

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1827 Session of  
2009

INTRODUCED BY SWANGER, BAKER, BELFANTI, BENNINGHOFF, BRENNAN,  
BUXTON, CALTAGIRONE, CLYMER, D. COSTA, CREIGHTON, DAY,  
DENLINGER, FLECK, FRANKEL, GEORGE, GODSHALL, GOODMAN,  
GRUCELA, HESS, HORNAMAN, JOSEPHS, KNOWLES, KORTZ, MAJOR,  
MICOZZIE, MILLARD, MILNE, MOUL, MURT, M. O'BRIEN, PALLONE,  
PHILLIPS, QUINN, READSHAW, SANTONI, SIPTROTH, K. SMITH,  
SONNEY, STERN, VULAKOVICH AND YOUNGBLOOD, JULY 3, 2009

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES, JULY 3, 2009

AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An  
2 act to consolidate, editorially revise, and codify the public  
3 welfare laws of the Commonwealth," in the State blind  
4 pension, further providing for eligibility and for amount.

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

7 Section 1. Section 506 of the act of June 13, 1967 (P.L.31,  
8 No.21), known as the Public Welfare Code, amended December 26,  
9 1974 (P.L.991, No.324), June 21, 1977 (P.L.18, No.14) and April  
10 6, 1980 (P.L.99, No.37), is amended to read:

11 Section 506. Eligibility.--The department shall provide a  
12 State blind pension to any blind person who:

13 (1) Resides in Pennsylvania;

14 (2) Is not an inmate of any penal institution or hospital  
15 for mental disease;

16 (3) Has actual annual income of his own of [less] not more

1 than [four thousand two hundred sixty dollars (\$4,260)] the  
2 Poverty Threshold by Family Size, for One Person, established by  
3 the Bureau of the Census;

4 (4) Owns real or personal property of a combined value of  
5 not more than seven thousand five hundred dollars (\$7500); and  
6 who

7 (5) Has not disposed of any property without fair  
8 consideration within the two years immediately preceding the  
9 date of application for State blind pension, or while receiving  
10 such pension, if ownership of such property, together with his  
11 other property, would render him ineligible for such pension;

12 (6) Is not receiving supplemental security income for the  
13 aged, blind and disabled pursuant to Title XVI of the Federal  
14 Social Security Act.

15 With respect to the determination of eligibility for State  
16 blind pension, the value of real property shall be deemed to be  
17 its assessed value minus encumbrances but in no case shall the  
18 assessed value be more than thirty percent of the official  
19 market value; the value of personal property shall be deemed to  
20 be its actual value; and interest in property owned by the  
21 entreties shall be deemed to be a one-half interest.

22 Determination of the amount of an applicant's income and the  
23 value of his property shall be made by the department without  
24 regard to any Federal laws or regulations respecting income and  
25 resources of applicants for aid to the blind. The valuation of  
26 real property for the purposes of clause (4) shall not be  
27 increased by reason of reassessment, except to the extent that  
28 the real property has been actually enlarged or improved.

29 Determination of the amount of an applicant's income shall  
30 exclude any increase in (i) social security payments to him

1 provided under Federal law and taking effect subsequent to  
2 January 1, 1971; (ii) railroad retirement benefits provided to  
3 him under the Railroad Retirement Act of [1937, 45 U.S.C. § 228  
4 et seq.,] 1974 (Public Law 93-445, 45 U.S.C. § 231 et seq.), and  
5 taking effect subsequent to January 1, 1976; and (iii) veterans'  
6 benefits provided to him and administered by the Veterans'  
7 Administration and taking effect subsequent to January 1, 1976.

8 Section 2. Section 507 of the act, amended April 6, 1980  
9 (P.L.99, No.37), is amended to read:

10 Section 507. Amount of Pension.--Except as provided for  
11 payment for nursing home care, the amount paid after the  
12 effective date of this act to an eligible blind person having  
13 actual annual income of his own [of three thousand sixty dollars  
14 (\$3,060) or less] equal to the Poverty Threshold by Family Size,  
15 for One Person, established by the Bureau of the Census, shall  
16 be [one hundred dollars (\$100)] two hundred fifty dollars (\$250)  
17 monthly[,]; and the monthly amount paid to any other eligible  
18 blind person shall be fixed in such amount that the sum of his  
19 actual annual income and State blind pension equals [four  
20 thousand two hundred sixty dollars (\$4,260)] the Poverty  
21 Threshold by Family Size, for One Person, established by the  
22 Bureau of the Census, plus one thousand two hundred dollars  
23 (\$1,200) a year.

24 Section 3. If this section takes effect after July 1, 2009,  
25 the amendment of section 507 of the act shall apply  
26 retroactively to July 1, 2009.

27 Section 4. This act shall take effect July 1, 2009, or  
28 immediately, whichever is later.