

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 847 Session of 2019

INTRODUCED BY WALSH, RYAN, DUNBAR, MURT, METZGAR, TOEPEL, ROTHMAN, KAUFFMAN, B. MILLER, IRVIN, MILLARD, PICKETT, ZIMMERMAN, DeLUCA, BERNSTINE, PYLE, STRUZZI, SAYLOR, NEILSON, CIRESI, WARNER, OBERLANDER, KEEFER, GROVE, JONES, HERSHEY, DOWLING, SIMMONS, MASSER, GILLEN, SCHLEGEL CULVER, HEFFLEY AND GAYDOS, MARCH 14, 2019

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, SEPTEMBER 18, 2019

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 prohibited use of public assistance
5 funds.

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

8 Section 1. Section 484(a) of the act of June 13, 1967
9 (P.L.31, No.21), known as the Human Services Code, amended
10 October 24, 2018 (P.L.777, No.125), is amended and the section
11 is amended by adding a ~~subsection~~ SUBSECTIONS to read: <--

12 Section 484. Prohibited Use of Public Assistance Funds.--(a)
13 It shall be unlawful for any individual to:

- 14 (1) Purchase liquor or alcohol with an access device.
15 (2) Withdraw funds from an access device for any transaction
16 in a licensed facility or any retail establishment that provides
17 adult-oriented entertainment in which performers disrobe or

1 perform in an unclothed state for entertainment.

2 (3) Purchase tobacco or tobacco paraphernalia with an access  
3 device.

4 \* \* \*

5 (c.1) Notwithstanding the prohibitions on the use of public  
6 assistance funds in this section, this section shall not be  
7 construed to apply to funds deposited onto an access device  
8 which relate to child support or the State blind pension.

9 (C.2) NO PENALTY SHALL BE ASSESSED AGAINST AN INDIVIDUAL, <--  
10 AND THE DEPARTMENT MAY NOT DISQUALIFY AN INDIVIDUAL FROM  
11 RECEIVING PUBLIC ASSISTANCE UNDER THIS SECTION, UNLESS THE  
12 DEPARTMENT CLEARLY DEMONSTRATES THE FOLLOWING:

13 (1) THE SOURCE OF THE FUNDS WITHDRAWN FOR A PURPOSE  
14 PROSCRIBED IN THIS SECTION IS PUBLIC ASSISTANCE.

15 (2) THE DEPARTMENT HAS INFORMED THE INDIVIDUAL ABOUT THE  
16 PROVISIONS OF THIS SECTION.

17 (3) THE INDIVIDUAL HAS KNOWINGLY VIOLATED A PROVISION OF  
18 THIS SECTION.

19 \* \* \*

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