



***Coronavirus provisions applicable to businesses, individuals and nonprofits (as contained in H.R. 133, Consolidated Appropriations Act, 2021)***

The following summarizes the coronavirus relief provisions of H.R. 133, Consolidated Appropriations Act, 2021, approved by Congress on Dec. 21, which are applicable to businesses, individuals and nonprofit organizations.

**Division N – Additional Coronavirus Response and Relief**

**Title II – Assistance to Individuals, Families, and Businesses**

**Subtitle A – Unemployment Insurance**

**Section 201. Extension and Benefit Phaseout Rule for Pandemic Unemployment Assistance (applicable to independent contractors).**

- Extends Pandemic Unemployment Assistance (PUA) to March 14, 2021 and allows individuals receiving benefits as of March 14, 2021 to continue through April 5, 2021, as long as the individual has not reached the maximum number of weeks.
- Increases the number of weeks of benefits an individual may claim from 39 to 50.
- Provides for appeals to be at the state level.
- Provides states authority to waive overpayments made without fault on the part of the individual or when such repayment would violate equity and good conscience.
- Provides a transition rule for certain individuals transitioning between PUA and the Pandemic Emergency Unemployment Compensation program.
- Limits payment of retroactive PUA benefits to weeks of unemployment after December 1, 2020.

**Section 202. Extension of Emergency Unemployment Relief for Governmental Entities and Nonprofit Organizations.**

- Extends through March 14, 2021 a provision in the CARES Act which amended the Families First Coronavirus Response Act to provide federal support to cover 50% of the costs of unemployment benefits for employees of state and local governments and non-profit organizations.

**Section 203. Extension of Federal Pandemic Unemployment Compensation.**

- Restores the Federal Pandemic Unemployment Compensation (FPUC) supplement to all state and federal unemployment benefits at \$300 per week, starting after December 26 and ending March 14, 2021.

## **Section 206. Extension and Benefit Phaseout Rule for Pandemic Emergency Unemployment Compensation.**

- Extends Pandemic Emergency Unemployment Compensation (PEUC) to March 14, 2021 and allows individuals receiving benefits as of March 14, 2021 to continue through April 5, 2021, as long as the individual has not reached the maximum number of weeks.
- Increases the number of weeks of benefits an individual may claim through the PEUC program from 13 to 24.
- Provides rules for states about sequencing these benefits with other unemployment benefits.

## **Section 242. Requirement for States to Verify Identity of Applicants for Pandemic Unemployment Assistance.**

- Requires states to have procedures in place to verify or validate the identity of PUA applicants, and for timely payment of benefits.
- Clarifies that expenses to implement such procedures qualify as an administrative cost and may be reimbursed as part of PUA operation.

**Section 251. Return to Work Reporting for CARES Act Agreements.** Effective 30 days after enactment, requires states to have methods in place to address situations when claimants of unemployment compensation refuse to return to work or refuse to accept an offer of suitable work without good cause including:

- A reporting method for employers to notify the state when an individual refuses employment.
- A plain language notice to claimants about state return to work laws, rights to refuse to return to work or to refuse suitable work and information on contesting a denial of a claim, as well as what constitutes suitable work, including a claimant's right to refuse work that poses a risk to the claimant's health and safety.

## **Section 266. Waiver to Preserve Access to Extended Benefits in High Unemployment States.**

Provides a temporary waiver of the mandatory "EB freeze period" for states that trigger back onto the program because of fluctuations in their unemployment rates, beginning November 1, 2020 and ending December 31, 2021.

## **Subtitle B – COVID-Related Tax Relief**

**Secs. 272-273. Additional 2020 recovery rebates for individuals.** The provision provides a refundable tax credit in the amount of \$600 per eligible family member. The credit is \$600 per taxpayer (\$1,200 for married filing jointly), in addition to \$600 per qualifying child. The credit phases out starting at \$75,000 of modified adjusted gross income (\$112,500 for heads of household and \$150,000 for married filing jointly) at a rate of \$5 per \$100 of additional income.

