

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1533 Session of 2009

INTRODUCED BY GEORGE, MELIO, ADOLPH, BELFANTI, BRADFORD, BRENNAN, BRIGGS, BROWN, CALTAGIRONE, CARROLL, CASORIO, COHEN, CONKLIN, D. COSTA, DONATUCCI, EVERETT, FAIRCHILD, FRANKEL, GIBBONS, GOODMAN, GRUCELA, HALUSKA, HARHAI, HARPER, HORNAMAN, HUTCHINSON, JOHNSON, JOSEPHS, KOTIK, KULA, LONGIETTI, MCGEEHAN, MCILVAINE SMITH, MICOZZIE, MILLARD, MUNDY, MURPHY, MURT, PAYNE, PHILLIPS, READSHAW, REICHLEY, SCAVELLO, SEIP, SIPTROTH, STABACK, STURLA, SWANGER, J. TAYLOR, TRUE, VULAKOVICH, YUDICHAK AND EACHUS, MAY 26, 2009

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, MAY 26, 2009

AN ACT

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

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

6 Section 1. Section 7319(h) and (j) of Title 51 of the
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 7319. Military family relief assistance.

9 * * *

10 (h) Expiration.--This section shall expire [five years from
11 the effective date of this section] June 30, 2016.

12 * * *

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

1 subsection:

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

9 "Eligible service member."

10 (1) [Either] Any of the following:

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

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

19 (iii) A member in good standing of any reserve
20 component of the armed forces of the United States,
21 including the Pennsylvania National Guard, for a period
22 of one year after release from a tour of active duty,
23 other than active duty for training, or State active duty
24 of 30 or more consecutive days' duration when the need
25 for assistance is directly related to the member's
26 performance of active duty or State active duty.

27 (iv) A former member of the armed forces of the
28 United States or its reserve components, including the
29 Pennsylvania National Guard, for a period of two years
30 after discharge if:

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

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

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

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

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

15 (F) The need for assistance is directly related
16 to the former member's military service or the
17 disability incurred as a result of the military
18 service.

19 (2) An eligible service member must [have been a
20 resident of Pennsylvania when he or she entered military
21 service and must] be a resident of Pennsylvania at the time
22 of the application for assistance.

23 "Resident of Pennsylvania." Either of the following:

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

1 state.

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

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