

CHAPTER 142F

FOOD SUPPORT AND ANTIPOVERTY PROGRAMS

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142F.05 SUPERVISION OF SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

Subdivision 1. **Supervision of program.** The commissioner of children, youth, and families shall supervise the Supplemental Nutrition Assistance Program (SNAP) to aid administration of the SNAP by local social services agencies pursuant to section 393.07, subdivision 10, to promote excellence of administration and program operation, and to ensure compliance with all federal laws and regulations so that all eligible persons are able to participate.

Subd. 2. **Waivers.** The commissioner of children, youth, and families shall apply to the United States Department of Agriculture for waivers of monthly reporting and retrospective budgeting requirements.

Subd. 3. **Employment and training programs.** The commissioner of children, youth, and families, in consultation with the commissioner of employment and economic development, is authorized to implement and allocate money to SNAP employment and training programs in as many counties as is necessary to meet federal participation requirements and comply with federal laws and regulations. The commissioner of children, youth, and families may contract with the commissioner of employment and economic development to implement and supervise employment and training programs for SNAP benefit recipients that are required by federal regulations.

Subd. 4. **SNAP bonus awards.** In the event that Minnesota qualifies for the United States Department of Agriculture Food and Nutrition Service SNAP performance bonus awards, the funding is appropriated to the commissioner. The commissioner shall retain 25 percent of the funding and distribute the other 75 percent among the counties according to a formula that takes into account each county's impact on state performance in the applicable bonus categories.

History: 1986 c 404 s 9; 1988 c 689 art 2 s 98; 1989 c 282 art 5 s 4; 1994 c 483 s 1; 1994 c 631 s 31; 2004 c 206 s 52; 2007 c 147 art 19 s 14; 1Sp2019 c 9 art 1 s 42; 2024 c 80 art 6 s 4; art 8 s 70; 2024 c 115 art 16 s 43

142F.10 SNAP EMPLOYMENT AND TRAINING PROGRAM.

Subdivision 1. **SNAP employment and training.** The commissioner shall implement a Supplemental Nutrition Assistance Program (SNAP) employment and training program that meets the SNAP employment and training participation requirements of the United States Department of Agriculture governed by Code of Federal Regulations, title 7, section 273.7. The commissioner shall operate a SNAP employment and training program in which SNAP recipients elect to participate. In order to receive SNAP assistance beyond

the time limit, unless residing in an area covered by a time-limit waiver governed by Code of Federal Regulations, title 7, section 273.24, nonexempt SNAP recipients who do not meet federal SNAP work requirements must participate in an employment and training program. In addition to county and Tribal agencies that administer SNAP, the commissioner may contract with third-party providers for SNAP employment and training services.

Subd. 2. County and Tribal agency duties. County or Tribal agencies that administer SNAP shall inform adult SNAP recipients about employment and training services and providers in the recipient's area. County or Tribal agencies that administer SNAP may elect to subcontract with a public or private entity approved by the commissioner to provide SNAP employment and training services.

Subd. 3. Duties of commissioner. In addition to any other duties imposed by law, the commissioner shall:

(1) supervise the administration of SNAP employment and training services to county, Tribal, and contracted agencies under this section and Code of Federal Regulations, title 7, section 273.7;

(2) disburse money allocated and reimbursed for SNAP employment and training services to county, Tribal, and contracted agencies;

(3) accept and supervise the disbursement of any funds that may be provided by the federal government or other sources for SNAP employment and training services;

(4) cooperate with other agencies, including any federal agency or agency of another state, in all matters concerning the powers and duties of the commissioner under this section;

(5) coordinate with the commissioner of employment and economic development to deliver employment and training services statewide;

(6) work in partnership with counties, tribes, and other agencies to enhance the reach and services of a statewide SNAP employment and training program; and

(7) identify eligible nonfederal funds to earn federal reimbursement for SNAP employment and training services.

Subd. 4. Participant duties. Unless residing in an area covered by a time-limit waiver, nonexempt SNAP recipients must meet federal SNAP work requirements to receive SNAP assistance beyond the time limit.

Subd. 5. Program funding. (a) The United States Department of Agriculture annually allocates SNAP employment and training funds to the commissioner of children, youth, and families for the operation of the SNAP employment and training program.

(b) The United States Department of Agriculture authorizes the disbursement of SNAP employment and training reimbursement funds to the commissioner of children, youth, and families for the operation of the SNAP employment and training program.

(c) Except for funds allocated for state program development and administrative purposes or designated by the United States Department of Agriculture for a specific project, the commissioner of children, youth, and families shall disburse money allocated for federal SNAP employment and training to counties and tribes that administer SNAP based on a formula determined by the commissioner that includes but is not limited to the county's or tribe's proportion of adult SNAP recipients as compared to the statewide total.

