

1.1 moves to amend H.F. No. 4124 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2020, section 256D.0516, subdivision 2, is amended to
1.4 read:

1.5 Subd. 2. **SNAP reporting requirements.** The commissioner of human services shall
1.6 implement simplified reporting as permitted under the Food and Nutrition Act of 2008, as
1.7 amended, and the SNAP regulations in Code of Federal Regulations, title 7, part 273. SNAP
1.8 benefit recipient households required to report periodically shall not be required to report
1.9 more often than one time every six months. ~~This provision shall not apply to households~~
1.10 ~~receiving food benefits under the Minnesota family investment program waiver.~~

1.11 Sec. 2. Minnesota Statutes 2020, section 256J.08, subdivision 61, is amended to read:

1.12 Subd. 61. **Monthly Six-month income test.** "Monthly Six-month income test" means
1.13 the test used to determine ongoing eligibility and the assistance payment amount according
1.14 to section 256J.21.

1.15 Sec. 3. Minnesota Statutes 2021 Supplement, section 256J.21, subdivision 3, is amended
1.16 to read:

1.17 Subd. 3. **Initial income test.** The agency shall determine initial eligibility by considering
1.18 all earned and unearned income as defined in section 256P.06. To be eligible for MFIP, the
1.19 assistance unit's countable income minus the earned income disregards in paragraph (a) and
1.20 section 256P.03 must be below the family wage level according to section 256J.24,
1.21 subdivision 7, for that size assistance unit.

1.22 (a) The initial eligibility determination must disregard the following items:

2.1 (1) the earned income disregard as determined in section 256P.03;

2.2 (2) dependent care costs must be deducted from gross earned income for the actual
2.3 amount paid for dependent care up to a maximum of \$200 per month for each child less
2.4 than two years of age, and \$175 per month for each child two years of age and older;

2.5 (3) all payments made according to a court order for spousal support or the support of
2.6 children not living in the assistance unit's household shall be disregarded from the income
2.7 of the person with the legal obligation to pay support; and

2.8 (4) an allocation for the unmet need of an ineligible spouse or an ineligible child under
2.9 the age of 21 for whom the caregiver is financially responsible and who lives with the
2.10 caregiver according to section 256J.36.

2.11 (b) After initial eligibility is established, the assistance payment calculation is based on
2.12 prospective budgeting and the monthly six-month income test.

2.13 Sec. 4. Minnesota Statutes 2020, section 256J.21, subdivision 4, is amended to read:

2.14 Subd. 4. **Monthly Six-month income test and determination of assistance**
2.15 **payment.** The county agency shall determine ongoing eligibility and the assistance payment
2.16 amount according to prospective budgeting and the monthly six-month income test. To be
2.17 eligible for MFIP, the result of the computations in paragraphs (a) to (e) applied to
2.18 prospective budgeting must be at least \$1.

2.19 (a) Apply an income disregard as defined in section 256P.03, to gross earnings and
2.20 subtract this amount from the family wage level. If the difference is equal to or greater than
2.21 the MFIP transitional standard, the assistance payment is equal to the MFIP transitional
2.22 standard. If the difference is less than the MFIP transitional standard, the assistance payment
2.23 is equal to the difference. The earned income disregard in this paragraph must be deducted
2.24 every month there is earned income.

2.25 (b) All payments made according to a court order for spousal support or the support of
2.26 children not living in the assistance unit's household must be disregarded from the income
2.27 of the person with the legal obligation to pay support.

2.28 (c) An allocation for the unmet need of an ineligible spouse or an ineligible child under
2.29 the age of 21 for whom the caregiver is financially responsible and who lives with the
2.30 caregiver must be made according to section 256J.36.

2.31 (d) Subtract unearned income dollar for dollar from the MFIP transitional standard to
2.32 determine the assistance payment amount.

3.1 (e) When income is both earned and unearned, the amount of the assistance payment
3.2 must be determined by first treating gross earned income as specified in paragraph (a). After
3.3 determining the amount of the assistance payment under paragraph (a), unearned income
3.4 must be subtracted from that amount dollar for dollar to determine the assistance payment
3.5 amount.

3.6 ~~(f) When the monthly income is greater than the MFIP transitional standard after~~
3.7 ~~deductions and the income will only exceed the standard for one month, the county agency~~
3.8 ~~must suspend the assistance payment for the payment month.~~

3.9 Sec. 5. Minnesota Statutes 2021 Supplement, section 256J.33, subdivision 1, is amended
3.10 to read:

3.11 Subdivision 1. **Determination of eligibility.** (a) A county agency must determine MFIP
3.12 eligibility prospectively for a payment month based on ~~retrospectively~~ assessing income
3.13 and the county agency's best estimate of the circumstances that will exist in the payment
3.14 month.

3.15 ~~(b) Except as described in section 256J.34, subdivision 1, when prospective eligibility~~
3.16 ~~exists,~~ A county agency must calculate the amount of the assistance payment using
3.17 ~~retrospective~~ prospective budgeting. To determine MFIP eligibility and the assistance
3.18 payment amount, a county agency must apply countable income, described in sections
3.19 256P.06 and 256J.37, subdivisions 3 to 10, received by members of an assistance unit or
3.20 by other persons whose income is counted for the assistance unit, described under sections
3.21 256J.37, subdivisions 1 to 2, and 256P.06, subdivision 1.

