

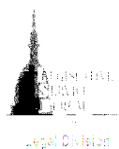
HOUSE BILL NO. 6091

August 06, 2020, Introduced by Rep. Rabhi and referred to the Committee on Government Operations.

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
by amending section 32 (MCL 400.32), as amended by 1995 PA 223.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 32. (1) Subject to section 14g, a person qualified for
2 and receiving assistance under this act in any county in this state
3 who moves or is taken to another county in this state may continue
4 to receive assistance in the county to which the person has moved



1 or is taken, and the county ~~family independence agency~~ **department**
 2 of the county from which the person has moved shall transfer all
 3 necessary records relating to the person to the county ~~family~~
 4 ~~independence agency~~ **department** of the county to which the person
 5 has moved.

6 (2) For purposes of the family independence program and
 7 medical assistance under this act, a resident of this state is a
 8 person who is living in this state voluntarily with the intention
 9 of making his or her home in this state and not for a temporary
 10 purpose and who is not receiving assistance from another state. For
 11 purposes of medical assistance, a resident of this state also
 12 includes a person and the dependents of a person who, at the time
 13 of application, is living in this state, is not receiving
 14 assistance from another state, and entered the state with a job
 15 commitment or seeking employment in this state. For purposes of
 16 determining eligibility to receive assistance under this act,
 17 excluding recipients of supplemental security income under title
 18 ~~XVI of the social security act, chapter 531, 49 Stat. 620, 42~~
 19 ~~U.S.C. 1381 to 1382, and 1383 to 1383d or state supplementation~~
 20 under this act, the continued absence of a recipient from this
 21 state, unless the absence is temporary or intent to return is
 22 established as provided by applicable federal regulations, ~~shall~~
 23 ~~constitute~~ **constitutes** abandonment by the recipient of residence in
 24 this state. Any existing rule that has been promulgated under this
 25 act that defines temporary absence for the purpose of eligibility
 26 for family independence assistance or medical assistance, or that
 27 provides for continuation of eligibility if the absence is not
 28 temporary, is not applicable.

29 (3) For purposes of medical assistance eligibility the



1 requirements in subsection (2) apply except as otherwise provided
 2 in federal regulations for the administration of the medical
 3 assistance program under title XIX. ~~of the social security act, 42~~
 4 ~~U.S.C. 1396 to 1396g and 1396i to 1396v.~~

5 (4) The residence of ~~a husband~~ **one spouse** shall not be
 6 considered ~~to be~~ the residence of the ~~wife~~ **other spouse** if ~~they~~ **the**
 7 **spouses** are living separate and apart. If ~~a husband and wife~~ **the**
 8 **spouses** are living separate and apart, each may have a separate
 9 residence dependent upon proof of the fact and not upon legal
 10 presumption. This subsection ~~shall~~ **does** not be ~~construed to~~
 11 prohibit a person from acquiring or retaining a legal residence.

12 Enacting section 1. This amendatory act does not take effect
 13 unless Senate Joint Resolution _____ or House Joint Resolution T
 14 (request no. 02690'19) of the 100th Legislature becomes a part of
 15 the state constitution of 1963 as provided in section 1 of article
 16 XII of the state constitution of 1963.

