HB 912 INTRODUCED BY BARDANOUVE REVISE INCOME STANDARD FOR GENERAL ASSISTANCE

4/22	INTRODUCED		
4/22	REFERRED TO APPROPRIATIONS		
4/22	HEARING		
4/22	COMMITTEE REPORTBILL PASSED		
4/22	2ND READING PASSED	57	40
4/23	3RD READING PASSED	62	38

TRANSMITTED TO SENATE

DIED IN PROCESS

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1	FOUSE BILL NO. 914
2	INTRODUCED BY Only
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4	A BILL FOR AN ACT ENTITLED: "AN ACT REDUCING THE MONTHLY
5	INCOME STANDARD, THEREBY REDUCING THE AMOUNT OF GENERAL
6	RELIEF FOR BASIC NECESSITIES TO ELIGIBLE HOUSEHOLDS IN
7	STATE-ASSUMED COUNTIES; AMENDING SECTION 53-3-205, MCA; AND

. .

PROVIDING AN EFFECTIVE DATE."

412

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 53-3-205, MCA, is amended to read:

"53-3-205. Eligibility for general relief. (1) A

person or persons constituting a household may receive

general relief assistance for basic necessities if the

household is determined to be eligible under the provisions

of this section and is in need of such assistance as a

result of their infirmity, misfortune, or indigency.

(2) A household is eligible for general relief if the household income does not exceed that set forth in the following table:

21	Number of Persons		Monthly Income	Standard
22	in Household		Fiscal 1988	Fiscal 1989
23	1	9212	\$193	\$198
24	2	282	260	267
25	3	354	328	336

1	4	426	<u>395</u>	404
2	5	50±	462	473
3	6	570	<u>529</u>	542
4	7	642	<u>596</u>	<u>610</u>
5	8	713	663	679
6	9	785	730	748
7	10 or more	857	797	817

6 (3) Able-bodied persons without dependent minor children living in the household are not eligible for nonmedical general relief assistance, except as provided in 53-3-209.

(4) (a) When the household's income exceeds the monthly income standard for a household of that size because of receipt of lump-sum income, the household will be ineligible for general relief for the full number of months, beginning with the month of receipt, derived by dividing the total of the lump-sum income and other income by the monthly income standard for a household of that size. Any income remaining from this calculation will be considered as income in the first month following the period of ineligibility.

(b) The period of ineligibility may be recalculated if the household size changes or if a portion of the lump sum was used to pay medical bills for a serious medical condition.

(c) Ineligibility due to the receipt of a lump sum



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- does not preclude eligibility for general relief medical 1 assistance. 2
- (5) All applicants for and recipients of general 3 relief assistance who reside in the same residence are 4 considered as one household.
- (6) Prospective income that is reasonably certain to 7 be received by the household during an eligibility period must be considered when determining eligibility. 8

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- (7) The following resources of a household must be excluded from consideration of resources for eligibility purposes:
- (a) the domicile of the household, including necessary appurtenant land not exceeding 10 acres;
- 14 (b) a motor vehicle that has no more than \$1,500 in equity value; 15
 - (c) personal items, clothing, household furniture, appliances, and other essential household items, the total equity value of which does not exceed resource eligibility limits established by rule; and
- 20 (d) tools of a trade that are essential to the current 21 or future employment of a household member.
- 22 (8) A person who is committed or sentenced by legal process to a state institution or a secure facility or who 23 is incarcerated in a secure facility pending resolution of 24 legal process is not eligible for general relief.

- (9) A person who resides for a period of 1 day or more in any state or federally operated institution or residence is not eligible for general relief for the period of that 3 4 residency.
- 5 (10) For the purposes of an eligibility determination, an applicant for or recipient of general relief may be 7 requested to produce all financial and other information concerning the household.
- (11) Whenever practical, an eligibility determination must be made within 30 days of the date of application and 11 the applicant must be notified in writing of the eligibility 12 determination and the reasons for the determination.
- 13 (12) An alien determined to be illegally within the 14 United States is not eligible for general relief."
- NEW SECTION. Section 2. Extension of authority. Any 15 existing authority of the department of social and 16 rehabilitation services to make rules on the subject of the 17 provisions of this act is extended to the provisions of this 18 19 act.
- 20 NEW SECTION. Section 3. Effective date. This act is 21 effective July 1, 1987.