The provision also provides for Treasury to issue advance payments based on the information on 2019 tax returns. Eligible taxpayers treated as providing returns through the nonfiler portal in the first round of Economic Impact Payments, provided under the CARES Act, will also receive payments. Treasury may issue advance payments for Social Security Old-Age, Survivors, and Disability Insurance beneficiaries, Supplemental Security Income recipients, Railroad Retirement Board beneficiaries, and Veterans Administration beneficiaries who did not file 2019 returns based on information provided by the Social Security Administration, the Railroad Retirement Board, and the Veterans Administration.

In general, taxpayers without an eligible social security number are not eligible for the payment. However, married taxpayers filing jointly where one spouse has a Social Security Number and one spouse does not are eligible for a payment of \$600, in addition to \$600 per child with a Social Security Number.

**Sec. 274. Extension of certain deferred payroll taxes.** On August 8, 2020, the President of the United States issued a memorandum to allow employers to defer withholding employees' share of social security taxes or the railroad retirement tax equivalent from September 1, 2020 through December 31, 2020, and required employers to increase withholding and pay the deferred amounts ratably from wages and compensation paid between January 1, 2021 and April 31, 2021. Beginning on May 1, 2021, penalties and interest on deferred unpaid tax liability will begin to accrue. The provision extends the repayment period through December 31, 2021. Penalties and interest on deferred unpaid tax liability will not begin to accrue until January 1, 2022.

**Sec. 276. Clarification of tax treatment of Paycheck Protection Program loans.** The provision clarifies that gross income does not include any amount that would otherwise arise from the forgiveness of a Paycheck Protection Program (PPP) loan. This provision also clarifies that deductions are allowed for otherwise deductible expenses paid with the proceeds of a PPP loan that is forgiven, and that the tax basis and other attributes of the borrower's assets will not be reduced as a result of the loan forgiveness. The provision is effective as of the date of enactment of the CARES Act. The provision provides similar treatment for Second Draw PPP loans, effective for tax years ending after the date of enactment of the provision.

**Sec. 278. Clarification of tax treatment of certain loan forgiveness and other business financial assistance under the coronavirus relief legislation.** The provision clarifies that gross income does not include forgiveness of certain loans, emergency EIDL grants, and certain loan repayment assistance, each as provided by the CARES Act. The provision also clarifies that deductions are allowed for otherwise deductible expenses paid with the amounts not included in income by this section, and that tax basis and other attributes will not be reduced as a result of those amounts being excluded from gross income. The provision is effective for tax years ending after date of enactment of the CARES Act. The provision provides similar treatment for Targeted EIDL advances and Grants for Shuttered Venue Operators, effective for tax years ending after the date of enactment of the provision.

**Sec. 279. Authority to waive certain information reporting requirements.** The provision gives Treasury authority to waive information filing requirements for any amount excluded from income by reason of the exclusion of covered loan amount forgiveness from taxable income, the exclusion of emergency financial aid grants from taxable income or the exclusion of certain loan forgiveness and other business financial assistance under the CARES act from income.

**Sec. 286. Extension of credits for paid sick and family leave.** The provision extends the refundable payroll tax credits for paid sick and family leave, enacted in the Families First Coronavirus Response Act, through the end of March 2021. It also modifies the tax credits so that they apply as if the corresponding employer mandates were extended through the end of March 2021. This provision is effective as if included in FFCRA.

**Sec. 287. Election to use prior year net earnings from self-employment in determining average daily and self-employment income for purposes of credits for paid sick and family leave.** Allows individuals to elect to use their average daily self-employment income from 2019 rather than 2020 to compute the credit. This provision is effective as if included in FFCRA.

**Sec. 288. Certain technical improvements to credits for paid sick and family leave.** Makes technical changes coordinating the definitions of qualified wages within the paid sick leave, paid family and medical

leave, and the exclusion of such leave from employer OASDI tax. This provision is effective as if included in FFCRA.