(d) The commissioner of children, youth, and families shall disburse federal funds that the commissioner receives as reimbursement for SNAP employment and training costs to the state agency, county, tribe, or contracted agency that incurred the costs being reimbursed.

(e) The commissioner of children, youth, and families may reallocate unexpended money disbursed under this section to county, Tribal, or contracted agencies that demonstrate a need for additional funds.

History: 1995 c 178 art 6 s 2,5; 1996 c 465 art 3 s 33; 1997 c 85 art 3 s 36; 1999 c 245 art 6 s 1; 1Sp2019 c 9 art 1 s 42; 1Sp2021 c 7 art 7 s 2-6,30; 2022 c 98 art 9 s 7; 2024 c 80 art 6 s 4; art 8 s 70; 2024 c 115 art 16 s 43

142F.101 ASSET LIMITATIONS FOR SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM HOUSEHOLDS.

All Supplemental Nutrition Assistance Program (SNAP) households must be determined eligible for the benefit discussed under section 256.029. SNAP households must demonstrate that their gross income is equal to or less than 200 percent of the federal poverty guidelines for the same family size.

History: 2006 c 282 art 22 s 8; 1Sp2010 c 1 art 18 s 1; 1Sp2019 c 9 art 1 s 42; 2022 c 98 art 9 s 1,7; 2024 c 80 art 6 s 4; 2024 c 115 art 16 s 43

142F.102 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM REPORTING REQUIREMENTS.

The commissioner of children, youth, and families shall implement simplified reporting as permitted under the Food and Nutrition Act of 2008, as amended, and the SNAP regulations in Code of Federal Regulations, title 7, part 273. SNAP benefit recipient households required to report periodically shall not be required to report more often than one time every six months.

History: 2007 c 147 art 2 s 21; 1Sp2019 c 9 art 1 s 42; 2022 c 98 art 9 s 7; 2023 c 70 art 10 s 23; 2024 c 80 art 6 s 4; art 8 s 70; 2024 c 115 art 16 s 43

142F.103 CAMPUS-BASED EMPLOYMENT AND TRAINING PROGRAM FOR STUDENTS ENROLLED IN HIGHER EDUCATION.

Subdivision 1. **Designation.** (a) Within six months of the effective date of this section, the Board of Trustees of Minnesota State Colleges and Universities must, and the Board of Regents of the University of Minnesota is requested to, submit an application to the commissioner of children, youth, and families verifying whether each of its institutions meets the requirements to be a campus-based employment and training program that qualifies for the student exemption for Supplemental Nutrition Assistance Program (SNAP) eligibility, as described in Code of Federal Regulations, title 7, section 273.5(b)(11)(iv).

(b) An institution of higher education must be designated as a campus-based employment and training program by the commissioner of children, youth, and families if that institution meets the requirements set forth in the guidance under subdivision 3. The commissioner of children, youth, and families must maintain a list of approved programs on its website.

Subd. 2. **Student eligibility.** A student is eligible to participate in a campus-based employment and training program under this section if the student is enrolled in:

(1) a public two-year community or technical college and received a state grant under section 136A.121, received a federal Pell grant, or has a student aid index of \$0 or less;

(2) a Tribal college as defined in section 136A.62 and received a state grant under section 136A.121, received a federal Pell grant, or has a student aid index of \$0 or less; or

(3) a public four-year university and received a state grant under section 136A.121, received a federal Pell grant, or has a student aid index of \$0 or less.

Subd. 3. **Guidance.** Within three months of the effective date of this section and annually thereafter, the commissioner of children, youth, and families, in consultation with the commissioner of higher education, must issue guidance to counties, Tribal Nations, Tribal colleges, and Minnesota public postsecondary institutions that:

(1) clarifies the state and federal eligibility requirements for campus-based employment and training programs for low-income households;

(2) clarifies the application process for campus-based employment and training programs for low-income households including but not limited to providing a list of the supporting documents required for program approval;

(3) clarifies how students in an institution of higher education approved as a campus-based employment and training program for low-income households qualify for a SNAP student exemption; and

(4) clarifies the SNAP eligibility criteria for students that qualify for a SNAP student exemption under this section.

Subd. 4. **Application.** Within three months of the effective date of this section, the commissioner of children, youth, and families, in consultation with the commissioner of higher education, must design an application for institutions of higher education to apply for a campus-based employment and training program designation.

Subd. 5. **Notice.** At the beginning of each academic semester, an institution of higher education with a designated campus-based employment and training program must send a letter to students eligible under this section to inform them that they may qualify for SNAP benefits and direct them to resources to apply. The letter under this subdivision shall serve as proof of a student's enrollment in a campus-based employment and training program.

