

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 92

Session of
2007

INTRODUCED BY YOUNGBLOOD, CRUZ, COHEN AND BLACKWELL,
JANUARY 30, 2007

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES,
JANUARY 30, 2007

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," further defining
4 "assistance group"; and further providing for eligibility and
5 determination of need related to recipients of temporary
6 assistance to needy families.

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

9 Section 1. The definition of "assistance group" in section
10 402 of the act of June 13, 1967 (P.L.31, No.21), known as the
11 Public Welfare Code, amended May 16, 1996 (P.L.175, No.35), is
12 amended to read:

13 Section 402. Definitions.--As used in this article, unless
14 the content clearly indicates otherwise:

15 * * *

16 "Assistance group" means one or more related or nonrelated
17 individuals who occupy a common residence, or would occupy a
18 common residence if they were not homeless, and whose needs and
19 eligibility for assistance are considered together in

1 determining eligibility for cash assistance or medical
2 assistance. If eligible for cash assistance or medical
3 assistance, the assistance group shall be limited to assistance
4 that accords with standards established by the department. If
5 eligible for temporary assistance to needy families, at the
6 option of the applicant or recipient, the assistance group shall
7 exclude any child who receives support payments or any Social
8 Security benefits, including retirement, survivor or disability
9 benefits, provided that such support or benefits are legally
10 limited to the use of the child receiving them.

11 * * *

12 Section 2. Sections 432(1) and 432.12(a) of the act, amended
13 May 16, 1996 (P.L.175, No.35), are amended to read:

14 Section 432. Eligibility.--Except as hereinafter otherwise
15 provided, and subject to the rules, regulations, and standards
16 established by the department, both as to eligibility for
17 assistance and as to its nature and extent, needy persons of the
18 classes defined in clauses (1), (2), and (3) shall be eligible
19 for assistance:

20 (1) [Persons] (i) Subject to the options under subclause
21 (ii), persons for whose assistance Federal financial
22 participation is available to the Commonwealth as aid to
23 families with dependent children or as other assistance, and
24 which assistance is not precluded by other provisions of law.

25 (ii) An applicant or recipient for temporary assistance to
26 needy families may, at the option of that applicant or
27 recipient, exclude from the assistance group any child who
28 receives support payments or any Social Security benefits,
29 including retirement, survivor or disability benefits, provided
30 that such support or benefits are legally limited to the use of

1 the child receiving them.

2 * * *

3 Section 432.12. Determination of Need.--(a) [In] (1) (i)
4 Subject to the limitation under subclause (ii), in determining
5 need for aid to families with dependent children, the gross
6 income of all members of the assistance group who are fourteen
7 years of age or older shall be considered except the gross
8 income of a member of the assistance group who is between the
9 ages of fourteen and twenty-one, is a full or part-time student,
10 and is not employed full time or income which is specifically
11 excluded by Federal or State law. Fifty percent of gross earned
12 income shall be disregarded when determining eligibility for
13 recipients. Any changes to that percentage shall be promulgated
14 as regulations and shall be subject to the availability of
15 Federal and State funds for cash assistance, as certified by the
16 Secretary of the Budget.

17 (ii) In making a determination of need under this
18 subsection, the department shall exclude all moneys received by
19 any child which is excluded from the assistance group under
20 section 432(1)(ii). Any moneys received under this exclusion
21 shall not be assigned under any circumstances to the department
22 or the Commonwealth.

23 (2) In determining need for general assistance, the
24 department shall take into consideration the gross income which
25 is not excluded by Federal or State law, excluding that amount
26 equal to the expenses reasonably attributable to the earning of
27 income up to twenty-five dollars (\$25) per month, of all members
28 of the assistance group who are fourteen years of age or older.
29 The deduction shall be considered to cover all transportation
30 expenses related to employment, all child and adult care related

1 to employment, all other expenses attributed to employment such
2 as but not limited to union dues, uniforms and the like, and all
3 deductions over which the employe has no control such as but not
4 limited to Federal and State income tax. In addition to said
5 work related expenses, a work incentive equal to the first
6 twenty dollars (\$20) plus fifty percent of the next sixty
7 dollars (\$60) may be deducted from the gross monthly wages of
8 each employed recipient of general assistance for a period not
9 to exceed four months. The general assistance grant shall be
10 computed on the remainder.

11 * * *

12 Section 3. This act shall take effect July 1, 2007, or
13 immediately, whichever is later.