

SB 323 -- Redline

Printer's No. PN0254 to Printer's No. PN1620 -- An Act amending Title 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes, in economic development financing, providing for Keystone National Finance Authority.

Deletions ~~struck~~ · Insertions underlined

PRIOR PRINTER'S NO.

254 ~~THE PRINTER'S GENERAL NO. ASSEMBLY OF PENNSYLVANIA SENATE BILL Session of No.~~

~~3231620 2025 THE INTRODUCED GENERAL BY ASSEMBLY ARGALL, OF STREET, PENNSYLVANIA PENNYCUICK, SENATE KANE, BILL MILLER Session AND COSTA, FEBRUARY 26, 2025 REFERRED TO FINANCE, FEBRUARY 26, 2025 AN ACT Amending Title 64 (Public Authorities and Quasi-Public Corporations) of the No. Pennsylvania Consolidated Statutes, in economic development financing, providing for Keystone National Finance Authority.~~

323 2025 INTRODUCED BY ARGALL, STREET, PENNYCUICK, KANE, MILLER, COSTA AND PICOZZI, FEBRUARY 26, 2025 SENATOR MARTIN, APPROPRIATIONS, RE-REPORTED AS AMENDED, APRIL 20, 2026 AN ACT Amending Title 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes, in economic development financing, providing for Keystone National Finance Authority.

(3) A minimum level of unemployment and a maximum level of business opportunity can best be provided by the 20250SB0323PN1620 - 2 - promotion, attraction, stimulation, rehabilitation and ~~20250SB0323PN0254 - 2 -~~ revitalization of industrial, commercial, technological, tourist, agricultural and other economic activities in this Commonwealth and throughout the United States.

(7) It is the policy of this Commonwealth to promote the health, safety, employment, business opportunities, economic activity and general welfare of the people by establishing an 20250SB0323PN1620 - 3 - authority to exist and operate as a public instrumentality of ~~20250SB0323PN0254 - 3 -~~ the Commonwealth, which is not intended to compete with any Commonwealth agency or any other authority created under the laws of this Commonwealth.

20250SB0323PN1620 - 4 - "Cost of the project" or "cost." Any of the following:

~~20250SB0323PN0254 - 4 -~~ (1) Costs and expenses of acquisition of interests in land, infrastructure, buildings, structures, equipment, furnishings, fixtures and other tangible or intangible property, which comprise the project.

20250SB0323PN1620 - 5 - (3) The General Assembly or its officers and agencies.

~~20250SB0323PN0254 - 5 -~~ (4) A political subdivision.

20250SB0323PN1620 - 6 - "Project." A capital improvement, purchase of receivables, ~~20250SB0323PN0254 - 6 -~~ property, assets, commodities, bonds or other revenue streams or related assets, working capital program or any activity that promotes economic development or opportunities within any state or territory of the United States.

The powers of the authority shall be exercised by the 20250SB0323PN1620 - 7 - board.

~~20250SB0323PN0254 - 7 -~~ (c) Expenses.--Expenses of the authority shall be paid from assets or income of the authority.

Upon the dissolution of the authority, all money, assets and other property of the authority shall vest 20250SB0323PN1620 - 8 - in the Commonwealth.

~~20250SB0323PN0254 - 8 -~~ (i) Procurement.--The authority shall be exempt from the provisions of 62 Pa.C.S.

20250SB0323PN1620 - 9 - (1) The administrator shall provide administrative ~~20250SB0323PN0254 - 9 -~~ services and staff to the authority and the board.

(i) Appointments under this paragraph shall be as 20250SB0323PN1620 - 10 - follows:

~~20250SB0323PN0254 - 10 -~~ (A) One individual appointed by the President pro tempore of the Senate.

20250SB0323PN1620 - 11 - (v) One board member appointed by the other members ~~20250SB0323PN0254 - 11 -~~ of the board by a vote of a majority, whose initial term shall be 10 years and a term of 10 years thereafter.

20250SB0323PN1620 - 12 - (h) Liability.--Members of the board shall not be personally ~~20250SB0323PN0254 - 12 -~~ liable on any obligations of the authority, including bonds of the authority.

(8) Contract and execute instruments, including 20250SB0323PN1620 - 13 - financing agreements, loan agreements, letter of credit ~~20250SB0323PN0254 - 13 -~~ agreements, liquidity agreements, guarantees, sureties, mortgages, standby loan commitments and contracts of insurance, which are necessary or appropriate for carrying on the business of the authority.