### **Title III - Continuing the Paycheck Protection Program and Other Small Business Support**

#### **Section 303: Emergency Rulemaking Authority.**

- Requires the SBA Administrator to establish regulations to carry out this title no later than 10 days after enactment of this title.

#### **Section 304: Additional Eligible Expenses.**

- Makes the following expenses allowable and forgivable uses for Paycheck Protection Program funds:
  - Covered operations expenditures. Payment for any software, cloud computing, and other human resources and accounting needs.
  - Covered property damage costs. Costs related to property damage due to public disturbances that occurred during 2020 that are not covered by insurance.
  - Covered supplier costs. Expenditures to a supplier pursuant to a contract, purchase order, or order for goods in effect prior to taking out the loan that are essential to the recipient's operations at the time at which the expenditure was made. Supplier costs of perishable goods can be made before or during the life of the loan.
  - Covered worker protection expenditure. Personal protective equipment and adaptive investments to help a loan recipient comply with federal health and safety guidelines or any equivalent State and local guidance related to COVID-19 during the period between March 1, 2020, and the end of the national emergency declaration.
- Allows loans made under PPP before, on, or after the enactment of this act to be eligible to utilize the expanded forgivable expenses except for borrowers who have already had their loans forgiven.

#### **Section 306: Selection of Covered Period for Forgiveness.**

- Allows the borrower to elect a covered period ending at the point of the borrower's choosing between 8 and 24 weeks after origination.

#### **Section 307: Simplified Application.**

- Creates a simplified application process for loans under \$150,000 such that:
  - A borrower shall receive forgiveness if a borrower signs and submits to the lender a certification that is not more than one page in length, includes a description of the number of employees the borrower was able to retain because of the covered loan, the estimated total amount of the loan spent on payroll costs, and the total loan amount. The borrower must also attest that borrower accurately provided the required certification and complied with Paycheck Protection Program loan requirements. SBA must establish this form within 24 days of enactment and may not require additional materials unless necessary to substantiate revenue loss requirements or satisfy relevant statutory or regulatory requirements. Additionally, borrowers are required to retain relevant records related to employment for four years and other records for three years. The Administrator may review and audit these loans to ensure against fraud.
  - At the discretion of the borrower, the borrowers may complete and submit demographic information for all PPP loans.

- The SBA must submit to the Senate and House Small Business Committees a report 45 days after enactment detailing their review and forgiveness audit plan to mitigate risk of fraud and provide monthly reviews and audit updates thereafter.
- Applies to loans made before, on, or after the date of enactment, including the forgiveness of the loan.

**Section 308: Specific Group Insurance Payments as Payroll Costs.**

- Clarifies that other employer-provided group insurance benefits are included in payroll costs. This includes: group life, disability, vision, or dental insurance.
- Applies to loans made before, on, or after the date of enactment, including the forgiveness of the loan.

**Section 310: Clarification of and Additional Limitations on Eligibility.**

- Clarifies that a business or organization that was not in operation on February 15, 2020 shall not be eligible for an initial PPP loan and a second draw PPP loan.