History: 2024 c 80 art 8 s 70; 2024 c 115 art 13 s 1

NOTE: This section, as added by Laws 2024, chapter 115, article 13, section 1, is effective upon federal approval. The commissioner of human services must notify the revisor of statutes when federal approval is obtained. Laws 2024, chapter 115, article 13, section 1, the effective date.

142F.11 FEDERAL WAIVER.

The commissioner shall exercise the authority granted by Public Law 104-193, title VIII, section 824, and request the Secretary of the United States Department of Agriculture to grant waivers of the federal Supplemental Nutrition Assistance Program (SNAP) work requirements of section 824, for every county and reservation in which:

(1) the county or reservation has an unemployment rate over ten percent; or

(2) the county or reservation does not have a sufficient number of jobs to provide employment for individuals.

History: 1997 c 85 art 3 s 39; 1Sp2019 c 9 art 1 s 42; 2022 c 98 art 9 s 7; 2024 c 80 art 6 s 4; 2024 c 115 art 16 s 43

142F.12 SUPPLEMENTAL NUTRITION ASSISTANCE OUTREACH PROGRAM.

Subdivision 1. **SNAP outreach program.** The commissioner of children, youth, and families shall implement a Supplemental Nutrition Assistance Program (SNAP) outreach program to inform low-income households about the availability, eligibility requirements, application procedures, and benefits of SNAP that meets the requirements of the United States Department of Agriculture.

Subd. 2. **Duties of commissioner.** In addition to any other duties imposed by federal law, the commissioner shall:

(1) supervise the administration of the SNAP outreach program according to guidance provided by the United States Department of Agriculture;

(2) submit the SNAP outreach plan and budget to the United States Department of Agriculture;

(3) accept any funds provided by the federal government or other sources for SNAP outreach;

(4) administer the request-for-proposals process and establish contracts with grantees to ensure SNAP outreach services are available to inform low-income households statewide;

(5) approve budgets from grantees to ensure that activities are eligible for federal reimbursement;

(6) monitor grantees, review invoices, and reimburse grantees for allowable costs that are eligible for federal reimbursement;

(7) provide technical assistance to grantees to ensure that projects support SNAP outreach goals and project costs are eligible for federal reimbursement;

(8) work in partnership with counties, Tribal Nations, and community organizations to enhance the reach and services of a statewide SNAP outreach program; and

(9) identify and leverage eligible nonfederal funds to earn federal reimbursement for SNAP outreach.

Subd. 3. **Program funding.** (a) Grantees must submit allowable costs for approved SNAP outreach activities to the commissioner in order to receive federal reimbursement.

(b) The commissioner shall disburse federal reimbursement funds for allowable costs for approved SNAP outreach activities to the state agency or grantee that incurred the costs being reimbursed.

History: 2023 c 70 art 10 s 24; 2024 c 80 art 6 s 3,4; 2024 c 115 art 16 s 43

142F.13 MINNESOTA FOOD ASSISTANCE PROGRAM.

Subdivision 1. **Program established.** The Minnesota food assistance program is established to provide food assistance to legal noncitizens residing in this state who are ineligible to participate in the federal Supplemental Nutrition Assistance Program (SNAP) solely due to the provisions of section 402 or 403 of Public Law 104-193, as authorized by Title VII of the 1997 Emergency Supplemental Appropriations Act, Public Law 105-18, and as amended by Public Law 105-185.

The Minnesota food assistance program is limited to those noncitizens described in this subdivision who are 50 years of age or older.

Subd. 2. **Eligibility requirements.** To be eligible for the Minnesota food assistance program, all of the following conditions must be met:

(1) the applicant must meet the initial and ongoing eligibility requirements for the federal SNAP, except for the applicant's ineligible immigration status;

(2) the applicant must be either a qualified noncitizen as defined in section 142G.02, subdivision 80, or a noncitizen otherwise residing lawfully in the United States;

(3) the applicant must be a resident of the state; and

(4) the applicant must not be receiving assistance under MFIP.

Subd. 3. **Program administration.** (a) The rules for the Minnesota food assistance program shall follow exactly the regulations for the federal SNAP, except for the provisions pertaining to immigration status under section 402 or 403 of Public Law 104-193.

(b) The county agency shall use the income, budgeting, and benefit allotment regulations of the federal SNAP to calculate an eligible recipient's monthly Minnesota food assistance program benefit. Eligible recipients shall receive the same level of benefits as those provided by the federal SNAP to similarly situated citizen recipients. The monthly Minnesota food assistance program benefits shall not exceed an amount equal to the amount of federal SNAP benefits the household would receive if all members of the household were eligible for the federal SNAP benefits.

(c) Minnesota food assistance program benefits must be disregarded as income in all programs that do not count SNAP benefits as income.

