

Second Regular Session of the 121st General Assembly (2020)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2019 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1009

AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 12-14-1-1.2 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JANUARY 1, 2021]: **Sec. 1.2. (a) Except as otherwise provided by federal law, income that an individual earns for:**

- (1) employment in a paid internship;**
- (2) employment in a work based learning course (as defined in IC 20-43-8-0.7); or**
- (3) paid postsecondary work experience that allows the individual to apply for a related apprenticeship (as defined by IC 20-43-8-0.3);**

may not be considered as a resource, asset, or income in determining an applicant's or recipient's eligibility for assistance under TANF.

(b) The division shall apply for any plan amendment, waiver, or any other federal approval necessary to implement this section. Upon approval, the division shall implement this section not later than thirty (30) days from receipt of the federal approval.

SECTION 2. IC 12-14-1-1.4 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2020]: **Sec. 1.4. (a) Except as otherwise provided by federal law, income that an individual earns employed at a temporary job as a census worker may not be considered as a resource, asset, or**

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income in determining an applicant's or recipient's eligibility for assistance under TANF.

(b) The division shall request any amendment or waiver necessary from the federal government to implement this section.

SECTION 3. IC 12-14-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 1. (a) After the investigation under IC 12-14-1-6, the county office shall decide the following:

- (1) Whether the child is eligible for assistance under this article.
- (2) The amount of assistance.
- (3) The date assistance begins.

(b) The county office may not consider:

- (1) money in an individual development account under IC 4-4-28 that belongs to the child or a member of the child's family;
- (2) ~~five ten~~ thousand dollars (~~\$5,000~~) **(\$10,000)** of equity value (as defined in 470 IAC 10.1-3-1) in one (1) motor vehicle that belongs to a member of the child's family; ~~or~~
- (3) a Holocaust victim's settlement payment received by the child or a member of the child's family; **or**
- (4) money earned by the child or a member of the child's family as a student participating in:**

(A) a paid internship;

(B) a work based learning course (as defined in IC 20-43-8-0.7); or

(C) paid postsecondary work experience that allows the individual to apply for a related apprenticeship (as defined by IC 20-43-8-0.3);

when determining whether the child is eligible for assistance under this article.

SECTION 4. IC 12-14-2-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 3. (a) Except as provided in subsection (b), when determining the amount of assistance, an accounting must be taken of any income or property of the child that the child may receive from another source.

(b) The following may not be considered as income or property of the child when determining the amount of assistance for the child:

- (1) Money in an individual development account established under IC 4-4-28 that belongs to a child or a member of the child's family.
- (2) A Holocaust victim's settlement payment received by the child or a member of the child's family.
- (3) Money earned by the child or a member of the child's**

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family as a student participating in:

- (A) a paid internship;
- (B) a work based learning course (as defined in IC 20-43-8-0.7); or
- (C) paid postsecondary work experience that allows the individual to apply for a related apprenticeship (as defined by IC 20-43-8-0.3).

SECTION 5. IC 12-14-30-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 5. (a) Except as otherwise provided by federal law, income that an individual earns for:**

- (1) employment in a paid internship;
- (2) employment in a work based learning course (as defined in IC 20-43-8-0.7); or
- (3) paid postsecondary work experience that allows the individual to apply for a related apprenticeship (as defined by IC 20-43-8-0.3);

may not be considered as a resource, asset, or income in determining an applicant's or recipient's eligibility for SNAP assistance.

(b) The division shall apply for any plan amendment, waiver, or any other federal approval necessary to implement this section. Upon approval, the division shall implement this section not later than thirty (30) days from receipt of the federal approval.

SECTION 6. IC 12-14-30-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 6. (a) Except as otherwise provided by federal law, income that an individual earns employed at a temporary job as a census worker may not be considered as a resource, asset, or income in determining an applicant's or recipient's eligibility for SNAP assistance.**

(b) The division shall apply for any plan amendment, waiver, or any other federal approval necessary to implement this section. Upon approval, the division shall implement this section not later than thirty (30) days from receipt of the federal approval.

SECTION 7. IC 12-15-2-17.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 17.5. (a) This section applies beginning on the date on which the United States Department of Health and Human Services approves the request for changes by the office under this section.**

(b) This subsection applies to applicants or recipients who are



exempt from the use of modified adjusted gross income (MAGI) as described in 42 U.S.C. 1396a(e)(14)(D) in determining eligibility. The office may not consider income earned by an applicant, a recipient, or a member of the applicant's or recipient's family for participating in:

- (1) a work based learning course (as defined in IC 20-43-8-0.7); or
- (2) paid postsecondary work experience that allows the individual to apply for a related apprenticeship (as defined by IC 20-43-8-0.3);

as income in determining the applicant's or recipient's eligibility for Medicaid.

(c) For an applicant or recipient for whom the modified adjusted gross income (MAGI) is applicable, the office shall elect to apply a reasonable method to include a prorated portion of reasonably predictable future income as a factor concerning the income earned by the applicant or recipient by participating in a work based learning course, as set forth in 42 CFR 435.603(h)(3).

(d) The office shall apply for any state plan amendment or Medicaid waiver necessary to implement this section.

SECTION 8. IC 12-15-2-17.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17.7. (a) This section applies beginning on the date on which the United States Department of Health and Human Services approves the request for changes by the office under this section.

(b) This subsection applies to applicants or recipients who are exempt from the use of modified adjusted gross income (MAGI) as described in 42 U.S.C. 1396a(e)(14)(D) in determining eligibility. The office may not consider income earned by:

- (1) an applicant;
- (2) a recipient; or
- (3) a member of the applicant's or recipient's family;

employed at a temporary job as a census worker as a resource, asset, or income in determining the applicant's or recipient's eligibility for Medicaid.

(c) For an applicant or recipient for whom the modified adjusted gross income (MAGI) is applicable, the office shall elect to apply a reasonable method to include a prorated portion of reasonably predictable future income as a factor concerning the income earned by the applicant or recipient employed at a temporary job as a census worker, as set forth in 42 CFR



435.603(h)(3).

(d) The office shall apply for any state plan amendment or Medicaid waiver necessary to implement this section.

SECTION 9. IC 20-26-9-8.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 8.5. Except as otherwise provided under federal law, income that an individual earns employed at a temporary job as a census worker may not be considered as a resource, asset, or income in determining an applicant's or recipient's eligibility for a school lunch program that offers free or reduced price lunches.**

SECTION 10. IC 21-12-1.2-4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 4. Except as otherwise provided under federal law, income that an individual earns employed at a temporary job as a census worker may not be considered as a resource, asset, or income in determining an applicant's or recipient's eligibility for any scholarship, grant, or award administered by the commission.**



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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