

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 222 Session of 2015

INTRODUCED BY REGAN, SACCONI, BAKER, PICKETT, MILLARD, BARRAR, LONGIETTI, JAMES, REESE, BOBACK, D. COSTA, SAYLOR, TOEPEL, KNOWLES, TOPPER, KAUFFMAN, SANKEY, EMRICK, GABLER, HICKERNELL, A. HARRIS, O'NEILL, BARBIN, READSHAW, MAJOR, MURT, FEE, ZIMMERMAN, MASSER, TALLMAN, MARSICO, DeLUCA, KORTZ, PEIFER, DAY, GILLEN, SIMMONS, METCALFE, TRUITT, MOUL AND ROZZI, JANUARY 27, 2015

AS REPORTED FROM COMMITTEE ON HEALTH, HOUSE OF REPRESENTATIVES, AS AMENDED, MAY 13, 2015

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 public assistance,
4 prohibiting eligibility for individuals convicted of drug
5 distribution.

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

8 Section 1. The act of June 13, 1967 (P.L.31, No.21), known
9 as the Public Welfare Code, is amended by adding a section to
10 read:

11 ~~Section 432.25. Eligibility for Persons Convicted of Drug <--~~
12 ~~Distribution. Any individual applying for or receiving~~
13 ~~Temporary Assistance to Needy Families (TANF), Federal food~~
14 ~~stamps, general assistance or State supplemental assistance and~~
15 ~~who has been convicted of a felony for violating section 13(a)~~
16 ~~(14), (30), (35) or (36) of the act of April 14, 1972 (P.L.233,~~

1 ~~No.64), known as "The Controlled Substance, Drug, Device and~~
2 ~~Cosmetic Act," shall be ineligible for assistance.~~

3 SECTION 432.25. ELIGIBILITY FOR INDIVIDUALS CONVICTED OF <--
4 DRUG DISTRIBUTION.-- (A) NO INDIVIDUAL WHO, AFTER THE EFFECTIVE
5 DATE OF THIS SECTION, HAS BEEN CONVICTED OF ANY OF THE FOLLOWING
6 WHILE RECEIVING TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF),
7 THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP), GENERAL
8 ASSISTANCE OR STATE SUPPLEMENTAL ASSISTANCE SHALL BE ELIGIBLE
9 FOR TANF, FEDERAL FOOD STAMPS, GENERAL ASSISTANCE OR STATE
10 SUPPLEMENTAL ASSISTANCE:

11 (1) A VIOLATION OF SECTION 13(A) (30) OF THE ACT OF APRIL 14,
12 1972 (P.L.233, NO.64), KNOWN AS "THE CONTROLLED SUBSTANCE, DRUG,
13 DEVICE AND COSMETIC ACT," THE VIOLATION OF WHICH IS PUNISHABLE
14 BY 10 YEARS OR MORE IN PRISON.

15 (2) A VIOLATION OF SECTION 13(A) (38) (II) OF "THE CONTROLLED
16 SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT."

17 (3) A VIOLATION FOR WHICH 18 PA.C.S. § 7508 (RELATING TO
18 DRUG TRAFFICKING SENTENCING AND PENALTIES) PRESCRIBES A SENTENCE
19 OF FIVE YEARS OR MORE IN PRISON.

20 (B) SUBSECTION (A) SHALL NOT APPLY TO BENEFITS WHICH ARE
21 AFFORDED TO THE MINOR CHILDREN OF THOSE INDIVIDUALS WHO ARE
22 DENIED ELIGIBILITY TO RECEIVE BENEFITS UNDER SUBSECTION (A).

23 Section 2. This act shall take effect in 60 days.