsylvania Consolidated Statutes to allow a third class city council to appoint a partnership, limited partnership, association or professional corporation as the city administrator under a professional services agreement. If a partnership, limited partnership, association or professional corporation acts as city administrator, no officers or employees of the entity who directly provide services as required or authorized by the agreement could hold any elective city office. [Passed: 50-0.](#)

[Senate Bill 759](#) (Pittman) would designate the bridge, identified as Bridge Key 19033, on the portion of northbound State Route 119 over State Route 286 in White Township, Indiana County as the Specialist Five Timothy Rice Memorial Bridge. [Passed: 50-0.](#)

[Senate Resolution 139](#) (Mensch) urges the United States Environmental Protection Agency to exercise its authority under section 211(o)(7)(A)(i) of the Clean Air Act to revise the nationwide Renewable Fuel Standard (RFS) updating the volume mandates to provide relief to refiners in Pennsylvania, the East Coast and elsewhere, and to implement additional reforms going forward

which will allow for the blending of renewable fuels consistent with the original intention of the RFS program, while containing costs for independent refiners. **Adopted: 47-3.**

House Bill 101 (Gleim) would create the Agritourism Activity Protection Act to extend civil liability protection to persons who offer agritourism activities on a farm. The agritourism activity provider would have to post specific warning signs and have a signed, written agreement with a participant that they have acknowledged the risk of participation in an agritourism activity. An acknowledgment could be printed on the back of a ticket needed to participate in the activity. A warning notice would have to consist of a sign that is at least three feet by two feet in dimension and include the statement outlined in the legislation. Protection against civil liability would not apply if the individual or business is grossly negligent or intentionally causes injury or damages to a participant or commits an action or inaction that constitutes criminal conduct and causes the participant injury. In addition, the liability protection would not apply to injury or damages arising from overnight accommodations, weddings, concerts or food and beverage services. **Passed: 48-2.**

House Bill 156 (Owlett) would amend Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes to increase the age for admissible out-of-court statements made by a child victim or witness from 12 to 16 years of age for certain offenses. **Passed: 49-1.**

House Bill 178 (James) would amend the Unemployment Compensation Law to make a number of changes. The bill would extend the records retention requirement from four years to six years to match the change for the statute of limitations for employer audits. The legislation would also extend the window for employers and employees to appeal determinations of an Unemployment Compensation referee or the Unemployment Compensation Service Center from 15 days to 21 days and allow for the transmission of determinations electronically. The changes to the act would affect employer records generated, determinations issued, and decisions issued after the publication in the Pennsylvania Bulletin of the Department of Labor and Industry's notice of completion of the technological upgrades to the benefit delivery system for unemployment compensation benefits. Language that was erroneously removed by Act 144 of 2016 would be returned to reestablish the process for how the benefit rate table is determined. **Passed: 50-0.**

House Bill 741 (Hefley) would amend the Administrative Code of 1929 to require a drug and alcohol recovery house to notify the emergency contact of a resident if the resident self-discharges from or leaves and fails to return as expected to the drug and alcohol recovery house. An exception to the notification requirement would be provided where the recovery house has knowledge of or reason to know of allegations of domestic abuse perpetrated upon the patient by the emergency contact. The recovery house would have to develop policies and procedures to implement the provision which includes advising residents of notifications required by law to be made to the designated emergency contact. The section could not be interpreted to hold the recovery house liable beyond its stated duties. **Passed: 50-0.**

House Bill 859 (Delozier) would amend the Department of Banking and Securities Code to convert the Banking Fund to the Banking Trust Fund to be administered by the Department of Banking and Securities for the benefit of banks, credit unions, licensees and their customers.

The legislation specifies that all interest and money in the Trust Fund would not be considered general revenue of the Commonwealth but used only by the Department to pay its expenses relating to the examination and regulation of institutions, credit unions, and licensees. The Trust Fund would be subject to audit by the Auditor General. The Secretary of Banking and Securities would be required to maintain an adequate operating reserve in the Trust Fund to ensure the Department is able to pay its expenses in the event of adverse economic conditions or loss of revenue resulting from institutions or licensees becoming subject to another regulator's jurisdiction. In addition, the Secretary would be required to ensure sufficient reserves are paid into the Institution Resolution Account in the event the Department needs to resolve, seize, or liquidate an institution or credit union without impairing the Department's ability to perform its other duties. [Passed: 50-0.](#)

Friday, June 25, 2021

[Senate Bill 255](#) (Browne) is the General Appropriation Act of 2021, which provides for the expenses of the Commonwealth, the public debt and the public schools for the 2021-2022 Fiscal Year. The proposed budget will be implemented without any new taxes or tax increases. Among other highlights, the \$40.8 billion spending plan:

- Includes \$300 million more for Basic Education Funding, \$50 million more for Special Education, \$25 million more for Pre-K programs and \$5 million more for Head Start;
- Provides an additional \$40 million for scholarships through the Educational Improvement Tax Credit/Opportunity Scholarship Tax Credit programs;
- Allocates \$279 million in federal funding to support highway and bridge improvement projects;
- Earmarks a total of \$282 million in federal money to support Pennsylvania's nursing homes (\$247 million) and assisted care facilities and personal care homes (\$30 million), many of which were severely impacted by the COVID-19 pandemic;
- Restores all of the Governor's proposed cuts in state funding for agricultural programs and services, including a \$3 million increase in the State Food Purchase line item;
- Transfers \$2.5 billion to the Rainy Day Fund;
- Directs \$50 million to the Pennsylvania Housing Finance Agency for construction cost relief, to help builders of low-income housing cope with the increased costs of materials caused by the pandemic; and
- Provides \$5 million to the Emergency Medical Services Operating Fund to offset revenue losses caused by the pandemic;

Funds were also earmarked to repay:

