

CHAPTER 235

HUMAN SERVICES - SOCIAL SERVICES

SENATE BILL 97-171

BY SENATORS Perlmutter, Feeley, Hernandez, Hopper, Johnson, Linkhart, Martinez, Pascoe, Phillips, Reeves, Rupert, Tanner, Thiebaut, and Wham;
also REPRESENTATIVES George, Bacon, Chavez, Clarke, Dyer, Gottlieb, Grossman, Hagedorn, Leyba, Mace, Morrison, Romero, Saliman, Schwarz, Snyder, Takis, Tate, Tupa, and Veiga.

AN ACT

CONCERNING ASSISTANCE PROGRAMS FOR IMMIGRANTS, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

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

SECTION 1. 26-2-103, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to read:

26-2-103. Definitions. As used in this article, unless the context otherwise requires:

(5.7) "LEGAL IMMIGRANT" MEANS AN INDIVIDUAL WHO IS NOT A CITIZEN OR NATIONAL OF THE UNITED STATES AND WHO WAS LAWFULLY ADMITTED TO THE UNITED STATES BY THE IMMIGRATION AND NATURALIZATION SERVICE AS AN ACTUAL OR PROSPECTIVE PERMANENT RESIDENT OR WHOSE EXTENDED PHYSICAL PRESENCE IN THE UNITED STATES IS KNOWN TO AND ALLOWED BY THE IMMIGRATION AND NATURALIZATION SERVICE.

(7.5) "QUALIFIED ALIEN" SHALL HAVE THE MEANING ASCRIBED TO THAT TERM IN SECTION 431 (b) OF THE FEDERAL "PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996", PUBLIC LAW 104-193, AS AMENDED.

SECTION 2. 26-2-111 (1) (a), Colorado Revised Statutes, 1989 Repl. Vol., as

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

amended, is amended, and the said 26-2-111 is further amended BY THE ADDITION OF A NEW SUBSECTION, 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 such person meets all of the following requirements:

(a) The person is a resident of the state of Colorado or, if a dependent child, the parent or other relatives with whom said child is living is a resident of the state of Colorado OR THE PERSON IS A LEGAL IMMIGRANT WHO WOULD BE OTHERWISE ELIGIBLE IN ALL RESPECTS EXCEPT FOR CITIZENSHIP;

(6) THE PROVISIONS OF SECTION 26-2-111.8 SHALL APPLY IN ADDITION TO THE PROVISIONS OF THIS SECTION IN DETERMINING THE ELIGIBILITY FOR PUBLIC ASSISTANCE OF PERSONS WHO ARE NOT CITIZENS OF THE UNITED STATES.

SECTION 3. Part 1 of article 2 of title 26, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended BY THE ADDITION OF THE FOLLOWING NEW SECTIONS to read:

26-2-111.8. Eligibility of noncitizens for public assistance. (1) (a) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT PASSAGE OF THE FEDERAL "PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996", PUBLIC LAW 104-193, REQUIRES THE STATES TO MAKE CERTAIN DECISIONS CONCERNING LEGAL IMMIGRANTS AND THEIR ELIGIBILITY FOR CERTAIN TYPES OF PUBLIC ASSISTANCE.

(b) THE GOAL OF THIS SECTION IS TO RECOGNIZE THAT FOREIGN-BORN LEGAL RESIDENTS OF THE STATE OF COLORADO CONTRIBUTE TO OUR SOCIETY BY WORKING IN OUR COMMUNITIES, SUPPORTING LOCAL BUSINESSES, AND PAYING TAXES AND SHOULD RECEIVE CERTAIN TYPES OF PUBLIC ASSISTANCE FOR CERTAIN TYPES OF SITUATIONS. MOREOVER, THE STATE GOAL IS TO PROVIDE THE TYPES OF ASSISTANCE THAT WILL ENHANCE THE STATE'S ABILITY TO RECEIVE FEDERAL FINANCIAL PARTICIPATION, THEREBY REDUCING THE ULTIMATE BURDEN ON THE STATE AND LOCAL GOVERNMENT FOR EMERGENCY HEALTH AND WELFARE NEEDS.