**Section 311: Paycheck Protection Program Second Draw Loans.**

- Creates a second loan from the Paycheck Protection Program, called a “PPP second draw” loan for smaller and harder-hit businesses, with a maximum amount of \$2 million.
- Eligibility. In order to receive a Paycheck Protection Program loan under this section, eligible entities must:
  - Employ not more than 300 employees;
  - Have used or will use the full amount of their first PPP; and
  - Demonstrate at least a 25 percent reduction in gross receipts in the first, second, or third quarter of 2020 relative to the same 2019 quarter. Provides applicable timelines for businesses that were not in operation in Q1, Q2, and Q3, and Q4 of 2019. Applications submitted on or after January 1, 2021 are eligible to utilize the gross receipts from the fourth quarter of 2020.
- Eligible entities must be businesses, certain non-profit organizations, housing cooperatives, veterans’ organizations, tribal businesses, self-employed individuals, sole proprietors, independent contractors, and small agricultural co-operatives.
- Ineligible entities include: entities listed in 13 C.F.R. 120.110 and subsequent regulations except for entities from that regulation which have otherwise been made eligible by statute or guidance, and except for nonprofits and religious organizations; entities involved in political and lobbying activities including engaging in advocacy in areas such as public policy or political strategy or otherwise describes itself as a think tank in any public document, entities affiliated with entities in the People’s Republic of China; registrants under the Foreign Agents Registration Act; and entities that receive a grant under the Shuttered Venue Operator Grant program.
- Loan terms. In general, borrowers may receive a loan amount of up to 2.5X the average monthly payroll costs in the one year prior to the loan or the calendar year. No loan can be greater than \$2 million.
  - Seasonal employers may calculate their maximum loan amount based on a 12-week period beginning February 15, 2019 through February 15, 2020.
  - New entities may receive loans of up to 2.5X the sum of average monthly payroll costs.
  - Businesses with multiple locations that are eligible entities under the initial PPP requirements may employ not more than 300 employees per physical location.
  - Waiver of affiliation rules that applied during initial PPP loans apply to a second loan.
  - An eligible entity may only receive one PPP second draw loan.
  - Fees are waived for both borrowers and lenders to encourage participation.

- For loans of not more than \$150,000, the entity may submit a certification attesting that the entity meets the revenue loss requirements on or before the date the entity submits their loan forgiveness application and non-profit and veterans organizations may utilize gross receipts to calculate their revenue loss standard.
- Loan forgiveness. Borrowers of a PPP second draw loan would be eligible for loan forgiveness equal to the sum of their payroll costs, as well as covered mortgage, rent, and utility payments, covered operations expenditures, covered property damage costs, covered supplier costs, and covered worker protection expenditures incurred during the covered period. The 60/40 cost allocation between payroll and non-payroll costs in order to receive full forgiveness will continue to apply.
- Lender eligibility. A lender approved to make loans under initial PPP loans may make covered loans under the same terms and conditions as the initial loans.
- Lender compensation. The Administrator is authorized to reimburse a lender by a tiered structure: For loans up to \$50,000, the lender processing fee will be the lesser of 50 percent of the principal amount or \$2,500. For loans between \$50,000 and \$350,000, the lender fee will be five percent. For loans \$350,000 and above, the lender fee will be three percent.
- Guidance to prioritize underserved communities. Directs the Administrator to issue guidance addressing barriers to access to capital for underserved communities no later than 10 days after enactment.
- Standard Procedures. Directs the SBA to allow lenders to approve loans made under this paragraph utilizing existing program guidance and standard operating procedure, to the maximum extent possible, as the standard SBA 7(a) program.
- Application of Exemption Based on Employee. Extends existing safe harbors on restoring FTE and salaries and wages. Specifically, applies the rule of reducing loan forgiveness for the borrower reducing the number of employees retained and reducing employees' salaries in excess of 25 percent. Allows the SBA and Treasury Department to jointly modify any date in section 7A(d) consistent with the purposes of the Paycheck Protection Program.

### **Section 312: Increased Ability for Paycheck Protection Program Borrowers to Request an Increase in Loan Amount Due to Updated Regulations.**

- Requires the Administrator to release guidance to lenders within 17 days of enactment that allows borrowers who returned all or part of their PPP loan to reapply for the maximum amount applicable so long that they have not received forgiveness. Additionally, this section allows borrowers whose loan calculations have increased due to changes in interim final rules to work with lenders to modify their loan value regardless of whether the loan has been fully disbursed, or if Form 1502 has already been submitted.

### **Section 315: Definition of a Seasonal Employer.**

- Defines a seasonal employer to be an eligible recipient which: (1) operates for no more than seven months in a year, or (2) earned no more than 1/3 of its receipts in any six months in the prior calendar year.
- Applies to any loan made before, on or after enactment including the forgiveness of the loan.

