

HOUSE BILL 243

**44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,
2000**

INTRODUCED BY

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AN ACT

RELATING TO PUBLIC ASSISTANCE; CHANGING THE DEFINITIONS OF
EARNED AND UNEARNED INCOME; AMENDING A SECTION OF THE NEW
MEXICO WORKS ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 27-2B-3 NMSA 1978 (being Laws 1998,
Chapter 8, Section 3 and Laws 1998, Chapter 9, Section 3, as
amended) is amended to read:

"27-2B-3. DEFINITIONS.--As used in the New Mexico Works
Act:

A. "benefit group" means a group of people that
includes at least one dependent child living with his parent,
legal guardian or relative within the fifth degree of
consanguinity; or a pregnant woman;

B. "cash assistance" means cash payments funded by
the temporary assistance for needy families block grant

1 pursuant to the federal act and by state funds;

2 C. "department" means the human services
3 department;

4 D. "dependent child" means a natural or adopted
5 child or ward who is seventeen years of age or younger or a
6 household group member who is eighteen years of age and is
7 enrolled in high school;

8 E. "director" means the director of the income
9 support division of the department;

10 F. "earned income" [~~includes~~] means cash or
11 payment in kind that is received as wages from employment or
12 payment in lieu of wages; or earnings from self-employment or
13 earnings acquired from the direct provision of services,
14 goods or property, production of goods, management of
15 property or supervision of services [~~and all other income not~~
16 ~~classified as unearned income~~];

17 G. "federal act" means the federal Social Security
18 Act and rules promulgated pursuant to the Social Security
19 Act;

20 H. "federal poverty guidelines" means the level of
21 income defining poverty by family size published annually in
22 the federal register by the United States department of
23 health and human services;

24 I. "household group" means a group of people that
25 consists of a benefit group and any other person who resides
in a household, regardless of whether they are related or
have a legal support responsibility for a member of the

benefit group, but does not include:

(1) landlords;

(2) tenants; or

(3) members of a registered nonprofit

organization or church who provide shelter to a benefit group through a program sponsored by the nonprofit organization or church;

J. "immigrant" means alien as defined in the federal act;

K. "landlord" means the owner of an estate in land or a rental property who has leased it to another person called the tenant;

L. "parent" means natural parent, adoptive parent, stepparent or legal guardian;

M. "participant" means a recipient of cash assistance or services or a member of a benefit group who has reached the age of majority;

N. "person" means an individual;

O. "secretary" means the secretary of the department;

P. "services" [~~includes~~] means child-care assistance; payment for employment-related transportation costs; job search assistance; employment counseling; employment, education and job training placement; one-time payment for necessary employment-related costs; case management; or other activities whose purpose is to assist transition into employment;

underscored material = new
[bracketed material] = delete

1 Q. "tenant" means a person who pays rent for the
2 use and occupancy of real property owned by a landlord; and

3 R. "unearned income" [~~includes~~] means old age,
4 survivors and disability insurance; railroad retirement
5 benefits; veterans administration compensation or pension;
6 military retirement; pensions, annuities and retirement
7 benefits; lodge or fraternal benefits; shared shelter
8 payments; settlement payments; individual Indian money; [~~and~~
9 ~~similar kinds of income~~] child support; unemployment
10 compensation benefits; union benefits, either cash or in-kind
11 resulting from union membership; gifts; contributions; and
12 real property income."

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