
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1887 Session of
2023

INTRODUCED BY ROZZI, HILL-EVANS, MADDEN, SANCHEZ, SAPPEY,
DONAHUE, HADDOCK, CIRESI AND CEPEDA-FREYTIZ, DECEMBER 8, 2023

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, DECEMBER 8, 2023

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, in disaster emergency assistance,
3 further providing for legislative purpose, for definitions
4 and for construction, establishing the Individual Property
5 Disaster Assistance Fund, renaming the Public Disaster
6 Assistance Grant Program and providing for definitions
7 relating to Public Facilities Disaster Assistance Grant
8 Program; imposing duties on the Pennsylvania Emergency
9 Management Agency; making interfund transfers; and making
10 editorial changes.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. Section 7902 of Title 35 of the Pennsylvania
14 Consolidated Statutes is amended to read:

15 § 7902. Legislative purpose.

16 It is the purpose of this chapter to [create a program to]
17 provide assistance to persons, political subdivisions and
18 municipal authorities directly affected by natural disasters and
19 man-made disasters. Assistance will be limited to grants for
20 projects that do not qualify for Federal assistance to help
21 repair damages to public facilities[. Grants will be made

1 available by the agency in a disaster emergency area only when a
2 Presidential disaster declaration is not covering the area.] and
3 individual properties.

4 Section 2. The definitions of "eligible loss" and "program"
5 in section 7903 of Title 35 are amended to read:

6 § 7903. Definitions.

7 The following words and phrases when used in this chapter
8 shall have the meanings given to them in this section unless the
9 context clearly indicates otherwise:

10 * * *

11 "Eligible loss." Damage to a public facility caused by a
12 natural disaster or man-made disaster in a disaster emergency
13 area.

14 * * *

15 ["Program." The Public Disaster Assistance Grant Program
16 established under Subchapter B (relating to Public Disaster
17 Assistance Grant Program).]

18 * * *

19 Section 3. Section 7904 of Title 35 is amended to read:

20 § 7904. Construction.

21 Grants and other payments shall be made to persons, political
22 subdivisions or municipal authorities in a disaster emergency
23 area for which no Presidential disaster declaration has been
24 issued.

25 Section 4. Chapter 79 of Title 35 is amended by adding a
26 subchapter to read:

27 SUBCHAPTER A.1

28 INDIVIDUAL PROPERTY DISASTER ASSISTANCE

29 Sec.

30 7911. Definitions.

- 1 7912. Establishment of fund.
- 2 7913. General purpose of fund.
- 3 7914. Specific uses of fund money.
- 4 7915. Application process.
- 5 7916. Limitations.
- 6 7917. Administration.
- 7 7918. Fund sources.
- 8 7919. Operation of fund.
- 9 § 7911. Definitions.

10 The following words and phrases when used in this subchapter
11 shall have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Flood." As defined in section 104 of the act of October 4,
14 1978 (P.L.851, No.166), known as the Flood Plain Management Act.

15 "Flood plain." As defined in section 104 of the Flood Plain
16 Management Act.

17 "Fund." The Individual Property Disaster Assistance Fund
18 established under section 7912 (relating to establishment of
19 fund).

20 "Municipality." A county, city, borough, incorporated town,
21 township, home rule municipality, optional plan municipality,
22 optional charter municipality or similar general purpose unit of
23 government of this Commonwealth that may be created or
24 authorized by statute.

25 § 7912. Establishment of fund.

26 The Individual Property Disaster Assistance Fund is
27 established within the State Treasury as a restricted revenue
28 account for use by the agency in accordance with this
29 subchapter.

30 § 7913. General purpose of fund.

1 Subject to section 7914 (relating to specific uses of fund
2 money), the agency shall use money in the fund to assist with
3 the following:

4 (1) A disaster emergency declared by executive order or
5 proclamation of the Governor in accordance with section
6 7301(c) (relating to general authority of Governor).

7 (2) A local disaster emergency declared by the governing
8 body of a political subdivision in accordance with section
9 7501(b) (relating to general authority of political
10 subdivisions).

11 § 7914. Specific uses of fund money.

12 (a) Persons.--

13 (1) Subject to paragraph (2), money in the fund shall be
14 made available to any person affected by a disaster emergency
15 or local disaster emergency described in section 7913
16 (relating to general purpose of fund).

17 (2) In the case of a disaster emergency or local
18 disaster emergency described in section 7913 involving damage
19 to real property in this Commonwealth that is caused by a
20 flood:

21 (i) Money in the fund shall be made available to the
22 person owning the real property if:

23 (A) the real property is not located in a flood
24 plain; and

25 (B) the person is not required to purchase flood
26 insurance for the real property.

27 (ii) Money in the fund shall not be made available
28 to the person owning the real property if:

29 (A) the real property is located in a flood
30 plain; and

1 (B) the person did not purchase required flood
2 insurance for the real property.

3 (b) Municipalities.--Money in the fund shall be made
4 available to any municipality affected by a disaster emergency
5 or local disaster emergency described in section 7913 that
6 occurred within one year prior to the effective date of this
7 subsection.

