

SB No. 676

LEGISLATIVE REFERENCE BUREAU

AN ACT

Amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for Pennsylvania Nonprofit Security Grant Program; and establishing the Pennsylvania Nonprofit Security Grant Committee within the Pennsylvania Commission on Crime and Delinquency and the Pennsylvania Nonprofit Security Grant Fund.

INTRODUCED _____ 20____

Dinniman District NO. 19

District NO. _____

District NO. _____

District NO. _____

next page for additional co-sponsors.

Prior Session _____

Referred to Committee on

Date _____ 20____

Reported _____ 20____

As Committed-Amended

Recommendation

By Hon. _____

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, providing for Pennsylvania Nonprofit
3 Security Grant Program; and establishing the Pennsylvania
4 Nonprofit Security Grant Committee within the Pennsylvania
5 Commission on Crime and Delinquency and the Pennsylvania
6 Nonprofit Security Grant Fund.

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

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

11 CHAPTER 78A

12 PENNSYLVANIA NONPROFIT SECURITY GRANT PROGRAM

13 Sec.

14 78A01. Scope of chapter.

15 78A02. Definitions.

16 78A03. Pennsylvania Nonprofit Security Grant Committee.

17 78A04. Criteria.

18 78A05. Assessment providers.

19 78A06. Safety and security assessments.

1 78A07. Pennsylvania Nonprofit Security Grant Program.

2 78A08. Pennsylvania Nonprofit Security Grant Fund.

3 § 78A01. Scope of chapter.

4 This chapter relates to the Pennsylvania Nonprofit Security
5 Grant Program.

6 § 78A02. Definitions.

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

10 "Agency." The Pennsylvania Emergency Management Agency.

11 "Commission." The Pennsylvania Commission on Crime and
12 Delinquency.

13 "Committee." The Pennsylvania Nonprofit Security Grant
14 Committee established under section 78A03 (relating to
15 Pennsylvania Nonprofit Security Grant Committee).

16 "Eligible uses." Any of the following:

17 (1) Security enhancements that may include, but are not
18 limited to:

19 (i) Safety and security planning.

20 (ii) Safety and security equipment and purchase of
21 security-related technology, which may include, but is
22 not limited to:

23 (A) Metal detectors.

24 (B) Protective lighting.

25 (C) Specialty-trained canines.

26 (D) Surveillance equipment.

27 (E) Special emergency communications equipment.

28 (F) Electronic locksets.

29 (G) Deadbolts.

30 (H) Trauma kits.

1 (I) Theft control devices.

2 (iii) Safety and security training.

3 (iv) Threat awareness and response training.

4 (v) Upgrades to existing structures that enhance
5 safety and security.

6 (vi) Vulnerability and threat assessments.

7 (vii) Any other safety or security-related use that
8 enhances safety or security of a nonprofit organization.

9 (2) Public outreach programs designed to reduce violence
10 in the community by encouraging increased communication,
11 tolerance, respect and understanding that are approved by the
12 committee.

13 "Fund." The Pennsylvania Nonprofit Security Grant Fund
14 established under section 78A08(a) (relating to Pennsylvania
15 Nonprofit Security Grant Fund).

16 "Grant program." The Pennsylvania Nonprofit Security Grant
17 Program established under section 78A07(a) (relating to
18 Pennsylvania Nonprofit Security Grant Program).

19 "Nonprofit organization." A corporation or other entity that
20 is an exempt organization as provided for under section 501(c)
21 (3) of the Internal Revenue Code of 1986 (Public Law 99-514, 26
22 U.S.C. § 501(c)(3)).

23 "Safety and security assessment" or "assessment." A
24 strategic evaluation of the facilities of a nonprofit
25 organization that is used to identify potential safety and
26 security threats.

27 § 78A03. Pennsylvania Nonprofit Security Grant Committee.

28 (a) Establishment.--The Pennsylvania Nonprofit Security
29 Grant Committee is established within the commission.

30 (b) Composition.--The committee shall consist of a

1 chairperson and the following members:

2 (1) The Attorney General or a designee.

3 (2) The Commissioner of Pennsylvania State Police or a
4 designee.

5 (3) The director of the agency or a designee.

6 (4) The chairperson of the commission or a designee.

7 (5) The chairperson of the Pennsylvania Human Relations
8 Commission or a designee.

