

116TH CONGRESS
2D SESSION

S. 3276

To eliminate asset limits employed by certain federally funded means-tested public assistance programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 11, 2020

Mr. COONS (for himself, Mr. BROWN, Mr. BOOKER, Mr. DURBIN, Mr. VAN HOLLEN, Ms. HARRIS, Mr. LEAHY, Mr. SANDERS, Mr. KAINE, and Mr. CASEY) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To eliminate asset limits employed by certain federally funded means-tested public assistance programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Allowing Steady Savings by Eliminating Tests Act” or
6 the “ASSET Act”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings; sense of Congress.

Sec. 3. States prohibited from imposing asset limits on programs funded by Temporary Assistance for Needy Families (TANF) grants.

Sec. 4. Eliminating asset limits in the supplemental nutrition assistance program (SNAP).

Sec. 5. Eliminating asset limit in Low Income Home Energy Assistance Program (LIHEAP).

Sec. 6. Updating and indexing the resource limit for supplemental security income (SSI).

Sec. 7. Effective date.

1 SEC. 2. FINDINGS; SENSE OF CONGRESS.

2 (a) FINDINGS.—Congress finds as follows:

3 (1) Many means-tested public assistance pro-
 4 grams limit eligibility for benefits on the basis of the
 5 assets of a family, such as savings and other re-
 6 sources. Such asset limits impede the ability of
 7 needy families to improve their financial cir-
 8 cumstances and thereby reduce their dependence on
 9 public assistance programs.

10 (2) Restricting eligibility for public assistance
 11 programs on the basis of assets negatively affects
 12 the financial security of low-income families. For ex-
 13 ample, to avoid losing eligibility for public assistance
 14 under an asset limit, a family may avoid mainstream
 15 financial services such as bank accounts, or refrain
 16 from acquiring and saving resources that would en-
 17 able the family to weather an unanticipated expense.

18 (3) The risk that people who don't need public
 19 assistance will take advantage of public assistance
 20 programs in the absence of asset limits is low, in

1 part because most applicants for public assistance
 2 have very few assets, must meet strict work require-
 3 ments, and usually may only participate in a pro-
 4 gram for a limited time.

5 (4) Evidence from States that have eliminated
 6 asset limits suggests that the administrative cost
 7 savings associated with the elimination of asset lim-
 8 its outweigh any increases in payments made to
 9 beneficiaries.

10 (b) SENSE OF CONGRESS.—It is the sense of Con-
 11 gress that certain federally funded means-tested public as-
 12 sistance programs should not utilize asset limits to restrict
 13 eligibility for assistance under those programs.

14 **SEC. 3. STATES PROHIBITED FROM IMPOSING ASSET LIM-**
 15 **ITS ON PROGRAMS FUNDED BY TEMPORARY**
 16 **ASSISTANCE FOR NEEDY FAMILIES (TANF)**
 17 **GRANTS.**

18 (a) NO STATE LIMITATION ON ALLOWABLE FINAN-
 19 CIAL RESOURCES.—Section 408(a) of the Social Security
 20 Act (42 U.S.C. 608(a)) is amended by adding at the end
 21 the following new paragraph:

22 “(13) NO ASSET OR RESOURCE LIMIT.—A State
 23 to which a grant is made under section 403 shall not
 24 apply any asset or resource limit for eligibility of a

1 family for any benefit, assistance, or service provided
 2 under the State program funded under this part.”.

3 (b) CONFORMING AMENDMENTS.—Section 408(f) of
 4 the Social Security Act (42 U.S.C. 608(f)) is amended—

5 (1) in the matter preceding paragraph (1), by
 6 striking “or resources”; and

7 (2) in paragraph (1)—

8 (A) in the paragraph header, by striking
 9 “AND RESOURCES”;

10 (B) by striking subparagraph (B);

11 (C) by redesignating subparagraph (C) as
 12 subparagraph (B); and

13 (D) in subparagraph (B) (as so redesign-
 14 ated), by striking “and resources” each place
 15 it appears.

16 (c) DELAY PERMITTED IF STATE LEGISLATION RE-
 17 QUIRED.—

18 (1) IN GENERAL.—In the case of a State to
 19 which a grant is made under section 403 of the So-
 20 cial Security Act (42 U.S.C. 603) that the Secretary
 21 of Health and Human Services determines requires
 22 State legislation (other than legislation appro-
 23 priating funds) to meet the requirements of para-
 24 graph (13) of section 408(a) of such Act (42 U.S.C.
 25 608(a)), such State shall not be regarded as failing

1 to comply with the requirements of such paragraph
 2 before the first day of the first calendar quarter that
 3 begins after the close of the first regular session of
 4 the State legislature that begins after the date of en-
 5 actment of this Act.

