

CHAPTER 175

HUMAN SERVICES - SOCIAL SERVICES

HOUSE BILL 96-1253

BY REPRESENTATIVES Anderson, Epps, Kerns, Kreutz, Lyle, Morrison, and Mace;
also SENATORS Hopper, Pascoe, Wham, Hernandez, Tanner, and Weddig.

AN ACT

CONCERNING STATE PUBLIC ASSISTANCE FOR CERTAIN PERSONS WITH DISABILITIES, AND, IN CONNECTION THEREWITH, MAKING CHANGES IN THE STATE AID TO THE NEEDY DISABLED AND AID TO THE BLIND PROGRAMS AND MAKING AN APPROPRIATION.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. The introductory portion to 26-2-111 (1) and 26-2-111 (1) (b), (4), and (5), Colorado Revised Statutes, 1989 Repl. Vol., as amended, are amended to read:

26-2-111. Eligibility for public assistance. (1) No person shall be granted public assistance in the form of assistance payments under this article unless he OR SHE meets all of the following requirements:

(b) ~~He~~ **THE PERSON** has insufficient income, property, or other resources to meet his OR HER needs as determined pursuant to rules and regulations of the state department; EXCEPT THAT RESOURCE ELIGIBILITY FOR THE PROGRAM OF AID TO THE NEEDY DISABLED SHALL BE AS SPECIFIED IN PARAGRAPH (d) OF SUBSECTION (4) OF THIS SECTION, AND RESOURCE ELIGIBILITY FOR THE PROGRAM OF AID TO THE BLIND SHALL BE AS SPECIFIED IN SUBPARAGRAPH (III) OF PARAGRAPH (a) OF SUBSECTION (5) OF THIS SECTION.

(4) **Aid to the needy disabled.** Public assistance in the form of aid to the needy disabled shall be granted to any person who meets the requirements of subsection (1) of this section and all of the following requirements:

(a) He OR SHE has a total disability, as defined by section 26-2-103 (6) and the rules and regulations of the state department ~~which~~ THAT has lasted or can be

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

expected to last for a period of six months or more or he OR SHE is determined to be disabled and eligible for social security disability insurance benefits under Title II of the social security act;

(b) He OR SHE is eighteen ~~or more~~ years of age OR OLDER. ~~and~~

(b.5) HE OR SHE HAS APPLIED FOR SUPPLEMENTAL SECURITY INCOME BENEFITS AND COMPLIED WITH ANY RECOMMENDATIONS FOR REFERRALS MADE BY THE COUNTY DEPARTMENT EXCEPT FOR GOOD CAUSE SHOWN.

(c) (I) The person is not a member of a household receiving public assistance under the aid to families with dependent children program set forth in this article. For the purposes of this paragraph (c), "household" has the same meaning as "assistance unit" as used in 45 C.F.R., 205.40 (a) (1), as amended.

(II) (A) The provisions of subparagraph (I) of this paragraph (c) notwithstanding, on and after January 1, 1992, a supplemental payment funded by state and county funds shall be paid to households ~~which~~ THAT have received public assistance payments for the month of December 1991, under both the aid to families with dependent children program set forth in this article and the aid to the needy disabled program set forth in this subsection (4). ~~Such~~ THE supplemental payment shall be in an amount as will maintain the household's total income at the same level as in December 1991.

(B) ~~Such~~ THE supplemental payment shall be paid only if the household remains continuously eligible to receive public assistance under both the aid to families with dependent children program set forth in this article and the aid to the needy disabled program set forth in this subsection (4).

(d) HE OR SHE MEETS THE RESOURCE ELIGIBILITY REQUIREMENTS OF THE FEDERAL SUPPLEMENTAL SECURITY INCOME PROGRAM.

(5) **Aid to the blind.** (a) For the purpose of providing public assistance to those not receiving federal financial benefits pursuant to Title XVI of the social security act, public assistance in the form of aid to the blind shall be granted to any person who meets the requirements of subsection (1) of this section and who:

(I) Is blind as defined by section 26-2-103 (3) or is determined to be blind and eligible for social security disability insurance benefits under Title II of the social security act; except that any person who is a member of a household ~~which~~ THAT is receiving public assistance under the aid to families with dependent children program set forth in this article shall not be eligible to receive public assistance pursuant to this subsection (5);

(II) HAS APPLIED FOR SUPPLEMENTAL SECURITY INCOME BENEFITS AND COMPLIED WITH ANY RECOMMENDATIONS FOR REFERRALS MADE BY THE COUNTY DEPARTMENT EXCEPT FOR GOOD CAUSE SHOWN; AND

(III) MEETS THE RESOURCE ELIGIBILITY REQUIREMENTS OF THE FEDERAL SUPPLEMENTAL SECURITY PROGRAM.

(b) For the purposes of this subsection (5), "household" has the same meaning as "assistance unit" as used in 45 C.F.R. 205.40 (a) (1), as amended.

SECTION 2. Appropriation - adjustments in 1996 long bill. (1) For the implementation of this act, appropriations made in the annual general appropriation act for the fiscal year beginning July 1, 1996, shall be adjusted as follows:

(a) Of the appropriations made to the department of human services, office of information technology services, for the client-oriented information network, the general fund appropriation is increased by three thousand two hundred dollars (\$3,200).

(b) Of the appropriations made to the department of human services, self-sufficiency, assistance payments, for grant payments, the general fund appropriation is reduced by three thousand six hundred eighteen dollars (\$3,618) and the cash funds exempt appropriation is reduced by nine hundred five dollars (\$905).

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 23, 1996