



General Assembly

January Session, 2003

**Raised Bill No. 1052**

LCO No. 3837

Referred to Committee on Human Services

Introduced by:  
(HS)

**AN ACT CONCERNING FEDERAL ADVANCE EARNED INCOME TAX CREDITS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17b-261b of the general statutes is repealed and  
2 the following is substituted in lieu thereof (*Effective July 1, 2003*):

3 (a) The Department of Social Services shall be the sole agency to  
4 determine eligibility for assistance and services under programs  
5 operated and administered by said department.

6 (b) To the extent permitted by federal law, the Department of Social  
7 Services, when making eligibility determinations for programs  
8 operated and administered by said department, shall consider any  
9 federal advance earned income tax credit payments received by a  
10 program applicant to be unearned income for eligibility purposes.

11 [(b)] (c) Any person filing an application with a probate court for  
12 spousal support, in accordance with section 45a-655, shall certify to  
13 that court that a copy of the application and accompanying  
14 attachments have been sent by regular mail, postage prepaid, to the

15 Commissioner of Social Services. The probate court shall provide a  
16 notice of hearing to the commissioner at least fifteen business days  
17 prior to the hearing. The commissioner or a designee shall have the  
18 right to appear at such hearing and may present the commissioner's  
19 position as to the application in person or in writing. Any final order  
20 by the court on such application for spousal support shall be sent to  
21 the commissioner within seven business days of the order.

22 [(c)] (d) No probate court shall approve an application for spousal  
23 support of a community spouse unless (1) notice is provided in  
24 accordance with subsection [(b)] (c) of this section, and (2) the order is  
25 consistent with state and federal law.

This act shall take effect as follows:	
Section 1	<i>July 1, 2003</i>

**Statement of Purpose:**

To require the Department of Social Services to uniformly classify as unearned income for program eligibility purposes, any federal advance earned income tax credits payments made to a program applicant.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*