

No. 168

AN ACT

HB 823

Amending the act of June 13, 1967 (P.L.31), entitled "An act to consolidate, editorially revise, and codify the public welfare laws of the Commonwealth," providing for eligibility for and amount of State blind pensions and for reassessment of real property of blind persons.

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

Section 1. Sections 506 and 507, act of June 13, 1967 (P. L.31), known as the "Public Welfare Code," are amended to read:

Section 506. Eligibility.—The department shall provide a State blind pension to any blind person who:

(1) Resides in Pennsylvania, and (i) has resided therein for at least one year immediately preceding the date of application for State blind pension, or (ii) is a married woman residing with a husband who has resided in Pennsylvania for at least one year immediately preceding the date of her application for State blind pension;

(2) Is not an inmate of any penal institution or hospital for mental disease;

(3) Has actual annual income of his own of less than **[two thousand eight hundred eighty dollars (\$2880)]** *three thousand dollars (\$3000)*;

(4) Owns real or personal property of a combined value of not more than **[five thousand dollars (\$5000)]** *seven thousand five hundred dollars (\$7500)*; and who

(5) Has not disposed of any property without fair consideration within the two years immediately preceding the date of application for State blind pension, or while receiving such pension, if ownership of such property, together with his other property, would render him ineligible for such pension.

With respect to the determination of eligibility for State blind pension, the value of real property shall be deemed to be its assessed value minus encumbrances *but in no case shall the assessed value be more than thirty percent of the official market value*; the value of personal property shall be deemed to be its actual value; and interest in property owned by the entirety shall be deemed to be a one-half interest. Determination of the amount of an applicant's income and the value of his property shall be made by the department without regard to any Federal laws or regulations respecting income and resources of applicants for aid to the blind. *The valuation of real property for the purposes of clause (4) shall not be increased by reason of reassessment, except to the extent that the real property has been actually enlarged or improved. Determination of the amount of an applicant's income shall exclude any increase in*

social security payments to him provided under Federal law and taking effect subsequent to January 1, 1971.

Section 507. Amount of Pension.—Except as provided for payment for nursing home care, [the amount of State blind pension paid prior to November 1, 1965 to an eligible blind person having actual annual income of his own of two thousand forty dollars (\$2040) or less shall be seventy dollars (\$70) monthly, and the monthly amount paid to any other eligible blind person shall be fixed in such amount that the sum of his actual annual income and State blind pension equals two thousand eight hundred eighty dollars (\$2880) a year;] the amount paid after [October 31, 1965,] *the effective date of this act* to an eligible blind person having actual annual income of his own of one thousand nine hundred eighty dollars (\$1980) or less shall be [seventy-five dollars (\$75)] *eighty-five dollars (\$85)* monthly, and the monthly amount paid to any other eligible blind person shall be fixed in such amount that the sum of his actual annual income and State blind pension equals [two thousand eight hundred eighty dollars (\$2880)] *three thousand dollars (\$3000)* a year.

Section 2. This act shall take effect immediately.

APPROVED—The 29th day of December, A. D. 1971.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 168.



Secretary of the Commonwealth.