6 (2) 2-YEAR LEGISLATIVE SESSION.—For pur-
 7 poses of paragraph (1), in the case of a State that
 8 has a 2-year legislative session, each year of the ses-
 9 sion shall be considered to be a separate regular ses-
 10 sion of the State legislature.

11 **SEC. 4. ELIMINATING ASSET LIMITS IN THE SUPPLE-**
 12 **MENTAL NUTRITION ASSISTANCE PROGRAM**
 13 **(SNAP).**

14 (a) IN GENERAL.—

15 (1) ELIGIBLE HOUSEHOLDS.—Section 5 of the
 16 Food and Nutrition Act of 2008 (7 U.S.C. 2014) is
 17 amended—

18 (A) in subsection (a), in the first sentence,
 19 by striking “and other financial resources”;

20 (B) by striking subsections (g) and (j);

21 (C) by redesignating subsections (h), (i),
 22 (k), (l), (m), and (n) as subsections (g), (h), (i),
 23 (j), (k), and (l), respectively; and

24 (D) in subsection (h) (as so redesign-
 25 nated)—

1 (i) in paragraph (1), by striking “and
2 resources” each place it appears; and

3 (ii) in paragraph (2)—

4 (I) by striking subparagraph (B);

5 and

6 (II) by redesignating subpara-
7 graphs (C) through (E) as subpara-
8 graphs (B) through (D), respectively.

9 (2) ELIGIBILITY DISQUALIFICATIONS.—Section
10 6 of the Food and Nutrition Act of 2008 (7 U.S.C.
11 2015) is amended—

12 (A) by striking subsection (h); and

13 (B) by redesignating subsections (i)
14 through (s) as subsections (h) through (r), re-
15 spectively.

16 (3) RESEARCH, DEMONSTRATION, AND EVALUA-
17 TIONS.—Section 17 of the Food and Nutrition Act
18 of 2008 (7 U.S.C. 2026) is amended—

19 (A) by striking subsections (h) and (i); and

20 (B) by redesignating subsections (j)
21 through (n) as subsections (h) through (l), re-
22 spectively.

23 (b) CONFORMING AMENDMENTS.—

24 (1) Section 5 of the Food and Nutrition Act of
25 2008 (7 U.S.C. 2014) is amended—

1 (A) in subsection (a), in the second sen-
 2 tence, by striking “and (r)” and inserting “and
 3 (q)””; and

4 (B) in subsection (d)—

5 (i) in paragraph (1), by striking “sub-
 6 section (k)” and inserting “subsection (i)”;
 7 and

8 (ii) in paragraph (10), by striking
 9 “subsection (k) of this section” and insert-
 10 ing “subsection (i)”.

11 (2) Section 6 of the Food and Nutrition Act of
 12 2008 (7 U.S.C. 2015) is amended—

13 (A) in subsection (d)(4), by striking “sub-
 14 section (o)” each place it appears and inserting
 15 “subsection (n)”;

16 (B) in subsection (f), in the third sentence,
 17 by striking “and financial resources”;

18 (C) in subsection (q) (as redesignated by
 19 subsection (a)(2)(B)), in paragraph (1)(B), by
 20 striking “subsection (k)” and inserting “sub-
 21 section (j)””; and

22 (D) in subsection (r) (as redesignated by
 23 subsection (a)(2)(B)), in paragraph (2)—

24 (i) by striking “allowable financial re-
 25 sources and”; and

1 (ii) by striking “(g), (i), (k), (l), (m),
 2 and (n)” and inserting “(h), (i), (j), (k),
 3 and (l)”.

4 (3) Section 7(i)(1) of the Food and Nutrition
 5 Act of 2008 (7 U.S.C. 2016(i)(1)) is amended by
 6 striking “section 6(o)(2) of this Act” and inserting
 7 “section 6(n)(2)”.

8 (4) Section 11(e)(22) of the Food and Nutri-
 9 tion Act of 2008 (7 U.S.C. 2020(e)(22)) is amended
 10 by striking “section 6(i)” and inserting “section
 11 6(h)”.

