



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-2511/1
TJD:kjf&skw

2021 ASSEMBLY BILL 930

January 28, 2022 - Introduced by Representatives KRUG, ARMSTRONG, ALLEN, BRANDTJEN, MOSES, SUBECK and WICHGERS, cosponsored by Senators JACQUE and FELZKOWSKI. Referred to Committee on Housing and Real Estate.

- 1 **AN ACT to create** 49.821 of the statutes; **relating to:** disregarding earned income
2 for purposes of determining eligibility for certain public assistance programs.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Health Services, the Department of Children and Families, the Department of Administration, and the Wisconsin Housing and Economic Development Authority to develop for any public assistance program administered by it a method to disregard income earned from employment for purposes of determining eligibility. The method must disregard for a period of time specified in the bill a certain percentage of the increase in earned income from employment as specified in the bill. The disregard in the bill applies if the increase in earned income is the result of becoming employed after being unemployed or is the result of a documented increase in work hours or pay rate. The earned income disregard applies to the following public assistance programs: the Wisconsin Works program, the FoodShare program, the housing cost grant or loan programs, the housing rehabilitation loan program, the homeownership mortgage loan program, the emergency heating assistance loan guarantee program, and the property tax deferral loan program. The bill excludes from the earned income disregard any individual whose household income equals or exceeds the applicable Department of Workforce Development self-sufficiency standard.

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For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 49.821 of the statutes is created to read:

2 **49.821 Income disregard; public assistance programs.** (1) In this
3 section, “public assistance program” means the Wisconsin Works program under ss.
4 49.141 to 49.161, the food stamp program under s. 49.79, the housing cost grant or
5 loan programs under s. 16.303 (1), the housing rehabilitation loan program under s.
6 234.49, the homeownership mortgage loan program under s. 234.59, the emergency
7 heating assistance loan guarantee program under s. 234.88, and the property tax
8 deferral loan program under ss. 234.621 to 234.626.

9 (2) Except as provided in sub. (4), the department of health services, the
10 department of children and families, the department of administration, and the
11 Wisconsin Housing and Economic Development Authority shall each develop for any
12 public assistance program administered by it a method to disregard income earned
13 from employment for purposes of determining eligibility that satisfies all of the
14 following:

15 (a) For the first 60 days after an individual increases his or her earned income
16 through employment, the department or authority shall disregard 100 percent of
17 that increase in earned income when determining eligibility for a public assistance
18 program.

19 (b) For the 61st day through the 90th day after an individual increases his or
20 her earned income through employment, the department or authority shall

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1 disregard 75 percent of that increase in earned income when determining eligibility
2 for a public assistance program.

3 (c) For the 91st day through the 120th day after an individual increases his or
4 her earned income through employment, the department or authority shall
5 disregard 50 percent of that increase in earned income when determining eligibility
6 for a public assistance program.

7 (d) On and after the 121st day after an individual increases his or her earned
8 income through employment, the department or authority shall apply all of the
9 increase in earned income toward determining eligibility for a public assistance
10 program.

11 (3) An individual qualifies for the earned income disregard under sub. (2)
12 through employment if the increase in income results from becoming employed after
13 being unemployed or from a documented increase in work hours or pay rate.

14 (4) The earned income disregard under sub. (2) does not apply to an individual
15 whose household income equals or exceeds the applicable self-sufficiency standard
16 as determined by the department of workforce development for the household size
17 and county of residence of the individual.

18 (END)