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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 2544** Session of  
2002

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INTRODUCED BY YOUNGBLOOD, CRUZ, HORSEY AND TIGUE, APRIL 10, 2002

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REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES,  
APRIL 10, 2002

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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  
20 determining eligibility for cash assistance or medical

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

10 \* \* \*

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

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

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

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

1 \* \* \*

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

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

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

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

10 \* \* \*

11 Section 3. This act shall take effect July 1, 2002, or  
12 immediately, whichever occurs later.