9 (6) An individual with experience in the subject matter
10 appointed by the President pro tempore of the Senate.

11 (7) An individual with experience in the subject matter
12 appointed by the Minority Leader of the Senate.

13 (8) An individual with experience in the subject matter
14 appointed by the Speaker of the House of Representatives.

15 (9) An individual with experience in the subject matter
16 appointed by the Minority Leader of the House of
17 Representatives.

18 (10) A recognized subject matter expert appointed by the
19 Governor.

20 (c) Chairperson.--The chairperson of the committee shall be
21 selected by the Governor from among the members of the
22 committee.

23 (d) Vice chairperson.--A vice chairperson shall be
24 designated by the chairperson of the committee from among the
25 members of the committee to preside at meetings in the absence
26 of the chairperson.

27 (e) Term.--Members of the committee shall serve a four-year
28 term.

29 (f) Quorum.--A majority of the members of the committee
30 shall constitute a quorum, and a quorum shall be required for

1 all actions.

2 (g) Actions.--A vote of the majority of the members of the
3 committee present shall be sufficient for all actions taken by
4 the committee.

5 (h) Initial meeting.--The committee shall hold its first
6 meeting no later than 30 days from the effective date of this
7 subsection.

8 (i) Compensation.--Members of the committee shall serve
9 without compensation for their services. Members of the
10 committee under subsection (b)(6), (7), (8), (9) and (10) shall
11 be reimbursed for their actual and necessary expenses incurred
12 in the performance of their duties.

13 (j) Cooperation.--The commission shall cooperate with the
14 committee to select staff to be employed by the commission and
15 assigned to assist the committee in carrying out its duties.

16 § 78A04. Criteria.

17 (a) Duty to establish.--No later than October 31, 2020, the
18 committee shall establish criteria to be used when evaluating
19 the following:

20 (1) Applications submitted under this chapter for
21 proposed security enhancements to the facility or facilities
22 of a nonprofit organization including:

23 (i) A review of the safety and security assessment
24 form submitted with an application for a grant under this
25 chapter.

26 (ii) A review of the nonprofit organization's safety
27 and security plan.

28 (iii) A review of the nonprofit organization's
29 existing plans for crisis response and mitigation.

30 (iv) An analysis of the design and the safety and

1 security vulnerabilities of the facility or facilities of
2 the nonprofit organization.

3 (v) An evaluation of the nonprofit organization's
4 policies relating to safety and security issues.

5 (vi) An analysis of how the proposed security
6 enhancements will address the indicated security
7 vulnerabilities.

8 (2) Applications submitted under this chapter that
9 include proposed public outreach programs designed to reduce
10 violence in the community by encouraging increased
11 communication, tolerance, respect and understanding.

12 (b) Periodic review of criteria.--The committee shall review
13 the criteria established under subsection (a) at a minimum every
14 three years and may make revisions as needed.

15 § 78A05. Assessment providers.

16 (a) Duty to establish criteria.--No later than October 31,
17 2020, the committee shall establish criteria for registration of
18 a person with knowledge and experience in matters of safety and
19 security that qualifies the person to conduct safety and
20 security assessments based upon the criteria established by the
21 committee under section 78A04 (relating to criteria) beginning
22 October 31, 2020.

23 (b) Qualified persons.--Persons registered to conduct school
24 safety and security assessments under section 1304-B of the act
25 of March 10, 1949 (P.L.30, No.14), known as the Public School
26 Code of 1949, shall be qualified to conduct safety and security
27 assessments under this chapter.

28 (c) Periodic review of criteria.--The committee shall review
29 the criteria established in subsection (a) at a minimum every
30 three years and may make revisions as needed.

1 (d) Registration.--A person shall apply for registration as
2 an assessment provider to the committee in a manner prescribed
3 by the committee.

4 § 78A06. Safety and security assessments.

5 (a) Development.--No later than October 31, 2019, the
6 committee shall develop a safety and security assessment form to
7 distribute to nonprofit organizations for submission with an
8 application for a grant under this chapter.

9 (b) Confidentiality.--Any data collected through the safety
10 and security assessment form by the committee and the findings
11 of the committee shall remain confidential and shall not be
12 subject to the act of February 14, 2008 (P.L.6, No.3), known as
13 the Right-to-Know Law.

