

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 363 Session of 2023

INTRODUCED BY MARKOSEK, HOHENSTEIN, CERRATO, SANCHEZ, KAZEEM, MADDEN, KINSEY, CIRESI, HILL-EVANS, SCHLOSSBERG, DELLOSO, JAMES, HARKINS, McNEILL, DEASY, FREEMAN AND INNAMORATO, MARCH 14, 2023

AS REPORTED FROM COMMITTEE ON FINANCE, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 25, 2023

AN ACT

1 ~~Providing for the exclusion of veterans' disability benefits as~~ <--
2 ~~eligible income.~~

3 AMENDING TITLE 51 (MILITARY AFFAIRS) OF THE PENNSYLVANIA <--
4 CONSOLIDATED STATUTES, PROVIDING FOR THE EXCLUSION OF
5 VETERANS' BENEFIT PAYMENTS FROM INCOME FOR COMMONWEALTH
6 PROGRAMS.

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

9 ~~Section 1. Short title.~~ <--

10 ~~This act shall be known and may be cited as the Exclusion of~~
11 ~~Veterans' Disability Benefits as Income Act.~~

12 ~~Section 2. Eligibility income.~~

13 ~~Veterans' disability benefits shall not be deemed income for~~
14 ~~purposes of eligibility under any of the following:~~

15 ~~(1) The definition of "income" in section 502 of the act~~
16 ~~of August 26, 1971 (P.L.351, No.91), known as the State~~
17 ~~Lottery Law.~~

18 ~~(2) Chapter 13 of the act of June 27, 2006 (1st~~

1 ~~Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act.~~
2 ~~(3) 75 Pa.C.S. § 1901(c)(16) (relating to exemption of~~
3 ~~persons, entities and vehicles from fees).~~

4 ~~Section 3. Applicability.~~

5 ~~This act shall apply as follows:~~

6 ~~(1) Section 2(1) and (2) shall apply to income received~~
7 ~~in calendar year 2022 and each calendar year thereafter.~~

8 ~~(2) Section 2(3) shall apply to registration fees issued~~
9 ~~or renewed on or after July 1, 2023.~~

10 ~~Section 4. Effective date.~~

11 ~~This act shall take effect immediately.~~

12 SECTION 1. TITLE 51 OF THE PENNSYLVANIA CONSOLIDATED
13 STATUTES IS AMENDED BY ADDING A CHAPTER TO READ:

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14 CHAPTER 99

15 VETERANS' BENEFIT PAYMENT EXCLUSION

16 SEC.

17 9901. DEFINITIONS.

18 9902. EXCLUSION.

19 § 9901. DEFINITIONS.

20 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER
21 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
22 CONTEXT CLEARLY INDICATES OTHERWISE:

23 "COMMONWEALTH PROGRAM." A PROGRAM ADMINISTERED BY THE
24 COMMONWEALTH THAT REQUIRES, AS A CONDITION FOR ELIGIBILITY, THE
25 INCLUSION OF AN INDIVIDUAL'S INCOME.

26 "VETERAN." AN INDIVIDUAL WHO SERVED IN THE UNITED STATES
27 ARMED FORCES, INCLUDING A RESERVE COMPONENT OR NATIONAL GUARD,
28 AND WHO WAS DISCHARGED OR RELEASED FROM THAT SERVICE UNDER
29 CONDITIONS OTHER THAN DISHONORABLE.

30 "VETERANS' BENEFIT PAYMENT." COMPENSATION OR PAYMENT

1 RECEIVED BY A VETERAN THAT IS DIRECTLY RELATED TO OR THE RESULT
2 OF THE VETERAN'S SERVICE-CONNECTED DISABILITY AS DETERMINED BY
3 THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS OR BENEFITS
4 PROVIDED TO A VETERAN BY A COMMONWEALTH AGENCY OR AUTHORIZED
5 UNDER THE LAWS OF THIS COMMONWEALTH.

6 § 9902. EXCLUSION.

7 (A) GENERAL RULE.--ONE HUNDRED PERCENT OF A VETERANS'
8 BENEFIT PAYMENT MAY NOT BE INCLUDED AS INCOME FOR ANY
9 COMMONWEALTH PROGRAM.

10 (B) EXTENSION TO SPOUSES.--THE EXCLUSION UNDER THIS SECTION
11 SHALL APPLY TO AN UNMARRIED SURVIVING SPOUSE UPON THE DEATH OF A
12 VETERAN FOR ANY COMPENSATION OR PAYMENT THE UNMARRIED SURVIVING
13 SPOUSE IS ENTITLED TO RECEIVE.

14 SECTION 2. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.