- \$145 million to the Workers' Compensation Security Fund which was used to support Pennsylvania's hospitality industry during the COVID-19 pandemic; and
- \$86 million to the Underground Storage Tank Indemnity Fund which was used to help balance the Fiscal Year 2002-03 budget. [Concurrence in House Amendments: 43-7.](#)

[Senate Bill 381](#) (Martin) would amend the Public School Code of 1949 to make a number of changes. Among other modifications, the legislation would:

- Extend the due date of the Special Education Funding Commission's report from June 30, 2021 to December 31, 2021;
- Extend the moratorium on the acceptance of new Plancon projects through the 2021-22 Fiscal Year;
- Delete the June 30, 2021 expiration date for Section 1201.1 that allows substitute teaching by prospective teachers, making the provisions permanent;
- Provide for a community college funding formula for the 2021-22 Fiscal Year in an amount equal to the amount provided for the 2020-21 Fiscal Year. Language is included to provide funds for the Erie Community College, approved by the State Board of Education in 2020;
- Delete the requirement that payments from the Community College Capital Fund only be made to community colleges that received a payment from the community college operating appropriation distributed in accordance with Section 1913-A in the prior fiscal year;
- Increase the limit on tax credits approved for contributions from business firms to scholarship organizations, educational improvement organizations and pre-kindergarten scholarship organizations by \$40,000,000, from \$185,000,000 to \$225,000,000;
- Extend the issue date of the Public Higher Education Funding Commission's report from November 30, 2021 to May 31, 2022;
- Create a new Article XX-E (Interscholastic Athletics) establishing provisions by which college athletes may be compensated for the use of their names, images, and likenesses. It would also provide for professional representation for college athletes;
- Establish a library funding formula for the 2021-22 Fiscal Year, which distributes the funding proportionately based upon the funding in the 2020-21 Fiscal Year;

- Provide for the distribution of funding for intermediate units and basic education funding for 2021-22, including \$898,667,244 for distribution for the 2020-21 school year; and
- Extend, for the 2021-22 Fiscal Year, the amount of unencumbered funds (\$7 million) the Department of Education can utilize to pay for technical assistance to Financial Watch and Financial Recovery School Districts. [Concurrence in House Amendments: 40-10.](#)

[Senate Bill 397](#) (Pittman) would amend the Osteopathic Medical Practice Act to update the provisions related to physician assistants. The bill would eliminate the requirement for a physician assistant to provide medical care and services under the direction of a physician. A physician assistant could provide medical services under the supervision of a physician in accordance with a written agreement that meets the requirements outlined in the legislation. The State Board of Osteopathic Medicine would be permitted to develop audit procedures to ensure supervision and scope of practice protections are maintained in a written agreement in accordance with the act. The audit would be limited to 10 percent of all written agreements on an annual basis. A written agreement subject to an audit would remain in effect for two weeks after the Board notifies the primary supervising physician and the physician assistant with remedies, if necessary, on the outcome of the audit. At that time, a new written agreement would have to be submitted which would be effective upon submission.

Additional changes would increase the ratio of the number of physician assistants a physician can supervise from four to six. In a health care facility setting, the ratio would be increased from four to seven. A waiver, subject to board approval, could be utilized in a health care facility to employ or supervise more physician assistants for good cause. Further, the membership of the State Board of Osteopathic Medicine would be increased by two members to add one doctor and one physician assistant position on a permanent basis rather than on a rotating basis with other health-related professions. The Board would be required to promulgate rules and regulations necessary to carry out the act within 180 days. [Passed: 50-0.](#)

[Senate Bill 398](#) (Pittman) would amend the Medical Practice Act of 1985 to update the provisions related to physician assistants. The bill would eliminate the requirement for a physician assistant to provide medical care and services under the direction of a physician. A physician assistant could provide medical services under the supervision of a physician in accordance with a written agreement that meets the requirements outlined in the legislation. The State Board of Medicine would be permitted to develop audit procedures to ensure supervision and scope of practice protections are maintained in a written agreement in accordance with the act. The audit would be limited to 10 percent of all written agreements on an annual basis. A written agreement subject to an audit would remain in effect for two weeks after the Board notifies the primary supervising physician and the physician assistant with remedies, if necessary, on the outcome of the audit. At that time, a new written agreement would have to be submitted which would be effective upon submission.

Additional changes would increase the ratio of the number of physician assistants a physician can supervise from four to six. In a health care facility setting, the ratio would be

increased from four to seven. A waiver, subject to board approval, could be utilized in a health care facility to employ or supervise more physician assistants for good cause. Further, the membership of the State Board of Medicine would be increased by two members to add one doctor and one physician assistant position on a permanent basis rather than on a rotating basis with other health-related professions. The Board would be required to promulgate rules and regulations necessary to carry out the act within 180 days. **Passed: 50-0.**

Senate Bill 411 (Browne) would amend Title 42 (Judiciary and Judicial Procedure), Title 61 (Prisons and Parole) and Title 71 (State Government) of the Pennsylvania Consolidated Statutes to consolidate overlapping duties of the Department of Corrections and the Pennsylvania Board of Probation and Parole. The legislation would transfer the Board of Pardons to Title 61 by adding a new Chapter 73 and making related repeals under the Administrative Code. The Board of Pardons would remain independent, but the Department of Corrections would provide facilities, administrative support, and other assistance to the Board upon request. The measure would also change the name of “The Pennsylvania Board of Probation and Parole” to “The Pennsylvania Parole Board.” The Board would be authorized to establish special conditions of supervision for paroled offenders. Conditions of supervision would have to be based on the risk presented by and the rehabilitative needs of the offender. It would also have the power to promulgate regulations establishing general conditions of supervision applicable to every paroled offender. The bill would permit two-person panels that make decisions on parole, re-parole, return or revocation to meet and take action via videoconferencing with the exception of in-person testimony pursuant to the Crime Victims Act.

