

MILITARY AND VETERANS CODE (51 PA.C.S.) - MILITARY FAMILY RELIEF ASSISTANCE

Act of Jun. 18, 2014, P.L. 766, No. 66

Cl. 51

Session of 2014

No. 2014-66

SB 923

AN ACT

Amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for military family relief assistance.

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

Section 1. Section 7319(b)(2), (h) and (j) of Title 51 of the Pennsylvania Consolidated Statutes are amended to read: § 7319. Military family relief assistance.

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(b) Administration of program.--

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(2) The Military Family Relief Assistance Program is established. Contributions received for the fund shall be distributed by the department under the program to eligible service members and eligible relatives of eligible service members. Applicants must demonstrate to the department that they have a direct and immediate financial need as a result of [the military service of the service member. Such circumstances must be] **circumstances** beyond the control of and not as a result of misconduct by the service member. The applicant shall demonstrate that the financial need is caused by one or more of the following:

(i) A sudden or unexpected loss of income, **real or personal property, assets or support** directly related to the military service of, **or exigent circumstances affecting**, the service member.

(ii) The death or critical illness of a parent, spouse, sibling or child resulting in an immediate need for travel, lodging or subsistence for which the applicant lacks financial resources.

(iii) The wounding of the service member in the line of duty sustained as a result of combat or attack resulting in an immediate need for funds for travel, lodging, subsistence or other activities directly related to the casualty for which the applicant lacks financial resources. No more than two eligible relatives of an eligible service member may receive assistance under this subparagraph.

(iv) A natural or manmade disaster **or other exigent circumstances** resulting in deprivation of food, shelter or other necessities of life for which the applicant lacks financial resources.

(v) Emergency need for child care of dependent children for which the applicant lacks financial resources.

(vi) Other immediate and necessitous cause determined in the guidelines established for the program that exceeds the financial resources of the applicant where failure to provide emergency assistance will

substantially operate to the detriment of the service member or his or her dependents.

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(h) Expiration.--This section shall expire June 30, [2016] 2020.

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(j) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Eligible relative of an eligible service member." The dependent spouse or dependent child of the eligible service member or, in the case of applicants for financial assistance to visit a hospitalized service member, the service member's spouse, parent, sibling or child. An eligible relative must be a resident of Pennsylvania at the time of application for assistance.

"Eligible service member."

(1) Any of the following:

(i) A member of the armed forces of the United States or its reserve components, including the Pennsylvania National Guard, who is serving on active duty other than active duty for training for a period of 30 or more consecutive days.

(ii) A member of the Pennsylvania National Guard serving on State active duty for a period of 30 or more consecutive days.

(iii) A member in good standing of any reserve component of the armed forces of the United States, including the Pennsylvania National Guard, for a period of [one year] **three years** after release from a tour of active duty, other than active duty for training, or **release from a tour of** State active duty of 30 or more consecutive days' duration when the need for assistance is directly related to the [member's performance of active duty or State active duty] **circumstances under subsection (b) (2)**.

(iv) A former member of the armed forces of the United States or its reserve components, including the Pennsylvania National Guard, for a period of [two] **four** years after discharge if:

(A) The member was discharged for medical reasons arising out of the member's military service.

(B) The medical disability that resulted in the member's discharge was incurred in the line of duty and was not the result of misconduct.

(C) The medical condition giving rise to the discharge did not exist prior to the member entering military service.

(D) The medical disability was incurred while the member was serving on active duty, other than active duty for training, or State active duty for a period of 30 or more consecutive days.

(E) The former member received an honorable discharge for medical reasons.

(F) The need for assistance is directly related to the former member's military service, **to exigent circumstances beyond the eligible member's control** or the disability incurred [as a result] **in the line of duty** of the military service.

(2) An eligible service member must be a resident of Pennsylvania at the time of the application for assistance.

"Exigent circumstances." Emergency or extraordinary situations or conditions resulting in an eligible service member being unable to provide the necessities of living for the member or the member's dependents due to factors beyond the member's control. The term includes, but is not limited to, natural or manmade disasters, loss of home, loss of employment, disability or serious illness or injury.

"Resident of Pennsylvania." Either of the following:

(1) An individual who is domiciled in this Commonwealth. The individual must either physically reside in Pennsylvania or be absent from the State pursuant to military orders. An individual's spouse or dependent who is domiciled in this Commonwealth but who is stationed in another state or country shall qualify under the program as a resident of Pennsylvania so long as the person does not become domiciled in another state.

(2) An individual who qualifies under the definition of "resident individual" in section 301(p) of the Tax Reform Code of 1971.

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

APPROVED--The 18th day of June, A.D. 2014.

TOM CORBETT