
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1185 Session of
2022

INTRODUCED BY KEARNEY, SAVAL, FONTANA, COMITTA, KANE, SCHWANK,
BREWSTER AND COSTA, APRIL 25, 2022

REFERRED TO COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT,
APRIL 25, 2022

AN ACT

1 Providing for financial assistance to stabilize arts
2 organizations and programs and to support community recovery
3 and resiliency through the arts through partnerships among
4 public, private and nonprofit entities; establishing the Arts
5 and Culture Stability and Recovery Fund; and imposing duties
6 on the Pennsylvania Council on the Arts.

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

9 Section 1. Short title.

10 This act shall be known and may be cited as the Support for
11 the Arts Rescue Plan Act.

12 Section 2. Definitions.

13 The following words and phrases when used in this act shall
14 have the meanings given to them in this section unless the
15 context clearly indicates otherwise:

16 "American Rescue Plan Act of 2021." The American Rescue Plan
17 Act of 2021 (Public Law 117-2, 135 Stat. 4).

18 "CARES Act." The Coronavirus Aid, Relief, and Economic
19 Security (CARES) Act (Public Law 116-136, 134 Stat. 281).

1 "Council." The Pennsylvania Council on the Arts.

2 "Eligible applicant." An applicant that has not been
3 awarded, in aggregate, \$500,000 or more in any of the following:

4 (1) Relief money from the Shuttered Venue Operators
5 Grant Program administered by the Small Business
6 Administration.

7 (2) Relief money from the COVID-19 Cultural and Museum
8 Preservation Grant Program administered by the Department of
9 Community and Economic Development.

10 (3) A National Endowment for the Arts relief grant
11 authorized under the CARES Act or American Rescue Plan Act of
12 2021.

13 (4) A Mid-Atlantic Arts Foundation relief grant
14 authorized under the CARES Act or American Rescue Plan Act of
15 2021.

16 "Fund." The Arts and Culture Stability and Recovery Fund
17 established under section 3.

18 "Low-income community." A population census tract in which
19 any of the following apply:

20 (1) The poverty rate for the tract is at least 20%.

21 (2) As follows:

22 (i) for a tract not located within a metropolitan
23 area, the median family income for the tract does not
24 exceed 80% of Statewide median family income; or

25 (ii) for a tract located within a metropolitan area,
26 the median family income for the tract does not exceed
27 80% of the greater of Statewide median family income or
28 the metropolitan area median family income.

29 "Other entity designated by the council." A nonprofit
30 organization registered in this Commonwealth which the council

1 has used to assist it in carrying out its duties under the act
2 of January 25, 1965 (1966 P.L.1542, No.538), entitled "An act
3 creating a Commonwealth of Pennsylvania Council on the Arts, for
4 the encouragement and development of the various arts, and
5 making an appropriation therefor," prior to the effective date
6 of this section.

7 Section 3. Arts and Culture Stability and Recovery Fund.

8 (a) Establishment.--The Arts and Culture Stability and
9 Recovery Fund is established in the State Treasury. The money in
10 the fund is appropriated on a continuing basis to the council
11 for the purpose of ensuring the stability and recovery of this
12 Commonwealth's arts organizations and programs to support
13 community recovery and resiliency through the arts.

14 (b) Sources of fund.--The fund may consist of:

15 (1) Grants and contributions from private sources.

16 (2) Appropriations made to the fund by the General
17 Assembly.

18 (3) Interest on money deposited into the fund.

19 (4) The sum transferred under subsection (c).

20 (c) Interfund transfer.--The sum of \$25,000,000 is
21 transferred from money received under the American Rescue Plan
22 Act of 2021 in the State Treasury to the fund for the purpose of
23 providing awards under this act.

24 (d) Administration of fund.--The council may, annually, use
25 or disperse up to 5% of available money in the fund for the
26 administration of this act.

27 Section 4. Powers and duties of council.

28 (a) Authority.--The council may carry out the duties imposed
29 by this act, including the development of guidelines and
30 applications.

1 (b) Programs.--The council shall develop programs to carry
2 out the purposes of this act.

3 Section 5. Grants to third party entities for arts
4 organizations and arts programs stabilization.

5 (a) Funding.--The amount of \$10,000,000 is transferred from
6 the fund to the council to provide for grants under this
7 section. The council shall allocate the amount transferred under
8 this section based on an amount per county and per capita to
9 ensure that adequate support is available across this
10 Commonwealth.

11 (b) Administration.--The grants shall be administered by the
12 council's Pennsylvania Partners in the Arts partners or other
13 entities as designated by the council.

14 (c) Application.--An eligible applicant may apply to a
15 Pennsylvania Partners in the Arts partner or other entities
16 designated by the council serving the applicant's county of
17 residence. An eligible applicant must be a nonprofit
18 organization registered in this Commonwealth with a history of
19 at least one year of conducting arts activities and services.

20 (d) Award.--A Pennsylvania Partners in the Arts partner or
21 other entity designated by the council may award a grant of up
22 to \$10,000 for operations and programs in support of an
23 applicant's arts-related missions. The applicant shall not be
24 required to match all or a portion of the amount of the grant.

25 Section 6. Direct grants for arts organizations and arts
26 programs stabilization.

27 (a) Funding.--The amount of \$10,000,000 is transferred from
28 the fund to the council to provide for grants under this
29 section.

30 (b) Administration.--The grants shall be administered by the

1 council.

2 (c) Application.--An eligible applicant may apply to the
3 council for a direct grant from the council from any of the
4 following funding programs for the period of September 1, 2021,
5 through August 31, 2023:

- 6 (1) Arts Organizations and Arts Programs track.
- 7 (2) Entry to Arts Organizations and Arts Programs track.
- 8 (3) Preserving Diverse Cultures Strategies for Success
9 program, Intermediate or Advanced levels.

10 (d) Award.--The council may award a grant of up to \$25,000
11 for operations and programs in support of an applicant's arts-
12 related missions. The applicant shall not be required to match
13 all or a portion of the amount of the grant.

14 Section 7. Community recovery and resiliency through the arts.

15 (a) Funding.--The amount of \$5,000,000 is transferred from
16 the fund to the council to provide for grants under this
17 section.

18 (b) Administration.--The grants shall be administered by the
19 council.

20 (c) Application.--An eligible applicant may apply to the
21 council. The following shall be eligible applicants:

- 22 (1) An applicant to the council's Creative Communities
23 Initiative.
- 24 (2) A local or county government.
- 25 (3) A nonprofit organization formed under the laws of
26 this Commonwealth.

27 (d) Award.--

28 (1) The council may, based on a competitive review
29 process, award a grant of up to \$100,000 to support
30 partnerships among public, private and nonprofit entities to

1 enhance the physical, economic and social character of their
2 communities. The applicant shall be required to match a
3 portion of the amount of the grant.

4 (2) Priority shall be given to applications that support
5 activity in any of the following:

6 (i) A low-income community.

7 (ii) A county classified as transitional, at risk or
8 distressed on the effective date of this section by the
9 Appalachian Regional Commission.

10 Section 8. Effective date.

11 This act shall take effect in 60 days.