The legislation would amend the provisions of Title 61 relating to victim statements and participation in hearings to require the Victim Advocate to provide notice to victims and family members and to the Board. An additional provision would designate parole agents as peace officers and give them police power and authority throughout the Commonwealth. The Department of Corrections would be required to establish statewide standards for supervision or qualifications of probation personnel. The measure would further establish that a “parole violator center” is a type of facility to which a technical parole violator could be sent. A “parole violator center” would be defined as “an area within the secure perimeter on the grounds of a state correctional institution or contracted county jail that has been designated to house offenders detained or recommitted by the board for a technical parole violation.” The appropriation for the Board and the Board of Pardons would each be in separate line items under the Department of Corrections. **Concurrence in House Amendments: 47-3.**

Senate Bill 532 (Stefano) would designate a number of bridges and roadways, as follows:

- The bridges, identified as Bridge Key 31419 and Bridge Key 31420, located on U.S. Route 219 over State Route 601 in Conemaugh Township, Somerset County, as the Corporal Anthony G. Orlandi Memorial Bridge;
- The interchange of State Route 43, also known as the Mon-Fayette Expressway, with U.S. Route 40, known as Exit 22, in Redstone Township, Fayette County, as the PFC Joseph Frank Duda Memorial Interchange KIA WWII U.S.M.C.;

- The interchange of U.S. Route 40 with State Route 4035, also known as Market Street and Spring Street, in Brownsville, Fayette County, as the Corporal Denny Ray Easter Memorial Interchange KIA Vietnam War U.S. Army;
- The portion of Pennsylvania Route 837, also known as Duquesne Boulevard, between Center Street in the City of Duquesne, Allegheny County and Hoffman Boulevard in West Mifflin Borough, Allegheny County as the Clifton P. Pitts Memorial Highway;
- The bridge, identified as Bridge Key 8391, on the portion of Pennsylvania Route 53 over Laurel Run, in Dean Township, Cambria County as the Seaman 2nd Class Louis J. Benzie WWII Memorial Bridge;
- The bridge, identified as Bridge Key 8461, located on the portion of U.S. Route 219 over Pennsylvania Route 53, in Croyle Township, Cambria County, as the Janice Keen-Livingston First Responders' Memorial Bridge;
- The portion of State Route 4014, also known as Grandview Boulevard, from Pittsburgh Avenue to State Route 4015, also known as Zuck Road, in Millcreek Township, Erie County, as the John A. Pulice Memorial Highway;
- The bridge located on State Route 4001 over Crooked Creek, Armstrong Township, Indiana County, as the Sergeant Carl Roof Memorial Bridge;
- The bridge, identified as Bridge Key 25488, carrying State Route 1011 over Mix Creek, Eldred Township, McKean County, as the Sgt. Neil K. Dorrion Memorial Bridge;
- The bridge, identified as Bridge Key 39504, carrying Pennsylvania Route 3004 over the Allegheny River, Roulette Township, Potter County, as the SSG Gerrith Kibbe Memorial Bridge;
- The bridge located on U.S. Route 6 over the Tioga River, Mansfield Borough, Tioga County as the Mansfield Veterans Memorial Bridge;
- The bridge, identified as Bridge Key 5840, located on SR 4010 (17th Street) over Interstate 99 in Logan Township, Blair County, as the Honorable Richard A. Geist Memorial Bridge;
- The bridge, identified as Bridge Key 45998, on State Route 2027 in North Union Township, Fayette County, as the SSG Willis J. Crayton Memorial Bridge;
- The bridge, identified as Bridge Key 4133, carrying Pennsylvania Route 913 over the Raystown Branch of the Juniata River in Liberty Township, Bedford County, as the Sergeant Charles Warsing Memorial Bridge;

- The bridge, identified as Bridge Key 68033, carrying State Route 2047 over the CSX and SEPTA railroads, in Middletown Township, Bucks County, as the PFC John Elton Candy Memorial Bridge;
- The portion of U.S. Route 20 in Pennsylvania, beginning at the Pennsylvania-Ohio state line and ending at the Pennsylvania-New York state line as the Pennsylvania Medal of Honor Highway;
- The portion of State Route 2038, also known as Fitzwatertown Road, between Jenkintown Road and North Hills Avenue in Upper Dublin Township, Montgomery County, as the CPL Vincent J. Wargo, Jr., U.S.M.C. Memorial Highway; and
- The bridge, identified as Bridge Key 43267, on the portion of State Route 3041, also known as Dishong Mountain Road, over U.S. Route 22 in Jackson Township, Cambria County, as the Technical Sergeant Mike Capelli Memorial Bridge.

The legislation would also repeal Section 12 (PFC Joseph Frank Duda Memorial Interchange) and Section 13 (Corporal Denny Ray Easter Memorial Interchange) of Act 45 of 2020. **Passed: 50-0.**

Senate Bill 574 (Brewster) would amend the Real Estate Tax Sale Law to allow counties to impose a fee of up to \$250 on the price of properties sold for delinquent taxes or for mortgage foreclosure. The fee would be collected at the time of the sale from the buyer as a condition of conveying title to the property. If a county establishes a fee, it would have to establish a county demolition and rehabilitation fund, into which the fee will be deposited. The fund would be used solely by the county or other approved entity for the demolition or rehabilitation of blighted property in the county. The fee could not be applied to property sold for delinquent taxes to a nonprofit entity, land bank or government entity. **Passed: 48-2.**

Senate Bill 674 (Kearney) would amend Title 8 (Boroughs and Incorporated Towns) of the Pennsylvania Consolidated Statutes to make a number of changes. The legislation would:

- Provide that an elected or appointed official of a borough may not be surcharged for a borough financial loss if the official acted in good faith on a written or publicly disclosed opinion of the borough solicitor;
- Authorize a borough to appoint a partnership, limited partnership, association or professional corporation as the borough manager;
- Permit the civil service commission of a borough to reorganize within 30 days of the first Monday in January of each even-numbered year; and
- Remove the requirement that a preliminary budget be prepared beginning at least 30 days prior to the adoption of the budget. **Passed: 50-0.**

[Senate Bill 708](#) (Bartolotta) would amend the Crime Victims Act to establish that victims of crime have the right to be notified of the Address Confidentiality Program (relating to domestic and sexual violence victim address confidentiality). The responsibility for notifying the victim of his or her rights would be shifted from a law enforcement agency to an individual officer. The agency would still be required to ensure the officer provides the information. The bill would make the home addresses of employees of the Office of Victim Advocate private and confidential and not subject to the Right-to-Know Law. In addition, all records pertaining to a victim in the possession of the Office of Victim Advocate would be private and confidential and not subject to the Right-to-Know law, subpoena, discovery, or introduction as evidence. An employee of the Office of Victim Advocate would not be permitted to testify or otherwise disclose confidential communications unless a victim waives the privilege.

