

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 923 Session of 2013

INTRODUCED BY BAKER, STACK, ROBBINS, RAFFERTY, FONTANA, TEPLITZ, ERICKSON, KASUNIC, TOMLINSON, SMITH, VULAKOVICH, YUDICHAK, GREENLEAF, COSTA, SCHWANK, SOLOBAY, TARTAGLIONE, BRUBAKER, HUTCHINSON, MENSCH AND FARNESE, MAY 15, 2013

SENATOR BAKER, VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, AS AMENDED, OCTOBER 22, 2013

AN ACT

1 Amending Title 51 (Military Affairs) of the Pennsylvania
2 Consolidated Statutes, further providing for Veterans' Trust <--
3 Fund and for military family relief assistance.

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

6 Section 1. Section 1721(a) and (c) of Title 51 of the <--
7 Pennsylvania Consolidated Statutes, amended October 24, 2012-
8 (P.L.1602, No.194), are amended by adding paragraphs to read:
9 § 1721. Veterans' Trust Fund.

10 (a) Source of revenue. In addition to transfers under
11 section 1719 G of the act of April 9, 1929 (P.L.343, No.176),
12 known as The Fiscal Code, the Veterans' Trust Fund shall include
13 funds from the following sources:

14 (1) Proceeds paid by the Department of Transportation
15 under 75 Pa.C.S. § 1320 (relating to contributions to
16 Veterans' Trust Fund).

17 (2) Amounts payable to the fund under 75 Pa.C.S.

1 ~~§ 1364(b) (relating to special plates for veterans).~~

2 ~~(3) Grants, gifts, donations and other payments from a~~
3 ~~person or government entity.~~

4 ~~(3.1) On or after January 1, 2015, all moneys received~~
5 ~~from the voluntary contribution system established in section~~
6 ~~315.8 of the act of March 4, 1971 (P.L.6, No.2), known as the~~
7 ~~Tax Reform Code of 1971.~~

8 ~~(4) Money appropriated to the fund.~~

9 ~~* * *~~

10 ~~(c) Authorized purposes. The department may expend money~~
11 ~~from the Veterans' Trust Fund for the following purposes:~~

12 ~~(1) Grants for programs or projects to support~~
13 ~~Pennsylvania veterans and their families to:~~

14 ~~(i) the Pennsylvania Veterans Foundation;~~

15 ~~(ii) veterans' service organizations; and~~

16 ~~(iii) other Statewide charitable organizations.~~

17 ~~(2) Grants or funding for new, innovative and expanded~~
18 ~~activities or programs operated by a county director of~~
19 ~~veterans affairs or the State Association of County Directors~~
20 ~~of Veterans Affairs.~~

21 ~~(3) Grants to Statewide veterans' service organizations~~
22 ~~in addition to the grants authorized and funded under section~~
23 ~~9304 (relating to grants to veterans' service officer~~
24 ~~programs).~~

25 ~~(4) Assistance to Pennsylvania veterans in need of~~
26 ~~shelter or other necessities of living to the extent that~~
27 ~~other funds or resources are not available.~~

28 ~~(5) Assistance to operate, maintain and repair~~
29 ~~Pennsylvania monuments honoring Pennsylvania service members~~
30 ~~and veterans who served in the United States or overseas.~~

1 ~~(5.1) On or after January 1, 2015, assistance to~~
2 ~~eligible present and former service members and eligible~~
3 ~~relatives of eligible present and former service members~~
4 ~~under the Military Family Relief Assistance Program described~~
5 ~~in section 7319 (relating to military family relief~~
6 ~~assistance).~~

7 ~~(6) Payments to the Motor License Fund for actual costs~~
8 ~~incurred by the Department of Transportation to implement 75-~~
9 ~~Pa.C.S. §§ 1320 (relating to contributions to Veterans' Trust~~
10 ~~Fund) and 1510 (relating to issuance and content of driver's~~
11 ~~license).~~

12 ~~***~~

13 ~~Section 2. Section 7319 of Title 51 is amended to read:~~

14 ~~§ 7319. Military family relief assistance.~~

15 ~~(a) Establishment of fund. In order to carry out the~~
16 ~~purposes of section 315.8 of the act of March 4, 1971 (P.L.6,~~
17 ~~No.2), known as the Tax Reform Code of 1971, there is hereby~~
18 ~~established in the State Treasury a restricted revenue account~~
19 ~~within the General Fund which shall be known as the Military~~
20 ~~Family Relief Assistance Fund.~~