(c) THIS SECTION IS ALSO INTENDED TO ENCOURAGE AND SUPPORT EFFORTS TO HELP FOREIGN-BORN LEGAL RESIDENTS OF THE STATE OF COLORADO TO BECOME CITIZENS OF THE UNITED STATES.

(2) (a) A QUALIFIED ALIEN WHO ENTERED THE UNITED STATES BEFORE AUGUST 22, 1996, SHALL BE ELIGIBLE TO RECEIVE BENEFITS UNDER A STATE PROGRAM FUNDED BY TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT FUNDS UNDER PART A OF TITLE IV OF THE FEDERAL "SOCIAL SECURITY ACT".

(b) A QUALIFIED ALIEN WHO ENTERED THE UNITED STATES ON OR AFTER AUGUST 22, 1996, SHALL BE BARRED FROM RECEIVING THE BENEFITS DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (2) FOR A PERIOD OF FIVE YEARS AFTER THE DATE OF ENTRY INTO THE UNITED STATES, UNLESS HE OR SHE MEETS THE EXCEPTIONS SET FORTH IN THE FEDERAL "PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996", PUBLIC LAW 104-193, AS AMENDED. AFTER FIVE

YEARS, SUCH QUALIFIED ALIEN SHALL BE ELIGIBLE FOR BENEFITS UNDER THIS ARTICLE, BUT SHALL HAVE SPONSOR INCOME DEEMED TO THE INDIVIDUAL OR FAMILY UNDER RULES ESTABLISHED BY THE STATE BOARD PURSUANT TO SECTION 26-2-137.

(3) A LEGAL IMMIGRANT MAY RECEIVE BENEFITS UNDER THE OLD AGE PENSION, THE AID TO THE NEEDY DISABLED, AND THE AID TO THE BLIND PROGRAMS IF SUCH LEGAL IMMIGRANT MEETS THE ELIGIBILITY CRITERIA, INCLUDING THE SPONSOR RESPONSIBILITY POLICIES, IN SECTION 26-2-137(2) OF SUCH PROGRAMS, OTHER THAN CITIZEN STATUS.

(4) A LEGAL IMMIGRANT MAY RECEIVE BENEFITS UNDER SECTION 26-2-122.3 PURSUANT TO RULES PROMULGATED BY THE MEDICAL SERVICES BOARD.

(5) AS A CONDITION OF ELIGIBILITY FOR PUBLIC ASSISTANCE UNDER THIS ARTICLE, A LEGAL IMMIGRANT SHALL AGREE TO REFRAIN FROM EXECUTING AN AFFIDAVIT OF SUPPORT FOR THE PURPOSE OF SPONSORING AN ALIEN ON OR AFTER JULY 1, 1997, UNDER RULES PROMULGATED BY THE IMMIGRATION AND NATURALIZATION SERVICE DURING THE PENDENCY OF SUCH LEGAL IMMIGRANT'S RECEIPT OF PUBLIC ASSISTANCE. NOTHING IN THIS SUBSECTION (5) SHALL BE CONSTRUED TO AFFECT A LEGAL IMMIGRANT'S ELIGIBILITY FOR PUBLIC ASSISTANCE UNDER THIS ARTICLE BASED UPON SUCH LEGAL IMMIGRANT'S RESPONSIBILITIES UNDER AN AFFIDAVIT OF SUPPORT ENTERED INTO BEFORE JULY 1, 1997.

(6) THE STATE DEPARTMENT SHALL ENCOURAGE A QUALIFIED ALIEN WHO IS ELIGIBLE TO SUBMIT AN APPLICATION FOR CITIZENSHIP TO SUBMIT SUCH AN APPLICATION.