(d) The county agency must redetermine a Minnesota food assistance program recipient's eligibility for the federal SNAP when the agency receives information that the recipient's legal immigration status has changed in such a way that would make the recipient potentially eligible for the federal SNAP.

History: 1998 c 407 art 6 s 16; 1999 c 245 art 6 s 3; 2000 c 488 art 10 s 5; 1Sp2001 c 9 art 10 s 3,66; 2002 c 379 art 1 s 113; 1Sp2019 c 9 art 1 s 42; 2022 c 98 art 9 s 7; 2024 c 80 art 6 s 1,2,4; art 7 s 12; 2024 c 85 s 74; 2024 c 115 art 16 s 43

142F.14 FOOD SHELF.

Subdivision 1. **Distribution of appropriation.** The commissioner must distribute funds appropriated to the commissioner for purposes of this section to The Food Group, a statewide association of food shelves organized as a nonprofit corporation as defined under section 501(c)(3) of the Internal Revenue Code of 1986, to distribute to qualifying food shelves. A food shelf qualifies under this section if:

(1) it is a nonprofit corporation, or is affiliated with a nonprofit corporation, as defined in section 501(c)(3) of the Internal Revenue Code of 1986 or a federally recognized Tribal nation;

(2) it distributes standard food orders without charge to needy individuals. The standard food order must consist of at least a two-day supply or six pounds per person of nutritionally balanced food items;

(3) it does not limit food distributions to individuals of a particular religious affiliation, race, or other criteria unrelated to need or to requirements necessary to administration of a fair and orderly distribution system;

(4) it does not use the money received or the food distribution program to foster or advance religious or political views; and

(5) it has a stable address and directly serves individuals.

Subd. 2. **Application.** In order to receive money appropriated under this section, The Food Group must apply to the commissioner. The application must be in a form prescribed by the commissioner and must indicate the proportion of money each qualifying food shelf shall receive. Applications must be filed at the times and for the periods determined by the commissioner.

Subd. 3. **Distribution formula.** The Food Group must distribute money distributed to it by the department to food shelf programs in proportion to the number of individuals served by each food shelf program. The commissioner must gather data from The Food Group or other appropriate sources to determine the proportionate amount each qualifying food shelf program is entitled to receive. The commissioner may increase or decrease the qualifying food shelf program's proportionate amount if the commissioner determines the increase or decrease is necessary or appropriate to meet changing needs or demands.

Subd. 4. **Use of money.** At least 96 percent of the money distributed to The Food Group under this section must be distributed to food shelf programs to purchase, transport, and coordinate the distribution of nutritious food to needy individuals and families. The money distributed to food shelf programs may also be used to purchase personal hygiene products, including but not limited to diapers and toilet paper. No more than four percent of the money may be expended for other expenses, such as rent, salaries, and other administrative expenses of The Food Group.

Subd. 5. **Enforcement.** The Food Group must retain records documenting expenditure of the money and comply with any additional requirements imposed by the commissioner. The commissioner may require The Food Group to report on its use of the funds. The commissioner may require that the report contain an independent audit. If ineligible expenditures are made by The Food Group, the ineligible amount must be repaid to the commissioner and deposited in the general fund.

Subd. 6. **Administrative expenses.** All funds appropriated under this section must be distributed to The Food Group as provided under this section with deduction by the commissioner for administrative expenses limited to 1.8 percent.

Subd. 7. **Data classification.** Data collected on individuals from which the identity of any individual receiving services may be determined are private data on individuals as defined in section 13.02.

History: 1998 c 273 s 8; 2000 c 468 s 22; 1Sp2001 c 3 art 3 s 11; 2005 c 98 art 1 s 24; 2021 c 30 art 8 s 1; 2023 c 70 art 10 s 25; 2024 c 80 art 6 s 4; 2024 c 115 art 16 s 43; 1Sp2025 c 3 art 9 s 2

142F.15 AMERICAN INDIAN FOOD SOVEREIGNTY FUNDING PROGRAM.

Subdivision 1. **Establishment.** The American Indian food sovereignty funding program is established to improve access and equity to food security programs within Tribal and American Indian communities. The program shall assist Tribal Nations and American Indian communities in achieving self-determination and improve collaboration and partnership building between American Indian communities and the state. The commissioner of children, youth, and families shall administer the program and provide outreach, technical assistance, and program development support to increase food security for American Indians.

Subd. 2. **Distribution of funding.** (a) The commissioner shall provide funding to support food system changes and provide equitable access to existing and new methods of food support for American Indian communities. The commissioner shall determine the timing and form of the application for the program.

(b) Eligible recipients of funding under this section include:

- (1) federally recognized American Indian Tribes or Bands in Minnesota as defined in section 10.65; or
- (2) nonprofit organizations or fiscal sponsors with a majority American Indian board of directors.