### **Section 318: Eligibility of 501(c)(6) and Destination Marketing Organizations for Loan Under the Paycheck Protection Program.**

- Expands eligibility to receive a Paycheck Protection Program loan to include the following organizations:
  - 501(c)(6) organizations if:

- ✦ The organization does not receive more than 15 percent of receipts from lobbying;
- ✦ The lobbying activities do not comprise more than 15 percent of activities;
- ✦ The cost of lobbying activities of the organization did not exceed \$1,000,000 during the most recent tax year that ended prior to February 15, 2020 and ✦ The organization has 300 or fewer employees.
- ✦ Professional sports leagues or organizations with the purpose of promoting or participating in a political campaign or other political activities are not eligible under this section.
- Destination Marketing Organizations if:
  - ✦ The organization does not receive more than 15 percent of receipts from lobbying;
  - ✦ The lobbying activities do not comprise more than 15 percent of activities;
  - ✦ The organization has 300 or fewer employees; and
  - ✦ That destination marketing organization is registered as a 501(c) organization, a quasigovernment entity, or a political subdivision of a state or local government.

### **Section 319: Prohibition on Use of Loan Proceeds for Lobbying Activities.**

- Prohibits any eligible entity from using proceeds of the covered loan for lobbying activities, as defined by the Lobbying Disclosure Act, lobbying expenditures related to state or local campaigns, and expenditures to influence the enactment of legislation, appropriations, or regulations.

### **Section 320: Bankruptcy Provisions.**

- Establishes a special procedure in the bankruptcy process if the Administrator determines certain small business debtors are eligible for Paycheck Protection Program loans. It requires court approval for Paycheck Protection Program loans to these debtors and requires any such loan be given a super priority claim in the bankruptcy process, providing additional protection to taxpayers and participating banks. The provisions in this section would take effect only upon a written determination by the Administrator that certain small business debtors are eligible for Paycheck Protection Program loans and would sunset two years from the date of enactment.

### **Section 321: Oversight.**

- Requires the SBA to comply with GAO requests no later than 15 days, and requires the SBA to submit a detailed justification to Senate and House Small Business Committees if they are unable to comply with the request. It also would require the Secretary of the Treasury and SBA Administrator to testify within 120 days of enactment of this Act and not less than twice per year for the next two years to the Senate and House Small Business Committees.

### **Section 323: Commitment Authority and Appropriations.**

- Extends the time of the program to March 31, 2021.
- Sets the authorization level for PPP at \$806.5 billion.
- Separates regular 7(a) and PPP loans to ensure the continued operation of the 7(a) program by setting an authorization level of \$75 billion and clarifies the 7(a) program level and secondary market cap.
- Direct appropriations:
  - \$284.45 billion for PPP, including the following set-asides:
    - ✦ Lenders:

- \$15 billion for PPP loans (initial and second draw) issued by community financial institutions, including community development financial institutions (CDFIs) and minority depository intuitions (MDIs);
- \$15 billion for PPP loans (initial and second draw) issued by certain small depository institutions.
- ✦ Borrowers:
  - \$35 billion for first-time borrowers, \$15 billion of which for smaller, first-time borrowers with 10 or fewer employees, or loans less than \$250,000 in low-income areas;
  - \$25 billion for second draw PPP loans for smaller borrowers with 10 or fewer employees, or loans less than \$250,000 in low-income areas.
- ✦ After 25 days, the SBA Administrator may adjust the set-asides as necessary.
- \$25 million for the Minority Business Development Centers program under the Minority Business Development Agency (MBDA);
- \$50 million for PPP auditing and fraud mitigation
- \$20 billion for the Targeted EIDL Advance program, of which \$20 million for the Inspector General;
- \$57 million for the Microloan program as described in section 29;
- \$1.9 billion to carry out sections 26, 27, and 28;
- \$3.5 billion for the Debt Relief program as described in section 25;
- \$15 billion for grants for live venues as described in section 24.

