

HOUSE BILL NO. 476

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE COGHILL

Introduced: 2/19/02

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the 'hold harmless' clauses of the permanent fund dividend program**
2 **in regard to eligibility for assistance under the Alaska temporary assistance program."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 43.23.075(a) is amended to read:

5 (a) **Except as provided in (d) of this section, in** [IN] determining the
6 eligibility of an individual under a public assistance program administered by the
7 Department of Health and Social Services in which eligibility for assistance is based
8 on financial need, the Department of Health and Social Services may not consider a
9 permanent fund dividend as income or resources received by the recipient of public
10 assistance or by a member of the recipient's household unless required to do so by
11 federal law or regulation. The Department of Health and Social Services shall notify
12 all recipients of public assistance of the effects of receiving a permanent fund
13 dividend.

14 * **Sec. 2.** AS 43.23.075(c) is amended to read:

1 (c) **Except as provided in (d) of this section, an** [AN] individual who is
 2 denied assistance solely because permanent fund dividends received by the individual
 3 or by a member of the individual's household are counted as income or resources
 4 under federal law or regulation is eligible for cash assistance under AS 47.25.120 -
 5 47.25.300 (general relief assistance program). Notwithstanding the limit in
 6 AS 47.25.130, the individual is entitled to receive, for a period not to exceed four
 7 months, the same amount as the individual would have received under other public
 8 assistance programs had there been no permanent fund dividend program.

9 * **Sec. 3.** AS 43.23.075 is amended by adding a new subsection to read:

10 (d) Notwithstanding other provisions of this section and AS 43.23.085,

11 (1) the Department of Health and Social Services shall consider a
 12 permanent fund dividend as income or resources received by an individual or by a
 13 member of the individual's household when determining the eligibility of the
 14 individual or household for cash assistance, self-sufficiency services, diversion
 15 payments, or other assistance under AS 47.27 (Alaska temporary assistance program);

16 (2) an individual or household who is denied assistance under
 17 AS 47.27 solely because permanent fund dividends received by the individual or by a
 18 member of the individual's household are counted as income or resources under
 19 federal law or regulation is not eligible for cash assistance under AS 47.25.120 -
 20 47.25.300 (general relief assistance program).

21 * **Sec. 4.** AS 43.23.085 is amended to read:

22 **Sec. 43.23.085. Eligibility for state programs. Except as provided in**
 23 **AS 43.23.075(d), a** [A] program administered by the state or any of its
 24 instrumentalities or municipalities, the eligibility for which is based on financial need,
 25 may not consider a permanent fund dividend as income or resources unless required to
 26 do so by federal law or regulation.