-End-

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APPROVED BY COMMITTEE ON APPROPRIATIONS

1	House, BILL NO. 912
_	INTRODUCED BY
2	INTRODUCED BI
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4	A BILL FOR AN ACT ENTITLED: "AN ACT REDUCING THE MONTHLY
5	INCOME STANDARD, THEREBY REDUCING THE AMOUNT OF GENERAL
6	RELIEF FOR BASIC NECESSITIES TO ELIGIBLE HOUSEHOLDS IN
7	STATE-ASSUMED COUNTIES; AMENDING SECTION 53-3-205, MCA; AND
8	PROVIDING AN EFFECTIVE DATE."
9	
10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11	Section 1. Section 53-3-205, MCA, is amended to read:
12	"53-3-205. Eligibility for general relief. (1) A
13	person or persons constituting a household may receive
14	general relief assistance for basic necessities if the
15	household is determined to be eligible under the provisions
16	of this section and is in need of such assistance as a
17	result of their infirmity, misfortune, or indigency.
18	(2) A household is eligible for general relief if the
19	household income does not exceed that set forth in the
20	following table:
21	Number of Persons Monthly Income Standard
22	in Household <u>Fiscal 1988</u> Fiscal 1989
23	1 \$212 <u>\$193</u> <u>\$198</u>
24	2 282 2 <u>60</u> 267

354

328

1	4	426	395	404
2	5	50ł	462	473
3	6	57 0	529	542
4	7	642	596	610
5	8	713	663	<u>679</u>
6	9	785	730	748
7	10 or more	857	<u>797</u>	817

- (3) Able-bodied persons without dependent minor children living in the household are not eligible for nonmedical general relief assistance, except as provided in 53-3-209.
- (4) (a) When the household's income exceeds the monthly income standard for a household of that size because of receipt of lump-sum income, the household will be ineligible for general relief for the full number of months, beginning with the month of receipt, derived by dividing the total of the lump-sum income and other income by the monthly income standard for a household of that size. Any income remaining from this calculation will be considered as income in the first month following the period of ineligibility.
- (b) The period of ineligibility may be recalculated if the household size changes or if a portion of the lump sum was used to pay medical bills for a serious medical condition.
 - (c) Ineligibility due to the receipt of a lump sum

Montana Legislative Council

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SECOND READING
#8 9/2

- does not preclude eligibility for general relief medical 1 assistance.
- (5) All applicants for and recipients of general 3 relief assistance who reside in the same residence are 4 considered as one household. 5
- (6) Prospective income that is reasonably certain to 6 7 be received by the household during an eligibility period 8 must be considered when determining eligibility.
- 9 (7) The following resources of a household must be 10 excluded from consideration of resources for eligibili ... purposes: 11
- (a) the domicile of the household, including necessary 12 13 appurtenant land not exceeding 10 acres:
- 14 (b) a motor vehicle that has no more than \$1,500 in equity value; 15

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- (c) personal items, clothing, household furniture, appliances, and other essential household items, the total equity value of which does not exceed resource eligibility limits established by rule; and
- (d) tools of a trade that are essential to the current or future employment of a household member.
- 22 (8) A person who is committed or sentenced by legal 23 process to a state institution or a secure facility or who 24 is incarcerated in a secure facility pending resolution of legal process is not eligible for general relief. 25

