

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1582 Session of
2019

Referred to Health and Human Services, October 3, 2019

AN ACT

Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An act to consolidate, editorially revise, and codify the public welfare laws of the Commonwealth," in public assistance, further providing for definitions, prohibiting eligibility for individuals convicted of drug distribution.

This act shall be referred to as the Public Assistance Integrity Act.

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

Section 1. The act is amended by adding sections to read:

Section 432.25. Eligibility for Individuals Convicted of Drug Distribution.--(a) (1) Notwithstanding sections 405.1 and 432.24, to the extent permitted by Federal law, no individual who, after the effective date of this section, has been convicted under section 13(a)(14), (30) or (37) of the act of April 14, 1972 (P.L.233, No.64), known as "The Controlled Substance, Drug, Device and Cosmetic Act," when the amount of controlled substances involved is equivalent to or greater than the amount of controlled substances set forth in 18 Pa.C.S. §

7508(a)(1)(iii), (2)(iii), (3)(iii), (4)(iii), (7)(iii) or (8)(iii) (relating to drug trafficking sentencing and penalties) while receiving public assistance shall be eligible for public assistance unless:

(i) the individual is complying with or has already complied with the obligations imposed by the criminal court; and

(ii) the individual is actively engaged in or has completed a court-ordered substance abuse treatment program, as applicable, and participates in periodic drug tests for ten years after the drug-related conviction or for the duration of probation, whichever is of longer duration.

(2) Upon a second or subsequent conviction under section 13(a)(14), (30) or (37) of "The Controlled Substance, Drug, Device and Cosmetic Act" when the amount of controlled substances involved is equivalent to or greater than the amount of controlled substances set forth in 18 Pa.C.S. § 7508(a)(1)(iii), (2)(iii), (3)(iii), (4)(iii), (7)(iii) or (8)(iii), the individual shall receive a lifetime suspension of their eligibility for public assistance.

(f) As used in this section, the term "public assistance" means Temporary Assistance to Needy Families (TANF), general assistance and State supplemental assistance.

Section 8. This act shall take effect in 60 days.