

## No. 13

## AN ACT

## HB 494

Providing for grants to individual non-farm owners of homes or personal property damaged or destroyed by certain floods; establishing the amount of the grants and making an appropriation.

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

Section 1. Upon receipt and approval of a sworn application by a non-farm owner of a home or personal property damaged or destroyed by the floods of September, 1971 or June, 1972, the Office of the Governor may make a grant to cover a portion of the loss on the following basis:

(1) The total loss of both real and personal property combined may be ascertained in accordance with the amount approved by a Small Business Administration or Farmers Home Administration Disaster Loan as provided in U.S. P.L.92-385 known as the Civil Disaster Relief Act of 1970 but shall not include any pre-flood indebtedness which has been consolidated with the property loss, nor shall it include any loss covered by an insurance policy, as any business loss as defined by the Small Business Administration.

(2) An adjusted loss shall be ascertained by deducting the amount of the Federal forgiveness from the figure arrived at in clause (1).

(3) For the first five thousand dollars (\$5,000) of the adjusted loss, the grant shall be twenty-five per cent thereof.

(4) For the second five thousand dollars (\$5,000) of the adjusted loss, the grant shall be fifteen per cent thereof.

(5) For the third five thousand dollars (\$5,000) of the adjusted loss, the grant shall be ten per cent thereof.

(6) For the balance of the adjusted loss the grant shall be five per cent thereof but the total grant shall not exceed three thousand dollars (\$3,000).

(7) Six per cent shall be added to all grants.

Section 2. If real property was condemned under eminent domain proceedings and where measure of damages is calculated under section 602 of the act of June 22, 1964 (P.L.84, No.6), known as the "Eminent Domain Code," said owner shall not be eligible for the grant provided in section 1 hereof.

Section 3. The owner making application for a grant shall, in his application, authorize the Commonwealth to apply the grant to any monthly obligation that he may have on account of a Small Business Administration or Farmers Home Administration loan until such time as the amount of the grant has been expended or the loan repaid, whichever shall first occur. If the loan is repaid prior to the expenditure of the entire amount of the grant, or there is no indebtedness, the balance thereof shall be paid to the owner.

Section 4. All grants under this act shall be administered by the Pennsylvania Department of Community Affairs, and all applications for grants shall be submitted to that department within one hundred twenty days after the effective date of this act. If sufficient funds are not allocated herein, distribution of grants shall be on a pro rata basis. Any funds unencumbered or unexpended after all claims under this act have been finally determined shall be returned to the Emergency Disaster Relief Fund for further assistance to victims of the flood of June 1972 and the storm of September 1971.

Section 5. A sum not to exceed forty million dollars (\$40,000,000) may be allocated by the Governor for the purpose of administering and implementing this act from funds made available under the Emergency Disaster Relief Act of July 7, 1972 (No.18-A).

Section 6. Any person making a false claim under the provisions of this act shall be subject to a penalty in the amount of three times the amount of the grant with interest at the rate of six per cent from the date of the grant. Such a penalty may be enforced by the Commonwealth in an assumpsit action and collected in the manner that other debts due and owing the Commonwealth are collected.

Section 7. This act shall take effect immediately.

APPROVED—The 11th day of May, A. D. 1973.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 13.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive, flowing style.

*Secretary of the Commonwealth.*