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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. **2481**

03/08/2016 Authored by Anderson, M.,
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 state government finance; modifying certain human services funding;
1.3 creating a general assistance account; requiring general assistance to be funded
1.4 from the general assistance account; establishing a general assistance tax
1.5 checkoff; amending Minnesota Statutes 2014, sections 256D.03, subdivisions
1.6 2, 2a; 270C.445, by adding a subdivision; 289A.08, subdivision 13; Minnesota
1.7 Statutes 2015 Supplement, section 256D.01, subdivision 1a; proposing coding
1.8 for new law in Minnesota Statutes, chapters 16A; 290; repealing Minnesota
1.9 Statutes 2014, section 256D.23.

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

1.11 Section 1. [16A.533] GENERAL ASSISTANCE ACCOUNT.

1.12 There is created in the special revenue fund a general assistance account. All money
1.13 collected from the general assistance checkoff under section 290.433 shall be deposited
1.14 in the account. Appropriations from the account are governed by section 256D.03,
1.15 subdivision 2.

1.16 EFFECTIVE DATE. This section is effective the day following final enactment.

1.17 Sec. 2. Minnesota Statutes 2015 Supplement, section 256D.01, subdivision 1a, is
1.18 amended to read:

1.19 Subd. 1a. **Standards.** (a) A principal objective in providing general assistance is
1.20 to provide for single adults, childless couples, or children as defined in section 256D.02,
1.21 subdivision 6, ineligible for federal programs who are unable to provide for themselves.
1.22 The ~~minimum standard of assistance determines the total amount of the general assistance~~
1.23 ~~grant without separate standards for shelter, utilities, or other needs~~ is determined under
1.24 section 256D.03, subdivision 2.

2.1 (b) The commissioner shall set the standard of assistance, taking into account the
 2.2 total amount of general assistance determined under section 256D.03, subdivision 2, for
 2.3 an assistance unit consisting of: (1) an adult recipient who is childless and unmarried or
 2.4 living apart from children and spouse and who does not live with a parent or parents or a
 2.5 legal custodian; (2) a single adult who lives with a parent or parents; and (3) a childless
 2.6 couple. When the other standards specified in this subdivision increase, this standard must
 2.7 also be increased by the same percentage.

2.8 (c) For an assistance unit consisting of a single adult who lives with a parent or
 2.9 parents, ~~the general assistance standard of assistance is the amount that the aid to families~~
 2.10 ~~with dependent children standard of assistance, in effect on July 16, 1996, would increase~~
 2.11 ~~if the recipient were added as an additional minor child to an assistance unit consisting of~~
 2.12 ~~the recipient's parent and all of that parent's family members, except that the standard may~~
 2.13 ~~not exceed the standard for a general assistance recipient living alone.~~ benefits received
 2.14 by a responsible relative of the assistance unit under the Supplemental Security Income
 2.15 program, a workers' compensation program, the Minnesota supplemental aid program, or
 2.16 any other program based on the responsible relative's disability, and any benefits received
 2.17 by a responsible relative of the assistance unit under the Social Security retirement program,
 2.18 may not be counted in the determination of eligibility or benefit level for the assistance
 2.19 unit. Except as provided below, the assistance unit is ineligible for general assistance if the
 2.20 available resources or the countable income of the assistance unit and the parent or parents
 2.21 with whom the assistance unit lives are such that a family consisting of the assistance
 2.22 unit's parent or parents, the parent or parents' other family members and the assistance unit
 2.23 as the only or additional minor child would be financially ineligible for general assistance.
 2.24 For the purposes of calculating the countable income of the assistance unit's parent or
 2.25 parents, the calculation methods must follow the provisions under section 256P.06.

2.26 ~~(d) For an assistance unit consisting of a childless couple, the standards of assistance~~
 2.27 ~~are the same as the first and second adult standards of the aid to families with dependent~~
 2.28 ~~children program in effect on July 16, 1996. If one member of the couple is not included~~
 2.29 ~~in the general assistance grant, the standard of assistance for the other is the second adult~~
 2.30 ~~standard of the aid to families with dependent children program as of July 16, 1996.~~

2.31 **EFFECTIVE DATE.** This section is effective January 1, 2018.

2.32 Sec. 3. Minnesota Statutes 2014, section 256D.03, subdivision 2, is amended to read:

2.33 Subd. 2. **Assistance standards** **General assistance aid; appropriation; limit on**
 2.34 **using funds from state sources for general assistance aid.** Notwithstanding any law
 2.35 to the contrary, state aid for general assistance shall be paid for all general assistance

3.1 ~~and grants up to the standards of section 256D.01, subdivision 1a, and according to~~
 3.2 ~~procedures established by the commissioner, except as provided for under section 256.017.~~
 3.3 appropriated solely from money deposited in the general assistance account established
 3.4 under section 16A.533. Funding for general assistance shall not be appropriated from the
 3.5 general fund or any other fund or account in the state treasury.

3.6 **EFFECTIVE DATE.** This section is effective January 1, 2018.

3.7 Sec. 4. Minnesota Statutes 2014, section 256D.03, subdivision 2a, is amended to read:

3.8 Subd. 2a. **County agency options.** Any county agency may, from its own resources,
 3.9 make payments of general assistance: (a) at a standard higher than that established and
 3.10 in addition to the amount appropriated by the commissioner without reference to the
 3.11 standards of section 256D.01, subdivision 1 under subdivision 2; or (b) to persons not
 3.12 meeting the eligibility standards set forth in section 256D.05, subdivision 1, but for whom
 3.13 the aid would further the purposes established in the general assistance program according
 3.14 to rules adopted by the commissioner according to the Administrative Procedure Act. The
 3.15 Minnesota Department of Human Services may maintain client records and issue these
 3.16 payments, providing the cost of benefits is paid by the counties to the Department of
 3.17 Human Services according to section 256.01.