21 ~~(b) Administration of program.~~

22 ~~(1) The department shall administer and staff the~~
23 ~~program established in paragraph (2) and shall accept~~
24 ~~voluntary contributions from persons for the fund. The~~
25 ~~department may consult with any governmental or~~
26 ~~nongovernmental organization as is necessary to complete the~~
27 ~~requirements under this section but shall not enter into an~~
28 ~~agreement or contract with any such organization for the~~
29 ~~staffing functions of the program.~~

30 ~~(2) The Military Family Relief Assistance Program is~~

1 ~~established. Contributions received for the fund shall be~~
2 ~~distributed by the department under the program to eligible~~
3 ~~service members and eligible relatives of eligible present~~
4 ~~and former service members. Applicants must demonstrate to~~
5 ~~the department that they have a direct and immediate~~
6 ~~financial need as a result of [the military service of the~~
7 ~~service member. Such] circumstances [must be] beyond the~~
8 ~~control of and not as a result of misconduct by the service~~
9 ~~member. The applicant shall demonstrate that the financial~~
10 ~~need is caused by one or more of the following:~~

11 ~~(i) A sudden or unexpected loss of income, real or~~
12 ~~personal property, assets or financial support directly~~
13 ~~related to the military service or exigent financial~~
14 ~~circumstances of the service member.~~

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

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

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

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

4 ~~(vi) Other immediate and necessitous cause~~
5 ~~determined in the guidelines established for the program~~
6 ~~that exceeds the financial resources of the applicant~~
7 ~~where failure to provide emergency assistance will~~
8 ~~substantially operate to the detriment of the service~~
9 ~~member or his or her dependents.~~

10 ~~(3) In order to qualify for assistance under this~~
11 ~~program, applicants may be required under the guidelines of~~
12 ~~this program to seek relief from other available sources~~
13 ~~prior to applying for this program.~~

14 ~~(4) An applicant may appeal a decision of the department~~
15 ~~to the Adjutant General. The Adjutant General shall have the~~
16 ~~authority to make a final determination concerning any~~
17 ~~appeal.~~

18 ~~(c) Guidelines. The department shall, in consultation with~~
19 ~~the chairman and minority chairman of the Appropriations~~
20 ~~Committee of the Senate, the chairman and minority chairman of~~
21 ~~the Appropriations Committee of the House of Representatives,~~
22 ~~the chairman and minority chairman of the Veterans Affairs and~~
23 ~~Emergency Preparedness Committee of the Senate and the chairman~~
24 ~~and minority chairman of the Veterans Affairs and Emergency~~
25 ~~Preparedness Committee of the House of Representatives, develop~~
26 ~~guidelines necessary to administer the provisions of this~~
27 ~~section. The guidelines established under this subsection shall~~
28 ~~do all of the following:~~

29 ~~(1) Set forth eligibility for relief under this program~~
30 ~~and determine the amount of relief to be paid based on the~~

1 ~~need demonstrated by the applicant and the amount of money in~~
2 ~~the fund at the time of application.~~

3 ~~(2) Set forth the maximum amount of relief [and the~~
4 ~~maximum number of applicants per event or episode].~~

5 ~~(3) Set forth any other information necessary for the~~
6 ~~administration and enforcement of the program.~~

7 ~~(4) The guidelines established pursuant to this section~~
8 ~~shall be published in the Pennsylvania Bulletin but shall not~~
9 ~~be subject to review pursuant to section 205 of the act of~~
10 ~~July 31, 1968 (P.L.769, No.240), referred to as the~~
11 ~~Commonwealth Documents Law, sections 204(b) and 301(10) of~~
12 ~~the act of October 15, 1980 (P.L.950, No.164), known as the~~
13 ~~Commonwealth Attorneys Act, or the act of June 25, 1982~~
14 ~~(P.L.633, No.181), known as the Regulatory Review Act.~~

15 ~~(d) Moneys received. All moneys received from the voluntary~~
16 ~~contribution system established in section 315.8 of the Tax~~
17 ~~Reform Code of 1971 before January 1, 2015, shall be deposited~~
18 ~~in the fund. On or after January 1, 2015, all moneys received~~
19 ~~from the voluntary contribution system established in section~~
20 ~~315.8 of the Tax Reform Code of 1971 shall be deposited in the~~
21 ~~Veterans' Trust Fund described in section 1721 (relating to~~
22 ~~Veterans' Trust Fund).~~

23 ~~(e) Other voluntary contributions. In addition to the~~
24 ~~voluntary contribution system established in section 315.8 of~~
25 ~~the Tax Reform Code of 1971, the Commonwealth is also authorized~~
26 ~~to accept other voluntary contributions and electronic donations~~
27 ~~to the fund. All other voluntary contributions and electronic~~
28 ~~donations received before January 1, 2015, shall be deposited~~
29 ~~into the fund. On or after January 1, 2015, all moneys received~~
30 ~~from other voluntary contributions shall be deposited in the~~

1 ~~Veterans' Trust Fund described in section 1721.~~ In addition, the
2 department shall ensure that applications to receive assistance
3 from this fund can be obtained electronically. All agencies of
4 State, county and municipal government within this Commonwealth
5 may include a brief description of the Military Family Relief
6 Assistance Program, the electronic and mailing address to make
7 donations to [this fund] the funds and the electronic and
8 mailing address to request assistance from this program in their
9 publications, mailings and communications.

