
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1669 Session of
1993

INTRODUCED BY M. N. WRIGHT, FLICK, KING, PLATTS, GERLACH,
HENNESSEY AND KIRKLAND, MAY 26, 1993

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, MAY 26, 1993

AN ACT

1 Providing for a voluntary contribution system to fund a homeless
2 prevention activities program; establishing a special fund;
3 imposing powers and duties on the Department of Public
4 Welfare and the Department of Revenue; and making a repeal.

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

7 Section 1. Legislative declaration.

8 The General Assembly hereby finds that there is a growing
9 number of persons in this Commonwealth who lack the resources
10 and the community ties necessary to provide for their own
11 adequate shelter and who are likely to become homeless without
12 community assistance. The General Assembly recognizes that women
13 and children are the fastest growing group of the homeless and
14 that a large percentage of the total homeless population
15 consists of families. The General Assembly therefore finds that
16 it is beneficial to the Commonwealth to fund prevention
17 activities programs to assist families and other persons who are
18 likely to become homeless without some community assistance;

1 that this act is enacted to provide a means by which such
2 programs may be financed through a voluntary contribution
3 designation on State income tax return forms; and that it is
4 desirable to encourage residents of this Commonwealth to
5 designate the amount of such contribution to help fund such
6 prevention activities programs on their State income tax return
7 forms.

8 Section 2. Definitions.

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

12 "Department." The Department of Public Welfare of the
13 Commonwealth.

14 "Homeless prevention activities program." A community-based
15 or community-oriented program which is operated by a
16 nongovernmental agency and established pursuant to the criteria
17 set forth in section 3 to assist in preventing families and
18 other persons from becoming homeless.

19 "Nongovernmental agency." Any private nonprofit agency or
20 nonprofit corporation.

21 "Unit of local government." A county, city, borough,
22 incorporated town or township, or a home rule municipality
23 formerly classified as a county, city, borough, incorporated
24 town or township.

25 Section 3. Homeless prevention activities programs.

26 (a) Criteria.--A homeless prevention activities program
27 established pursuant to this act shall provide, but need not be
28 limited to:

29 (1) Assistance in avoiding eviction and foreclosure from
30 an apartment or home.

1 (2) Counseling for families and persons to prevent them
2 from becoming homeless.

3 (3) Mediation services to assist persons in avoiding
4 eviction and foreclosures.

5 (4) Programs that assist persons who are in danger of
6 becoming homeless in obtaining services and information.

7 (5) Referrals to and assistance in obtaining job
8 training, job counseling or information about job openings.

9 (b) Requirements.--At least one-half of all voluntary
10 contributions made to the Homeless Prevention Activities Program
11 Fund pursuant to section 6 shall be used for direct or financial
12 benefit to individuals in this Commonwealth who are homeless or
13 in danger of becoming homeless; except that no funds shall be
14 expended for direct cash payment to homeless persons or persons
15 who are in danger of becoming homeless.

16 (c) Evaluation and report.--The department shall evaluate
17 the homeless prevention activities programs which are funded
18 pursuant to this act and shall report and make recommendations
19 to the General Assembly within 180 days of the effective date of
20 this act.

21 Section 4. Contracts with department; rules and regulations.

22 (a) Authorization.--The department may enter into contracts
23 or agreements for services with any nongovernmental agency which
24 has established and which operates a homeless prevention
25 activities program or with a unit of local government or
26 nongovernmental agency which has subcontracted with a
27 nongovernmental agency for homeless prevention activities
28 services.

29 (b) Priorities.--In making contracts or agreements, the
30 department shall give priority to those homeless prevention

1 activities programs which provide services to or design their
2 programs for assistance to families with children and other
3 persons who, without assistance, are in danger of becoming
4 homeless. The department shall also distribute funds by the use
5 of an allocation formula based on the number of homeless per
6 capita, the number of unemployed persons and the unemployment
7 rate in a particular community or region.

