
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 759 Session of
2019

INTRODUCED BY DINNIMAN, MUTH, BAKER, COSTA AND SCHWANK,
JUNE 13, 2019

REFERRED TO VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS,
JUNE 13, 2019

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, in Commonwealth services, providing
3 for student volunteer firefighter housing grants;
4 establishing the Student Volunteer Firefighter Housing Grant
5 Program; imposing duties on the State Fire Commissioner; and
6 making an appropriation.

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

9 Section 1. Chapter 73 of Title 35 of the Pennsylvania
10 Consolidated Statutes is amended by adding a subchapter to read:

11 SUBCHAPTER G

12 STUDENT VOLUNTEER FIREFIGHTER HOUSING GRANTS

13 Sec.

14 7391. Scope of subchapter.

15 7392. Definitions.

16 7393. Grant program.

17 7394. Award of grants.

18 7395. Reports.

19 7396. Publication and notice.

1 7397. Appropriation.

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3 7399. Expiration of authority.

4 § 7391. Scope of subchapter.

5 This subchapter relates to student volunteer firefighter
6 housing grants.

7 § 7392. Definitions.

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

11 "Commissioner." The State Fire Commissioner of the
12 Commonwealth.

13 "Eligible student." A student who joins a sponsoring
14 volunteer fire company or an emergency medical service company
15 and enters into a contractual agreement with the sponsoring
16 company under a local program to provide at least the minimum
17 amount of service per week in the activities of a sponsoring
18 company.

19 "Emergency medical service company." As follows:

20 (1) A nonprofit chartered corporation, association or
21 organization that:

22 (i) is located in this Commonwealth;

23 (ii) is licensed by the Department of Health;

24 (iii) is not associated or affiliated with a
25 hospital; and

26 (iv) is regularly engaged in the provision of
27 emergency medical services, including basic life support,
28 advanced life support services and advanced life support
29 squads under Chapter 81 (relating to emergency medical
30 services system).

1 (2) The term does not include a corporation, association
2 or organization that is primarily engaged in the operation of
3 invalid coaches intended for the routine transport of persons
4 who are convalescent or otherwise nonambulatory and do not
5 ordinarily require emergency medical treatment while in
6 transit.

7 "Full-time basis." As defined in 22 Pa. Code § 121.1
8 (relating to definitions), except for purposes of the Federal
9 Stafford Loan and Federal PLUS Loan Programs.

10 "Grant program." The Student Volunteer Firefighter Housing
11 Grant Program established by this subchapter.

12 "Institution of higher education." As defined in section
13 2301-A of the act of March 10, 1949 (P.L.30, No.14), known as
14 the Public School Code of 1949.

15 "Invalid coach." A vehicle which is primarily maintained,
16 operated and intended to be used for routine transport of
17 persons who are convalescent or otherwise nonambulatory and do
18 not ordinarily require emergency medical treatment while in
19 transit. The vehicle shall not be considered an ambulance or
20 emergency medical services vehicle.

21 "Local program." A program established by a volunteer fire
22 company or an emergency medical services company to:

23 (1) Construct or renovate a facility to house eligible
24 students.

25 (2) Enroll and enter into contractual agreements with
26 students.

27 (3) House eligible students.

28 (4) Monitor and enforce eligible students' compliance
29 with the provisions of the contractual agreement.

30 "Sponsoring company." A volunteer fire company or an

1 emergency medical services company that has established a local
2 program.

3 "Student." A student who is a resident of this Commonwealth
4 and enrolled at an institution of higher education on a full-
5 time basis.

6 "Volunteer fire company." A nonprofit chartered corporation,
7 association or organization located in this Commonwealth that
8 provides fire protection or rescue services and may offer other
9 voluntary emergency services within this Commonwealth. Voluntary
10 emergency services provided by a volunteer fire company may
11 include voluntary emergency medical services.

12 § 7393. Grant program.

13 (a) Establishment.--The Student Volunteer Firefighter
14 Housing Grant Program is established and shall be administered
15 by the commissioner.

16 (b) Purpose of grants.--Grants may be awarded to sponsoring
17 companies for the purpose of constructing or renovating
18 facilities owned by the sponsoring fire company as housing units
19 for students in order to increase student membership in
20 sponsoring companies to maintain and improve the current level
21 of firefighting and rescue services and emergency medical
22 services.

23 (c) Applications.--A sponsoring company must submit an
24 application to the agency for a grant in a manner and a form to
25 be established by the commissioner. The application shall
26 include a certificate of occupancy issued for the housing units
27 and a written copy of the local program.

28 (d) Contents of local program.--A local program shall
29 contain all of the following:

30 (1) A sufficiently detailed description of the

1 construction and renovation of the facility, including
2 compliance with relevant Federal, State and local building
3 codes.

4 (2) A requirement that an eligible student has completed
5 and received certification from:

6 (i) the Pennsylvania Fire Academy, or one of its
7 delegated authorities, for Firefighter I, II or III, Fire
8 Officer I or II or Fire Instructor I or II; or

9 (ii) the Department of Health, for certification as
10 an emergency medical technician.

