

No. 2012-78

AN ACT

SB 866

Amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in Commonwealth services, further providing for the Volunteer Companies Loan Fund; in grants to volunteer fire companies and volunteer services, further providing for scope of chapter, definitions, establishment and award of grants, providing for additional funding and further providing for allocation of appropriated funds and for expiration of authority; and making editorial changes.

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

Section 1. Section 7365 of Title 35 of the Pennsylvania Consolidated Statutes is amended by adding a subsection to read:

§ 7365. Volunteer Companies Loan Fund.

* * *

(c) Administration.—Each fiscal year, the State Fire Commissioner may use an amount up to \$250,000 from the Volunteer Companies Loan Fund for the administrative cost of implementing the loan program under this subchapter.

Section 1.1. Chapter 78 heading of Title 35 is amended to read:

CHAPTER 78
GRANTS TO [VOLUNTEER] FIRE COMPANIES
AND VOLUNTEER SERVICES

Section 2. Section 7801 of Title 35 is amended to read:

§ 7801. Scope of chapter.

This chapter relates to grants to [volunteer] fire companies and volunteer ambulance services.

Section 3. The definition of "grant program" in section 7802 of Title 35 is amended and the section is amended by adding a definition to read:

§ 7802. 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:

* * *

"Fire company." A volunteer fire company or a municipal fire company located in this Commonwealth.

"Grant program." The [Volunteer] Fire Company Grant Program established in Subchapter B (relating to [volunteer] fire company grant program) or the Volunteer Ambulance Service Grant Program established in Subchapter C (relating to volunteer ambulance service grant program).

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Section 4. Subchapter B heading of Chapter 78 of Title 35 is amended to read:

SUBCHAPTER B
[VOLUNTEER] FIRE COMPANY GRANT PROGRAM

Section 5. Sections 7811 and 7813(a) introductory paragraph, (b)(1) and (3), (c) and (d) of Title 35 are amended to read:

§ 7811. Establishment.

The [Volunteer] Fire Company Grant Program is established and shall be administered by the agency in consultation with the commissioner. Grants provided under this program shall be used to improve and enhance the capabilities of the [volunteer] fire company to provide firefighting, ambulance and rescue services.

§ 7813. Award of grants.

(a) Authorization.—The agency is authorized to make a grant award to each eligible [volunteer] fire company for the following:

* * *

(b) Limits.—

(1) Except as provided in paragraph (3), grants shall be not less than \$2,500 and not more than \$15,000 per [volunteer] fire company.

* * *

(3) In a municipality where there are two or more volunteer fire companies and if two or more *volunteer* fire companies consolidated their use of equipment, firefighters and services within five years preceding the date of the current year application submission deadline, the consolidated entity shall be deemed eligible to receive a grant not to exceed the amount of the combined total for which the individual companies would have been eligible had they not consolidated.

(c) Time for filing application and department action.—

(1) Within 30 days of June 28, 2007, for the fiscal years beginning July 1, 2006, and July 1, 2007, and by September 1 of each year thereafter, the agency shall provide written instructions for grants under this chapter to:

(i) except as set forth in subparagraph (ii), the fire chief and president of every [volunteer] fire company [in this Commonwealth]; or

(ii) in the case of a municipal fire company, the chief executive of the municipality.

(2) Within 45 days of June 28, 2007, for the fiscal years beginning July 1, 2006, and July 1, 2007, and by September 8 of each year thereafter, the agency shall provide applications to **[the fire chief and president of every volunteer fire company] individuals specified in paragraph (1)**. The application for the fiscal years commencing July 1, 2006, and July 1, 2007, shall be a combined application. **[Volunteer fire] Fire** companies seeking grants under this chapter shall submit completed applications to the agency. The application period shall remain open for 45 days each year. The agency shall act to approve or disapprove applications within 60 days of the application submission deadline each year. Applications which have not been approved or disapproved by the agency within 60 days after the close of the application period each year shall be deemed approved.

(d) Eligibility.—To receive grant funds under this chapter, a [volunteer] fire company shall have actively responded to one or more fire or rescue emergencies during the previous calendar year and must have signed and be under an agreement to actively participate in the Pennsylvania Fire Information Reporting System which is administered by the agency.

Section 6. Title 35 is amended by adding a section to read:

§ 7832.1. Additional funding.

In addition to sums transferred from the State Gaming Fund, the sum of \$5,000,000 shall be transferred annually from the Property Tax Relief Reserve Fund to the Fire Company Grant Program for the purpose of making grants to eligible fire companies under this subchapter.

Section 7. Sections 7833(a) and (b) introductory paragraph and (1) and 7841 of Title 35 are amended to read:

§ 7833. Allocation of appropriated funds.

(a) [Prohibition] Administration.—[No]

(1) Except as provided under paragraph (2), no money from the appropriation for [volunteer company] grants shall be used for expenses or costs incurred by the agency for the administration of the grant programs authorized under Subchapters B (relating to [volunteer] fire company grant program) and C (relating to volunteer ambulance service grant program).

(2) Notwithstanding paragraph (1), each fiscal year the commissioner may use an amount of up to \$250,000 of the total amount of funds transferred or appropriated to the grant program under Subchapter B for the administrative costs to implement that grant program.

(b) Grant allocation.—Unless otherwise expressly stated, money appropriated to the agency for purposes of [volunteer] company grants shall be allocated as follows:

(1) Eighty-eight percent of the amount appropriated shall be used for making grants to eligible [volunteer] fire companies under Subchapter B.

* * *

§ 7841. Expiration of authority.

The authority of the agency to award grants under Subchapters B (relating to [volunteer] fire company grant program) and C (relating to volunteer ambulance service grant program) shall expire June 30, [2012] 2016.

Section 8. This act shall take effect immediately.

APPROVED—The 29th day of June, A.D. 2012

TOM CORBETT