26-2-137. Noncitizens programs. (1) Emergency assistance. (a) (I) A GENERAL ASSISTANCE FUND IS HEREBY ESTABLISHED THAT SHALL CONSIST OF STATE GENERAL FUNDS APPROPRIATED THERETO BY THE GENERAL ASSEMBLY. MONEYS IN THE FUND SHALL BE USED ONLY FOR THE PURPOSE OF PROVIDING EMERGENCY ASSISTANCE PURSUANT TO THE PROVISIONS OF THIS SUBSECTION (1) AND SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY.

(II) THE STATE DEPARTMENT SHALL ALLOCATE MONEYS IN THE FUND DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (a) TO THE COUNTIES FOR THE IMPLEMENTATION OF THE EMERGENCY ASSISTANCE PROGRAM PURSUANT TO THE PROVISIONS OF THIS SUBSECTION (1) AND RULES OF THE STATE DEPARTMENT.

(b) THE STATE DEPARTMENT SHALL PROMULGATE RULES FOR THE DELIVERY OF EMERGENCY ASSISTANCE TO A PERSON WHO:

(I) IS A LEGAL IMMIGRANT AND A RESIDENT OF THE STATE OF COLORADO;

(II) IS NOT A CITIZEN OF THE UNITED STATES; AND

(III) MEETS THE ELIGIBILITY REQUIREMENTS FOR PUBLIC ASSISTANCE UNDER THIS ARTICLE OTHER THAN CITIZEN STATUS AND IS NOT RECEIVING ANY OTHER PUBLIC ASSISTANCE UNDER THIS ARTICLE.

(c) SUCH EMERGENCY ASSISTANCE MAY INCLUDE BUT NEED NOT BE LIMITED TO THE

FOLLOWING FORMS OF ASSISTANCE:

- (I) HOUSING;
- (II) FOOD;
- (III) SHORT-TERM CASH ASSISTANCE; AND
- (IV) CLOTHING AND SOCIAL SERVICES FOR CHILDREN.

(2) **Sponsor responsibility policies.** (a) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT SPONSORS SHALL BE EXPECTED TO MEET THEIR MORAL AND FINANCIAL COMMITMENTS TO THE IMMIGRANTS WHOM THEY SPONSOR AND FOR WHOM THEY SIGN AFFIDAVITS OF SUPPORT.

(b) THE STATE DEPARTMENT SHALL PROMULGATE RULES CONSISTENT WITH THIS SECTION AND FEDERAL LAW TO ENFORCE SPONSOR COMMITMENTS FOR NONCITIZEN APPLICANTS FOR OR RECIPIENTS OF PUBLIC ASSISTANCE OR MEDICAL ASSISTANCE.

(c) ENFORCEMENT MECHANISMS SHALL INCLUDE BUT NOT BE LIMITED TO THE FOLLOWING:

- (I) INCOME ASSIGNMENT;
- (II) STATE INCOME TAX REFUND OFFSET;
- (III) STATE LOTTERY WINNINGS OFFSET; AND
- (IV) ADMINISTRATIVE LIEN AND ATTACHMENT.

(d) A RECIPIENT SHALL ASSIGN RIGHTS TO ANY SUPPORT UNDER AFFIDAVITS OF SUPPORT TO THE STATE OF COLORADO AS A CONDITION OF RECEIPT OF PUBLIC ASSISTANCE OR MEDICAL ASSISTANCE UNDER THIS TITLE.

(e) TO THE EXTENT NOT PREEMPTED BY FEDERAL LAW, THE STATE DEPARTMENT SHALL COMMENCE A PROCEEDING OR AN ACTION TO ENFORCE DUTIES UNDER AN AFFIDAVIT OF SUPPORT WITHIN A PERIOD OF TIME TO BE DETERMINED BY THE STATE BOARD AFTER A RECIPIENT FOR WHOM AN AFFIDAVIT OF SUPPORT HAS BEEN SIGNED HAS BEEN APPROVED FOR PUBLIC ASSISTANCE OR MEDICAL ASSISTANCE UNDER THIS TITLE.