(c) Funding for American Indian Tribes or Bands must be allocated by a formula determined by the commissioner. Funding for nonprofit organizations or fiscal sponsors must be awarded through a competitive grant process.

Subd. 3. **Allowable uses of money.** Recipients shall use money provided under this section to promote food security for American Indian communities by:

- (1) planning for sustainable food systems;
- (2) implementing food security programs, including but not limited to technology to facilitate no-contact or low-contact food distribution and outreach models;
- (3) providing culturally relevant training for building food access;
- (4) purchasing, producing, processing, transporting, storing, and coordinating the distribution of food, including culturally relevant food; and
- (5) purchasing seeds, plants, equipment, or materials to preserve, procure, or grow food.

Subd. 4. **Reporting.** Recipients shall report on the use of American Indian food sovereignty funding program money under this section to the commissioner.

The commissioner shall determine the timing and form required for the reports.

History: 2023 c 70 art 10 s 26; 2024 c 80 art 6 s 4; art 8 s 70; 2024 c 115 art 16 s 43

142F.20 FAMILY ASSETS FOR INDEPENDENCE.

Subdivision 1. **Establishment.** The Minnesota family assets for independence initiative is established to provide incentives for low-income families to accrue assets for education, housing, vehicles, emergencies, and economic development purposes.

Subd. 2. **Definitions.** (a) The definitions in this subdivision apply to this section.

(b) "Eligible educational institution" means the following:

- (1) an institution of higher education described in section 101 or 102 of the Higher Education Act of 1965; or
- (2) an area vocational education school, as defined in subparagraph (C) or (D) of United States Code, title 20, chapter 44, section 2302(3) (the Carl D. Perkins Vocational and Applied Technology Education Act), which is located within any state, as defined in United States Code, title 20, chapter 44, section 2302(30). This clause is applicable only to the extent section 2302 is in effect on August 1, 2008.

(c) "Family asset account" means a savings account opened by a household participating in the Minnesota family assets for independence initiative.

(d) "Fiduciary organization" means:

- (1) a community action agency that has obtained recognition under section 142F.301;
- (2) a federal community development credit union;
- (3) a women-oriented economic development agency;
- (4) a federally recognized Tribal Nation; or
- (5) a nonprofit organization as defined under section 501(c)(3) of the Internal Revenue Code.

(e) "Financial coach" means a person who:

- (1) has completed an intensive financial literacy training workshop that includes curriculum on budgeting to increase savings, debt reduction and asset building, building a good credit rating, and consumer protection;
- (2) participates in ongoing statewide family assets for independence in Minnesota (FAIM) network training meetings under FAIM program supervision; and
- (3) provides financial coaching to program participants under subdivision 5.

(f) "Financial institution" means a bank, bank and trust, savings bank, savings association, or credit union, the deposits of which are insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration.

(g) "Household" means all individuals who share finances and use of a dwelling unit as primary quarters for living and eating separate from other individuals. Sharing finances does not include situations in which a person is living in the same dwelling unit as others without sharing any other financial arrangements.

(h) "Permissible use" means:

- (1) postsecondary educational expenses at an eligible educational institution as defined in paragraph (b), including books, supplies, and equipment required for courses of instruction;
- (2) acquisition costs of acquiring, constructing, or reconstructing a residence, including any usual or reasonable settlement, financing, or other closing costs;
- (3) business capitalization expenses for expenditures on capital, plant, equipment, working capital, and inventory expenses of a legitimate business pursuant to a business plan approved by the fiduciary organization;
- (4) acquisition costs of a principal residence within the meaning of section 1034 of the Internal Revenue Code of 1986 which do not exceed 100 percent of the average area purchase price applicable to the residence determined according to section 143(e)(2) and (3) of the Internal Revenue Code of 1986;
- (5) acquisition costs of a personal vehicle only if approved by the fiduciary organization;
- (6) contributions to an emergency savings account; and
- (7) contributions to a Minnesota 529 savings plan.

Subd. 3. **Grants awarded.** The commissioner shall allocate funds to participating fiduciary organizations to provide family asset services. Grant awards must be based on a plan submitted by a statewide organization

representing fiduciary organizations. The statewide organization must ensure that any interested unrepresented fiduciary organization have input into the development of the plan. The plan must equitably distribute funds to achieve geographic balance and document the capacity of participating fiduciary organizations to manage the program. A portion of funds appropriated for this section may be expended on the evaluation of the Minnesota family assets for independence initiative.