14 § 78A07. Pennsylvania Nonprofit Security Grant Program.

15 (a) Establishment.--The Pennsylvania Nonprofit Security
16 Grant Program is established to provide grants to nonprofit
17 organizations throughout this Commonwealth to fund eligible
18 uses.

19 (b) Functions generally.--The committee shall perform all
20 functions related to the direct approval, disbursement and
21 administration of grants under the program.

22 (c) Applications.--No later than September 1, 2020, and by
23 September 1 of each year thereafter, the committee shall accept
24 applications from nonprofit organizations for a grant during a
25 fiscal year. The applications must be submitted in the form and
26 manner prescribed by the committee.

27 (d) Review process.--

28 (1) No later than 90 days after a completed application
29 is received from a nonprofit organization, the committee
30 shall review and approve or deny the application.

1 (2) A nonprofit organization may revise and resubmit a
2 denied application to the committee. The committee shall make
3 a reasonable effort to assist the nonprofit organization in
4 the revision and resubmission of the denied application.

5 (3) The committee may engage registered assessment
6 providers to complete the review required under this
7 subsection.

8 (e) Time frame.--The committee shall review applications on
9 a rolling basis and shall accept applications until all grant
10 program money for the fiscal year is exhausted.

11 (f) Eligible uses.--The committee may only award grants
12 through the grant program for eligible uses. Nonprofit
13 organizations may only expend grant money received through the
14 grant program on eligible uses.

15 (g) Diversity.--The committee shall ensure that funding
16 under the grant program is geographically dispersed throughout
17 this Commonwealth.

18 (h) Limitation.--Each nonprofit organization may submit one
19 application annually. No nonprofit organization may receive an
20 annual grant allocation that exceeds 10% of the money available
21 under the grant program.

22 (i) Coordination.--The committee shall coordinate with the
23 commission and the agency on the interaction of the grant
24 program with the Federal Nonprofit Security Grant Program
25 administered by the United States Department of Homeland
26 Security to ensure the most effective use of resources.

27 (j) Audits.--The commission may randomly audit grant
28 recipients to ensure the appropriate use of grant money and
29 compliance with the provisions of this chapter.

30 § 78A08. Pennsylvania Nonprofit Security Grant Fund.

1 (a) Establishment.--The Pennsylvania Nonprofit Security
2 Grant Fund is established as a special nonlapsing fund in the
3 State Treasury.

4 (b) Appropriation.--All money deposited in the fund and the
5 interest it accrues are appropriated to the commission on a
6 continuing basis to award grants under this chapter.

7 (c) Use.--The fund may only be used for the grant program
8 authorized under this chapter, and no money in the fund may be
9 transferred or diverted to any other purpose by administrative
10 action.

11 (d) Funding.--Money available to the fund shall include
12 appropriations and transfers from Federal funds and other
13 sources of revenue made available to it.

14 (e) Allocations.--No more than 12.5% of the fund may be
15 allocated annually for grants for public outreach programs
16 designed to reduce violence in the community.

17 (f) Administrative costs.--No more than 1% of the fund may
18 be used for reasonable administrative costs.

19 Section 2. This act shall take effect in 60 days.

CSM No. 20905

Draft No. D05448

Co-Sponsorship Report

Posted: April 8, 2019 11:51 AM

To: All Senate Members

From: Senator Andrew Dinniman and Senator Judith L. Schwank, Senator Jay Costa

Subject: **Tolerance, Respect and Understanding Program**

- | | |
|----------------------------------|------------------------|
| 1. Senator Judith L. Schwank | added by dstubblebine |
| 2. Senator Jay Costa | added by dstubblebine |
| 3. Senator Wayne D. Fontana | added by jspangler |
| 4. Senator Daylin Leach | added by choffmann |
| 5. Senator Anthony H. Williams | added by kmiller |
| 6. Senator Katie J. Muth | added by skikeri |
| 7. Senator John P. Blake | added by jvento |
| 8. Senator Vincent J. Hughes | added by evislocky |
| 9. Senator Steven J. Santarsiero | added by cjsmith |
| 10. Senator James R. Brewster | added by scassin |
| 11. Senator Art Haywood | added by kmabe |
| 12. Senator Sharif Street | added by mmahjoubian |
| 13. Senator Thomas H. Killion | added by claudenslager |