SECTION 4. 26-4-103, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to read:

26-4-103. Definitions. (8.5) "LEGAL IMMIGRANT" MEANS AN INDIVIDUAL WHO IS NOT A CITIZEN OR NATIONAL OF THE UNITED STATES AND WHO WAS LAWFULLY ADMITTED TO THE UNITED STATES BY THE IMMIGRATION AND NATURALIZATION SERVICE AS AN ACTUAL OR PROSPECTIVE PERMANENT RESIDENT OR WHOSE EXTENDED PHYSICAL PRESENCE IN THE UNITED STATES IS KNOWN TO AND ALLOWED BY THE IMMIGRATION AND NATURALIZATION SERVICE.

(13.7) "QUALIFIED ALIEN" SHALL HAVE THE MEANING ASCRIBED TO THAT TERM IN SECTION 431 (b) OF THE FEDERAL "PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996", PUBLIC LAW 104-193, AS AMENDED.

SECTION 5. 26-4-201, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended to read:

26-4-201. Mandatory provisions - eligible groups. (1) In order to participate in the medicaid program, the federal government requires the state to provide medical assistance to certain eligible groups. Pursuant to federal law AND EXCEPT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, any person who is eligible for medical assistance under the mandated groups specified in this section shall receive both the mandatory services that are specified in sections 26-4-202 and 26-4-203 and the optional services that are specified in sections 26-4-302 and 26-4-303. Subject to the availability of federal financial aid funds, the following are the individuals or groups ~~which~~ THAT are mandated under federal law to receive benefits under this article:

- (a) Individuals who are receiving aid to families with dependent children;
- (b) Families who have been terminated from aid to families with dependent children because of increased earnings or increased hours of employment whose eligibility is specified for a period of time by the federal government;
- (c) Individuals who are ineligible for aid to families with dependent children because of requirements that do not apply under Title XIX of the social security act;
- (d) Individuals who would be eligible for aid to families with dependent children except for an increase in old-age, survivors, and disability insurance income under P.L. 92-336;
- (e) Individuals deemed to be receiving aid to families with dependent children;
- (f) Qualified pregnant women, and children under the age of seven, who meet the income and resource requirements of the state's approved aid to families with dependent children plan;
- (g) A newborn child born of a woman who is categorically needy. Such child is deemed medicaid-eligible on the date of birth and remains eligible for one year so long as the woman remains categorically needy and the child is a member of her household.
- (h) Children for whom adoption assistance or foster care maintenance payments are made;
- (i) Individuals receiving supplemental security income;
- (j) Individuals receiving mandatory state supplement, including but not limited to individuals receiving old age pensions;
- (k) Institutionalized individuals who were eligible for medical assistance in December, 1973;

(l) Individuals who would be eligible except for the increase in old-age, survivors, and disability insurance under P.L. 92-336;

(m) Individuals who become ineligible for cash assistance as a result of old-age, survivors, and disability insurance cost-of-living increases after April, 1977;

(m.5) Disabled widows or widowers fifty through sixty years of age who have become ineligible for federal supplemental security income or state supplementation as a result of becoming eligible for federal social security survivor's benefits, in accordance with the social security act, 42 U.S.C. sec. 1383c;

(n) Individuals with income and resources at a level which qualifies them as medicare-eligible under section 301 of Title III of the federal "Medicare Catastrophic Coverage Act";

(o) Low-income pregnant women, and children through the age of six, whose income is at or below a certain percentage of the federal poverty level as determined by the federal government;

(p) Individuals who are eligible for aid to families with dependent children by reason of the unemployment of a parent.

(2) (a) A QUALIFIED ALIEN WHO ENTERED THE UNITED STATES BEFORE AUGUST 22, 1996, WHO MEETS THE EXCEPTIONS DESCRIBED IN THE FEDERAL "PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996", PUBLIC LAW 104-193, AS AMENDED, SHALL RECEIVE BENEFITS UNDER THIS ARTICLE.

