

SENATE No. 38

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act Removing Barriers to Financial Stability and Asset Development for Low to Moderate Income Families

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James B. Eldridge	Middlesex and Worcester
Kevin G. Honan	17th Suffolk
Harriette L. Chandler	First Worcester
Marian Walsh	Suffolk and Norfolk
Linda Dorcena Forry	12th Suffolk
Patricia D. Jehlen	Second Middlesex
Pam Richardson	6th Middlesex
Martin J. Walsh	13th Suffolk
William N. Brownsberger	24th Middlesex
Christine E. Canavan	10th Plymouth
Barbara A. L'Italien	18th Essex
Matthew C. Patrick	3rd Barnstable
Alice K. Wolf	25th Middlesex
Steven J. D'Amico	4th Bristol
Peter v. Kocot	1st Hampshire
James J. O'Day	14th Worcester District
Carl M. Sciortino, Jr.	34th Middlesex
Ellen Story	3rd Hampshire

Frank I. Smizik	15th Norfolk
Benjamin Swan	11th Hampden
William Lantigua	16th Essex
Denise Provost	27th Middlesex
Antonio F.D. Cabral	13th Bristol
Steven M. Walsh	11th Essex
Anthony D. Galluccio	Middlesex, Suffolk and Essex
Michael F. Rush	10th Suffolk
Tom Sannicandro	7th Middlesex
Cleon H. Turner	1st Barnstable
Joyce A. Spiliotis	12th Essex
Timothy J. Toomey, Jr.	26th Middlesex
Kenneth J. Donnelly	Fourth Middlesex
Susan C. Fargo	Third Middlesex
Mary E. Grant	6th Essex
Jennifer L. Flanagan	Worcester and Middlesex
Byron Rushing	9th Suffolk
Kate Hogan	3rd Middlesex
Jennifer M. Callahan	18th Worcester
Bill Bowles	2nd Bristol
Martha M. Walz	8th Suffolk
Robert L. Rice, Jr.	2nd Worcester
Thomas M. McGee	Third Essex and Middlesex
Susan C. Tucker	Second Essex and Middlesex
Byron Rushing	9th Suffolk
Jonathan Hecht	29th Middlesex
Ann-Margaret Ferrante	5th Essex
Karen E. Spilka	Second Middlesex and Norfolk
Kay Khan	11th Middlesex
Barbara A. L'Italien	18th Essex
Bill Bowles	2nd Bristol
Katherine Clark	32nd Middlesex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT REMOVING BARRIERS TO FINANCIAL STABILITY AND ASSET DEVELOPMENT FOR LOW TO MODERATE INCOME FAMILIES

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 **SECTION 1.** Subsection (b) of section 110 of chapter 5 of the acts of 1995, as most recently
2 amended by section 308 of chapter 159 of the acts of 2000, is further amended by striking out said
3 subsection and inserting in place thereof the following new subsection:

4 (b) In order to encourage asset development, promote employment, and prevent homelessness,
5 the Commissioner is authorized to establish by regulation a maximum allowable resource limit for
6 otherwise eligible families and to establish by regulation rules governing the extent to which the value of
7 vehicles are or are not countable toward said limit. Notwithstanding the foregoing, the maximum
8 allowable resource limit shall not be less than \$5,000 and the rules governing vehicles shall provide that
9 at least one motor vehicle used for transportation per licensed driver in a household shall not count as a
10 resource.

11 **SECTION 2.** Notwithstanding any general or special law to the contrary, in determining
12 eligibility for the program of emergency aid to elders, disabled and children under chapter 117A of the
13 General Laws, at least one motor vehicle used for transportation per licensed driver in a household shall

14 not count as a resource.

15 **SECTION 3.** Notwithstanding any general or special law to the contrary, on or before October
16 1, 2009, the department of transitional assistance shall establish a generally applicable work expense
17 deduction within the program of transitional aid to families with dependent children at a level intended to
18 cover work expenses incurred by working recipients, including but not limited to payroll deductions,
19 transportation, and clothing expenses. Said work expense deduction shall initially be no less than \$250
20 and shall thereafter be adjusted annually to reflect inflation.

21 **SECTION 4.** Notwithstanding any general or special law to the contrary, payments under state
22 or private work study programs and state grants for education or training shall not be counted as income
23 or a resource in determining eligibility for or benefits levels under the program of emergency aid to
24 elders, disabled and children under chapter 117A of the General Laws and the program of transitional aid
25 to families with dependent children under chapter 118 of the General Laws.

26 **SECTION 5.** Notwithstanding any general or special law to the contrary and in order to
27 encourage asset development, promote employment, and prevent homelessness, with respect to the
28 programs of emergency aid to elders, disabled and children under chapter 117A of the general laws and
29 transitional aid to families with dependent children under chapter 118 of the General Laws, the
30 department of transitional assistance shall treat as noncountable with regard to any maximum countable
31 resource limits and the lump sum income rule up to \$10,000 that has been expended or is placed in an
32 Individual Asset Account for later expenditure for costs related to education or training, transportation to
33 work or to other activities of daily living, obtaining or retaining or maintaining housing, debt reduction,
34 starting a business, health care, basic household necessities, or other responsible expenses as identified
35 by the department.

36 **SECTION 6.** Notwithstanding any general or special law to the contrary and in order to simplify
37 administration and encourage asset development, any asset that federal law does not require be counted

38 under the federal supplemental nutrition assistance program shall also not be counted in determining
39 eligibility for benefits under the program of transitional aid to families with dependent children under
40 chapter 118 of the General Laws and the program of emergency aid to elders, disabled and children under
41 chapter 117A of the General Laws or any other state administered program to the extent not inconsistent
42 with federal law. Nothing in the preceding sentence shall be construed to require that any asset that is
43 countable under the federal supplemental nutrition assistance program must be countable under the state
44 cash assistance programs.

45 **SECTION 7.** Notwithstanding any general or special law to the contrary, and to the maximum
46 extent possible in light of the need for the commonwealth to meet work participation rates associated with
47 the federal transitional assistance to needy families block grant, the department of transitional assistance
48 shall a) encourage and allow recipients of transitional aid to families with dependent children benefits
49 under chapter 118 of the General Laws to satisfy their work activity requirements, in whole or in part and
50 throughout their periods of time limited benefits and any extension periods, by participating in vocational
51 educational training programs and b) grant extensions of the time limit to enable recipients to complete
52 such programs if they are making satisfactory progress toward an achievable vocational goal.