For victim compensation, the bill would change the statute of limitations for making a claim from two to five years, allow for a good faith extension and decrease the minimum loss from \$100 to \$50. Flexibility would be granted in the amount of emergency victim compensation and victims under age 18 would be excused from the requirement to use insurance in certain circumstances. The reporting requirement to be eligible for compensation would be clarified and the Crime Victims Compensation Fund and the Victim Witness Services Fund would be merged into a single, non-lapsing fund known as the Crime Victim Services and Compensation Fund for payment to claimants, for victim-witness services and technical assistance. Seventy percent of any costs over \$60 collected for the Crime Victims Compensation Fund or Victims Witness Services Fund would be paid to local victim services funds in each county for distribution by the district attorney of the county. The county offender supervision fund would be renamed the County Supervision Fee Restricted Receipts Account and all supervision funds would go to the Account. **Passed: 50-0.**

[Senate Bill 772](#) (DiSanto) would amend the Insurance Company Law of 1921 to reflect the National Association of Insurance Commissioners 2020 model law updates pertaining to the standard nonforfeiture law for deferred annuities and best interest standard of conduct for suitability in annuity transactions. The measure would lower the minimum nonforfeiture rate for individual deferred annuities from 1.0 percent to 0.15 percent. The minimum nonforfeiture rate is the lowest interest rate guarantee an insurer can use to determine the cash value of an individual deferred annuity. Additional provisions would update the standard for sales of annuities from “suitability” to “best interest”—meaning a producer and insurer would have to make sure a sale of an annuity is not just suitable for the consumer, but in the consumer’s best interest. This higher standard would match the SEC’s “best interest” standard for federally regulated securities transactions. The measure would also establish enhanced disclosure obligations and provide for additional supervision of recommendations.

An insurer and producer would be required to maintain or be able to make available to the Insurance Commissioner records of information collected from the consumer, as well as disclosures made to the consumer used in making the recommendations of an annuity for five years after completing the transaction. Continuing education requirements would have to be met on or before the end of the insurance producer’s next complete license period. Producers licensed on or after the effective date of the legislation would have to meet the requirements before the end of the producer’s first license period. A producer who has met continuing

education credit requirements prior to the effective date would have to complete at least four continuing education credits in an annuity training course or an additional one-time one credit training course approved by the Insurance Department within six months. **Passed: 50-0.**

Senate Resolution 146 (Aument) directs the Legislative Budget and Finance Committee to conduct a study of the current limitations on liability under 42 Pa.C.S. §§8528 and 8553 (state and local government entities) and issue a report of its findings and recommendations to the Senate. **Adopted: 50-0.**

House Bill 125 (Mizgorski) would designate the bridge, identified as Bridge Key 1951, carrying State Route 4017 on Wetzel Road, Shaler Township, Allegheny County as the Commander William J. Schofield, III, Memorial Bridge. **Passed: 50-0.**

House Bill 184 (Keefer) would amend Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes to require the Pennsylvania Commission on Sentencing to provide a sentencing enhancement for a conviction of causing a suicide or for aiding or soliciting a person to die by suicide when the person dying by suicide is either under 18 years of age or has an intellectual disability or autism spectrum disorder. **Passed: 34-16.**

House Bill 246 (Mihalek) would amend Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes to clarify that the protections afforded to victims of sexual abuse under the Rape Shield Law are also applied to victims of human trafficking. The legislation would clarify that the age of the victim with respect to the age of consent to sex or legal age to marry would not constitute a defense. **Passed: 50-0.**

House Bill 264 (Heffley) would amend the Real Estate Tax Sale Law to require a person that intends to bid at an upset or judicial sale to register at the tax claim bureau not less than 10 days before the sale. The individual would be required to submit an application with the information outlined in the legislation. A tax claim bureau would be required to provide a list of completed applications to all municipalities within the county by mail, email or facsimile at least five days before the sale. A county could establish a fee for filing an application to register for a sale. An additional change would authorize the tax claim bureau to establish, with the written consent of all taxing districts where the property is located, a minimum purchase price for the property and to accept an offer of any price equal to or greater than the minimum price. The bureau would have to require, as a condition of sale, that the purchaser provide an affidavit including the information specified in the bill. Any taxing district that does not give consent to the sale of the property within 60 days would be deemed to have given consent. **Passed: 46-1.**

House Bill 336 (Mackenzie) would amend the Administrative Code of 1929 to:

- Create the Judicial Computer System Financial Audit Committee within the Pennsylvania Commission on Crime and Delinquency to review the policy goals, purpose and programs of the judicial computer system. The Committee would be required to submit a report of its findings to the General Assembly by January 31, 2022;