(b) A QUALIFIED ALIEN WHO ENTERED THE UNITED STATES ON OR AFTER AUGUST 22, 1996, SHALL NOT BE ELIGIBLE FOR BENEFITS UNDER THIS ARTICLE, EXCEPT AS PROVIDED IN SECTION 26-4-203 (3), FOR FIVE YEARS AFTER THE DATE OF ENTRY INTO THE UNITED STATES UNLESS HE OR SHE MEETS THE EXCEPTIONS DESCRIBED IN THE FEDERAL "PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996", PUBLIC LAW 104-193, AS AMENDED.

(3) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, AS A CONDITION OF ELIGIBILITY FOR MEDICAL ASSISTANCE UNDER THIS ARTICLE, A LEGAL IMMIGRANT SHALL AGREE TO REFRAIN FROM EXECUTING AN AFFIDAVIT OF SUPPORT FOR THE PURPOSE OF SPONSORING AN ALIEN ON OR AFTER JULY 1, 1997, UNDER RULES PROMULGATED BY THE IMMIGRATION AND NATURALIZATION SERVICE DURING THE PENDENCY OF SUCH LEGAL IMMIGRANT'S RECEIPT OF MEDICAL ASSISTANCE. NOTHING IN THIS SUBSECTION (3) SHALL BE CONSTRUED TO AFFECT A LEGAL IMMIGRANT'S ELIGIBILITY FOR MEDICAL ASSISTANCE UNDER THIS ARTICLE BASED UPON SUCH LEGAL IMMIGRANT'S RESPONSIBILITIES UNDER AN AFFIDAVIT OF SUPPORT ENTERED INTO BEFORE JULY 1, 1997.

SECTION 6. 26-4-203 (3) (a), Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended to read:

26-4-203. Mandated programs with special state provisions.

(3) (a) Emergency medical assistance shall be provided to any ~~undocumented alien~~ PERSON WHO IS NOT A CITIZEN OF THE UNITED STATES, INCLUDING UNDOCUMENTED

ALIENS, ALIENS WHO ARE NOT QUALIFIED ALIENS, AND QUALIFIED ALIENS WHO ENTERED THE UNITED STATES ON OR AFTER AUGUST 22, 1996, who has an emergency medical condition and meets one of the categorical requirements set forth in section 26-4-201; except that such persons shall not be required to meet any residency requirement other than that required by federal law.

SECTION 7. 26-4-301 (1), Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended BY THE ADDITION OF THE FOLLOWING NEW PARAGRAPHS, and the said 26-4-301 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

26-4-301. Optional provisions - optional groups. (1) The federal government allows the state to select optional groups to receive medical assistance. Pursuant to federal law, any person who is eligible for medical assistance under the optional groups specified in this section shall receive both the mandatory services specified in sections 26-4-202 and 26-4-203 and the optional services specified in sections 26-4-302 and 26-4-303. Subject to the availability of federal financial aid funds, the following are the individuals or groups which Colorado has selected as optional groups to receive medical assistance pursuant to this article:

(l) INDIVIDUALS WHO ARE QUALIFIED ALIENS WHO WERE OR WOULD HAVE BEEN ELIGIBLE FOR SUPPLEMENTAL SECURITY INCOME AS A RESULT OF A DISABILITY BUT WHO ARE NOT ELIGIBLE FOR SUCH SUPPLEMENTAL SECURITY INCOME AS A RESULT OF THE PASSAGE OF THE FEDERAL "PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996", PUBLIC LAW 104-193, IF SUCH INDIVIDUALS MEET THE RESOURCE, INCOME, AND DISABILITY REQUIREMENTS FOR SUPPLEMENTAL SECURITY INCOME ELIGIBILITY;

(m) OTHER QUALIFIED ALIENS WHO ENTERED OR WERE PRESENT IN THE UNITED STATES BEFORE AUGUST 22, 1996.

