

## CHAPTER 162

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**HUMAN SERVICES - SOCIAL SERVICES**


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**SENATE BILL 06-134**

BY SENATOR(S) Sandoval, Bacon, Groff, Hanna, Shaffer, Tochtrop, Veiga, Williams, and Windels;  
 also REPRESENTATIVE(S) Boyd, Benefield, Borodkin, Carroll M., Coleman, Frangas, Gallegos, Hodge, Lindstrom, Madden,  
 Marshall, McGihon, Merrifield, Riesberg, Todd, and Vigil.

**AN ACT****CONCERNING RESOURCE LIMITATIONS AS A CONDITION OF ELIGIBILITY FOR THE COLORADO WORKS PROGRAM.**

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

**SECTION 1.** The introductory portion to 26-2-706 (2) and 26-2-706 (2) (a) and (2) (b), Colorado Revised Statutes, are amended, and the said 26-2-706 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

**26-2-706. Target populations.** (2) The state board shall promulgate rules to identify with specificity who may be a participant in the works program ~~the resource limits for participation in the works program,~~ and the income requirements for participation in the works program. The rules shall:

(a) Allow an applicant or a participant to own ~~a~~ ONE motor vehicle and AN ADDITIONAL MOTOR VEHICLE FOR EACH EMPLOYED MEMBER OF THE ASSISTANCE UNIT AND ALLOW AN APPLICANT OR A PARTICIPANT TO OWN a homestead property;

(b) Exempt a maximum resource level for an applicant ~~that shall be not less than one thousand dollars per family nor greater than two thousand dollars per family or the resource level for the food stamp program, whichever is greater~~ OF FIFTEEN THOUSAND DOLLARS. CONSISTENT WITH THE PROVISIONS OF SUBSECTION (6) OF THIS SECTION, the state board shall promulgate rules to specify which resources are countable resources, ~~and which~~ TO SPECIFY ADDITIONAL resources THAT are excluded as exempt resources for purposes of determining the maximum resource level for an applicant, AND TO FURTHER DEFINE THE RESOURCES AND ASSETS SPECIFIED IN SUBSECTION (6) OF THIS SECTION.

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

(6) THE FOLLOWING RESOURCES AND ASSETS DESIGNATED TO PROMOTE SELF-SUFFICIENCY SHALL BE EXEMPT FROM THE FIFTEEN THOUSAND DOLLAR RESOURCE LIMITATION SPECIFIED IN PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION:

- (a) RETIREMENT SAVINGS ACCOUNTS;
- (b) HEALTH CARE SAVINGS ACCOUNTS;
- (c) INDIVIDUAL DEVELOPMENT ACCOUNTS;
- (d) EDUCATION SAVINGS ACCOUNTS, SCHOLARSHIPS, AND EDUCATIONAL STIPENDS;
- (e) EARNED INCOME TAX CREDIT REFUNDS RECEIVED BY THE ASSISTANCE UNIT;
- (f) ANY REAL ESTATE ASSET THAT DOES NOT PRODUCE OR PROVIDE INCOME FOR THE PARTICIPANT AND IS NOT A SECONDARY RESIDENCE OF THE PARTICIPANT;
- (g) BURIAL PLOTS AND BURIAL INSURANCE PLANS;
- (h) LIFE OR DISABILITY INSURANCE POLICIES THAT MAY HAVE A CASH VALUE; AND
- (i) ANY ADDITIONAL RESOURCE OR ASSET THAT THE STATE BOARD EXEMPTS BY RULE.

**SECTION 2. Repeal.** 26-2-709 (1) (b), Colorado Revised Statutes, is repealed as follows:

**26-2-709. Benefits - cash assistance - programs. (1) Basic assistance grant.**  
(b) ~~The state board shall promulgate rules to increase asset limitations for participants so that participants are encouraged to accumulate personal savings.~~

**SECTION 3. Effective date - applicability.** This act shall take effect upon passage and shall apply to eligibility determinations made for the Colorado works program, part 7 of article 2 of title 26, Colorado Revised Statutes, on or after October 15, 2006.

**SECTION 4. 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: April 24, 2006