A bill for an act

relating to human services; creating certain exemptions from MFIP and general assistance asset limitations; amending Minnesota Statutes 2008, sections 256D.08, by adding a subdivision; 256J.20, subdivision 1.

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

Section 1. Minnesota Statutes 2008, section 256D.08, is amended by adding a subdivision to read:

Subd. 3. **Exemption.** Persons who have lost a job since October 20, 2008, and have exhausted or are ineligible for benefits under the federal-state extended unemployment compensation program, federal emergency unemployment compensation, trade readjustment allowance program, any other federal unemployment compensation, or benefits under chapter 268, and who meet all other eligibility criteria for general assistance under sections 256D.01 to 256D.21, are exempt from meeting the real and personal property limitations under these sections.

EFFECTIVE DATE. This section is effective July 1, 2010.

Sec. 2. Minnesota Statutes 2008, section 256J.20, subdivision 1, is amended to read:

Subdivision 1. **Property ownership provisions.** The county agency must apply paragraphs (a) to ~~(d)~~ (e) to real and personal property. The county agency must use the equity value of legally available real and personal property, except property excluded in subdivisions 2 and 3, to determine whether an applicant or participant is eligible for assistance.

(a) When real or personal property is jointly owned by two or more persons, the county agency shall assume that each person owns an equal share, except that either

person owns the entire sum of a joint personal checking or savings account. When an applicant or participant documents greater or lesser ownership, the county agency must use that greater or lesser share to determine the equity value held by the applicant or participant. Other types of ownership must be evaluated according to law.

(b) Real or personal property owned by the applicant or participant must be presumed legally available to the applicant or participant unless the applicant or participant documents that the property is not legally available to the applicant or participant. When real or personal property is not legally available, its equity value must not be applied against the limits of subdivisions 2 and 3.

(c) An applicant must disclose whether the applicant has transferred real or personal property valued in excess of the property limits in subdivisions 2 and 3 for which reasonable compensation was not received within one year prior to application. A participant must disclose all transfers of property valued in excess of these limits, according to the reporting requirements in section 256J.30, subdivision 9. When a transfer of real or personal property without reasonable compensation has occurred:

(1) the person who transferred the property must provide the property's description, information needed to determine the property's equity value, the names of the persons who received the property, and the circumstances of and reasons for the transfer; and

(2) when the transferred property can be reasonably reacquired, or when reasonable compensation can be secured, the property is presumed legally available to the applicant or participant.

(d) A participant may build the equity value of real and personal property to the limits in subdivisions 2 and 3.

(e) Persons who have lost a job since October 20, 2008, and have exhausted or are ineligible for benefits under the federal-state extended unemployment compensation program, federal emergency unemployment compensation, trade readjustment allowance program, any other federal unemployment compensation, or benefits under chapter 268, and who meet all other eligibility criteria under this chapter, are exempt from meeting the real and personal property limitations under this section.

EFFECTIVE DATE. This section is effective July 1, 2010.