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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 1453

02/20/2017 Authored by Hamilton; Flanagan; Peterson; Murphy, E.; Albright and others
The bill was read for the first time and referred to the Committee on Health and Human Services Reform

1.1 A bill for an act
1.2 relating to human services; modifying income exclusions under the Minnesota
1.3 family investment program; amending Minnesota Statutes 2016, section 256J.21,
1.4 subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2016, section 256J.21, subdivision 2, is amended to read:

1.7 Subd. 2. Income exclusions. The following must be excluded in determining a family's
1.8 available income:

1.9 (1) payments for basic care, difficulty of care, and clothing allowances received for
1.10 providing family foster care to children or adults under Minnesota Rules, parts 9555.5050
1.11 to 9555.6265, 9560.0521, and 9560.0650 to 9560.0655, payments for family foster care for
1.12 children under section 260C.4411 or chapter 256N, and payments received and used for
1.13 care and maintenance of a third-party beneficiary who is not a household member;

1.14 (2) reimbursements for employment training received through the Workforce Investment
1.15 Act of 1998, United States Code, title 20, chapter 73, section 9201;

1.16 (3) reimbursement for out-of-pocket expenses incurred while performing volunteer
1.17 services, jury duty, employment, or informal carpooling arrangements directly related to
1.18 employment;

1.19 (4) all educational assistance, except the county agency must count graduate student
1.20 teaching assistantships, fellowships, and other similar paid work as earned income and,
1.21 after allowing deductions for any unmet and necessary educational expenses, shall count
1.22 scholarships or grants awarded to graduate students that do not require teaching or research
1.23 as unearned income;

- 2.1 (5) loans, regardless of purpose, from public or private lending institutions, governmental
2.2 lending institutions, or governmental agencies;
- 2.3 (6) loans from private individuals, regardless of purpose, provided an applicant or
2.4 participant documents that the lender expects repayment;
- 2.5 (7)(i) state income tax refunds; and
2.6 (ii) federal income tax refunds;
- 2.7 (8)(i) federal earned income credits;
2.8 (ii) Minnesota working family credits;
2.9 (iii) state homeowners and renters credits under chapter 290A; and
2.10 (iv) federal or state tax rebates;
- 2.11 (9) funds received for reimbursement, replacement, or rebate of personal or real property
2.12 when these payments are made by public agencies, awarded by a court, solicited through
2.13 public appeal, or made as a grant by a federal agency, state or local government, or disaster
2.14 assistance organizations, subsequent to a presidential declaration of disaster;
- 2.15 (10) the portion of an insurance settlement that is used to pay medical, funeral, and burial
2.16 expenses, or to repair or replace insured property;
- 2.17 (11) reimbursements for medical expenses that cannot be paid by medical assistance;
- 2.18 (12) payments by a vocational rehabilitation program administered by the state under
2.19 chapter 268A, except those payments that are for current living expenses;
- 2.20 (13) in-kind income, including any payments directly made by a third party to a provider
2.21 of goods and services;
- 2.22 (14) assistance payments to correct underpayments, but only for the month in which the
2.23 payment is received;
- 2.24 (15) payments for short-term emergency needs under section 256J.626, subdivision 2;
2.25 (16) funeral and cemetery payments as provided by section 256.935;
- 2.26 (17) nonrecurring cash gifts of \$30 or less, not exceeding \$30 per participant in a calendar
2.27 month;
- 2.28 (18) any form of energy assistance payment made through Public Law 97-35,
2.29 Low-Income Home Energy Assistance Act of 1981, payments made directly to energy

3.1 providers by other public and private agencies, and any form of credit or rebate payment
3.2 issued by energy providers;

3.3 (19) Supplemental Security Income (SSI), including retroactive SSI payments and other
3.4 income of an SSI recipient, except as described in section 256J.37, subdivision 3b;

3.5 (20) Minnesota supplemental aid, including retroactive payments;

3.6 (21) proceeds from the sale of real or personal property;

3.7 (22) adoption or kinship assistance payments under chapter 256N or 259A and Minnesota
3.8 permanency demonstration title IV-E waiver payments;

