

SENATE No. 2657

The Commonwealth of Massachusetts

—
**In the One Hundred and Ninety-Second General Court
(2021-2022)**
—

SENATE, February 7, 2022.

The committee on Children, Families and Persons with Disabilities, to whom was referred the petition (accompanied by bill, Senate, No. 102) of James B. Eldridge and Danillo A. Sena for legislation to promote financial stability and asset development, reports the accompanying bill (Senate, No. 2657).

For the committee,
Adam Gomez

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An Act removing barriers to lifting people out of poverty.

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. Chapter 18 of the General Laws is hereby amended by inserting after
2 section 39 the following section:-

3 Section 40. The department shall not take any negative case actions during a state of
4 emergency, including but not limited to, reducing the benefit amount, closing a case, denying an
5 extension of time-limited benefits, or reducing work expense deductions for participants in any
6 departmental program pursuant to section 13 of chapter 118 or section 110(j) of chapter 5 of the
7 acts of 1995, as amended, or based on exhaustion of time-limited benefits pursuant to section
8 110(f) of chapter 5 of the acts of 1995 as amended.

9 SECTION 2. Chapter 23B of the General Laws is hereby amended by inserting after
10 section 30 the following section:-

11 Section 31. Upon the declaration of a state of emergency, the department shall cease from
12 terminating all existing and eligible emergency assistance shelter program benefits. Furthermore,
13 the department shall use its authority to allow applicants to self-certify documentation verifying

14 their eligibility for shelter pursuant to 760 CMR 67.02 and 760 CMR 67.06. The department
15 shall waive the existing 12-month ban on re-entering emergency assistance for those who meet
16 all other eligibility requirements for shelter pursuant to 760 CMR 67.02 and 760 CMR 67.06.
17 The department shall implement the program changes during the state of emergency and for at
18 least 90 days thereafter.

19 SECTION 3. Section 18 of chapter 118, as so appearing, is hereby amended by inserting
20 after the second sentence the following sentence:- Funds from state or private work study
21 programs and state grants for education or training shall not be counted as income or assets when
22 calculating a recipient's eligibility for the program or determining benefits levels.

23 SECTION 4. Section 12 of Chapter 159 of the General Laws, as so appearing, is hereby
24 amended by inserting after subsection (d) the following:-

25 (e) The administration of the federal Lifeline program established by 47 CFR § 54.401.
26 The department shall have the authority to engage in negotiations with carriers of the Lifeline
27 program for the purpose of providing increased service and other benefits to Lifeline customers.

28 SECTION 5. Subsection (j) of section 110 of chapter 5 of the acts of 1995 is hereby
29 amended by adding the following paragraph:-

30 The department shall:

31 (1) at least 30 days before an individual becomes subject to the work program
32 requirement pursuant to this subsection and before completion of any employment development
33 plan pursuant to subsection (h), (i) inform the individual orally and in writing that said work
34 program requirement may be met by participation in a vocational educational program, including

35 adult basic education, English for speakers of other languages, skills training, certificate
36 programs, and higher education programs, (ii) inform the individual of all vocational educational
37 programs available in the relevant geographic region that can be accessed at little or no cost to
38 the individual, and (iii) inform that individual of the policies described in subsections (e) and (f);

39 (2) at least 30 days before an individual becomes subject to the work program
40 requirement pursuant to this subsection and before completion of any employment development
41 plan pursuant to subsection (h), provide the individual with counseling on how to access
42 vocational educational training without incurring debt, including but not limited to, information
43 on the availability of funding for such programs through the employment services program, the
44 Workforce Investment Act, federal Pell grants pursuant to 20 U.S.C. 1070, the educational
45 rewards program, the U.S. Department of Education, and appropriate referrals to such vocational
46 educational training;

47 (3) use funds appropriated for the department's employment services program to expand
48 the availability of programs that integrate skills training with adult basic education for those
49 without a high school diploma and English for speakers of other languages and instruction for
50 those with limited English proficiency, including but not limited to programs at community
51 colleges;

52 (4) encourage and allow an individual to satisfy the work program requirement pursuant
53 to this subsection, in whole or in part and throughout the period of time limited benefits and any
54 extension periods, by participating in a vocational educational training program; and

55 (5) grant extensions of the time limit to enable an individual to complete such programs if
56 the individual is making satisfactory progress toward an achievable vocational goal.