(2) A QUALIFIED ALIEN WHO ENTERED THE UNITED STATES ON OR AFTER AUGUST 22, 1996, SHALL NOT BE ELIGIBLE FOR BENEFITS UNDER THIS ARTICLE, EXCEPT AS PROVIDED IN SECTION 26-4-203 (3), FOR FIVE YEARS AFTER THE DATE OF ENTRY INTO THE UNITED STATES UNLESS HE OR SHE MEETS THE EXCEPTIONS DESCRIBED IN THE FEDERAL "PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996", PUBLIC LAW 104-193, AS AMENDED. AFTER FIVE YEARS, SUCH QUALIFIED ALIEN SHALL BE ELIGIBLE FOR BENEFITS UNDER THIS ARTICLE BUT SHALL HAVE SPONSOR INCOME AND RESOURCES DEEMED TO THE INDIVIDUAL OR FAMILY UNDER RULES ESTABLISHED BY THE STATE BOARD PURSUANT TO SECTION 26-2-137.

SECTION 8. 26-4-301, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to read:

26-4-301. Optional provisions - optional groups. (3) A LEGAL IMMIGRANT WHO IS RECEIVING MEDICAID NURSING FACILITY CARE OR HOME AND COMMUNITY-BASED SERVICES ON JULY 1, 1997, SHALL CONTINUE TO RECEIVE SUCH SERVICES AS LONG AS HE OR SHE MEETS THE ELIGIBILITY REQUIREMENTS OTHER THAN CITIZEN STATUS. STATE GENERAL FUNDS MAY BE USED TO REIMBURSE SUCH CARE IN THE EVENT THAT FEDERAL FINANCIAL PARTICIPATION IS NOT AVAILABLE.

(4) A PREGNANT LEGAL IMMIGRANT SHALL BE ELIGIBLE TO RECEIVE PRENATAL AND MEDICAL SERVICES FOR LABOR AND DELIVERY AS LONG AS SHE MEETS ELIGIBILITY REQUIREMENTS OTHER THAN CITIZEN STATUS. STATE GENERAL FUNDS MAY BE USED TO REIMBURSE SUCH CARE IN THE EVENT THAT FEDERAL FINANCIAL PARTICIPATION IS NOT AVAILABLE.

SECTION 9. Article 15 of title 26, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

26-15-104.5. Eligibility of legal immigrants for services. A LEGAL IMMIGRANT WHO IS A RESIDENT OF THE STATE OF COLORADO SHALL BE ELIGIBLE TO RECEIVE SERVICES UNDER THIS ARTICLE SO LONG AS HE OR SHE MEETS THE ELIGIBILITY REQUIREMENTS. AS USED IN THIS SECTION, "LEGAL IMMIGRANT" HAS THE SAME MEANING AS DESCRIBED IN SECTION 26-4-103 (8.5). AS A CONDITION OF ELIGIBILITY FOR SERVICES UNDER THIS ARTICLE, A LEGAL IMMIGRANT SHALL AGREE TO REFRAIN FROM EXECUTING AN AFFIDAVIT OF SUPPORT FOR THE PURPOSE OF SPONSORING AN ALIEN ON OR AFTER JULY 1, 1997, UNDER RULES PROMULGATED BY THE IMMIGRATION AND NATURALIZATION SERVICE DURING THE PENDENCY OF SUCH LEGAL IMMIGRANT'S RECEIPT OF SERVICES UNDER THIS ARTICLE. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO AFFECT A LEGAL IMMIGRANT'S ELIGIBILITY FOR SERVICES UNDER THIS ARTICLE BASED UPON SUCH LEGAL IMMIGRANT'S RESPONSIBILITIES UNDER AN AFFIDAVIT OF SUPPORT ENTERED INTO BEFORE JULY 1, 1997.

SECTION 10. Appropriations in long bill to be adjusted. (1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of human services for the fiscal year beginning July 1, 1997, shall be adjusted as follows:

(a) The general fund appropriation to the office of information technology services, for the client-oriented information network is increased by sixteen thousand dollars (\$16,000).

