

## No. 2002-130

## AN ACT

## SB 832

Amending the act of February 9, 1999 (P.L.1, No.1), entitled "An act providing for borrowing for capital facilities; conferring powers and duties on various administrative agencies and officers; making appropriations; and making repeals," further defining "redevelopment assistance capital project"; and further providing for appropriation for and limitation on redevelopment assistance capital projects.

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

Section 1. The definition of "redevelopment assistance capital project" in section 302 of the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, is amended to read:

Section 302. Definitions.

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

\* \* \*

"Redevelopment assistance capital project." The design and construction of facilities which meet the following:

(1) Are facilities, other than housing units, highways, bridges, waste disposal facilities, sewage facilities or water facilities, which cannot obtain funding under other Federal or State programs.

(2) Are economic development projects which generate substantial increases in employment, tax revenues or other measures of economic activity. This paragraph includes projects with cultural, historical or civic significance.

(3) Are facilities which have a regional or multijurisdictional impact.

(4) Are eligible for tax-exempt bond funding under existing Federal law and regulations.

(5) Have a 50% non-State participation documented at the time of application, including a portion of any funds reserved for future physical maintenance and operation of the facilities:

(i) at least half of which is secured funding;

(ii) toward which the only noncash non-State participation permitted is land or fixed assets which have a substantial useful life and are directly related to the project; and

(iii) toward which State funds from other programs may not be used.

(6) Have a total project cost as follows:

(i) At least \$5,000,000 for projects in:

(A) counties of the first class; or

(B) counties of the second class.

(ii) At least \$1,000,000 for projects in counties of the second class A through eighth class.

(iii) At least \$1,000,000 for projects in:

(A) municipalities designated as financially distressed municipalities under the act of July 10, 1987 (P.L.246, No.47), known as the Municipalities Financial Recovery Act;

(B) municipalities which are identified at the time of application by the Department of Community and Economic Development under the department's early warning system as scoring at least one-half standard deviation above the mean score; or

(C) municipalities which have part or all of an enterprise zone within the municipal boundaries.

(7) Have a cooperation agreement between the applicant and a redevelopment authority or industrial development authority or general purpose unit of local government if the applicant does not administer the grant. Applicants can be any of the following:

(i) A redevelopment authority.

(ii) An industrial development authority.

(iii) A general purpose unit of local government.

(iv) A local development district which has an agreement with a general purpose unit of local government under which the unit assumes ultimate responsibility for debt incurred to obtain the 50% non-State participation required by paragraph (5).

*The term also includes a fire truck and firefighting equipment to the extent that the request for assistance does not exceed \$50,000.*

\* \* \*

Section 2. Section 317 of the act is amended to read:

Section 317. Appropriation for and limitation on redevelopment assistance capital projects.

(a) Appropriation.—The amount necessary to pay principal of and interest on all obligations issued to provide funds for redevelopment assistance capital projects is hereby appropriated from the General Fund and shall be transferred to the Capital Debt Fund upon authorization by the Governor.

(b) Limitation.—The maximum amount of redevelopment assistance capital projects undertaken by the Commonwealth for which obligations are outstanding shall not exceed, in aggregate, **[\$1,200,000,000]** **\$1,450,000,000.**

Section 3. This act shall take effect immediately.

APPROVED—The 28th day of October, A.D. 2002.

MARK S. SCHWEIKER