- (9) A person who resides for a period of 1 day or more 1 in any state or federally operated institution or residence is not eligible for general relief for the period of that 3 residency.
- 5 (10) For the purposes of an eligibility determination, an applicant for or recipient of general relief may be 7 requested to produce all financial and other information concerning the household.
- (11) Whenever practical, an eligibility determination 9 10 must be made within 30 days of the date of application and the applicant must be notified in writing of the eligibility 11 determination and the reasons for the determination. 12
- (12) An alien determined to be illegally within the 13 14 United States is not eligible for general relief."
- 15 NEW SECTION. Section 2. Extension of authority. Any existing authority of the department of social and 16 17 rehabilitation services to make rules on the subject of the provisions of this act is extended to the provisions of this 18 19 act.
- 20 NEW SECTION. Section 3. Effective date. This act is 21 effective July 1, 1987.

-End-

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1	*.	House BILL NO. 912
2	INTRODUCED BY	Jallones

A BILL FOR AN ACT ENTITLED: "AN ACT REDUCING THE MONTHLY INCOME STANDARD. THEREBY REDUCING THE AMOUNT OF GENERAL RELIEF FOR BASIC NECESSITIES TO ELIGIBLE HOUSEHOLDS IN 6 STATE-ASSUMED COUNTIES: AMENDING SECTION 53-3-205, MCA: AND 7 PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 53-3-205, MCA, is amended to read: "53-3-205. Eligibility for general relief. (1) A person or persons constituting a household may receive general relief assistance for basic necessities if the household is determined to be eligible under the provisions of this section and is in need of such assistance as a result of their infirmity, misfortune, or indigency.

(2) A household is eligible for general relief if the household income does not exceed that set forth in the following table:

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22	in Household		Piscal 1988	Fiscal 1989	
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24	2	585	260	267	
25	3	354	328	336	

1	4	426	395	404
2	5	501	462	473
3	6	570	<u>529</u>	542
4	7	642	<u>596</u>	610
5	8	713	663	679
6	9	785	<u>730</u>	748
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- (3) Able-bodied persons without dependent minor children living in the household are not eligible for nonmedical general relief assistance, except as provided in 53-3-209.
- (4) (a) When the household's income exceeds the monthly income standard for a household of that size because of receipt of lump-sum income, the household will be ineligible for general relief for the full number of months, beginning with the month of receipt, derived by dividing the total of the lump-sum income and other income by the monthly income standard for a household of that size. Any income remaining from this calculation will be considered as income in the first month following the period of ineligibility.
- (b) The period of ineligibility may be recalculated if 21 the household size changes or if a portion of the lump sum 22 was used to pay medical bills for a serious medical 23 24 condition.
 - (c) Ineligibility due to the receipt of a lump sum

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does not preclude eligibility for general relief medical assistance.

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- (5) All applicants for and recipients of general relief assistance who reside in the same residence are considered as one household.
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- (7) The following resources of a household must be excluded from consideration of resources for eligibility purposes:
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- (c) personal items, clothing, household furniture, appliances, and other essential household items, the total equity value of which does not exceed resource eligibility limits established by rule; and
- (d) tools of a trade that are essential to the current or future employment of a household member.
- (8) A person who is committed or sentenced by legal process to a state institution or a secure facility or who is incarcerated in a secure facility pending resolution of legal process is not eligible for general relief.

- (9) A person who resides for a period of 1 day or more in any state or federally operated institution or residence is not eligible for general relief for the period of that residency.
 - (10) For the purposes of an eligibility determination, an applicant for or recipient of general relief may be requested to produce all financial and other information concerning the household.
 - (11) Whenever practical, an eligibility determination must be made within 30 days of the date of application and the applicant must be notified in writing of the eligibility determination and the reasons for the determination.
- (12) An alien determined to be illegally within the United States is not eligible for general relief."
- NEW SECTION. Section 2. Extension of authority. Any
 existing authority of the department of social and
 rehabilitation services to make rules on the subject of the
 provisions of this act is extended to the provisions of this
 act.
- NEW SECTION. Section 3. Effective date. This act is effective July 1, 1987.

-End-