

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2615 Session of 2020

INTRODUCED BY STEPHENS, KAUFER, KULIK, ROTHMAN, HILL-EVANS, MILLARD, STAATS, OWLETT, POLINCHOCK, MURT, BARRAR, DRISCOLL, McNEILL, PYLE, CIRESI, KAUFFMAN, SCHLEGEL CULVER, READSHAW, DAVANZO, DUNBAR, GAYDOS, COOK, RADER, SCHROEDER, THOMAS, FARRY, PASHINSKI, GILLEN, HANBIDGE, BROWN, TOMLINSON, WILLIAMS, MERSKI AND QUINN, JUNE 23, 2020

AS REPORTED FROM COMMITTEE ON COMMERCE, HOUSE OF REPRESENTATIVES, AS AMENDED, SEPTEMBER 17, 2020

AN ACT

1 Providing for community assistance grants for restaurants;
2 establishing the Community Cornerstone Grant Program;
3 providing for fines; and making an appropriation.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Community
8 Cornerstone Assistance Act.

9 Section 2. Definitions.

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

13 "COVID-19." THE NOVEL CORONAVIRUS IDENTIFIED IN THE
14 PROCLAMATION OF DISASTER EMERGENCY.

<--

15 "Department." The Department of Community and Economic
16 Development of the Commonwealth.

1 "Grant." A grant awarded under the Community Cornerstone
2 Grant Program established under this act.

3 "NAICS." A classification within the North American Industry
4 Classification System developed for use by Federal statistical
5 agencies for the collection, analysis and publication of
6 statistical data related to the United States economy.

7 "PROCLAMATION OF DISASTER EMERGENCY." THE DISASTER <--
8 DECLARATION ISSUED BY THE GOVERNOR ON MARCH 6, 2020, PUBLISHED
9 AT 50 PA.B. 1644 (MARCH 21, 2020), AND ANY RENEWAL OF THE STATE
10 OF DISASTER EMERGENCY.

11 "Program." The Community Cornerstone Grant Program
12 established under section 3.

13 "Restaurant." A place within this Commonwealth that receives
14 a NAICS designation of 72241 or 72251 from the United States
15 Census Bureau and where food or drink is served to or provided
16 for the public, with or without charge. The term does not
17 include dining cars operated by a railroad company in interstate
18 commerce or a bed and breakfast homestead or inn.

19 Section 3. Community Cornerstone Grant Program.

20 (a) Establishment.--The Community Cornerstone Grant Program
21 is established under the department in this Commonwealth for the
22 purposes of providing financial assistance to Pennsylvania
23 restaurants adversely impacted by ~~the novel coronavirus~~ <--
24 ~~identified in the proclamation of disaster emergency issued by~~
25 ~~the Governor on March 6, 2020~~ COVID-19. <--

26 (b) Eligibility.--To be considered eligible for a grant, a
27 restaurant must meet all of the following:

28 (1) Operate no more than 10 restaurant locations under
29 an identical name within this Commonwealth.

30 (2) Employ no more than 75 full-time equivalent

1 employees per restaurant location.

2 (3) Demonstrate one of the following:

3 (i) A loss of revenue of 50% or more for the period
4 beginning after March 31, 2020, and ending before June 1,
5 2020, in comparison to the period beginning after March
6 31, 2019, and ending before June 1, 2019.

7 (ii) If the restaurant was not in operation in
8 calendar year 2019, a loss of revenue of 50% or more for
9 the period beginning after March 31, 2020, and ending
10 before June 1, 2020, in comparison to the period
11 beginning after January 31, 2020, and ending before April
12 1, 2020.

13 (c) Application.--A restaurant may submit an application to
14 the department on a form and in a manner prescribed by the
15 department. In addition to the application, the department may
16 require information as necessary to determine the eligibility of
17 a restaurant for a grant under this act.

18 (d) Review and approval.--The following shall apply:

19 (1) Within 30 days of the effective date of this act,
20 the department shall establish a time period of not less than
21 30 days for restaurants to submit application for a grant.

22 (2) Upon closure of the time period established in
23 paragraph (1), the department shall distribute all money made
24 available to the department for the purpose making grants to
25 restaurants considered eligible in an amount equal to the
26 quotient resulting from dividing the total amount of money
27 made available for grants under this act by the total number
28 of eligible restaurants.

29 (3) The department shall not award a grant under this
30 program that exceeds \$50,000 to an eligible restaurant.

1 (4) The following shall apply:

2 (i) Each eligible restaurant and the department
3 shall enter into an agreement of the use of an awarded
4 grant. The agreement shall state that the grant shall be
5 used for costs incurred and payments made for any of the
6 following:

7 (A) Payroll costs.

8 (B) Payment of interest on mortgage obligation,
9 which shall not include any prepayment of or payment
10 of principal on a covered mortgage obligation.

11 (C) Payment on a rent obligation.

12 (D) Payment for utilities.

13 (E) COST INCURRED FOR TRAINING TO OPERATE SAFELY <--
14 DURING THE COVID-19 PANDEMIC.

15 ~~(E)~~ (F) Other costs incurred by the restaurant <--
16 for the acquisition of raw materials to sustain the
17 operations of the restaurant.

18 (ii) A restaurant that receives a grant and fails to
19 comply with subparagraph (i) shall repay the amount of
20 the grant in addition to the department, in addition to a
21 fee that amounts to 10% of the grant amount.

22 (e) Program guidelines.--The department shall develop and
23 issue guidelines for the Community Cornerstone Grant Program.

24 Section 4. Funding.

25 The sum of \$250,000,000 shall be appropriated from money
26 received by the Commonwealth under the Coronavirus Aid, Relief,
27 and Economic Security Act (Public Law 116-136, 134 Stat. 281)
28 for the purpose of making grants under this act.

29 Section 5. Prohibition on issuance.

30 No grants may be awarded under this section five years after

1 the effective date of this section.

2 Section 6. Report.

3 Prior to December 31, 2020, and each December 31 in which an
4 appropriation is made for the purposes of this act, the
5 department shall submit a report to the chairperson and minority
6 chairperson of the Appropriations Committee of the Senate, the
7 chairperson and minority chairperson of the Community, Economic
8 and Recreational Development Committee of the Senate, the
9 chairperson and minority chairperson of the Appropriations
10 Committee of the House of Representatives and the chairperson
11 and minority chairperson of the Commerce Committee of the House
12 of Representatives. The report shall include, but not be limited
13 to, the total amount of money granted and the name and county of
14 residence of each restaurant that receives a grant.

15 Section 7. Effective date.

16 This act shall take effect immediately.