

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1962 Session of 2024

INTRODUCED BY PARKER, HANBIDGE, MADDEN, KINSEY, KHAN, PROBST,
PIELLI, CEPEDA-FREYTIZ, HILL-EVANS, SANCHEZ, KAZEEM, CERRATO,
KRAJEWSKI, MAYES, GREEN, OTTEN, WEBSTER, FLEMING AND MADSEN,
JANUARY 31, 2024

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,
JULY 2, 2024

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, in support matters generally, further
3 providing for assistance recipients to seek support, for
4 cooperation required and for enforcement of cooperation
5 requirements.

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

8 Section 1. Section 4378(a) of Title 23 of the Pennsylvania
9 Consolidated Statutes is amended and the section is amended by
10 adding a subsection to read:

11 § 4378. Assistance recipients to seek support.

12 (a) Seeking support required.--[Prior] Except as provided
13 under subsection (a.1), prior to authorization, every applicant
14 for assistance whose circumstances include the reported absence
15 of a legally responsible relative from the household or the
16 presence of a putative father shall appear before the domestic
17 relations section or other applicable division of the court of
18 common pleas. Upon the request of a family court or domestic

1 relations section, the secretary is authorized to waive the  
2 requirement of personal appearance before a family court or  
3 domestic relations section if another procedure would be as  
4 efficient and effective. Subject to Federal approval, only when  
5 necessary, assistance shall not be authorized by the department  
6 until it has been certified that the applicant has cooperated in  
7 determining paternity and enforcing support.

8 (a.1) Cooperation by nonparents of relative children.--

9 (1) Subject to Federal approval and, only when <--  
10 necessary, an applicant for assistance who is a nonparent of  
11 a relative child may choose whether to cooperate in seeking  
12 and obtaining support payments for a relative child with  
13 respect to whom the assistance is claimed.

14 (2) As used in this section, the following words and  
15 phrases shall have the meanings given to them in this  
16 subsection unless the context clearly indicates otherwise:

17 "Blood relative." The term includes an individual of  
18 half-blood.

19 "Fifth degree of kinship." The fifth degree of kinship  
20 includes a great-great grandparent, great-great-great  
21 grandparent and other relationship prefixed by great, great-  
22 great, grand or great-grand. The term does not include a  
23 second cousin or more remote cousin.

24 "First cousin once removed." The child of an  
25 individual's first cousin or the first cousin of an  
26 individual's parent.

27 "Nonparent of a relative child." In relation to a  
28 dependent child, a grandparent, step-grandparent or other  
29 blood relative who is within the fifth degree of kinship to  
30 the dependent child, including a first cousin once removed.

1 \* \* \*

2 Section 2. Sections 4379(1)(iv) and 4380(a) of Title 23 are  
3 amended to read:

4 § 4379. Cooperation required.

5 In accordance with a child support plan approved by the  
6 Federal Government, the department shall have the power and its  
7 duty shall be to:

8 (1) Require as a condition of eligibility for assistance  
9 that an applicant or recipient :

10 \* \* \*

11 (iv) [Cooperate] Subject to section 4378(a.1),  
12 cooperate in obtaining support payments for such  
13 applicant or recipient and for a child with respect to  
14 whom such assistance is claimed or in obtaining any other  
15 payment or property due such applicant, recipient or such  
16 child unless the department determines that the applicant  
17 or recipient has good cause for failing to do so.

18 \* \* \*

19 § 4380. Enforcement of cooperation requirements.

20 (a) Cooperation required.--It is essential to the effective  
21 and responsible utilization of assistance funds that applicants  
22 and recipients who are caretakers of a child whose circumstances  
23 include the reported absence of a legally responsible relative  
24 from the household or presence of a putative father cooperate  
25 fully with the department and the court or domestic relations  
26 section in establishing paternity and in securing child support  
27 payments and in all matters set forth in section 4379 (relating  
28 to cooperation required), subject to section 4378(a.1) (relating  
29 to assistance recipients to seek support).

30 \* \* \*

1 Section 3. This act shall take effect in six months.