Subd. 4. **Duties.** A participating fiduciary organization must:

- (1) provide separate accounts for the immediate deposit of program funds;
- (2) establish a process to select participants and describe any priorities for participation;
- (3) enter into a family asset agreement with the household to establish the terms of participation;
- (4) provide households with economic literacy education;
- (5) provide households with information on early childhood family education;
- (6) provide matching deposits for participating households;
- (7) coordinate with other related public and private programs; and
- (8) establish a process to appeal and mediate disputes.

Subd. 5. **Financial coaching.** A financial coach shall provide the following to program participants:

- (1) financial education relating to budgeting, debt reduction, asset-specific training, credit building, and financial stability activities;
- (2) asset-specific training related to buying a home or vehicle, acquiring postsecondary education, starting or expanding a small business, saving for emergencies, or saving for a child's education; and
- (3) financial stability education and training to improve and sustain financial security.

Subd. 6. **Household eligibility; participation.** (a) To be eligible for the family assets for independence initiative, a household must have maximum income that is equal to or less than the greater of:

- (1) 50 percent of the area median income as determined by the United States Department of Housing and Urban Development; or
- (2) 200 percent of the federal poverty guidelines.

(b) To be eligible for state matching funds under this section, a household must meet the requirements of this section.

(c) Each participating household must sign a family asset agreement that includes the amount of scheduled deposits into its savings account, the proposed use, and the proposed savings goal. A participating household must agree to complete an economic literacy training program.

(d) Participating households may only deposit money that is derived from household earned income or from state and federal income tax credits.

Subd. 7. **Withdrawal; matching; permissible uses.** (a) To receive a match, a participating household must transfer funds withdrawn from a family asset account to its matching fund custodial account held by

the fiscal agent, according to the family asset agreement. The fiscal agent must determine if the match request is for a permissible use consistent with the household's family asset agreement.

(b) The fiscal agent must ensure the household's custodial account contains the applicable matching funds to match the balance in the household's account, including interest, on at least a quarterly basis and at the time of an approved withdrawal. Matches must be a contribution of \$3 from state grant or TANF funds for every \$1 of funds withdrawn from the family asset account not to exceed a \$12,000 lifetime limit.

(c) Notwithstanding paragraph (b), if funds are appropriated for the Federal Assets for Independence Act of 1998, and a participating fiduciary organization is awarded a grant under that act, participating households with that fiduciary organization must be provided matches as follows:

(1) from state grant and TANF funds, a matching contribution of \$1.50 for every \$1 of funds withdrawn from the family asset account not to exceed a \$6,000 lifetime limit; and

(2) from nonstate funds, a matching contribution of not less than \$1.50 for every \$1 of funds withdrawn from the family asset account not to exceed a \$6,000 lifetime limit.

(d) Upon receipt of transferred custodial account funds, the fiscal agent must make a direct payment to the vendor of the goods or services for the permissible use.

Subd. 8. Program reporting. The fiscal agent on behalf of each fiduciary organization participating in a family assets for independence initiative must report quarterly to the commissioner of children, youth, and families identifying the participants with accounts; the number of accounts; the amount of savings and matches for each participant's account; the uses of the account; the number of businesses, homes, vehicles, and educational services paid for with money from the account; and the amount of contributions to Minnesota 529 savings plans and emergency savings accounts, as well as other information that may be required for the commissioner to administer the program and meet federal TANF reporting requirements.

History: *1Sp1998 c 1 art 1 s 6-12; 1999 c 205 art 4 s 8-10; 2000 c 489 art 1 s 23-25,46; 2003 c 130 s 12; 2005 c 98 art 1 s 24; 2007 c 147 art 11 s 22; 2008 c 361 art 3 s 12; art 5 s 2; 1Sp2011 c 9 art 1 s 14,15; 2012 c 247 art 3 s 11,12; 2015 c 71 art 1 s 13,14; 1Sp2020 c 2 art 1 s 15; 2023 c 70 art 10 s 27-32; 2024 c 80 art 6 s 4; art 8 s 70; 2024 c 115 art 13 s 2,3; art 16 s 43*

142F.30 FINANCIAL ASSISTANCE FOR COMMUNITY ACTION AGENCIES.

Subdivision. 1. Definition. For the purposes of sections 142F.30 to 142F.302, "poverty level population" means the number of people whose household income is at or below the poverty line established by the United States Office of Management and Budget in accordance with the most recent state population figures established by the United States Department of Commerce, Bureau of the Census.

Subd. 2. Authorization. The commissioner of children, youth, and families may provide financial assistance for community action agencies, Indian reservations, and migrant and seasonal farmworker organizations to carry out community action programs as described in section 142F.302 in accordance with the Omnibus Reconciliation Act of 1981, Public Law 97-35, as amended in 1984, Public Law 98-558, state law, and federal law and regulation.

