## SENATE STATE OF MINNESOTA EIGHTY-SEVENTH LEGISLATURE

A bill for an act

relating to human services; preventing welfare fraud; amending Minnesota

S.F. No. 1877

(SENATE AUTHORS: HOFFMAN and Benson)

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1.23

DATE

02/15/2012

3821 Introduction and first reading
Referred to Health and Human Services

03/22/2012

4680 Author added Benson

4772a Comm report: To pass as amended and re-refer to Judiciary and Public Safety
See SF2093, Art. 3, Sec. 2-4, 9
See HF2294, Art. 3, Sec. 2-4, 29

1.3	Statutes 2010, section 256.01, by adding subdivisions.
1.4	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
1.5	Section 1. Minnesota Statutes 2010, section 256.01, is amended by adding a
1.6	subdivision to read:
1.7	Subd. 18d. Drug convictions. (a) The state court administrator shall provide a
1.8	report every six months by electronic means to the commissioner of human services
1.9	including the name, address, date of birth, and, if available, driver's license or state
1.10	identification card number, date of sentence, effective date of the sentence, and county in
1.11	which the conviction occurred of each person convicted of a felony under chapter 152
1.12	during the previous six months.
1.13	(b) The commissioner shall determine whether the individuals who are the subject of
1.14	the data reported under paragraph (a) are receiving public assistance under chapter 256D
1.15	or 256J, and if the individual is receiving assistance under chapter 256D or 256J, the
1.16	commissioner shall instruct the county to proceed under section 256D.024 or 256J.26,
1.17	whichever is applicable, for this individual.
1.18	(c) The commissioner shall not retain any data received under paragraph (a) or (d)
1.19	that does not relate to an individual receiving publicly funded assistance under chapter
1.20	<u>256D or 256J.</u>
1.21	(d) In addition to the routine data transfer under paragraph (a), the state court
1.22	administrator shall provide a onetime report of the data fields under paragraph (a) for

individuals with a felony drug conviction under chapter 152 dated from July 1, 1997, until

Section 1.

the date of the data transfer. The commissioner shall perform the tasks identified under 2.1 2.2 paragraph (b) related to this data and shall retain the data according to paragraph (c). Sec. 2. Minnesota Statutes 2010, section 256.01, is amended by adding a subdivision 2.3 to read: 2.4 Subd. 18e. Data sharing with the Department of Human Services; multiple 2.5 identification cards. (a) The commissioner of public safety shall, on a monthly basis, 2.6 provide the commissioner of human services with the first, middle, and last name, 2.7 the address, date of birth, and driver's license or state identification card number of all 2.8 applicants and holders whose drivers' licenses and state identification cards have been 2.9 canceled under section 171.14, paragraph (a), clauses (2) or (3), by the commissioner of 2.10 public safety. After the initial data report has been provided by the commissioner of 2.11 public safety to the commissioner of human services under this paragraph, subsequent 2.12 reports shall only include cancellations that occurred after the end date of the cancellations 2.13 2.14 represented in the previous data report. (b) The commissioner of human services shall compare the information provided 2.15 under paragraph (a) with the commissioner's data regarding recipients of all public 2.16 assistance programs managed by the Department of Human Services to determine whether 2.17 any person with multiple identification cards issued by the Department of Public Safety 2.18 has illegally or improperly enrolled in any public assistance program managed by the 2.19 Department of Human Services. 2.20 (c) If the commissioner of human services determines that an applicant or recipient 2.21 2.22 has illegally or improperly enrolled in any public assistance program, the commissioner 2.23 shall provide all due process protections to the individual before terminating the individual from the program according to applicable statute and notifying the county attorney. 2.24 Sec. 3. Minnesota Statutes 2010, section 256.01, is amended by adding a subdivision 2.25 to read: 2.26 Subd. 18f. Data sharing with the Department of Human Services; legal presence 2.27 status. (a) The commissioner of public safety shall, on a monthly basis, provide the 2.28 commissioner of human services with the first, middle, and last name, address, date of 2.29 birth, and driver's license or state identification number of all applicants and holders of 2.30

drivers' licenses and state identification cards whose temporary legal presence status has

expired and whose driver's license or identification card has been canceled under section

Sec. 3. 2

171.14 by the commissioner of public safety.

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## S.F. No. 1877, 1st Engrossment - 87th Legislative Session (2011-2012) [S1877-1]

(b) The commissioner of human services shall use the information provided under
paragraph (a) to determine whether the eligibility of any recipients of public assistance
programs managed by the Department of Human Services has changed as a result of the
status change in the Department of Public Safety data.

(c) If the commissioner of human services determines that a recipient has illegally or improperly received benefits from any public assistance program, the commissioner shall provide all due process protections to the individual before terminating the individual from the program according to applicable statute and notifying the county attorney.

## Sec. 4. **DIRECTIONS TO THE COMMISSIONER.**

The commissioner of human services, in consultation with the commissioner of public safety, shall report to the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services policy and finance regarding the implementation of sections 1 to 3, the number of persons affected, and fiscal impact by program by April 1, 2013.

## Sec. 5. **EFFECTIVE DATE.**

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Sections 1 to 4 are effective January 1, 2013.

Sec. 5. 3