3.18 **EFFECTIVE DATE.** This section is effective January 1, 2018.

3.19 Sec. 5. Minnesota Statutes 2014, section 270C.445, is amended by adding a
 3.20 subdivision to read:

3.21 Subd. 5c. **General assistance checkoff.** A tax preparer must give written notice of
 3.22 the option to contribute to the account established to fund general assistance, as provided
 3.23 in section 290.433, to corporate clients that file an income tax return and to individual
 3.24 clients who file an income tax return or property tax refund claim form. This notification
 3.25 must be included with information sent to the client at the same time as the preliminary
 3.26 worksheets or other documents used in preparing the client's return and must include a
 3.27 line for displaying contributions.

3.28 **EFFECTIVE DATE.** This section is effective for taxable years beginning after
 3.29 December 31, 2015.

3.30 Sec. 6. Minnesota Statutes 2014, section 289A.08, subdivision 13, is amended to read:

3.31 Subd. 13. **Long and short forms; local use tax instructions.** The commissioner
 3.32 shall provide a long form individual income tax return and may provide a short form

4.1 individual income tax return. The returns shall be in a form that is consistent with the
 4.2 provisions of chapter 290, notwithstanding any other law to the contrary. The nongame
 4.3 wildlife checkoff provided in section 290.431, the general assistance checkoff provided
 4.4 in section 290.433, and the dependent care credit provided in section 290.067 must be
 4.5 included on the short form. The commissioner must provide information on local use taxes
 4.6 in the individual income tax instruction booklet. The commissioner must provide this
 4.7 information in the same section of the booklet that provides information on the state use tax.

4.8 **EFFECTIVE DATE.** This section is effective for taxable years beginning after
 4.9 December 31, 2015.

4.10 Sec. 7. **[290.433] GENERAL ASSISTANCE CHECKOFF.**

4.11 **Subdivision 1. Checkoff established.** An individual who files an income tax return
 4.12 or property tax refund claim form, or a corporation that files an income tax return, may
 4.13 designate on the filer's original return that \$1 or more shall be added to the tax or deducted
 4.14 from the refund that would otherwise be payable by or to that individual or corporation
 4.15 and paid into an account established to fund general assistance under sections 256D.01 to
 4.16 256D.21. The commissioner of revenue shall, on the income tax return and the property
 4.17 tax refund claim form, notify filers of their right to designate that a portion of their tax or
 4.18 refund shall be paid into the account to fund general assistance. The sum of the amounts
 4.19 so designated to be paid shall be credited to the account established according to section
 4.20 16A.533 for use by the commissioner of human services according to section 256D.03,
 4.21 subdivision 2. All interest earned on money accrued, contributions to the account, and
 4.22 reimbursement of expenditures must be credited to the account by the commissioner of
 4.23 management and budget. The amounts contributed to the account do not lapse or cancel
 4.24 each year, but remain until used by the commissioner of human services under section
 4.25 256D.03, subdivision 2.

4.26 **Subd. 2. Uses of funds in the account.** The state pledges and agrees with all
 4.27 contributors under this section to the account established according to section 16A.533 to
 4.28 use the funds contributed solely to fund general assistance aid under section 256D.03,
 4.29 subdivision 2, and further agrees that it will not impose additional conditions or
 4.30 restrictions that will limit or otherwise restrict the ability of the commissioner of human
 4.31 services to use the available funds for the provision of general assistance in the most
 4.32 efficient and effective manner.

4.33 **EFFECTIVE DATE.** This section is effective for taxable years beginning after
 4.34 December 31, 2015.

5.1 **Sec. 8. CONFORMING LEGISLATION.**

5.2 No later than January 15, 2017, the commissioner of human services shall submit
5.3 legislation in bill form containing any statutory changes needed to implement sections 1 to
5.4 5, necessary conforming changes, and changes to cross-references. The legislation must
5.5 be submitted to the chairs and ranking minority members of the legislative committees
5.6 with jurisdiction over human services.

5.7 **EFFECTIVE DATE.** This section is effective the day following final enactment.

5.8 **Sec. 9. REPEALER.**

5.9 Minnesota Statutes 2014, section 256D.23, is repealed.

5.10 **EFFECTIVE DATE.** This section is effective January 1, 2018.

256D.23 TEMPORARY COUNTY ASSISTANCE PROGRAM.

Subdivision 1. **Program established.** Minnesota residents who meet the income and resource standards of section 256D.01, subdivision 1a, but do not qualify for cash benefits under sections 256D.01 to 256D.21, may qualify for a county payment under this section.

Subd. 2. **Payment amount, duration, and method.** (a) A county may make a payment of up to \$203 for a single individual and up to \$260 for a married couple under the terms of this subdivision.

(b) Payments to an individual or married couple may only be made once in a calendar year. If the applicant qualifies for a payment as a result of an emergency, as defined by the county, the payment shall be made within ten working days of the date of application. If the applicant does not qualify under the county definition of emergency, the payment shall be made at the beginning of the second month following the month of application, and the applicant must receive the payment in person at the local agency office.

(c) Payments may be made in the form of cash or as vendor payments for rent and utilities. If vendor payments are made, they shall be equal to \$203 for a single individual or \$260 for a married couple, or the actual amount of rent and utilities, whichever is less.

(d) Each county must develop policies and procedures as necessary to implement this section.

(e) Payments under this section are not an entitlement. No county is required to make a payment in excess of the amount available to the county under subdivision 3.

Subd. 3. **State allocation to counties.** The commissioner shall allocate to each county on an annual basis the amount specifically appropriated for payments under this section. The allocation shall be based on each county's proportionate share of state fiscal year 1994 work readiness expenditures.