### **Section 325: Extension of the debt relief program.**

- Resumes the payment of principal and interest (P&I) on small business loans guaranteed by the SBA under the 7(a), 504 and microloan programs, established under the CARES Act.
- All borrowers with qualifying loans approved by the SBA prior to the CARES Act will receive an additional three months of P&I, starting in February 2021. Going forward, those payments will be capped at \$9,000 per borrower per month.
- After the three-month period described above, borrowers considered to be underserved—namely the smallest or hardest-hit by the pandemic—will receive an additional five months of P&I payments, also capped at \$9,000 per borrower per month. They include:
  - Borrowers with SBA microloans or 7(a) Community Advantage loans
  - Borrowers with any 7(a) or 504 loan in the hardest-hit sectors, as measured by the severity of sector-wide job losses since the start of the pandemic. They include food service and accommodation; arts, entertainment and recreation; education; and laundry and personal care services.
- SBA payments of P&I on the first 6 months of newly approved loans will resume for all loans approved between February 1 and September 30, 2021, also capped at \$9,000 per month.
- If the SBA projects that appropriations provided for the debt relief program are insufficient to fund the extensions provided, the Administrator may proportionally reduce the number of months provided in each extension.
- Clarifies eligibility and increases program integrity:
  - SBA payments should be made on any loan approved before the applicable deadline, and debt relief payments should be made only once the loan is fully disbursed.
  - SBA may establish a minimum loan maturity period for each loan product covered under this section to prevent program abuse.



- Any business or applicant may only receive P&I payments for only one loan approved after CARES Act enactment.
- Requires that SBA place program information on its website, conduct outreach to all borrowers, report monthly to Congress on program spending, and educate lenders, borrowers, SBA district offices, and resources partners about the program.

### **Section 326: Modifications to SBA 7(a) Loan Programs.**

- Increases to 90 percent the loan guarantee amount on 7(a) loans, including for Community Advantage loans, until October 1, 2021.
- Increases the Express Loan amount from \$350,000 to \$1 million on January 1, 2021, and then reverts permanently to a lower amount of \$500,000 on October 1, 2021.
- The Express Loan guaranty amount for loans of \$350,000 and less is temporarily increased from 50 percent to 75 percent, and for loans above \$350,000 the guarantee remains at 50 percent. On October 1, 2021, the guarantee reverts to 50 percent for all Express Loans.

### **Section 327: Temporary Fee Reductions.**

- Waives lender and borrower fees for both the 7(a) and 504 loan programs.

### **Section 328: Low-Interest Refinancing.**

- Enhances the 504 refinancing rules in order to create reciprocity for refinancing between 504 and 7(a) programs.
- Grants authority through September 30, 2023 for SBA to establish a 504 Express Loan Program for the most experienced successful 504 lenders to expedite 504 loans of less than \$500,000.

### **Section 329: Recovery Assistance under the Microloan Program.**

- Enhances the microloan program to increase access to micro capital and technical assistance under the program for businesses impacted by the COVID-19 pandemic.
- Temporarily increases the amount of time that borrowers can repay their loans from 6 to 8 years.
- Temporarily increases the outstanding aggregate amount each intermediary may borrow from \$6 million to \$10 million to expand their capacity to deploy more capital to small businesses.
- Allows intermediaries to access more technical assistance funding if they serve rural areas.
- Maximizes flexibility and reduces red tape for intermediaries by temporarily waiving the limitations for the technical assistance grants and the 50 percent limitation on pre-loan technical assistance.
- Provides \$50 million in additional funding for Microloan Technical Assistance funding for lenders and \$7 million to leverage about \$64 million more in microloans to businesses.

### **Section 330: Extension of Participation in SBA 8(a) Program.**

- Requires Administrator to allow businesses in the 8(a) program to seek an enrollment extension of 1 year.
- Requires rules to be drafted to carry out this section within 15 days.