Subd. 3. Allocation of money. (a) State money appropriated and community service block grant money allotted to the state and all money transferred to the community service block grant from other block grants shall be allocated annually to community action agencies and Indian reservation governments under paragraphs (b) and (c), and to migrant and seasonal farmworker organizations under paragraph (d).

(b) The available annual money will provide base funding to all community action agencies and the Indian reservations. Base funding amounts per agency are as follows: for agencies with low-income populations up to 23,999, \$50,000; and 24,000 or more, \$100,000.

(c) All remaining money of the annual money available after the base funding has been determined must be allocated to each agency and reservation in proportion to the size of the poverty-level population in the agency's service area compared to the size of the poverty-level population in the state.

(d) Allocation of money to migrant and seasonal farmworker organizations must not exceed three percent of the total annual money available. Base funding allocations must be made for all community action agencies and Indian reservations that received money under this subdivision, in fiscal year 1984, and for community action agencies designated under this section with a service area population of 35,000 or greater.

Subd. 4. **Merger.** In the case of a merger between community action agencies, the newly created agency receives a base funding amount equal to the sum of the merged agencies' base funding amounts at the point of the merger as described in subdivision 2, paragraph (b), unless the commissioner determines the funding amount should be less than the sum of the merged agencies' base funding amount due to savings resulting from fewer redundancies and duplicative services.

Subd. 5. **Reports.** Each community action agency receiving funds under this section shall report annually to the commissioner concerning the use of the funds.

History: 1981 c 367 s 2; 1982 c 571 s 1-3; 1983 c 339 s 6; 1985 c 282 s 1,2; 1Sp1985 c 14 art 9 s 75; 1994 c 483 s 1; 1Sp1995 c 3 art 16 s 13; 1Sp1998 c 1 art 1 s 1,2; 2003 c 130 s 12; 2005 c 98 art 1 s 24; 2008 c 361 art 3 s 11; 2014 c 291 art 11 s 7; 1Sp2017 c 6 art 7 s 26; 2018 c 182 art 1 s 58; 1Sp2021 c 7 art 7 s 7; 2024 c 80 art 6 s 4; art 8 s 70; 2024 c 115 art 16 s 43

142F.301 COMMUNITY ACTION AGENCIES.

Subdivision 1. **In general.** A community action agency is a political subdivision of the state, a combination of political subdivisions, a public agency, or a private nonprofit agency which has the authority under its applicable charter or laws to receive funds under section 142F.30 to support community action programs as described in section 142F.302 and which was designated as an eligible entity under the Community Services Block Grant Act, Public Law 97-35, section 673(1), 95 Stat. 357, 512 (1981), as amended by, Act of October 30, 1984, Public Law 98-558, section 202, 98 Stat. 2878, 2884 (1984). For purposes of this subdivision, "eligible entity" also means any community action agency which qualified under all federal and state regulations applicable during the period from 1981 to September 30, 1984.

Subd. 2. **Designation and recognition.** To obtain recognition by the governor a community action agency must be designated by a political subdivision having jurisdiction over the entire area to be served by the agency. To designate a community action agency, the political subdivision must hold a public hearing, pass a resolution to designate, and file a "notice of intent to designate" and eligibility documents with the state office of economic opportunity for final review and authorization for a new community action agency.

Subd. 3. **Administering board.** Each community action agency shall administer its community action programs through a community action board consisting of 15 to 51 members.

(a) One-third of the members of the board shall be elected public officials, currently holding office, or their representatives.

(b) At least one-third of the members shall be persons chosen in accordance with democratic selection procedures adequate to assure that they are representative of the poor in the area served.

(c) The other members shall be officials or members of business, industry, labor, religious, welfare, education, or other major groups and interests in the community. Each member of the board selected to represent a specific geographic area within a community must reside in the area represented.

(d) The public community action agency shall have an administering board which meets the requirements of this subdivision.

(e) The statewide migrant seasonal farmworker organization known as the Minnesota Migrant Council and Indian reservations carrying out community action programs are exempt from the board composition requirements of this subdivision.

Subd. 4. Delegation of powers. If a community action agency places responsibility for major policy determinations with respect to the character, funding, extent, and administration of and budgeting for programs to be carried on in a particular geographic area within the community in a subsidiary board, council, or similar agency, that board, council, or agency shall be broadly representative of the area.

Subd. 5. Local participation. Each community action agency shall consult neighborhood based organizations composed of residents of the area or members of the groups served to assist the agency in the planning, conduct, and evaluation of components of the community action program.

