

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 715 Session of 2013

INTRODUCED BY McILHINNEY, TEPLITZ, GREENLEAF, WASHINGTON,
ERICKSON, RAFFERTY, VANCE, BROWNE, SOLOBAY, TARTAGLIONE AND
FARNESE, MARCH 20, 2013

REFERRED TO PUBLIC HEALTH AND WELFARE, MARCH 20, 2013

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 uniformity in administration of
5 assistance and regulations as to assistance and for
6 copayments for subsidized child care; and providing for
7 financial eligibility for subsidized child care.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 403 of the act of June 13, 1967 (P.L.31,
11 No.21), known as the Public Welfare Code, is amended by adding a
12 subsection to read:

13 Section 403. Uniformity in Administration of Assistance;
14 Regulations as to Assistance.--* * *

15 (h) The department shall establish a resource limit of no
16 less than three thousand dollars (\$3,000) for the purpose of
17 determining Temporary Assistance to Needy Families (TANF)
18 eligibility.

19 Section 2. Section 408.3(c) of the act, added June 30, 2011
20 (P.L.89, No.22), is amended to read:

1 Section 408.3. Copayments for Subsidized Child Care.--* * *

2 (c) In establishing the copayment amounts pursuant to this
3 section, all of the following shall apply:

4 (1) Copayments shall be based upon a sliding income scale
5 taking into account Federal poverty income guidelines.

6 Copayments shall be updated annually.

7 (2) At the department's discretion, copayments may be
8 imposed:

9 (i) for each child enrolled in subsidized child care;

10 (ii) based upon family size; or

11 (iii) in accordance with both subparagraphs (i) and (ii).

12 (3) Copayment amounts shall be a minimum of five dollars
13 (\$5) per week and may increase in incremental amounts as
14 determined by the department taking into account annual family
15 income.

16 (4) A family's annual copayment under either paragraph (1)
17 or (2) shall not exceed:

18 (i) eight percent of the family's annual income if the
19 family's annual income is one hundred percent of the Federal
20 poverty income guideline or less; [or]

21 (ii) nine percent of the family's annual income if the
22 family's annual income exceeds one hundred percent of the
23 Federal poverty income guideline up to two hundred percent of
24 the Federal poverty income guideline; or

25 (iii) eleven percent of the family's annual income if the
26 family's annual income exceeds [one] two hundred percent of the
27 Federal poverty income guideline[. Notwithstanding this
28 subsection, beginning with State fiscal year 2012-2013, the
29 department may adjust the annual copayment percentages specified
30 in this subsection by promulgation of final-omitted regulations

1 under section 204 of the act of July 31, 1968 (P.L.769, No.240),
2 referred to as the "Commonwealth Documents Law."] up to three
3 hundred percent of the Federal poverty income guideline.

4 * * *

5 Section 3. The act is amended by adding a section to read:

6 Section 408.4. Financial Eligibility for Subsidized Child

7 Care.--(a) Notwithstanding any other provision of law or

8 departmental regulation, in determining financial eligibility

9 for subsidized child care, annual family income may not exceed

10 three hundred percent of the Federal poverty income guideline.

11 (b) A family shall remain eligible for subsidized child care

12 as long as the family's annual income does not exceed three

13 hundred percent of the Federal poverty income guideline. If a

14 family receiving subsidized child care is determined financially

15 ineligible, the family shall continue to receive subsidized

16 child care for six months or until the family's annual income

17 exceeds three hundred fifty percent of the Federal poverty

18 income guideline, whichever occurs first.

19 Section 4. This act shall take effect in 60 days.