8 (c) Standards.--The department shall promulgate rules and
9 regulations establishing and enforcing standards for all
10 homeless prevention activities programs established pursuant to
11 this act, including the allocation formula specified in
12 subsection (b), and shall require that each homeless prevention
13 activities program meets approved minimum standards.

14 (d) Coordination and oversight.--The department shall
15 promulgate rules and regulations governing this program which
16 assure that the funds collected pursuant to section 6 are
17 allocated to nongovernmental agencies, either directly or
18 through the coordination and oversight of units of local
19 government, for use for direct client services and assistance.
20 Section 5. Funding of homeless prevention activities programs.

21 (a) Reimbursement.--Any nongovernmental agency operating a
22 homeless prevention activities program pursuant to this act
23 shall, subject to available appropriations, be reimbursed by the
24 department from moneys which may be appropriated for that
25 purpose by the General Assembly, but in no event shall the
26 Commonwealth reimbursements or disbursements exceed 100% of the
27 revenue provided by local contributions or sources other than
28 Commonwealth funds.

29 (b) Administrative expenses.--The department may use that
30 portion of the Homeless Prevention Activities Program Fund as

1 may be necessary for staffing and administrative expenses of the
2 department in carrying out the provisions of this act.

3 (c) Matching funds.--It is the intent of the General
4 Assembly that any funds generated by the contribution of cash
5 funds to the Homeless Prevention Activities Program Fund may be
6 used to match funds available, if any, from the Federal
7 Government, local governments, the private sector and nonprofit
8 organizations for the purpose of assisting homeless persons.

9 Section 6. Voluntary contribution system.

10 (a) Space on tax form.--The Department of Revenue shall
11 provide a space on the face of the Pennsylvania individual
12 income tax return form whereby an individual may voluntarily
13 designate a contribution of any amount desired to the Homeless
14 Prevention Activities Program Fund established in section 7.

15 (b) Deduction from refund.--The amount designated by an
16 individual on the income tax return form shall be deducted from
17 the tax refund to which the individual is entitled and shall not
18 constitute a charge against the income tax revenues due the
19 Commonwealth.

20 (c) Annual transfer.--The Department of Revenue shall
21 determine annually the total amount designated pursuant to this
22 section and shall report such amount to the State Treasurer, who
23 shall transfer such amount from the General Fund to the Homeless
24 Prevention Activities Program Fund. The Department of Revenue
25 shall be reimbursed from the Homeless Prevention Activities
26 Program Fund for any administrative costs incurred above and
27 beyond the cost savings it realizes as a result of individual
28 total refund designations.

29 (d) Information.--The Department of Revenue shall provide
30 adequate information concerning the Homeless Prevention

1 Activities Program Fund in its instructions which accompany
2 State income tax return forms, which shall include the listing
3 of an address to which contributions may be sent by those
4 taxpayers wishing to contribute to the fund but who do not
5 receive refunds.

6 (e) Applicability.--This section shall apply to taxable
7 years beginning on or after the effective date of this act.

8 Section 7. Homeless Prevention Activities Program Fund.

9 (a) Creation.--In order to carry out the purposes of this
10 act, there is hereby created a special fund, which shall be
11 known as the Homeless Prevention Activities Program Fund.

12 (b) Deposit into fund.--All moneys received from the
13 voluntary contribution system established in section 6 shall be
14 deposited in the fund.

15 (c) Additional appropriations.--The General Assembly may,
16 from time to time, appropriate funds into the special fund for
17 the purposes of this act.

18 (d) Continuing appropriation.--The moneys contained in the
19 fund are continuously appropriated to the Department of Public
20 Welfare for the purpose of carrying out the purposes of this
21 act.

22 Section 8. Repeal.

23 Section 12 of the act of June 23, 1982 (P.L.597, No.170),
24 known as the Wild Resource Conservation Act, is repealed insofar
25 as it is inconsistent with this act.

26 Section 9. Effective date.

27 This act shall take effect July 1 of the year immediately
28 succeeding the year of enactment.