- Transfer the administration of the Flood Plain Management Act and management of related programs, such as the National Flood Insurance Program, from the Department of Community and Economic Development to the Pennsylvania Emergency Management Agency;
- Prohibit individuals from constructing, modifying, removing, abandoning, or destroying a structure or engaging in any activity specified in the Flood Plain Management Act without first obtaining a permit from the Department of Environmental Protection;
- Require the Independent Fiscal Office, upon request, to provide a revenue estimate for a proposed bill or an amendment affecting revenue and receipts, including regulatory fees, that may be expected to carry a fiscal impact in excess of \$50,000,000 in any fiscal year;
- Authorize the Auditor General to audit certain municipal authorities;
- Direct the Department of State to provide the date of publication of a proposed constitutional amendment to each member of the General Assembly, the Secretary of the Senate, the Chief Clerk of the House of Representatives, the Parliamentarian of the Senate and the House of Representatives and the Legislative Reference Bureau no later than 14 days prior to the publication of a constitutional amendment;
- Require all registered lobbyists in the Commonwealth to annually register with the Department of State any equity they may hold in an entity they are lobbying on behalf of beginning July 30, 2022;
- Require the Office of Attorney General to defend claims against the Commonwealth if payment for damages and other costs related to the claim may be paid or reimbursed under any Commonwealth self-insurance programs or contracts for third-party insurance managed by the Department of General Service and the Commonwealth entity requests in writing the Attorney General defend their claim;
- Create a new Department of Environmental Protection permit for the temporary storage and transfer of beneficial reuse of oil and gas liquid waste;
- Direct the Department of Human Services to request guidance and a decision from the U.S. Department of Agriculture on the Commonwealth's ability to pursue a waiver for the continuation of the Supplemental Nutrition Assistance Program (SNAP) Emergency Allotment benefits;
- Repeal regulations pertaining to the definitions of executive, administrative and professional personnel as they pertain to overtime compensation exempt personnel;
- Establish a procedure for drug and alcohol treatment providers to request from the Department of Drug and Alcohol Programs additional time beyond July 1, 2021, in

reaching substantial alignment with service delivery conditions under the American Society of Addiction Medicine criteria; and

- Repeal Act 28 of 2018, the Pennsylvania Commission for the United States Semiquincentennial Act, and reenact updated provisions in a new Article XXVIII –I (United States Semiquincentennial.) [Passed: 28-22.](#)

[House Bill 843](#) (Rowe) would amend Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes to add any offense under Chapter 30 (relating to human trafficking) of the Crimes Code and the offense of promoting prostitution of a minor, 18 Pa.C.S. §5902(b.1), to the list of criminal convictions of a party or member of a party’s household that a court must consider before making a custody determination. [Passed: 50-0.](#)

[House Bill 925](#) (Borowicz) would designate the bridge, identified as Bridge Key 12275, carrying State Route 1002 over the West Branch of the Susquehanna River, Castanea Township, Clinton County, as the Petty Officer Stephen “Turbo” Toboz, Jr., Bridge. [Passed: 50-0.](#)

[House Bill 944](#) (E. Nelson) would amend the Administrative Code of 1929 to direct the Department of Drug and Alcohol Programs to require inpatient treatment facilities to notify as appropriate, by a method consented to by the patient, an emergency contact designated by the patient if the patient leaves an inpatient treatment facility against medical advice, provided the patient has not revoked consent to notify the emergency contact. An exception to the notification requirement would be provided where the treatment facility has knowledge of or reason to know of allegations of domestic abuse perpetrated upon the patient by the emergency contact. The facility would be required to develop policies and procedures to implement the provision. The requirement could not be interpreted to hold the treatment facility liable beyond its stated duties. [Passed: 50-0.](#)

[House Bill 952](#) (Oberlander) would amend the Tax Reform Code of 1971 to enact budget implementation language. Among other provisions, the legislation would:

- Provide a Sales and Use Tax exemption for the sale at retail or use of computer data center equipment for installation in a computer data center that meets certain criteria regarding payroll and investment in order to qualify for an exemption. The bill would also expand the existing exclusion for the sale at retail or use of helicopters and similar rotorcraft to include flight simulators, as well as training materials, operational documents and publications relating to the use or operation of helicopters and similar rotorcraft and flight simulators. Multipurpose agricultural vehicles and durable medical equipment used for breastfeeding would also be exempt from the tax;
- Conform the Personal Income Tax (PIT) with Internal Revenue Code provisions related to crop insurance proceeds;
- Add references to the filing of Federal Form 1099-NEC (i.e., nonemployee compensation), created in the Federal Tax Cuts and Jobs Act of 2017;

- Require that PIT payments remitted in the amount of \$15,000 or more to be made electronically as prescribed by the Department of Revenue;
- Allow the Manufacturing Innovation and Reinvestment deduction contained within the Corporate Net Income Tax (CNIT) to be taken following the allocation and apportionment of income;
- Repeal the August 1, 2021 expiration of the two percent table games tax, which is deposited into the General Fund;
- Require the Department or an administering agency to make a finding that an applicant or a recipient of a tax credit or tax benefit has filed all required state tax reports and returns and paid any balance of state tax due;
- Increase the accountability of tax credit and tax benefit programs by giving agencies sufficient tools to properly verify applications and require agencies to adequately train their employees in the operation of the programs;
- Establish a tax credit broker registration requirement;
- Standardize the issuance of annual reports by tax credit programs that discloses the recipients, the amount of benefits awarded, and increased jobs and economic activity attributable to the program;
- Streamline the application and approval dates of the R&D Tax Credit to better align with the filing of tax returns and reports;
- Allow DCED to consider a taxpayer's ability to produce multiple films (multifilms) in the state and the potential economic impact, including tourism, of the multiple films to the state when reviewing and approving applications under the Film Production Tax Credit;
- Increase the annual cap of the existing Mixed-Use Development Tax Credit from \$3 million per fiscal year to \$4.5 million per fiscal year, beginning in Fiscal Year 2021-22;
- Provide that, for Fiscal Years beginning July 1, 2021 and ending June 30, 2023, the term "tour" for purposes of the Entertainment Economic Enhancement Program Tax Credit would include a streaming performance, which is defined as a live performance at a qualified rehearsal facility located in Pennsylvania to be remotely viewed by individuals. The bill would also create a new section relating to Pennsylvania live events industry COVID-19 emergency assistance to provide temporary procedures to encourage streaming performances, which would qualify for a tax credit;

