

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 379

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DATE
01/17/2023

D-PG

Introduction and first reading
Referred to Human Services

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to human services; modifying unearned income included in economic
1.3 assistance program calculations; amending Minnesota Statutes 2022, section
1.4 256P.06, subdivision 3.

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

1.6 Section 1. Minnesota Statutes 2022, section 256P.06, subdivision 3, is amended to read:

1.7 Subd. 3. **Income inclusions.** The following must be included in determining the income
1.8 of an assistance unit:

1.9 (1) earned income; and

1.10 (2) unearned income, which includes:

1.11 (i) interest and dividends from investments and savings;

1.12 (ii) capital gains as defined by the Internal Revenue Service from any sale of real property;

1.13 (iii) proceeds from rent and contract for deed payments in excess of the principal and
1.14 interest portion owed on property;

1.15 (iv) income from trusts, excluding special needs and supplemental needs trusts;

1.16 (v) interest income from loans made by the participant or household;

1.17 (vi) cash prizes and winnings;

1.18 (vii) unemployment insurance income that is received by an adult member of the
1.19 assistance unit unless the individual receiving unemployment insurance income is:

1.20 (A) 18 years of age and enrolled in a secondary school; or

- 2.1 (B) 18 or 19 years of age, a caregiver, and is enrolled in school at least half-time;
- 2.2 (viii) for the purposes of programs under chapters 256D and 256I, retirement, survivors,
- 2.3 and disability insurance payments;
- 2.4 (ix) nonrecurring income over \$60 per quarter unless the nonrecurring income is: (A)
- 2.5 from tax refunds, tax rebates, or tax credits; (B) a reimbursement, rebate, award, grant, or
- 2.6 refund of personal or real property or costs or losses incurred when these payments are
- 2.7 made by: a public agency; a court; solicitations through public appeal; a federal, state, or
- 2.8 local unit of government; or a disaster assistance organization; (C) provided as an in-kind
- 2.9 benefit; or (D) earmarked and used for the purpose for which it was intended, subject to
- 2.10 verification requirements under section 256P.04;
- 2.11 (x) retirement benefits;
- 2.12 (xi) cash assistance benefits, as defined by each program in chapters 119B, 256D, 256I,
- 2.13 and 256J;
- 2.14 (xii) Tribal per capita payments unless excluded by federal and state law;
- 2.15 (xiii) income from members of the United States armed forces unless excluded from
- 2.16 income taxes according to federal or state law;
- 2.17 (xiv) for the purposes of programs under chapters 119B, 256D, and 256I, all child support
- 2.18 payments ~~for programs under chapters 119B, 256D, and 256I~~;
- 2.19 (xv) for the purposes of programs under chapter 256J, the amount of child support
- 2.20 received that exceeds \$100 for assistance units with one child and \$200 for assistance units
- 2.21 with two or more children ~~for programs under chapter 256J~~;
- 2.22 (xvi) spousal support; ~~and~~
- 2.23 (xvii) workers' compensation; and
- 2.24 (xviii) for the purposes of programs under chapters 119B and 256J, the amount of
- 2.25 retirement, survivors, and disability insurance payments received by a nonexempt member
- 2.26 of the assistance unit that exceeds the applicable monthly federal maximum Supplemental
- 2.27 Security Income payments.