3.22 (c) This income must be applied to the MFIP standard of need or family wage level
3.23 subject to this section and sections 256J.34 to 256J.36. Countable income as described in
3.24 section 256P.06, subdivision 3, ~~received in a calendar month~~ must be applied to the needs
3.25 of an assistance unit.

3.26 Sec. 6. Minnesota Statutes 2020, section 256J.33, subdivision 2, is amended to read:

3.27 Subd. 2. **Prospective eligibility.** An agency must determine whether the eligibility
3.28 requirements that pertain to an assistance unit, including those in sections 256J.11 to 256J.15
3.29 and 256P.02, will be met prospectively for the payment month. ~~Except for the provisions~~
3.30 ~~in section 256J.34, subdivision 1,~~ The income test will must be applied ~~retrospectively~~
3.31 prospectively.

4.1 Sec. 7. Minnesota Statutes 2021 Supplement, section 256J.33, subdivision 4, is amended
4.2 to read:

4.3 Subd. 4. ~~Monthly~~ **Six-month income test.** A county agency must apply the ~~monthly~~
4.4 six-month income test ~~retrospectively~~ prospectively for ~~each month~~ of MFIP eligibility. An
4.5 assistance unit is not eligible when the countable income equals or exceeds the MFIP standard
4.6 of need or the family wage level for the assistance unit. The income applied against the
4.7 ~~monthly~~ six-month income test must include:

4.8 (1) gross earned income from employment as described in chapter 256P, prior to
4.9 mandatory payroll deductions, voluntary payroll deductions, wage authorizations, and after
4.10 the disregards in section 256J.21, subdivision 4, and the allocations in section 256J.36;

4.11 (2) gross earned income from self-employment less deductions for self-employment
4.12 expenses in section 256J.37, subdivision 5, but prior to any reductions for personal or
4.13 business state and federal income taxes, personal FICA, personal health and life insurance,
4.14 and after the disregards in section 256J.21, subdivision 4, and the allocations in section
4.15 256J.36;

4.16 (3) unearned income as described in section 256P.06, subdivision 3, after deductions
4.17 for allowable expenses in section 256J.37, subdivision 9, and allocations in section 256J.36;

4.18 (4) gross earned income from employment as determined under clause (1) which is
4.19 received by a member of an assistance unit who is a minor child or minor caregiver and
4.20 less than a half-time student;

4.21 (5) child support received by an assistance unit, excluded under section 256P.06,
4.22 subdivision 3, clause (2), item (xvi);

4.23 (6) spousal support received by an assistance unit;

4.24 (7) the income of a parent when that parent is not included in the assistance unit;

4.25 (8) the income of an eligible relative and spouse who seek to be included in the assistance
4.26 unit; and

4.27 (9) the unearned income of a minor child included in the assistance unit.

4.28 Sec. 8. Minnesota Statutes 2020, section 256J.34, subdivision 1, is amended to read:

4.29 Subdivision 1. **Prospective budgeting.** A county agency must use prospective budgeting
4.30 to calculate the assistance payment amount ~~for the first two months~~ for an applicant ~~who~~
4.31 ~~has not received assistance in this state for at least one payment month preceding the first~~
4.32 ~~month of payment under a current application. Notwithstanding subdivision 3, paragraph~~

5.1 ~~(a), clause (2), a county agency must use prospective budgeting for the first two months for~~
5.2 ~~a person who applies to be added to an assistance unit.~~ Prospective budgeting is not subject
5.3 to overpayments or underpayments unless fraud is determined under section 256.98.

5.4 (a) The county agency must apply the income received or anticipated in the first month
5.5 of MFIP eligibility against the need of the ~~first month~~ six-month budget cycle. ~~The county~~
5.6 ~~agency must apply the income received or anticipated in the second month against the need~~
5.7 ~~of the second month.~~

5.8 (b) When the assistance payment ~~for any part of the first two months~~ is based on
5.9 anticipated income, the county agency must base the initial assistance payment amount on
5.10 the information available at the time the initial assistance payment is made.

5.11 ~~(c) The county agency must determine the assistance payment amount for the first two~~
5.12 ~~months of MFIP eligibility by budgeting both recurring and nonrecurring income for those~~
5.13 ~~two months.~~

5.14 Sec. 9. Minnesota Statutes 2020, section 256J.37, subdivision 3, is amended to read:

5.15 Subd. 3. **Earned income of wage, salary, and contractual employees.** The agency
5.16 must include gross earned income less any disregards in the initial and ~~monthly~~ six-month
5.17 income test. Gross earned income received by persons employed on a contractual basis must
5.18 be prorated over the period covered by the contract even when payments are received over
5.19 a lesser period of time.

5.20 Sec. 10. **REPEALER.**

5.21 (a) Minnesota Statutes 2020, sections 256J.30, subdivision 7; 256J.33, subdivision 3;
5.22 and 256J.34, subdivisions 2, 3, and 4, are repealed.

5.23 (b) Minnesota Statutes 2021 Supplement, section 256J.30, subdivision 8, is repealed."

5.24 Amend the title accordingly