### **Section 331: Targeted EIDL Advance for Small Business Continuity, Adaptation, and Resiliency.**

- Provides additional targeted funding for eligible entities located in low-income communities through the EIDL Advance program from Section 1110 of the CARES Act.
- Makes entities in low-income communities that received an EIDL Advance under Section 1110 of the CARES Act eligible to receive an amount equal to the difference of what the entity received under the CARES Act and \$10,000.
- Provides \$10,000 grants to eligible applicants in low-income communities that did not secure grants because funding had run out.

**Section 332: Emergency EIDL Grants.**

- Extends covered period for Emergency EIDL grants through December 31, 2021.
- Allows more flexibility for the SBA to verify that Emergency EIDL grant applicants have submitted accurate information.
- Extends time for SBA to approve and disburse Emergency EIDL grants from 3 to 21 days.

**Section 333: Repeal of EIDL Advance Deduction.**

- Repeals section 1110(e)(6) of the CARES Act, which requires PPP borrowers to deduct the amount of their EIDL advance from their PPP forgiveness amount.
- Establishes the Sense of Congress that EIDL Advance borrowers should be made whole without regard to whether those borrowers are eligible for PPP forgiveness.
- The Administrator shall issue rules that ensure borrowers are made whole if they received forgiveness and their EIDL was deducted from that amount.

**Section 334: Flexibility in Deferral of Payments of 7(a) Loans.**

- Creates parity between bank-held and secondary market-owned 7(a) loans to seek up to a 1-year deferral.
- Requires SBA to buy back loans if investors refuse to provide the extend deferral unless the SBA determines the extended deferral would cause a positive subsidy for the Secondary Market Guarantee Program.

**Section 335: Documentation Required for Certain Eligible Recipients.**

- Allows more flexibility for the Administration to accept documentation beyond those enumerated in the CARES Act to determine eligibility for sole proprietors and the self-employed.

**Section 336: Election of 12-week Period by Seasonal Employers.**

- Expands the seasonal period to any 12-weeks between February 15, 2019 and February 15, 2020.
- Applies to loans before, on, or after the date of enactment, except for loans for which the borrower has already received forgiveness.

**Section 337: Inclusion of Certain Refinancing in Nonrecourse Requirements.**

- Ensures applicants cannot be held liable if they didn't understand they had recourse against them at the time they took the PPP and EIDL loans after a refinancing.

### **Section 338: Application of Certain Terms through Life of Covered Loan.**

- Clarifies that (1) fee waivers; (2) personal guarantee waiver; and (3) deferral eligibility continues past the covered period and attaches for the life of the PPP loan.

### **Section 339: Interest Calculation on Covered Loans.**

- Clarifies the interest rate on PPP loans is non-compounding and non-adjustable for all new initial Paycheck Protection Program loans and second draw loans.

### **Section 341: Duplication Requirements for Economic Injury Disaster Loan Recipients.**

- Permits certain EIDL borrowers to also apply for a PPP loan.

### **Section 342: Prohibition of Eligibility for Publicly Traded Companies.**

- Excludes publicly traded companies from PPP eligibility.

### **Section 343: Covered Period for New PPP Loans.**

- Extends the covered period for all PPP loans through March 31, 2021.
- Applies to loans made before, on, or after the date of enactment, including the forgiveness of such loan.

### **Section 344: Covered Period for Other Purposes.**

- Clarifies the applicable period for employee's salaries of \$100,000 on an annualized basis as prorated during the period in which compensation is paid or incurred.

### **Section 348: Effective Date; Applicability.**

- Clarifies the amendments made by this bill shall take effect on the date of enactment and apply to loans and grants made on or after the date of enactment.

## **Title X – Miscellaneous**

### **Sec. 1001. Coronavirus Relief Fund Extension.**

Extends the date by which state and local governments must make expenditures with CARES Act Coronavirus Relief Fund awards from December 30, 2020 to December 31, 2021.

### **Sec. 1002. Contractor Pay.**

Allows reimbursement to qualifying contractors for the costs of providing paid leave to employees during the pandemic.