11 (3) A contractual agreement in which a student agrees
12 to:

13 (i) become a member of the sponsoring company prior
14 to occupation of the provided housing and remain a member
15 of the sponsoring company during the entire period of
16 time the student occupies the provided housing;

17 (ii) participate in the function of the sponsoring
18 company during each semester, any agreed-upon service
19 during vacation periods and other periods between
20 semesters;

21 (iii) comply with the requirement for providing
22 certain types of service and a minimum number of hours of
23 service, that on average equals 30 hours per week, and
24 any conditions for any time extension or modification of
25 the type of service, as determined by the agreement;

26 (iv) pay an amount equal to the total value of the
27 services, as determined by the agreement, if the eligible
28 student does not provide the types and minimum number of
29 hours of service contained in the agreement; and

30 (v) at the end of the school year and any additional

1 time periods as specified in the agreement, cooperate
2 with the sponsoring company in a review of the nature and
3 hours of service rendered by the eligible student by the
4 sponsoring company to determine compliance with the
5 minimum service requirement.

6 (4) A description of the remedies and procedures
7 contained in the agreement whereby the sponsoring company may
8 seek to recover the value of the hours of service not
9 provided by an eligible student, including any time
10 extensions for complying with the service requirements.

11 (5) A description of the manner in which the value of an
12 hour of service is determined.

13 (6) A copy of a sample contractual agreement.

14 (7) Any other information determined to be necessary by
15 the commissioner.

16 § 7394. Award of grants.

17 (a) General rule.--The commissioner may approve a grant
18 award to a sponsoring company for the purposes of funding
19 construction of a new facility and renovation of an existing
20 facility owned by the sponsoring company for the housing of
21 eligible students.

22 (b) Second grants.--A sponsoring company shall be eligible
23 to apply for and receive one grant under the grant program. An
24 application from a sponsoring company for a second grant to
25 expand its local program may be submitted in any year following
26 the year when the initial grant was received and shall require
27 an additional showing to the satisfaction of the commissioner
28 that the initial grant received by the sponsoring company
29 achieved the goals for improved firefighting, rescue services or
30 emergency medical services, as stated in the local program.

1 (c) Amounts.--

2 (1) The maximum amount of a grant shall not exceed
3 \$50,000. The total amount of grants awarded per fiscal year
4 shall not exceed \$2,500,000.

5 (2) If the applications for a grant exceed the total
6 amount of funding for the program, the amount of the grant
7 shall not be reduced pro rata, and the total number of grants
8 awarded shall be accordingly reduced.

9 (d) Local program required.--The commissioner may award a
10 grant only to a sponsoring company that has established and
11 submitted to the commissioner a local program with its
12 application.

13 (e) Use of grant.--A grant awarded under this subchapter
14 shall be used for the purposes authorized by this program.

15 § 7395. Reports.

16 (a) Duty of sponsoring companies.--

17 (1) A sponsoring company that receives a grant shall
18 submit an annual report for two consecutive years following
19 the receipt of the grant. The initial annual report shall be
20 submitted one year following the receipt of the grant and on
21 that date for the two subsequent years.

22 (2) The annual report shall include information as the
23 commissioner deems necessary to determine the effectiveness
24 of the grant program and shall include the number of eligible
25 students who participated, the number of students who did not
26 comply with the minimum service hour requirements and the
27 measures undertaken by the sponsoring company.

28 (b) Duty of commissioner.--The commissioner shall prepare
29 and submit a report to the General Assembly by September 30,
30 2022, on the level of participation by sponsor companies, the

1 level of participation by eligible students, the effectiveness
2 of the program to maintain and increase the number of volunteer
3 fire company members and volunteer emergency medical service
4 company members and the overall operation of the program. The
5 report shall include a statement as to whether the commissioner
6 recommends reenactment of the grant program.

7 § 7396. Publication and notice.

8 The commissioner shall file notice of the grant program's
9 availability through the Legislative Reference Bureau for
10 publication in the Pennsylvania Bulletin:

11 (1) within 90 days of the effective date of this section
12 for the fiscal year beginning July 1, 2019; and

13 (2) by August 8 for fiscal years beginning after June
14 30, 2020.

15 § 7397. Appropriation.

16 (a) General rule.--The sum of \$12,500,000 is hereby
17 appropriated from the General Fund to the Office of the State
18 Fire Commissioner to carry out the purposes of this subchapter.

19 (b) Continuing nature.--This appropriation shall be a
20 continuing appropriation and shall not lapse until the close of
21 the fiscal year on June 30, 2024, when the remaining unspent and
22 unencumbered funds shall lapse back to the General Fund.

23 (c) Restriction on use.--No money from the appropriation for
24 grants shall be used for expenses or costs incurred by the
25 commissioner for the administration of the grant program under
26 this subchapter.

27 § 7398. Regulations.

28 The commissioner shall:

29 (1) Promulgate regulations necessary to carry out the
30 purposes of this subchapter.

1 (2) Upon completion of at least one public hearing,
2 publish interim regulations to carry out the purposes of this
3 subchapter within 90 days of the effective date of this
4 section. The interim regulations shall not be subject to the
5 act of October 15, 1980 (P.L.950, No.164), known as the
6 Commonwealth Attorneys Act, or the act of June 25, 1982
7 (P.L.633, No.181), known as the Regulatory Review Act. The
8 interim regulations shall expire 18 months following the
9 effective date of this section or when final regulations are
10 promulgated, whichever occurs first. Final regulations shall
11 be promulgated no later than 18 months following the
12 effective date of this section.

13 § 7399. Expiration of authority.

14 The authority of the commissioner to award grants under this
15 subchapter shall expire June 30, 2024.

16 Section 2. This act shall take effect July 1, 2019, or
17 immediately, whichever is later.