8 § 7915. Application process.

9 (a) Form.--

10 (1) The agency shall develop an application form for
11 persons and municipalities to use to request money from the
12 fund.

13 (2) The application form shall be posted on the publicly
14 accessible Internet website of the agency.

15 (b) Information.--A completed application form under this
16 section must include the following information:

17 (1) In the case of a person requesting money from the
18 fund:

19 (i) The name, location and contact information of
20 the person.

21 (ii) The location of the real property.

22 (iii) The date of the damage caused by the flood.

23 (iv) The amount of money requested.

24 (v) The specific purposes to be achieved as a result
25 of receiving the money requested.

26 (vi) Verification of eligibility to receive the
27 money requested.

28 (vii) Any other information or documentation
29 required by the agency.

30 (2) In the case of a municipality requesting money from

1 the fund:

2 (i) The name, location and contact information of
3 the municipality.

4 (ii) The areas of the municipality affected by the
5 disaster or emergency.

6 (iii) The specific circumstances that prompted the
7 request for money from the fund.

8 (iv) The date of the disaster or emergency.

9 (v) The amount of money requested.

10 (vi) The specific purposes to be achieved as a
11 result of receiving the money requested.

12 (vii) Verification of eligibility to receive the
13 money requested.

14 (viii) Any other information or documentation
15 required by the agency.

16 (c) Review and determination.--After receipt of a completed
17 application under subsection (b), the agency shall review the
18 submitted application and shall determine whether to award money
19 from the fund and, if so, the amount to be awarded.

20 (d) Notice of determination.--The following apply to notice
21 of the determination under subsection (c):

22 (1) The agency shall provide written notice to an
23 applicant of the award or denial, in whole or in part, of the
24 money requested.

25 (2) Notice of the award of money shall include the
26 amount of the money awarded and any conditions or
27 restrictions on the use of the money.

28 (3) Notice of the denial of money requested, in whole or
29 in part, shall include the reasons for the denial.

30 § 7916. Limitations.

1 (a) Disbursements.--Money from the fund shall be disbursed
2 on a first-come, first-served basis determined by the agency and
3 until all money in the fund is exhausted.

4 (b) Cap.--The agency may set a cap on the amount of money
5 awarded from the fund.

6 (c) Conditions or restrictions.--The agency may set
7 conditions or restrictions on the use of the money awarded from
8 the fund.

9 § 7917. Administration.

10 The agency shall implement any necessary policy or procedure
11 to administer this subchapter.

12 § 7918. Fund sources.

13 (a) Transfers.--Upon the effective date of this subsection
14 and each fiscal year thereafter, the sum of \$5,000,000 shall be
15 transferred from the General Fund to the fund.

16 (b) Other sources.--

17 (1) The agency may solicit and accept money from other
18 sources, including State appropriations, Federal money,
19 grants, donations, gifts and other payments from any source.

20 (2) Money from the other sources shall be deposited into
21 the fund.

22 § 7919. Operation of fund.

23 (a) Continuing basis.--All money transferred or otherwise
24 deposited into the fund, including any interest and other
25 earnings on the money in the fund, shall be appropriated to the
26 agency on a continuing basis to provide assistance in accordance
27 with this section.

28 (b) No lapse.--Any money remaining in the fund at the end of
29 each fiscal year, including any interest and other earnings on
30 the money in the fund, shall not lapse or otherwise revert to

1 the General Fund but shall remain in the fund.

2 Section 5. Subchapter B heading of Chapter 79 of Title 35 is
3 amended to read:

4 SUBCHAPTER B

5 PUBLIC FACILITIES DISASTER ASSISTANCE GRANT PROGRAM

6 Section 6. Subchapter B of Chapter 79 of Title 35 is amended
7 by adding a section to read:

8 § 7920. Definitions.

9 The following words and phrases when used in this subchapter
10 shall have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 "Program." The Public Facilities Disaster Assistance Grant
13 Program established under section 7921 (relating to
14 establishment).

15 Section 7. Section 7921 of Title 35 is amended to read:

16 § 7921. Establishment.

17 The Public Facilities Disaster Assistance Grant Program is
18 established within the agency to provide grants to political
19 subdivisions and municipal authorities for assistance with
20 repair of disaster-related damage in a disaster emergency area
21 when the damages to public facilities are beyond the financial
22 capabilities of the political subdivision or authority.

23 Section 8. The following apply to the renaming of the grant
24 program under 35 Pa.C.S. Ch. 79 Subch. B:

25 (1) On or after the effective date of this paragraph, a
26 reference to the Public Disaster Assistance Grant Program in
27 a statute or regulation, or otherwise, shall be deemed a
28 reference to the Public Facilities Disaster Assistance Grant
29 Program.

30 (2) On or after the effective date of this paragraph,

1 the Pennsylvania Emergency Management Agency shall recycle or
2 continue to use any forms, stationery, business cards or
3 other office supplies or materials which contain references
4 to the Public Disaster Assistance Grant Program until the
5 time these existing supplies and materials are depleted.
6 Section 9. This act shall take effect in 60 days.