(b) The appropriation to county administration is increased by three hundred eighteen thousand eight hundred fifty dollars (\$318,850). Of said sum, ninety-four thousand four hundred thirty-four dollars (\$94,434) shall be from the general fund, and two hundred twenty-four thousand four hundred sixteen dollars (\$224,416) shall be from cash funds exempt. Of the latter amount, one hundred seventy-nine thousand five hundred thirty-three dollars (\$179,533) shall be from cash funds exempt received from the department of health care policy and financing out of the appropriation made in subsection (2) of this section.

(c) The federal funds appropriation to county administration is decreased by ninety-four thousand four hundred thirty-four dollars (\$94,434).

(d) The appropriation to self-sufficiency, for the old age pension program is increased by thirteen million eight hundred fifty-one thousand dollars (\$13,851,000). Said sum shall be from the old age pension fund.

(e) The appropriation to self-sufficiency, for aid to the needy disabled state supplemental grants is decreased by eighty-seven thousand five hundred seventy-six dollars (\$87,576). Of said sum, seventy thousand sixty-one dollars (\$70,061) shall

be from the general fund, and seventeen thousand five hundred fifteen dollars (\$17,515) shall be from cash funds exempt.

(f) The appropriation to self-sufficiency, for aid to the needy disabled state-only grants is increased by one hundred seventy-eight thousand six hundred twenty dollars (\$178,620). Of said sum, one hundred forty-two thousand eight hundred ninety-six dollars (\$142,896) shall be from the general fund, and thirty-five thousand seven hundred twenty-four dollars (\$35,724) shall be from cash funds exempt.

(g) The cash funds exempt appropriation to self-sufficiency, for home care allowance is increased by one hundred fifteen thousand nine hundred seventy-four dollars (\$115,974). Said sum shall be from cash funds exempt received from the department of health care policy and financing out of the appropriation made in subsection (2) of this section.

(h) The cash funds exempt appropriation to self-sufficiency, for adult foster care is increased by eight thousand seven hundred twenty-three dollars (\$8,723). Said sum shall be from cash funds exempt received from the department of health care policy and financing out of the appropriation made in subsection (2) of this section.

(i) The general fund appropriation to direct services, refugee assistance is increased by two million dollars (\$2,000,000) for emergency assistance for legal immigrants.

(j) The cash funds exempt appropriation to direct services, disability determination services is increased by sixty-one thousand one hundred seventy-eight dollars (\$61,178). Said sum shall be from cash funds exempt received from the department of health care policy and financing out of the appropriation made in subsection (2) of this section.

(2) For the implementation of this act, appropriations made in the annual general appropriation act to the department of health care policy and financing for the fiscal year beginning July 1, 1997, shall be adjusted as follows:

(a) The appropriation to medical programs, medical services is decreased by three million seventy-seven thousand eight hundred fifty-seven dollars (\$3,077,857). Of said sum, one million three hundred four thousand eight hundred sixty dollars (\$1,304,860) shall be from the general fund, and one million seven hundred seventy-two thousand nine hundred ninety-seven dollars (\$1,772,997) shall be from matching federal funds.

(b) The appropriation to medical programs, indigent care program is increased by four hundred fourteen thousand six hundred forty-eight dollars (\$414,648). Of said sum, one hundred ninety-eight thousand nine hundred seven dollars (\$198,907) shall be from the general fund and shall be subject to the "M" notation as defined in the general appropriation act, and two hundred fifteen thousand seven hundred forty-one dollars (\$215,741) shall be from matching federal funds.

(c) The general fund appropriation to medical programs, other medical services is increased by one hundred twenty-four thousand six hundred ninety-seven dollars (\$124,697).

(d) The appropriation to medical programs, department of human services, transfer to the department of human services is increased by one hundred seventy-nine thousand five hundred thirty-three dollars (\$179,533). Of said sum, sixty-seven thousand three hundred twenty-five dollars (\$67,325) shall be from the general fund and shall be subject to the "M" notation as defined in the general appropriation act, and one hundred twelve thousand two hundred eight dollars (\$112,208) shall be from matching federal funds.

SECTION 11. Effective date. This act shall take effect July 1, 1997.

SECTION 12. 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: June 3, 1997