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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 777 Session of  
2013

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INTRODUCED BY GROVE, BROOKS, HENNESSEY, LONGIETTI, CALTAGIRONE,  
YOUNGBLOOD, HARHART, ROCK, SCHLEGEL CULVER, GODSHALL,  
SWANGER, CARROLL, MILLER, PICKETT, MILLARD, HAHN, KAUFFMAN,  
COHEN, V. BROWN, STEPHENS, C. HARRIS, HICKERNELL, BAKER,  
KORTZ, SAINATO, KAVULICH, GINGRICH, BARRAR, SAYLOR, HESS,  
MICOZZIE, MILNE, GILLEN, MOUL, WATSON, GABLER, GOODMAN,  
HEFFLEY, JAMES AND GIBBONS, FEBRUARY 25, 2013

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REFERRED TO COMMITTEE ON AGING AND OLDER ADULT SERVICES,  
FEBRUARY 25, 2013

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AN ACT

1 Amending the act of August 26, 1971 (P.L.351, No.91), entitled  
2 "An act providing for a State Lottery and administration  
3 thereof; authorizing the creation of a State Lottery  
4 Commission; prescribing its powers and duties; disposition of  
5 funds; violations and penalties therefor; exemption of prizes  
6 from State and local taxation and making an appropriation,"  
7 in Pharmaceutical Assistance for the Elderly, further  
8 defining "income"; and further providing for determination of  
9 eligibility.

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

12 Section 1. The definition of "income" in section 502 of the  
13 act of August 26, 1971 (P.L.351, No.91), known as the State  
14 Lottery Law, amended November 26, 2003 (P.L.212, No.37), is  
15 reenacted and amended to read:

16 Section 502. Definitions.

17 The following words and phrases when used in this chapter  
18 shall have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 \* \* \*

3 "Income." All income from whatever source derived,  
4 including, but not limited to, salaries, wages, bonuses,  
5 commissions, income from self-employment, alimony, support  
6 money, cash public assistance and relief, the gross amount of  
7 any pensions or annuities, including railroad retirement  
8 benefits, all benefits received under the Social Security Act  
9 (49 Stat. 620, 42 U.S.C. § 301 et. seq.) [(except Medicare  
10 benefits)] net of amounts withheld for Medicare Part B premium  
11 payment, all benefits received under State unemployment  
12 insurance laws and veterans' disability payments, all interest  
13 received from the Federal Government or any state government or  
14 any instrumentality or political subdivision thereof, realized  
15 capital gains, rentals, workmen's compensation and the gross  
16 amount of loss of time insurance benefits, life insurance  
17 benefits and proceeds, except the first \$10,000 of the total of  
18 death benefits payments, and gifts of cash or property, other  
19 than transfers by gift between members of a household, in excess  
20 of a total value of \$300, but shall not include surplus food or  
21 other relief in kind supplied by a government agency or property  
22 tax rebate.

23 \* \* \*

24 Section 2. Section 503(b) of the act, amended June 30, 2011  
25 (P.L.88, No.21), is reenacted and amended to read:

26 Section 503. Determination of eligibility.

27 \* \* \*

28 (b) Social Security cost-of-living adjustment.--

29 (1) Notwithstanding any other provision of this act to  
30 the contrary, persons who, as of December 31, [2010] 2012,

1 are enrolled in the PACENET program shall remain eligible for  
2 the PACENET program if the maximum income limit is exceeded  
3 due solely to a Social Security cost-of-living adjustment.

4 (2) Notwithstanding any other provision of this act to  
5 the contrary, persons who, as of December 31, [2010] 2012,  
6 are enrolled in the PACE program shall remain eligible for  
7 the PACE program if the maximum income limit is exceeded due  
8 solely to a Social Security cost-of-living adjustment.

9 (3) Eligibility in the PACE or PACENET program pursuant  
10 to this subsection shall expire on December 31, [2013] 2015.  
11 Section 3. This act shall take effect immediately.