

62 Pa. Stat. § 481

Section 481 - False statements; investigations; penalty

(a) Any person who, either prior to, or at the time of, or subsequent to the application for assistance, by means of a wilfully false statement or misrepresentation, or by impersonation or by wilfully failing to disclose a material fact regarding eligibility or other fraudulent means, secures, or attempts to secure, or aids or abets or attempts to aid or abet any person in securing assistance, or Federal food stamps, commits a crime which shall be graded as provided in subsection (b).

(b) Any person violating subsection (a) commits the grade of crime determined from the following schedule:

Amount of Assistance or Food Stamps Degree of Crime

\$1,000 or more

Felony of the third degree

\$999 and under, or an attempt to commit any

act prohibited in subsection (a)

Misdemeanor of the first degree

(c) Any person committing a crime enumerated in subsection (a) shall be ordered to pay restitution of any moneys received by reason of any false statement, misrepresentation, impersonation, failure to disclose required information or fraudulent means. Restitution ordered under this subsection may be paid in a lump sum, by monthly installments or according to such other schedule as is deemed just by the sentencing court. Notwithstanding the provisions of 18 Pa.C.S. § 1106(c)(2) (relating to restitution for injuries to person or property) to the contrary, the period of time during which the offender is ordered to make restitution may exceed the maximum term of imprisonment to which the offender could have been sentenced for the crime of which that person was convicted, if the sentencing court determines such period to be reasonable and in the interests of justice.

(d) There shall be a four-year statute of limitations on all crimes enumerated in subsection (a).

(e) The Treasury Department shall have the power to investigate and prosecute any case involving replacement of or duplicate receipt of or altered assistance checks and shall have the power to collect any funds as a result of such investigations and prosecution. For purposes of this section those employees of the Treasury Department as are designated "investigators" are given the power and authority to subpoena any document for review or audit and may question and subpoena any person believed to have any knowledge in such cases. The Treasury Department shall make such rules and regulations as may be necessary to carry out the provisions of this section.

(f) An applicant for or recipient of aid to families with dependent children or general assistance convicted of any offense pursuant to subsection (a) shall be ineligible to receive cash assistance for a period of six months from the date of a first conviction, for a period of

twelve months from the date of a second conviction and permanently from the date of a third conviction.

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Amended by P.L. TBD 2018 No. 125, § 5, eff. 12/24/2018.

1967, June 13, P.L. 31, No. 21, art. 4, § 481. Amended 1976, July 15, P.L. 993, No. 202, § 8, effective in 60 days; 1982, April 8, P.L. 231, No. 75, § 21, effective in 60 days; 1996, May 16, P.L. 175, No. 35, § 17, imd. effective.