10 ~~(f) Future appropriations.~~ The General Assembly may
11 appropriate funds for transfer to the [fund] funds for the
12 purposes of this section.

13 ~~(g) Use of fund money.~~ The moneys contained in the fund are
14 hereby appropriated on a continuing basis to the Department of
15 Military and Veterans Affairs for the exclusive use of carrying
16 out the purposes of this section. On or after January 1, 2015,
17 all moneys in the fund shall be transferred to the Veterans'
18 Trust Fund from which they may be expended for the purposes of
19 this section and the purposes described in section 1721.

20 ~~(h) Expiration.~~ This section shall expire June 30, [2016]
21 2020.

22 ~~(i) Reporting.~~ Beginning on or before July 30, 2006, and
23 every year thereafter for the length of the program, the
24 department shall submit a report to the chairman and minority
25 chairman of the Appropriations Committee of the Senate, the
26 chairman and minority chairman of the Appropriations Committee
27 of the House of Representatives, the chairman and minority
28 chairman of the Veterans Affairs and Emergency Preparedness
29 Committee of the Senate and the chairman and minority chairman
30 of the Veterans Affairs and Emergency Preparedness Committee of

1 ~~the House of Representatives detailing the program's guidelines,~~
2 ~~the number of applicants, the total amount of money raised and~~
3 ~~distributed and the type of applicant need. The report shall~~
4 ~~also set forth any participation by a governmental or~~
5 ~~nongovernmental organization utilized in the furtherance of the~~
6 ~~program.~~

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

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

17 ~~"Eligible service member."~~

18 ~~(1) Any of the following:~~

19 ~~(i) A member of the armed forces of the United~~
20 ~~States or its reserve components, including the~~
21 ~~Pennsylvania National Guard, who is serving on active~~
22 ~~duty other than active duty for training for a period of~~
23 ~~30 or more consecutive days.~~

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

27 ~~(iii) A member in good standing of any reserve~~
28 ~~component of the armed forces of the United States,~~
29 ~~including the Pennsylvania National Guard, for a period~~
30 ~~of [one year] three years after release from a tour of~~

1 ~~active duty, other than active duty for training, or~~
2 ~~release from a tour of State active duty of 30 or more~~
3 ~~consecutive days' duration when the need for assistance~~
4 ~~is directly related to the [member's performance of~~
5 ~~active duty or State active duty.] reserve component or~~
6 ~~Pennsylvania National Guard service of the member or~~
7 ~~exigent circumstances beyond the member's control.~~

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

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

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

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

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

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

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

~~(v) A former member of the armed forces of the United States or its reserve components, including the Pennsylvania National Guard, who served on active duty, other than active duty for training, for a period of 30 or more consecutive days, in a zone of combat or in support of contingency operations, after September 11, who was discharged or released from such active duty under honorable conditions and demonstrates a need for assistance related to the former member's military service or to exigent circumstances beyond the former member's control.~~

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

* * *

(B) ADMINISTRATION OF PROGRAM.--

1 * * *

2 (2) THE MILITARY FAMILY RELIEF ASSISTANCE PROGRAM IS
3 ESTABLISHED. CONTRIBUTIONS RECEIVED FOR THE FUND SHALL BE
4 DISTRIBUTED BY THE DEPARTMENT UNDER THE PROGRAM TO ELIGIBLE
5 SERVICE MEMBERS AND ELIGIBLE RELATIVES OF ELIGIBLE SERVICE
6 MEMBERS. APPLICANTS MUST DEMONSTRATE TO THE DEPARTMENT THAT
7 THEY HAVE A DIRECT AND IMMEDIATE FINANCIAL NEED AS A RESULT
8 OF [THE MILITARY SERVICE OF THE SERVICE MEMBER. SUCH
9 CIRCUMSTANCES MUST BE] CIRCUMSTANCES BEYOND THE CONTROL OF
10 AND NOT AS A RESULT OF MISCONDUCT BY THE SERVICE MEMBER. THE
11 APPLICANT SHALL DEMONSTRATE THAT THE FINANCIAL NEED IS CAUSED
12 BY ONE OR MORE OF THE FOLLOWING:

13 (I) A SUDDEN OR UNEXPECTED LOSS OF INCOME, REAL OR
14 PERSONAL PROPERTY, ASSETS OR SUPPORT DIRECTLY RELATED TO
15 THE MILITARY SERVICE OF, OR EXIGENT CIRCUMSTANCES
16 AFFECTING, THE SERVICE MEMBER.