- Streamline the application and approval dates of the Keystone Innovation Zone Tax Credit to better align with the filing of tax returns and reports;
- Provide that no more than two qualified taxpayers could receive a Local Resource Manufacturing Tax Credit annually;
- Fund the Pennsylvania Housing Tax Credit at \$10 million per fiscal year, beginning with Fiscal Year 2021-22, with a maximum tax credit per taxpayer for a qualified low-income housing project of \$1.5 million;
- Allow DCED to extend the approval period for certain Keystone Opportunity Expansion Zones; and
- Decrease the penalty for bad checks and electronic funds transfers to 10 percent of the amount of the tax liability, up to a maximum of \$100. [Passed: 46-4.](#)

[House Bill 954](#) (Stephens) would amend Title 18 (Crimes and Offenses) and Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes to allow a criminal justice agency to disseminate information relating to an allegation or instance of child abuse to a county agency or the Department of Human Services for the purpose of investigating the allegation or to a children's advocacy center for the purpose of providing services to investigating agencies. The information could also be shared with a multidisciplinary review team, a multidisciplinary investigative team, or a child fatality or near-fatality review team. Anyone who receives the information and shares it with an unauthorized person or entity would be subject to penalties and liability as provided in Sections 9181 and 9183 of Title 18. [Passed: 50-0.](#)

[House Bill 957](#) (Moul) would amend Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes to allow an owner of multiple residential units that are served by a single water meter to periodically request the authority to adjust the amount billed if it is determined that the amount billed exceeds the actual usage by 30 percent or more. The owner seeking a rate adjustment would be required to provide the authority with a minimum of five consecutive years of actual usage data to determine if the amount billed exceeds the actual usage by 30 percent or more. The authority would have to adjust the billing to reflect the actual usage and to use the adjusted amount going forward. An owner would be prohibited from requesting another adjustment for five years. [Passed: 50-0.](#)

[House Bill 1024](#) (Schemel) would amend the Medical Marijuana Act to make a number of changes. Among other updates, the legislation would:

- Increase product dispensing from a 30-day supply to a 90-day supply and allow for curbside dispensing;
- Permit a dispensary to have a pharmacist or physician available either in person or by synchronous interaction;

- Allow a physician assistant or certified registered nurse practitioner, in lieu of a physician or pharmacist, to verify patient certifications and consult with patients and caregivers at a dispensary with multiple locations;
- Require DOH's electronic seed-to-sale tracking system to allow for two-way communication and application-programming interface with a medical marijuana organization's software and requires DOH to develop a system that is capable of securely transmitting data to the Medical Marijuana Advisory Board;
- Modify the duties of the advisory board to require annual reports to the General Assembly;
- Permit DOH to effectuate recommendations of the advisory board through publication in the Pennsylvania Bulletin, rather than through promulgation of regulation;
- Clarify that an academic clinical research center could only contract with one clinical registrant, increase the number of clinical registrants from eight to ten and increase the maximum number of locations at which clinical registrants could dispense medical marijuana from 48 to 60;
- Prohibit DOH from approving a grower/processor permit application if the applicant previously had certain contractual relationships with an academic clinical research center and provide that a clinical registrant shall have all of the same rights as a grower/processor and may sell its medical marijuana products to all dispensary facilities;
- Provide for an academic clinical research center, in coordination with its contracted clinical registrant, to conduct a research initiative on the antimicrobial effects of applying solvent-based extraction methods and processes to microbial contamination of medical marijuana plants, medical marijuana, or medical marijuana products; and
- Permit DOH to adopt temporary regulations until May 31, 2022. **Passed: 47-3.**

House Bill 1147 (Gaydos) would amend Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes to expand the list of offenses that require an offender in a state correctional institution to attend and participate in a program of counseling or therapy designed for incarcerated sex offenders. These offenses would include: any offense enumerated in Chapter 30 (relating to human trafficking) of the Crimes Code if the victim is under 18 and the offense involved sexual servitude; endangering the welfare of children; corruption of minors; prostitution; incest or conspiracy to commit one of these offenses. **Passed: 49-1.**

House Bill 1300 (Grove) would amend the Pennsylvania Election Code to make omnibus changes. Among other modifications, the legislation would:

- Establish the Bureau of Election Audits within the Office of the Auditor General. Result confirming audits would be required for each election, except an election which is uncontested or in which a full recount is undertaken. A performance audit of the operations of the elections systems and processes would be required at least once every five years. The Bureau would be required to publicly post audit methodologies as well as results of each audit conducted;
- Require the Department of State to obtain and maintain uniformity in the interpretation and implementation of election law and to provide uniform standards for uniform implementation of voter registration laws and records;
- Direct the Department to maintain a hotline for the reporting of known or suspected election fraud or intimidation;
- Allow the Department to accept private donations for election administration or voter registration and require the money to be distributed equally across the Commonwealth. A distribution of private funds would have to be approved by the Election Law Advisory Board;
- Establish that in a judicial proceeding in which all or part of the act is alleged to be unconstitutional, either or both chambers of the General Assembly would have special standing to intervene as a party in the action and to defend the act;
- Mandate a report by the Department to the Senate and House State Government Committee chairs on the implementation of an election within 75 days after the election with the information outlined in the bill;
- Require all voters to show identification at the polling place. An elector could vote without any form of identification by signing an affidavit affirming his or her identity that contains a warning about the penalties for perjury;
- Require county boards of elections to capture and store signatures for use in matching an elector's signature; to purchase electronic poll books; and to publish at each polling place the voter's bill of rights, the senior voter's bill of rights and the disabled voter's bill of rights established in the act;
- Require county boards to review any polling place where voters waited longer than 30 minutes to cast a ballot and to identify and enact plans to alleviate any such waiting time for future elections;
- Require that certified equipment be manufactured in the United States and sold by a vendor with a primary place of business within the United States. New requirements for machine certification would only apply to machines newly examined or approved after 2024;

