
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2477 Session of
2014

INTRODUCED BY SWANGER, BARRAR, COX, DeLUCA, HARHART, ROZZI AND
SAYLOR, SEPTEMBER 15, 2014

REFERRED TO COMMITTEE ON HEALTH, SEPTEMBER 15, 2014

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 further providing for determination of need.

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

7 Section 1. Section 432.12 of the act of June 13, 1967
8 (P.L.31, No.21), known as the Public Welfare Code, is amended by
9 adding subsections to read:

10 Section 432.12. Determination of Need.--* * *

11 (d) In determining the amount of assistance payments to a
12 recipient family of benefits under the Temporary Assistance to
13 Needy Families (TANF) Program, the department shall revise the
14 schedule of benefits to be paid to the recipient family by
15 eliminating the increment in benefits under the program for
16 which that family would otherwise be eligible as a result of the
17 birth of a child conceived during the period in which the family
18 is eligible for benefits under the TANF Program, or during a
19 temporary period in which the family or recipient is ineligible

1 for benefits under the TANF Program pursuant to a penalty
2 imposed by the department for failure to comply with benefit
3 eligibility requirements, subsequent to which the family or
4 recipient is again eligible for benefits. The department shall
5 provide instead that a recipient family in which the recipient
6 parents an additional child conceived during the recipient's
7 period of eligibility for benefits under the TANF Program, or
8 during a temporary penalty period of ineligibility for benefits,
9 may receive additional benefits only pursuant to subsection (e),
10 except in the case of a general increase in the amount of
11 benefits under the TANF Program which is provided to all program
12 recipients and provide that any child support paid for the
13 excluded child should be paid to the family for the benefit of
14 the excluded child and should be disregarded in computing the
15 amount of financial assistance which is available to the rest of
16 the family.

17 (e) In the case of a family that receives benefits under the
18 TANF Program in which the recipient parents an additional child
19 conceived during the period in which the family is eligible for
20 benefits under the TANF Program, or during a temporary penalty
21 period of ineligibility for benefits subsequent to which the
22 family of the recipient again becomes eligible for benefits, the
23 department, subject to Federal approval, shall, in addition to
24 eliminating the increase in the benefit as provided in
25 subsection (d), provide that in computing the amount of
26 financial assistance which is available to the family that
27 receives benefits under the TANF Program, the monthly earned
28 income disregard for each employed person in the family shall
29 increase by an amount equal to that which the family would have
30 otherwise received by parenting an additional child, adjusted

1 for family size.

2 (f) Elimination of benefits under subsection (d) shall not
3 apply to any child conceived as a result of rape or incest if
4 the department:

5 (1) receives a non-notarized, signed statement from the
6 pregnant woman stating that she was a victim of rape or incest,
7 as the case may be, and that she reported the crime, including
8 the identity of the offender, if known, to a law enforcement
9 agency having the requisite jurisdiction or, in the case of
10 incest where a pregnant minor is the victim, to the county child
11 protective service agency and stating the name of the law
12 enforcement agency or child protective service agency to which
13 the report was made and the date such report was made;

14 (2) receives the signed statement of the pregnant woman
15 which is described in this subsection. The statement shall bear
16 the notice that any false statements made therein are punishable
17 by law and shall state that the pregnant woman is aware that
18 false reports to law enforcement authorities are punishable by
19 law; and

20 (3) verifies with the law enforcement agency or child
21 protective service agency named in the statement of the pregnant
22 woman whether a report of rape or incest was filed with the
23 agency in accordance with the statement. The Commonwealth agency
24 shall report any evidence of false statements or of fraud in the
25 procurement or attempted procurement of any payment from Federal
26 or State funds appropriated by the Commonwealth pursuant to this
27 subsection to the district attorney of appropriate jurisdiction
28 and, where appropriate, to the Attorney General.

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