

SENATE

STATE OF MINNESOTA

EIGHTY-SEVENTH LEGISLATURE

S.F. No. 1835

(SENATE AUTHORS: GAZELKA, Benson, Newman, Ingebrigtsen and DeKruif)

DATE	D-PG	OFFICIAL STATUS
02/15/2012	3814	Introduction and first reading Referred to Health and Human Services
02/23/2012	3917a	Comm report: To pass as amended and re-refer to Finance
03/12/2012	4320	Motion did not prevail To withdraw and re-refer to Health and Human Services Withdrawn
	4320	Second reading
03/27/2012	5173	Special Order
	5173	Third reading Passed
03/28/2012	5234	Author added DeKruif

A bill for an act
relating to human services; modifying residency requirements; amending
Minnesota Statutes 2010, sections 256D.02, by adding a subdivision; 256J.12,
subdivisions 1a, 2; repealing Minnesota Statutes 2010, sections 256D.02,
subdivision 12a; 256J.12, subdivision 2a.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2010, section 256D.02, is amended by adding a
subdivision to read:

Subd. 12b. Resident; general assistance. (a) For purposes of eligibility for general
assistance, a person must be a resident of this state.

(b) A "resident" is a person living in the state for at least 60 days with the intention of
making the person's home here and not for any temporary purpose. Time spent in a shelter
for battered women shall count toward satisfying the 60-day residency requirement. All
applicants for this program are required to demonstrate the requisite intent and may do
so in any of the following ways:

(1) by showing that the applicant maintains a residence at a verified address, other
than a place of public accommodation. An applicant may verify a residence address by
presenting a valid state driver's license, a state identification card, a voter registration
card, or a rent receipt; or

(2) by verifying residence according to Minnesota Rules, part 9500.1219, subpart
3, item C.

(c) The county shall not deny an application solely because the applicant does not
meet at least one of the criteria in this subdivision, but shall continue to process the
application and leave the application pending until the residency requirement is met or
until eligibility or ineligibility is established.

(d) For purposes of eligibility for emergency general assistance, the 60-day residency requirement under this section may be waived.

(e) If any provision of this subdivision is enjoined from implementation or found unconstitutional by any court of competent jurisdiction, the remaining provisions shall remain valid and shall be given full effect.

Sec. 2. Minnesota Statutes 2010, section 256J.12, subdivision 1a, is amended to read:

Subd. 1a. **30-day 60-day residency requirement.** An assistance unit is considered to have established residency in this state only when a child or caregiver has resided in this state for at least ~~30~~ 60 consecutive days with the intention of making the person's home here and not for any temporary purpose. The birth of a child in Minnesota to a member of the assistance unit does not automatically establish the residency in this state under this subdivision of the other members of the assistance unit. Time spent in a shelter for battered women shall count toward satisfying the ~~30-day~~ 60-day residency requirement.

Sec. 3. Minnesota Statutes 2010, section 256J.12, subdivision 2, is amended to read:

Subd. 2. **Exceptions.** ~~(a) A county shall waive the 30-day residency requirement where unusual hardship would result from denial of assistance.~~

~~(b) For purposes of this section, unusual hardship means an assistance unit:~~

~~(1) is without alternative shelter; or~~

~~(2) is without available resources for food.~~

~~(c) For purposes of this subdivision, the following definitions apply (1) "metropolitan statistical area" is as defined by the U.S. Census Bureau; (2) "alternative shelter" includes any shelter that is located within the metropolitan statistical area containing the county and for which the family is eligible, provided the assistance unit does not have to travel more than 20 miles to reach the shelter and has access to transportation to the shelter. Clause (2) does not apply to counties in the Minneapolis-St. Paul metropolitan statistical area.~~

~~(d)~~ (a) Applicants are considered to meet the residency requirement under subdivision 1a if they once resided in Minnesota and:

(1) joined the United States armed services, returned to Minnesota within 30 days of leaving the armed services, and intend to remain in Minnesota; or

(2) left to attend school in another state, paid nonresident tuition or Minnesota tuition rates under a reciprocity agreement, and returned to Minnesota within 30 days of graduation with the intent to remain in Minnesota.

~~(e)~~ (b) The ~~30-day~~ 60-day residence requirement is met when:

3.1 (1) a minor child or a minor caregiver moves from another state to the residence of
3.2 a relative caregiver; and

3.3 (2) the relative caregiver has resided in Minnesota for at least ~~30~~ 60 consecutive
3.4 days and:

3.5 (i) the minor caregiver applies for and receives MFIP; or

3.6 (ii) the relative caregiver applies for assistance for the minor child but does not
3.7 choose to be a member of the MFIP assistance unit.

3.8 (c) For purposes of eligibility for emergency assistance, the 60-day residency
3.9 requirement under this section may be waived.

3.10 Sec. 4. **REPEALER.**

3.11 Minnesota Statutes 2010, sections 256D.02, subdivision 12a; and 256J.12,
3.12 subdivision 2a, are repealed.