- Direct counties to publicly test all election machines prior to each election, with records of such tests retained and made available for audits or public inspection. The Secretary would also be required to examine and approve at least two accessible voting machines for use by disabled voters;
- Establish enhanced voter registration standards and a more secure mail-in and absentee ballot voting system;
- Allow county boards to establish satellite election offices;
- Allow ballot return locations to be established during the seven days immediately prior to an election and require pre-canvassing of mail-in and absentee ballots on at least two days prior to election day. Pre-canvassing would be allowed from 7 a.m. to 11 p.m. on the five days prior to an election, and while polls are open;
- Provide for early voting starting at the 2025 primary;
- Provide for supervised absentee voting at nursing home and assisted living facilities;
- Establish a curing process for mail-in or absentee ballots with certain errors, including an inability to match the signature with the signature of record, the lack of a signature or a date. Any curing would have to be completed prior to the close of polls on Election Day;
- Require the Attorney General to appoint, at least 45 days prior to an election, an independent prosecutor to review election complaints received by the Department and any county. The independent prosecutor would have to publish a report following each election including the total number of complaints filed, a summary of how each complaint was investigated, and recommendations for reducing future complaints;
- Provide for the reimbursement of certain costs to counties; and
- Double all penalties for violations of the election code and add two additional specific violations including unlawful collection of ballots and the duress or intimidation of election officials. **Passed: 29-21.**

[House Bill 1348](#) (Saylor) would amend the Fiscal Code to provide for implementation language for the 2021-2022 Fiscal Year budget. Among other highlights, the legislation would:

- Provide for the transfer of funds from the federal Coronavirus State Fiscal Recovery Fund to the General Fund from any unexpended funds available after June 30, 2022, and again after June 30, 2023;
- Distribute \$499,695,315 in federal American Rescue Plan Act (ARPA) – Elementary and Secondary School Emergency Relief (ESSER) funds;

- Establish a grant program administered by the Department of Education to allocate \$152,742,000 in federal ARPA – Emergency Assistance to Non-Public Schools funds;
- Distribute \$4,700,000 in federal ARPA – Institute of Museum and Library Services funds as grants to public libraries;
- Provide \$282,000,000 in federal ARPA funds to nursing facilities, assisted living and personal care homes and provide for a long-term care facility ventilation grant program;
- Earmark \$50,000,000 to provide assistance to entities facing increased building material costs in the construction of low-income housing;
- Provide for the distribution of \$350,362,000 in federal ARPA money to assist with mortgage payments, principal reduction, interest rate reduction, utility and insurance costs;
- Create the Low-Income Water and Wastewater Emergency Assistance Program to distribute \$43,250,000 to provide assistance to those who also receive assistance from the Low-Income Home Energy Assistance Program;
- Provide \$728 million for the Child Care Stabilization Program within the Department of Human Services;
- Provide for changes to the original Emergency Rental and Utility Assistance program regarding administrative spending to align with revised federal guidance and to allocate federal funds;
- Create the Angel Investment Venture Capital Program within the Executive Offices of the Governor to provide entities who participate in angel investing with additional capital to take a private equity interest in a qualified business venture;
- Establish a two-year electric low-speed scooter (E-Scooter) pilot program in the City of Pittsburgh and provide for regulations for the program;
- Transfer the entire surplus in the General Fund for FY 2020-21 into the Budget Stabilization Reserve Fund;
- Establish the Opioid Settlement Restricted Account for all money received as a result of a settlement, litigation or an enforcement action related to claims made by the Commonwealth relating to opioids. All money deposited into the account would be subject to appropriation by the General Assembly;
- Provide that annual agricultural fairs receive the same amount of funding as in 2019, even if the fair was canceled in 2020; and

- Allow DHS, upon approval of the Secretary of the Budget, to transfer federal funds from the Temporary Assistance for Needy Families Block Grant to the Child Care and Development Fund Block Grant and the Social Services Block Grant if the transfer will not result in a deficit. The Secretary of the Budget would have to provide notice to the chairs of the Senate and House Appropriations Committees 10 days prior to a transfer. **Passed: 42-8.**

House Bill 1349 (Pickett) would amend the Insurance Department Act of 1921 to enable the Insurance Department to electronically process criminal history records for insurance producer applicants. **Passed: 50-0.**

House Bill 1390 (Saylor) would designate the bridge, identified as Bridge Key 37590, carrying Pennsylvania Route 425 over Fishing Creek, in Chanceford Township, York County as the PFC James Joseph Criswell Memorial Bridge. **Passed: 50-0.**

House Bill 1429 (Schlegel Culver) would amend Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes to create the offense of financial exploitation of an older adult or care-dependent person by someone in a position of trust. The bill would grade financial exploitation as a first degree felony, punishable by up to 20 years in jail and/or a fine of up to \$25,000 if the amount is at least \$500,000 or if the person participated in a course of conduct resulting in the loss of property to two or more older adults or care-dependent persons. Financial exploitation for lesser amounts would be graded as follows:

- At least \$100,000 but less than \$500,000 – second degree felony;
- At least \$2,000 but less than \$100,000 – third degree felony; and
- Any other offenses – first degree misdemeanor.

A person acting under a power of attorney for an older adult or care-dependent person would be presumed to understand his or her legal obligations under Chapter 56 (Powers of Attorney) of Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes. The district attorney of a county would have the authority to investigate and institute criminal proceedings for any violations of the section or related offenses. The Attorney General's office would have concurrent jurisdiction if the amount exceeds \$20,000.

Passed: 49-1.