Subd. 6. Functions; powers. A community action agency shall:

(a) Plan systematically for an effective community action program; develop information as to the problems and causes of poverty in the community; determine how much and how effectively assistance is being provided to deal with those problems and causes; and establish priorities among projects, activities and areas as needed for the best and most efficient use of resources;

(b) Encourage agencies engaged in activities related to the community action program to plan for, secure, and administer assistance available under section 142F.30 or from other sources on a common or cooperative basis; provide planning or technical assistance to those agencies; and generally, in cooperation with community agencies and officials, undertake actions to improve existing efforts to reduce poverty, such as improving day-to-day communications, closing service gaps, focusing resources on the most needy, and providing additional opportunities to low-income individuals for regular employment or participation in the programs or activities for which those community agencies and officials are responsible;

(c) Initiate and sponsor projects responsive to needs of the poor which are not otherwise being met, with particular emphasis on providing central or common services that can be drawn upon by a variety of related programs, developing new approaches or new types of services that can be incorporated into other programs, and filling gaps pending the expansion or modification of those programs;

(d) Establish effective procedures by which the poor and area residents concerned will be enabled to influence the character of programs affecting their interests, provide for their regular participation in the implementation of those programs, and provide technical and other support needed to enable the poor and neighborhood groups to secure on their own behalf available assistance from public and private sources;

(e) Join with and encourage business, labor and other private groups and organizations to undertake, together with public officials and agencies, activities in support of the community action program which will result in the additional use of private resources and capabilities, with a view to developing new employment opportunities, stimulating investment that will have a measurable impact on reducing poverty among residents of areas of concentrated poverty, and providing methods by which residents of those areas can work with private groups, firms, and institutions in seeking solutions to problems of common concern.

Community action agencies, migrant and seasonal farmworker organizations, and the Indian reservations, may enter into cooperative purchasing agreements and self-insurance programs with local units of government. Nothing in this section expands or limits the current private or public nature of a local community action agency.

(f) Adopt policies that require the agencies to refer area residents and community action program constituents to education programs that increase literacy, improve parenting skills, and address the needs of children from families in poverty. These programs include, but are not limited to, early childhood family education programs, adult basic education programs, and other lifelong learning opportunities. The agencies and agency programs, including Head Start, shall collaborate with child care and other early childhood education programs to ensure smooth transitions to work for parents.

Subd. 7. **Agencies as local providers.** Agencies defined by this section shall be considered among local providers of outreach services and activities for all antipoverty efforts.

Subd. 8. **Categorical funds.** Federal antipoverty categorical funds consolidated into block grants to the state of Minnesota shall be designated by the state for antipoverty purposes.

History: 1981 c 367 s 3; 1982 c 571 s 4-8; 1985 c 282 s 3; 1986 c 411 s 1,2; 1987 c 403 art 2 s 133; 1994 c 632 art 4 s 65; 1Sp1995 c 3 art 16 s 13; 1997 c 162 art 2 s 25; 1Sp1998 c 1 art 1 s 3; 2005 c 98 art 1 s 24; 2024 c 80 art 6 s 4; 2024 c 115 art 16 s 43

142F.302 COMMUNITY ACTION PROGRAMS.

Subdivision 1. **In general.** A community action program is a community based and operated program which:

(1) includes or is designed to include a sufficient number of projects or components to provide, in sum, a range of services and activities having a measurable and potentially major impact on causes of poverty in the community or those areas of the community where poverty is a particularly acute problem;

(2) has been developed, and which organizes and combines its component projects and activities, in a manner appropriate to carry out all the purposes of sections 142F.30 to 142F.302; and

(3) conforms to any other supplementary criteria as the governor may prescribe consistent with the purposes and provisions of sections 142F.30 to 142F.302.

Subd. 2. **Components.** The components of a community action program shall be designed to assist participants, including homeless individuals and families, migrant and seasonal farmworkers, and the elderly poor to achieve increased self-sufficiency and greater participation in the affairs of the community by providing services and programs not sufficiently provided in the community by any governmental unit, any public institution, or any other publicly funded agency or corporation. Community action agencies, governmental units, public institutions or other publicly funded agencies or corporations shall consult on whether or not a program or service is sufficiently provided in the community.

Subd. 3. **Administration.** Components of a community action program may be administered by the community action agency when consistent with sound and efficient management and applicable law, or by other agencies. They may be projects eligible for assistance under section 142F.30, or projects assisted from other public or private sources; and they may be either specially designed to meet local needs, or designed pursuant to the eligibility standards of a state or federal program providing assistance to a particular kind of activity which will help in meeting those needs.

Subd. 4. **Data classification.** Data collected on individuals from which the identity of any individual receiving services may be determined are private data on individuals as defined in section 13.02.

History: *1981 c 367 s 4; 1982 c 571 s 9; 1Sp1995 c 3 art 16 s 13; 1Sp1998 c 1 art 1 s 4; 2000 c 468 s 21; 2005 c 98 art 1 s 24; 2024 c 80 art 6 s 4; 2024 c 115 art 16 s 43*