(17) Acquire, accept, purchase, receive, collect, hold, convey and invest money, fees and property, whether tangible 20250SB0323PN1620 - 14 - or intangible, from all sources, directly or by assignment, ~~20250SB0323PN0254 - 14 -~~ pledge or otherwise.

This paragraph includes the authority's contractors, subcontractors, assignees, lessees, agents,

20250SB0323PN1620 - 15 - vendors and suppliers.

~~20250SB0323PN0254 - 15 -~~ (24) Exercise rights provided by law for the benefit or protection of the authority or obligees of the authority.

(ii) The applicants or project users to pay or cause to be paid all other costs of acquiring, constructing, 20250SB0323PN1620 - 16 - maintaining and operating the projects being financed.

~~20250SB0323PN0254 - 16 -~~ (iii) Conveyance with or without consideration of any part or all of a project being financed to the project user or applicant on or before payment of all bonds and contractual obligations of the authority incurred with respect to the project.

20250SB0323PN1620 - 17 - 1727.

~~20250SB0323PN0254 - 17 -~~ 1728.

(viii) mature on a date or dates not to exceed 50 20250SB0323PN1620 - 18 - years from the bonds' original issue date;

and ~~20250SB0323PN0254 - 18 -~~ (ix) be subject to terms of redemption or tender, if any.

(2) Bonds shall be payable solely from money received by the authority from revenues derived from the operation of the project or accounts pledged or available for repayment of the bonds as authorized in this chapter, which may include any of 20250SB0323PN1620 - 19 - the following:

~~20250SB0323PN0254 - 19 -~~ (i) The proceeds of bonds.

(4) THE COMMONWEALTH SHALL HAVE NO LIABILITY FOR <-- DEFAULTS OR FAILURES ASSOCIATED WITH PROJECTS, ISSUERS, OBLIGORS OR RELATED ENTITIES, WHETHER LOCATED WITHIN OR OUTSIDE THIS COMMONWEALTH.

20250SB0323PN1620 - 20 - (h) Use.--The authority may use the proceeds of bonds for any of the following:

~~20250SB0323PN0254 - 20 -~~ (3) Paying expenses in connection with activity under paragraphs (1) and (2), including administrative costs of the authority and the administrator.

20250SB0323PN1620 - 21 - (b) No tax liability.--The authority, as a public instrumentality of the Commonwealth performing essential governmental functions, is not required to pay any taxes or assessments upon any property located in this Commonwealth acquired or used or permitted to be used by the authority for ~~20250SB0323PN0254 - 21 -~~ the authority's purposes.

20250SB0323PN1620 - 22 - (2) A description of the project or projects to be financed.

(4) A summary of the comments made and questions posed ~~20250SB0323PN0254 - 22 -~~ at the public hearing.

20250SB0323PN1620 - 23 - (iii) Extending the time for the payment of bonds or interest.

~~20250SB0323PN0254 - 23 -~~ (4) Covenant relating to any of the following:

(ii) Maintenance of the authority's real and 20250SB0323PN1620 - 24 - personal property.

(iv) Insurance to be carried on the authority's real and personal property and the use and disposition of the ~~20250SB0323PN0254 - 24 -~~ insurance proceeds.

20250SB0323PN1620 - 25 - (10) Pay the costs or expenses incident to any of the following:

~~20250SB0323PN0254 - 25 -~~ (iii) The trust agreement securing the bonds.

20250SB0323PN1620 - 26 - A pledge or grant of a security interest in revenues or instruments made by the authority shall be valid and binding from the time the pledge is made.

The revenues, receipts, money or other property or instruments pledged and later received by the authority shall immediately be subject to the lien of the ~~20250SB0323PN0254 - 26 -~~ pledge or security interest without any physical delivery of the property pledged or further act.

20250SB0323PN1620 - 27 - Sec. 1728.

~~20250SB0323PN0254 - 27 -~~ (1) Government agencies.

The authority shall pay, on an annual basis, to the Commonwealth, the money generated by the authority after the payment of all costs and expenses to operate the authority, 20250SB0323PN1620 - 28 - including payments to the administrator and the retention of money to maintain reasonable reserves as determined by the board.

~~20250SB0323PN0254~~20250SB0323PN1620 - 28~~29 -~~