



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2017 Wisconsin Act 269
[January 2018 Special Session
Assembly Bill 3]

**Asset Restrictions and Database
Review for Certain Public
Benefits Programs**

2017 Wisconsin Act 269 (the Act) creates new asset restrictions that apply as a condition of eligibility for Wisconsin Works (W-2), Wisconsin Shares, and FoodShare. The Act also requires the Department of Children and Families (DCF) and the Department of Health Services (DHS) to perform a periodic review of existing public benefits databases to identify program participants who are deceased.

ASSET RESTRICTIONS

W-2

Under prior law, to be eligible for W-2, an individual's W-2 group could not have assets exceeding \$2,500 in combined equity value, excluding the following assets: (1) the equity value of any vehicles, up to a total of \$10,000 in equity value; and (2) the value of one home that serves as the W-2 group's homestead.

The Act generally retains these restrictions, except that under the Act, the value of a home serving as the W-2 group's homestead may only be excluded if the home is valued at no more than 200% of the statewide median value for homes, excluding the value of agricultural land owned by the W-2 group. DCF may establish a hardship exemption by rule to allow the exclusion of a homestead valued at any amount for qualifying applicants.

Wisconsin Shares

Under prior law, to be eligible for Wisconsin Shares the total liquid assets of an applicant's family generally could not exceed \$25,000. The Act retains this requirement and also creates two new asset restrictions for Wisconsin Shares eligibility. Under the Act, an applicant's family also cannot: (1) own more than one home, used as the individual's primary residence,

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.

which is valued at more than 200% of the statewide median value for homes, excluding the value of agricultural land owned by the family; or (2) own any number of vehicles with a combined equity value of more than \$20,000, except vehicles used for business purposes. DCF may establish a hardship exemption to the new asset restrictions by rule.

FoodShare

Federal law requires each state to apply certain uniform resource eligibility standards for food stamp recipients, including limits on recipients' financial assets. State law specifies that an individual is generally not eligible for FoodShare if the total liquid assets of his or her household exceeds \$25,000. The state asset limitation does not apply to individuals who are elderly, blind, or disabled.

The Act adds new asset restrictions for FoodShare. Under the Act, an individual is generally ineligible for FoodShare benefits if he or she: (1) owns more than one home; (2) owns a home that is worth more than 200% of the statewide median home value, excluding the value of agricultural land; or (3) owns any number of vehicles with a combined equity value of more than \$20,000, except those used for business purposes. These new eligibility requirements do not apply to individuals who are under 19 years old or are elderly, blind, or disabled. DHS may promulgate a rule to establish a hardship exemption to the new asset restrictions.

PUBLIC BENEFITS DATABASE REVIEW

The Act requires DHS and DCF to perform a comparison, at least once every three months, of each department's respective public benefit database information against nationally recognized databases that contain information on death records, except that DCF does not have to do this comparison with regard to Wisconsin Shares child care subsidies. The purpose of the comparison is to identify participants in public benefits programs that are deceased, and any participant who is found to be deceased must be designated as ineligible for benefits in any applicable database.

Effective date: The asset restrictions take effect on January 1, 2019. The public benefits database review requirements took effect on April 12, 2018.

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