3.9 (23) state-funded family subsidy program payments made under section 252.32 to help
3.10 families care for children with developmental disabilities, consumer support grant funds
3.11 under section 256.476, and resources and services for a disabled household member under
3.12 one of the home and community-based waiver services programs under chapter 256B;

3.13 (24) interest payments and dividends from property that is not excluded from and that
3.14 does not exceed the asset limit;

3.15 (25) rent rebates;

3.16 (26) income earned by a minor caregiver, minor child through age 6, or a minor child
3.17 who is at least a half-time student in an approved elementary or secondary education program;

3.18 (27) income earned by a caregiver under age 20 who is at least a half-time student in an
3.19 approved elementary or secondary education program;

3.20 (28) MFIP child care payments under section 119B.05;

3.21 (29) all other payments made through MFIP to support a caregiver's pursuit of greater
3.22 economic stability;

3.23 (30) income a participant receives related to shared living expenses;

3.24 (31) reverse mortgages;

3.25 (32) benefits provided by the Child Nutrition Act of 1966, United States Code, title 42,
3.26 chapter 13A, sections 1771 to 1790;

3.27 (33) benefits provided by the women, infants, and children (WIC) nutrition program,
3.28 United States Code, title 42, chapter 13A, section 1786;

3.29 (34) benefits from the National School Lunch Act, United States Code, title 42, chapter
3.30 13, sections 1751 to 1769e;

4.1 (35) relocation assistance for displaced persons under the Uniform Relocation Assistance
4.2 and Real Property Acquisition Policies Act of 1970, United States Code, title 42, chapter
4.3 61, subchapter II, section 4636, or the National Housing Act, United States Code, title 12,
4.4 chapter 13, sections 1701 to 1750jj;

4.5 (36) benefits from the Trade Act of 1974, United States Code, title 19, chapter 12, part
4.6 2, sections 2271 to 2322;

4.7 (37) war reparations payments to Japanese Americans and Aleuts under United States
4.8 Code, title 50, sections 1989 to 1989d;

4.9 (38) payments to veterans or their dependents as a result of legal settlements regarding
4.10 Agent Orange or other chemical exposure under Public Law 101-239, section 10405,
4.11 paragraph (a)(2)(E);

4.12 (39) income that is otherwise specifically excluded from MFIP consideration in federal
4.13 law, state law, or federal regulation;

4.14 (40) security and utility deposit refunds;

4.15 (41) American Indian tribal land settlements excluded under Public Laws 98-123, 98-124,
4.16 and 99-377 to the Mississippi Band Chippewa Indians of White Earth, Leech Lake, and
4.17 Mille Lacs reservations and payments to members of the White Earth Band, under United
4.18 States Code, title 25, chapter 9, section 331, and chapter 16, section 1407;

4.19 (42) all income of the minor parent's parents and stepparents when determining the grant
4.20 for the minor parent in households that include a minor parent living with parents or
4.21 stepparents on MFIP with other children;

4.22 (43) income of the minor parent's parents and stepparents equal to 200 percent of the
4.23 federal poverty guideline for a family size not including the minor parent and the minor
4.24 parent's child in households that include a minor parent living with parents or stepparents
4.25 not on MFIP when determining the grant for the minor parent. The remainder of income is
4.26 deemed as specified in section 256J.37, subdivision 1b;

4.27 (44) payments made to children eligible for relative custody assistance under section
4.28 257.85;

4.29 (45) vendor payments for goods and services made on behalf of a client unless the client
4.30 has the option of receiving the payment in cash;

4.31 (46) the principal portion of a contract for deed payment;

5.1 (47) cash payments to individuals enrolled for full-time service as a volunteer under
5.2 AmeriCorps programs including AmeriCorps VISTA, AmeriCorps State, AmeriCorps
5.3 National, and AmeriCorps NCCC;

5.4 (48) housing assistance grants under section 256J.35, paragraph (a); ~~and~~

5.5 (49) child support payments of up to \$100 for an assistance unit with one child and up
5.6 to \$200 for an assistance unit with two or more children; and

5.7 (50) income of a new spouse for 18 consecutive months, beginning the month following
5.8 the date of the marriage certificate.