

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 972 Session of 2013

INTRODUCED BY R. BROWN, SCHLEGEL CULVER, GILLEN, MURT, REGAN, ROCK, SCAVELLO AND SWANGER, MARCH 12, 2013

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 25, 2013

AN ACT

1 Amending Title 51 (Military Affairs) of the Pennsylvania
2 Consolidated Statutes, providing for fee waiver certificate.

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

5 Section 1. Title 51 of the Pennsylvania Consolidated
6 Statutes is amended by adding a chapter to read:

CHAPTER 97

FEE WAVIER CERTIFICATE

9 Sec.

10 9701. Definitions.

11 9702. Fee waiver certificate.

12 9703. License.

13 9704. Offenses.

14 9705. Reporting.

15 § 9701. Definitions.

16 The following words and phrases when used in this chapter
17 shall have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "Applicant." A veteran or a surviving spouse.

3 "Director." A county director of veterans' affairs in which  
4 the applicant resides.

5 "Legal resident of this Commonwealth." An individual who is  
6 domiciled and resides within this Commonwealth.

7 "License." Any of the following licenses:

8 (1) A peddlers license issued under the act of June 14,  
9 1901 (P.L.563, No.270), entitled, "An act to provide for the  
10 licensing of hawkers and peddlers in the boroughs and  
11 townships of the Commonwealth, and providing a penalty for  
12 failure to obtain the same."

13 (2) A license issued under 3 Pa.C.S. Ch. 57 (relating to  
14 food protection).

15 (3) A PEDDLERS LICENSE ISSUED UNDER A LOCAL ORDINANCE IN <--  
16 CITIES OF THE FIRST, SECOND, SECOND CLASS A AND THIRD  
17 CLASSES.

18 "Licensor." A State or local entity responsible for issuing  
19 a license.

20 "Secretary." The Secretary of Agriculture of the  
21 Commonwealth.

22 "Surviving spouse." An individual who meets all of the  
23 following:

24 (1) Is the surviving spouse of a veteran.

25 (2) Is a legal resident of this Commonwealth.

26 "Veteran." An individual who meets all of the following:

27 (1) Served in the United States Armed Forces, including  
28 a reserve component or the National Guard and who has been  
29 discharged or released from the service under conditions  
30 other than dishonorable.

1           (2) Is a legal resident of this Commonwealth.

2 § 9702. Fee waiver certificate.

3           (a) Veteran.--

4           (1) A veteran may obtain a fee waiver certificate from a  
5 director if the veteran does all of the following:

6           (i) Provides documentation required by the  
7 department to the director.

8           (ii) The documentation under subparagraph (i) shall  
9 include the applicant's name and residence at the time of  
10 application.

11           (iii) The documentation under subparagraph (i) shall  
12 be signed by the veteran in the presence of the director  
13 or a deputy designated by the director.

14           (iv) A copy of the documentation under subparagraph  
15 (i) shall be attached to the fee waiver certificate  
16 issued by the director.

17           (2) No charge may be imposed for a fee waiver  
18 certificate issued under this subsection.

19           (b) Surviving spouse.--

20           (1) A surviving spouse may obtain a fee waiver  
21 certificate from a director if the surviving spouse does all  
22 of the following:

23           (i) Presents to the director an affidavit stating  
24 that the surviving spouse is the lawful surviving spouse  
25 of the deceased veteran.

26           (ii) Provides documentation required by the  
27 department to the director establishing that the  
28 individual is the surviving spouse stated under  
29 subparagraph (i).

30           (iii) Submits a true and correct copy of the

1 original certificate of honorable discharge of the  
2 surviving spouse's deceased spouse.

3 (2) No charge may be imposed for a fee waiver  
4 certificate issued under paragraph (1).

5 (3) A fee waiver certificate issued under paragraph (1)  
6 shall be void if the surviving spouse remarries.

7 (c) Photograph.--The documentation for a fee waiver  
8 certificate must be accompanied by a photograph of the applicant  
9 taken within 60 days prior to the application and, upon the  
10 issuance of the fee waiver certificate, shall be attached to the  
11 fee waiver certificate.

12 § 9703. License.

13 (a) Compliance.--An applicant seeking to obtain a license  
14 shall comply with the State and local process for obtaining the  
15 license.

16 (b) Waiver of fee.--An applicant under subsection (a) may  
17 provide a copy of the fee waiver certificate to a licensor which  
18 shall exempt the applicant from paying any fees or costs related  
19 to the license.

20 § 9704. Offenses.

21 (a) Fee waiver certificate.--A person who fraudulently  
22 obtains or violates the terms of a fee waiver certificate  
23 commits a misdemeanor of the third degree.

24 (b) Unauthorized use.--A person assigning, transferring or  
25 attempting to assign or transfer a fee waiver certificate or  
26 using or attempting to use a fee waiver certificate contrary to  
27 this chapter commits a misdemeanor of the third degree.

28 (c) Unauthorized charge.--A person who charges or collects  
29 or attempts to charge or collect a fee or other compensation for  
30 the licensing or registration of an applicant with a valid fee

1 waiver certificate commits a misdemeanor of the third degree.

2 § 9705. Reporting.

3 Each director shall determine on a quarterly basis the total  
4 number of fee waiver certificates issued under this chapter and  
5 report the amount to the department. The department shall  
6 maintain a record of the number of fee waiver certificates  
7 issued.

8 Section 2. This act shall take effect in 60 days.