17 (II) THE DEATH OR CRITICAL ILLNESS OF A PARENT,
18 SPOUSE, SIBLING OR CHILD RESULTING IN AN IMMEDIATE NEED
19 FOR TRAVEL, LODGING OR SUBSISTENCE FOR WHICH THE
20 APPLICANT LACKS FINANCIAL RESOURCES.

21 (III) THE WOUNDING OF THE SERVICE MEMBER IN THE LINE
22 OF DUTY SUSTAINED AS A RESULT OF COMBAT OR ATTACK
23 RESULTING IN AN IMMEDIATE NEED FOR FUNDS FOR TRAVEL,
24 LODGING, SUBSISTENCE OR OTHER ACTIVITIES DIRECTLY RELATED
25 TO THE CASUALTY FOR WHICH THE APPLICANT LACKS FINANCIAL
26 RESOURCES. NO MORE THAN TWO ELIGIBLE RELATIVES OF AN
27 ELIGIBLE SERVICE MEMBER MAY RECEIVE ASSISTANCE UNDER THIS
28 SUBPARAGRAPH.

29 (IV) A NATURAL OR MANMADE DISASTER OR OTHER EXIGENT
30 CIRCUMSTANCES RESULTING IN DEPRIVATION OF FOOD, SHELTER

1 OR OTHER NECESSITIES OF LIFE FOR WHICH THE APPLICANT
2 LACKS FINANCIAL RESOURCES.

3 (V) EMERGENCY NEED FOR CHILD CARE OF DEPENDENT
4 CHILDREN FOR WHICH THE APPLICANT LACKS FINANCIAL
5 RESOURCES.

6 (VI) OTHER IMMEDIATE AND NECESSITOUS CAUSE
7 DETERMINED IN THE GUIDELINES ESTABLISHED FOR THE PROGRAM
8 THAT EXCEEDS THE FINANCIAL RESOURCES OF THE APPLICANT
9 WHERE FAILURE TO PROVIDE EMERGENCY ASSISTANCE WILL
10 SUBSTANTIALLY OPERATE TO THE DETRIMENT OF THE SERVICE
11 MEMBER OR HIS OR HER DEPENDENTS.

12 * * *

13 (H) EXPIRATION.--THIS SECTION SHALL EXPIRE JUNE 30, [2016]
14 2020.

15 * * *

16 (J) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
17 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
18 SUBSECTION:

19 "ELIGIBLE RELATIVE OF AN ELIGIBLE SERVICE MEMBER." THE
20 DEPENDENT SPOUSE OR DEPENDENT CHILD OF THE ELIGIBLE SERVICE
21 MEMBER OR, IN THE CASE OF APPLICANTS FOR FINANCIAL ASSISTANCE TO
22 VISIT A HOSPITALIZED SERVICE MEMBER, THE SERVICE MEMBER'S
23 SPOUSE, PARENT, SIBLING OR CHILD. AN ELIGIBLE RELATIVE MUST BE A
24 RESIDENT OF PENNSYLVANIA AT THE TIME OF APPLICATION FOR
25 ASSISTANCE.

26 "ELIGIBLE SERVICE MEMBER."

27 (1) ANY OF THE FOLLOWING:

28 (I) A MEMBER OF THE ARMED FORCES OF THE UNITED
29 STATES OR ITS RESERVE COMPONENTS, INCLUDING THE
30 PENNSYLVANIA NATIONAL GUARD, WHO IS SERVING ON ACTIVE

1 DUTY OTHER THAN ACTIVE DUTY FOR TRAINING FOR A PERIOD OF
2 30 OR MORE CONSECUTIVE DAYS.

3 (II) A MEMBER OF THE PENNSYLVANIA NATIONAL GUARD
4 SERVING ON STATE ACTIVE DUTY FOR A PERIOD OF 30 OR MORE
5 CONSECUTIVE DAYS.