House Bill 1431 (Klunk) would amend Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes to provide that a caretaker commits the offense of abuse of a care-dependent person if the caretaker, with the intent to ridicule or demean a care-dependent person, uses any audio, video or still image of the care-dependent person in any format or medium on or through any electronic service, wireless communication or any form of electronic service or wireless communication. An offense under these provisions would be considered a third degree misdemeanor. **Passed: 48-2.**

[House Bill 1508](#) (Saylor) would appropriate \$55,325,000 from the Professional Licensure Augmentation Account within the General Fund to the Department of State for the operation of the Bureau of Professional and Occupational Affairs, including the State Board of Auctioneer Examiners, during the 2021-2022 Fiscal Year. Other appropriations listed in the bill for operational costs during the 2021-2022 Fiscal Year include: \$8,849,000 to the State Board of Medicine; \$2,490,000 to the State Board of Osteopathic Medicine; \$393,000 to the State Board of Podiatry; and \$868,000 to the State Athletic Commission. **[Passed: 50-0.](#)**

[House Bill 1509](#) (Saylor) would appropriate \$75,802,000 from the Workmen's Compensation Administration Fund to the Department of Labor and Industry for the administration of the Workers' Compensation Act and the Pennsylvania Occupational Disease Act for Fiscal Year 2021-2022. The bill would also appropriate \$280,000 from a restricted revenue account within the Workmen's Compensation Administration Fund to the Office of Small Business Advocate for Fiscal Year 2021-2022. **[Passed: 50-0.](#)**

[House Bill 1510](#) (Saylor) would appropriate \$1,896,000 from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development for its operational expenses for the 2021-2022 Fiscal Year. **[Passed: 50-0.](#)**

[House Bill 1511](#) (Saylor) would appropriate \$6,204,000 from a restricted revenue account in the General Fund to the Office of Consumer Advocate in the Office of Attorney General for its operational expenses for the 2021-2022 Fiscal Year. **[Passed: 50-0.](#)**

[House Bill 1512](#) (Saylor) would appropriate \$52,294,000 from the Public School Employees' Retirement Fund to the Public School Employees' Retirement Board for its operational and administrative expenses for the 2021-2022 Fiscal Year. The bill would also appropriate \$955,000 from the PSERS Defined Contribution Fund to the Public School Employees' Retirement Board for expenses related to the administration of the School Employees Defined Contribution Plan for the 2021-2022 Fiscal Year. **[Passed: 50-0.](#)**

[House Bill 1513](#) (Saylor) would appropriate \$33,096,000 from the State Employees' Retirement Fund to the State Employees' Retirement Board for its operational and administrative expenses for the 2021-2022 Fiscal Year. The bill would also appropriate \$4,398,000 from the SERS Defined Contribution Fund to the State Employees' Retirement Board for expenses related to the administration of the State Employees Defined Contribution Plan for the 2021-2022 Fiscal Year. **[Passed: 50-0.](#)**

[House Bill 1514](#) (Saylor) would appropriate \$2,749,000 from the Philadelphia Taxicab and Limousine Regulatory Fund and \$100,000 from the Philadelphia Taxicab Medallion Fund to the Philadelphia Parking Authority for the 2021-2022 Fiscal Year. **[Passed: 50-0.](#)**

[House Bill 1515](#) (Saylor) would appropriate \$78,477,000 to the Public Utility Commission (PUC) for the operation of the Commission for the 2021-2022 Fiscal Year. The bill would also appropriate \$3,995,000 in federal funds to the PUC to enforce the regulations of the Natural Gas Pipeline Safety Act and \$1,133,000 in federal funds for motor carrier safety. **[Passed: 50-0.](#)**

[House Bill 1516](#) (Saylor) would create the Gaming Control Appropriation Act of 2021. The bill would appropriate monies from the State Gaming Fund for salaries, wages, and necessary expenses related to gaming, as follows:

- Pennsylvania Gaming Control Board, \$46,673,000;
- Pennsylvania State Police, \$30,033,000;
- Department of Revenue, \$6,707,000; and
- Attorney General, \$1,405,000.

The bill would also appropriate:

- \$100,000 to the Gaming Control Board and \$418,000 to the Department of Revenue from the Fantasy Contest Fund for wages and expenses during Fiscal Year 2021-2022; and
- \$475,000 to the Gaming Control Board and \$683,000 to the Department of Revenue from the Video Gaming Fund for wages and expenses during Fiscal Year 2021-2022; and
- \$12,892,000 to the Pennsylvania State Police as a supplemental appropriation for Fiscal Year 2020-2021 from the State Gaming Fund for salaries, wages and all necessary expenses relating to gaming. **Passed: 50-0.**

[House Bill 1621](#) (Marshall) would create the Small Wireless Facilities Deployment Act to codify federal guidelines pertaining to the deployment of small wireless facilities within a right-of-way. The bill would establish guidelines for right-of-way use for small wireless facilities and utility poles with small wireless facilities attached. A municipality could not enter into an exclusive arrangement for the use of the right-of-way for the co-location, installation, operation, modification or replacement of utility poles with small wireless facilities attached. A municipality would be able to charge an annual fee for the use of the right-of-way. Each new or modified small wireless facility could not extend more than five feet above the existing pole or more than 50 feet above ground level. A wireless provider would be required to repair all damage to the right-of-way or any other land disturbed directly by its activities or those of its contractors. If repairs are not made within 30 days, the municipality could make the repairs and charge the wireless provider for the costs of the repairs and a penalty not to exceed \$500.

A municipality could require an applicant to obtain one or more permits to co-locate, maintain and modify small wireless facilities. An applicant seeking to co-locate within a single municipality would be allowed to file a consolidated application as long as the number of facilities does not exceed 20. The co-location, modification, replacement or installation of a utility pole would have to be completed within one year of the permit issuance date. An application would not be required for routine maintenance, repair work or replacement of a similar facility. A municipality would have the right to charge an application fee and could

adjust its fee levels if the Federal Communications Commission adjusts its fee levels.
Passed: 50-0.

Executive Session

Marcus L. Brown – Pennsylvania Parole Board. **Confirmed: 47-3.**

Nominations to Various Boards and Commissions. **Confirmed: 47-2.**

(2021-094)