57 SECTION 6. Notwithstanding any general or special law to the contrary, on or before
58 October 1, 2021, the department of transitional assistance shall establish a generally applicable
59 work expense deduction within the program of transitional aid to families with dependent
60 children at a level intended to cover work expenses incurred by working recipients, including but
61 not limited to payroll deductions, transportation, and clothing expenses. Said work expense
62 deduction shall be not less than \$250 and shall thereafter be adjusted annually to reflect inflation.

63 SECTION 7. Notwithstanding any general or special law or rule or regulation to the
64 contrary, the commissioner of the department of transitional assistance shall take immediate
65 action to ensure that all eligible Lifeline households are enrolled in the Lifeline program during
66 the state of emergency declared by the governor pursuant to executive order 591, declaration of a
67 state of emergency to respond to COVID-19. This action shall include, but is not limited to,
68 sending by mail, text or electronic delivery the application for and any other the information
69 needed to apply to the Lifeline program to all department of transitional assistance program
70 participants.

71 SECTION 8. Notwithstanding any general or special law to the contrary and in order to
72 encourage asset development, promote employment, and prevent homelessness, with respect to
73 the programs of emergency aid to elders, disabled and children under chapter 117A and
74 transitional aid to families with dependent children under chapter 118, the department of
75 transitional assistance shall treat as uncountable with regard to any maximum countable resource
76 limits and the lump sum income rule up to \$20,000 that has been expended or is placed in an
77 individual asset account for later expenditure for costs related to education or training,
78 transportation to work or to other activities of daily living, obtaining or retaining or maintaining

79 housing, debt reduction, starting a business, health care, basic household necessities, or other
80 responsible expenses as identified by the department.

81 SECTION 9. Notwithstanding any general or special law or rule or regulation to the
82 contrary, the department of telecommunications and cable shall immediately undertake
83 negotiations with the current carriers within the commonwealth of the Lifeline program,
84 established in 47 CFR § 54.401, for the purpose of implementing an additional state subsidy. In
85 order to receive the additional state subsidy, Lifeline carriers shall implement the following;
86 provide unlimited minutes and data during the state of emergency and for 30 days thereafter to
87 all existing customers and eligible Lifeline applicants, and waive any existing regulations that
88 limit to one the number of free devices a household can receive in their duration as a Lifeline
89 customer. The commissioner of the department of telecommunications and cable shall file within
90 4 weeks of the effective date of this act a report to the clerks of the house of representatives and
91 senate, the senate committee on ways and means, the house committee on ways and means and
92 the joint committee on children, families, and persons with disabilities. Said report shall include,
93 but not be limited to, the carriers that have participated in the negotiations, the additional subsidy
94 level necessary to provide Lifeline participants with unlimited minutes and data for the state of
95 emergency plus 30 days, the parameters needed to establish a stand-alone state Lifeline program,
96 including state-specific eligibility standards, a detailed plan for disseminating Lifeline phone
97 devices to eligible households, and the earliest timeline in which customers could start receiving
98 such benefit.

99 SECTION 10. As soon as is practical, but in any event no later than July 1, 2021, the
100 department of housing and community development shall establish in consultation with program
101 administrators a uniform, comprehensive, and encrypted where necessary, system for permitting

102 all program applications and necessary documents to be available, completed and submitted
103 online, by phone or by such other method that does not require in-person or mail delivery; and
104 shall accept electronic documents and files for review purposes as well as storage requirements.
105 In addition, the department shall continue to operate local offices in the 10 cities and towns in
106 which the department maintained office locations as of January 1, 2020 to continue to accept in-
107 person applications and provide other services related to the emergency assistance housing
108 program funded by item 7004-0101 of chapter 227 of the acts of 2020, as COVID-19 related
109 public health needs allow. Such offices shall have sufficient staffing to determine eligibility
110 promptly and provide other program services to families. The department may operate additional
111 local offices in other cities or towns that are geographically convenient to those families who are
112 experiencing homelessness or are at risk of homelessness. During the state of emergency
113 declared by the governor pursuant to executive order 591, declaration of a state of emergency to
114 respond to COVID-19, the department shall create and publish goals for the number of shelter
115 beds per capita in facilities that have the capacity to operationalize social distancing, isolation,
116 and quarantine and shall publish targets for the requisite number of such shelter beds for each
117 county of the Commonwealth.