

HOUSE BILL 391

Introduced by Gervais, et al.

1/30	Introduced
1/30	Referred to Human Services & Aging
1/30	Fiscal Note Requested
1/30	First Reading
2/03	Fiscal Note Received
2/03	Fiscal Note Printed
2/08	Hearing
2/10	Tabled in Committee

1 House BILL NO. 391  
2 INTRODUCED BY Harold Russell Whitcomb  
3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE  
5 EXCLUSION FROM INCOME OF INDIAN SELF-DETERMINATION AND  
6 EDUCATION ASSISTANCE ACT FUNDS PAID IN INSTALLMENTS;  
7 AMENDING SECTION 53-2-206, MCA; AND PROVIDING AN IMMEDIATE  
8 EFFECTIVE DATE."  
9

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

11 **Section 1.** Section 53-2-206, MCA, is amended to read:

12 "53-2-206. Department to act as agent of federal  
13 government -- Indian self-determination and education  
14 assistance. (1) The department shall act as the agent of the  
15 federal government in public assistance matters of mutual  
16 concern in conformity with this title and the federal Social  
17 Security Act and in the administration of any federal funds  
18 granted to the state to aid in the purposes and functions of  
19 the department.

20 (2) Unless prohibited by federal law, for purposes of  
21 computing income, a person receiving funds under Public Law  
22 93-638, the Indian Self-Determination and Education  
23 Assistance Act, is not considered to have received income  
24 whether the funds are received in a lump sum or in  
25 installments."

1 NEW SECTION. **Section 2.** Effective date. [This act] is  
2 effective on passage and approval.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0391, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION: This bill clarifies that Indian self-determination and education assistance funds are not considered as income.

ASSUMPTIONS:

1. The exclusion of some funds from the calculations of income may result in a slight increase of general assistance and state medical eligibility.
2. The magnitude of the increase in eligibility is impossible to determine.

FISCAL IMPACT: The Department of Social and Rehabilitation Services is unable to determine fiscal impact for HB391.

*David Lewis* 2-2-93

DAVID LEWIS, BUDGET DIRECTOR      DATE  
Office of Budget and Program Planning

*Floyd "Bob" Gervais* 2-3-93  
FLOYD "BOB" GERVAIS, PRIMARY SPONSOR      DATE

Fiscal Note for HB0391, as introduced

**HB 391**