

HOUSE No. 3942

The Commonwealth of Massachusetts

PRESENTED BY:

Estela A. Reyes

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 adoption of the accompanying bill:

An Act relative to Supplemental Nutrition Assistance Program countable income.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Estela A. Reyes</i>	<i>4th Essex</i>	<i>1/17/2023</i>

HOUSE No. 3942

By Representative Reyes of Lawrence, a petition (accompanied by bill, House, No. 3942) of Estela A. Reyes relative to Supplemental Nutrition Assistance Program countable income. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to Supplemental Nutrition Assistance Program countable income.

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

1 Chapter 18 of the General Laws is hereby amended by adding the following section:-

2 Section 40. (a) Notwithstanding any general or special law or regulation to the contrary,
3 the department shall promulgate regulations consistent with this section.

4 (b) For the purposes of determining countable income for benefits provided through the
5 supplemental nutrition assistance program, “unearned income” shall mean all income that is not
6 earned through employment, including, but not limited to:

7 (1) income from public assistance programs, such as transitional aid to families with
8 dependent children, emergency aid to the elderly, disabled and children or other assistance
9 programs based on need;

10 (2) annuities, pensions, retirement, veterans' or disability benefits, workers' or
11 unemployment compensation, Social Security benefits, including RSDI and SSI benefits, in
12 excess of \$8,000 per household and strike benefits;

13 (3) foster care payments when the foster care child or adult is included in the foster care
14 household's SNAP household;

15 (4) support and alimony payments made directly to the household from non-household
16 members and support and alimony payments of up to \$50 per month received as a TAFDC-
17 Related benefit by a household with a TAFDC client;

18 (5) payments from government-sponsored programs such as the agricultural stabilization
19 and conservation service programs, dividends, interest, royalties and all other direct money
20 payments from any source whatever which can be construed to be a gain or benefit;

21 (6) income from rental property unless a household member actively engages in the
22 management of the property an average of at least 20 hours per week;

23 (7) money withdrawn from trust funds that are excluded from assets under the provisions
24 of 106 CMR 363.140(F) shall be considered income in the month received unless otherwise
25 excluded under 106 CMR 363.230. Dividends from excluded trust funds, which the household
26 has the option of either receiving as income or reinvesting in the trust, are to be considered
27 income in the month they become available to the household, whether collected by the household
28 or reinvested in the trust, unless otherwise excluded under 106 CMR 363.230; and

29 (8) for households containing sponsored noncitizens, the income of the sponsor and the
30 sponsor's spouse, if living with the sponsor, shall be deemed as unearned income to the
31 household in accordance with 106 CMR 362.270.