6 (III) A MEMBER IN GOOD STANDING OF ANY RESERVE
7 COMPONENT OF THE ARMED FORCES OF THE UNITED STATES,
8 INCLUDING THE PENNSYLVANIA NATIONAL GUARD, FOR A PERIOD
9 OF [ONE YEAR] THREE YEARS AFTER RELEASE FROM A TOUR OF
10 ACTIVE DUTY, OTHER THAN ACTIVE DUTY FOR TRAINING, OR
11 RELEASE FROM A TOUR OF STATE ACTIVE DUTY OF 30 OR MORE
12 CONSECUTIVE DAYS' DURATION WHEN THE NEED FOR ASSISTANCE
13 IS DIRECTLY RELATED TO THE [MEMBER'S PERFORMANCE OF
14 ACTIVE DUTY OR STATE ACTIVE DUTY] CIRCUMSTANCES UNDER
15 SUBSECTION (B) (2).

16 (IV) A FORMER MEMBER OF THE ARMED FORCES OF THE
17 UNITED STATES OR ITS RESERVE COMPONENTS, INCLUDING THE
18 PENNSYLVANIA NATIONAL GUARD, FOR A PERIOD OF [TWO] FOUR
19 YEARS AFTER DISCHARGE IF:

20 (A) THE MEMBER WAS DISCHARGED FOR MEDICAL
21 REASONS ARISING OUT OF THE MEMBER'S MILITARY SERVICE.

22 (B) THE MEDICAL DISABILITY THAT RESULTED IN THE
23 MEMBER'S DISCHARGE WAS INCURRED IN THE LINE OF DUTY
24 AND WAS NOT THE RESULT OF MISCONDUCT.

25 (C) THE MEDICAL CONDITION GIVING RISE TO THE
26 DISCHARGE DID NOT EXIST PRIOR TO THE MEMBER ENTERING
27 MILITARY SERVICE.

28 (D) THE MEDICAL DISABILITY WAS INCURRED WHILE
29 THE MEMBER WAS SERVING ON ACTIVE DUTY, OTHER THAN
30 ACTIVE DUTY FOR TRAINING, OR STATE ACTIVE DUTY FOR A

1 PERIOD OF 30 OR MORE CONSECUTIVE DAYS.

2 (E) THE FORMER MEMBER RECEIVED AN HONORABLE
3 DISCHARGE FOR MEDICAL REASONS.

4 (F) THE NEED FOR ASSISTANCE IS DIRECTLY RELATED
5 TO THE FORMER MEMBER'S MILITARY SERVICE, TO EXIGENT
6 CIRCUMSTANCES BEYOND THE ELIGIBLE MEMBER'S CONTROL OR
7 THE DISABILITY INCURRED [AS A RESULT] IN THE LINE OF
8 DUTY OF THE MILITARY SERVICE.

9 (2) AN ELIGIBLE SERVICE MEMBER MUST BE A RESIDENT OF
10 PENNSYLVANIA AT THE TIME OF THE APPLICATION FOR ASSISTANCE.

11 "EXIGENT CIRCUMSTANCES." EMERGENCY OR EXTRAORDINARY
12 SITUATIONS OR CONDITIONS RESULTING IN AN ELIGIBLE SERVICE MEMBER
13 BEING UNABLE TO PROVIDE THE NECESSITIES OF LIVING FOR THE MEMBER
14 OR THE MEMBER'S DEPENDENTS DUE TO FACTORS BEYOND THE MEMBER'S
15 CONTROL. THE TERM INCLUDES, BUT IS NOT LIMITED TO, NATURAL OR
16 MANMADE DISASTERS, LOSS OF HOME, LOSS OF EMPLOYMENT, DISABILITY
17 OR SERIOUS ILLNESS OR INJURY.

18 "RESIDENT OF PENNSYLVANIA." EITHER OF THE FOLLOWING:

19 (1) AN INDIVIDUAL WHO IS DOMICILED IN THIS COMMONWEALTH.
20 THE INDIVIDUAL MUST EITHER PHYSICALLY RESIDE IN PENNSYLVANIA
21 OR BE ABSENT FROM THE STATE PURSUANT TO MILITARY ORDERS. AN
22 INDIVIDUAL'S SPOUSE OR DEPENDENT WHO IS DOMICILED IN THIS
23 COMMONWEALTH BUT WHO IS STATIONED IN ANOTHER STATE OR COUNTRY
24 SHALL QUALIFY UNDER THE PROGRAM AS A RESIDENT OF PENNSYLVANIA
25 SO LONG AS THE PERSON DOES NOT BECOME DOMICILED IN ANOTHER
26 STATE.

27 (2) AN INDIVIDUAL WHO QUALIFIES UNDER THE DEFINITION OF
28 "RESIDENT INDIVIDUAL" IN SECTION 301(P) OF THE TAX REFORM
29 CODE OF 1971.

30 Section 3 2. This act shall take effect in 60 days.

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