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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 238

01/11/2023 Authored by Pinto, Moller, Feist, Becker-Finn, Noor and others
The bill was read for the first time and referred to the Committee on Children and Families Finance and Policy

1.1 A bill for an act
1.2 relating to human services; modifying MFIP general citizenship requirements;
1.3 amending Minnesota Statutes 2022, section 256J.11, subdivision 1.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2022, section 256J.11, subdivision 1, is amended to read:

1.6 Subdivision 1. General citizenship requirements. (a) To be eligible for MFIP, a member
1.7 of the assistance unit must be a citizen of the United States, a qualified noncitizen as defined
1.8 in section 256J.08, or a noncitizen who is otherwise residing lawfully in the United States.

1.9 (b) A qualified noncitizen who entered the United States on or after August 22, 1996,
1.10 is eligible for MFIP. However, TANF dollars cannot be used to fund the MFIP benefits for
1.11 an individual under this paragraph for a period of five years after the date of entry unless
1.12 the qualified noncitizen meets one of the following criteria:

1.13 (1) was admitted to the United States as a refugee under United States Code, title 8,
1.14 section 1157;

1.15 (2) was granted asylum under United States Code, title 8, section 1158;

1.16 (3) was granted withholding of deportation under the United States Code, title 8, section
1.17 1253(h);

1.18 (4) is a veteran of the United States armed forces with an honorable discharge for a
1.19 reason other than noncitizen status, or is a spouse or unmarried minor dependent child of
1.20 the same; or

2.1 (5) is an individual on active duty in the United States armed forces, other than for
2.2 training, or is a spouse or unmarried minor dependent child of the same.

2.3 (c) A person who is not a qualified noncitizen but who is otherwise residing lawfully in
2.4 the United States is eligible for MFIP. However, TANF dollars cannot be used to fund the
2.5 MFIP benefits for an individual under this paragraph.

2.6 (d) For purposes of this subdivision, a nonimmigrant in one or more of the classes listed
2.7 in United States Code, title 8, section 1101(a)(15)(A)-(S) and (V), or an undocumented
2.8 immigrant who resides in the United States without the approval or acquiescence of the
2.9 United States Citizenship and Immigration Services, is not eligible for MFIP.