12 (5) Section 16 of the Food and Nutrition Act
 13 of 2008 (7 U.S.C. 2025) is amended—

14 (A) in subsection (a)(9), by striking “sec-
 15 tion 17(n)” and inserting “section 17(l)”; and

16 (B) in subsection (h)—

17 (i) in paragraph (1)—

18 (I) in subparagraph (B)(ii), by
 19 striking “section 6(o)” and inserting
 20 “section 6(n)”;

21 (II) in subparagraph (E)—

22 (aa) by striking “section
 23 6(o)(3)” each place it appears
 24 and inserting “section 6(n)(3)”;

1 (bb) by striking “section
 2 6(o)(2)” each place it appears
 3 and inserting “section 6(n)(2)”;
 4 and

5 (cc) in clause (ii)—

6 (AA) in subclause (III),
 7 by striking “section 6(o)(4)”
 8 and inserting “section
 9 6(n)(4)”; and

10 (BB) in subclause (IV),
 11 by striking “section 6(o)(6)”
 12 and inserting “section
 13 6(n)(6)”; and

14 (III) in subparagraph
 15 (F)(ii)(III)(ee)(AA), by striking “sec-
 16 tion 6(o)” and inserting “section
 17 6(n)”; and

18 (ii) in paragraph (5)(C)(iv)(I), by
 19 striking “section 6(o)(2)” and inserting
 20 “section 6(n)(2)”.

21 (6) Section 17 of the Food and Nutrition Act
 22 of 2008 (7 U.S.C. 2026) is amended—

23 (A) in subsection (k) (as redesignated by
 24 subsection (a)(3)(B))—

1 (i) by striking “subsections (l)
2 through (n)” each place it appears and in-
3 serting “subsections (k) through (m)”; and

4 (ii) in paragraph (2)(E), by striking
5 “section 6(l)(2)” and inserting “section
6 6(k)(2)”; and

7 (B) in subsection (l) (as redesignated by
8 subsection (a)(3)(B)), in paragraph
9 (4)(A)(i)(II), by striking “and financial re-
10 sources (as described in section 5(g))”.

11 (7) Section 18(g)(2) of the Food and Nutrition
12 Act of 2008 (7 U.S.C. 2027(g)(2)) is amended by
13 striking “section 5(h)” and inserting “section 5(g)”.

14 (8) Section 103(a)(2)(D) of the Workforce In-
15 novation and Opportunity Act (29 U.S.C.
16 3113(a)(2)(D)) is amended by striking “section 6(o)
17 of the Food and Nutrition Act of 2008 (7 U.S.C.
18 2015(o))” and inserting “section 6(n) of the Food
19 and Nutrition Act of 2008 (7 U.S.C. 2015(n))”.

20 (9) Section 121(b)(2)(B)(iv) of the Workforce
21 Innovation and Opportunity Act (29 U.S.C.
22 3151(b)(2)(B)(iv)) is amended by striking “section
23 6(o) of the Food and Nutrition Act of 2008 (7
24 U.S.C. 2015(o))” and inserting “section 6(n) of the

1 Food and Nutrition Act of 2008 (7 U.S.C.
2 2015(n))”.

3 (10) Section 454 of the Social Security Act (42
4 U.S.C. 654) is amended—

5 (A) in paragraph (4)(A)(i), by striking
6 “section 6(l)(1) of the Food and Nutrition Act
7 of 2008 (7 U.S.C. 2015(l)(1))” and inserting
8 “section 6(k)(1) of the Food and Nutrition Act
9 of 2008 (7 U.S.C. 2015(k)(1))”;

10 (B) in paragraph (6)(B)(i), by striking
11 “subsection (l) or (m) of section 6 of the Food
12 and Nutrition Act of 2008” and inserting “sub-
13 section (k) or (l) of section 6 of the Food and
14 Nutrition Act of 2008 (7 U.S.C. 2015)”;

15 (C) in paragraph (29)(A)(ii), by striking
16 “section 6(l)(2) of the Food and Nutrition Act
17 of 2008 (7 U.S.C. 2015(l)(2))” and inserting
18 “section 6(k)(2) of the Food and Nutrition Act
19 of 2008 (7 U.S.C. 2015(k)(2))”.

20 (c) DELAY PERMITTED IF STATE LEGISLATION RE-
21 QUIRED.—

22 (1) IN GENERAL.—In the case of a State plan
23 under section 11 of the Food and Nutrition Act of
24 2008 (7 U.S.C. 2020) that the Secretary of Agri-
25 culture determines requires State legislation (other

1 than legislation appropriating funds) in order for the
 2 plan to meet the additional requirements imposed by
 3 the amendments made by this section, the State
 4 plan shall not be regarded as failing to comply with
 5 the requirements of section 11 of the Food and Nu-
 6 trition Act of 2008 (7 U.S.C. 2020) solely on the
 7 basis of the failure of the plan to meet those addi-
 8 tional requirements before the first day of the first
 9 calendar quarter that begins after the close of the
 10 first regular session of the State legislature that be-
 11 gins after the date of enactment of this Act.

12 (2) LEGISLATIVE SESSION.—For purposes of
 13 paragraph (1), in the case of a State that has a 2-
 14 year legislative session, each year of the session shall
 15 be considered a separate regular session of the State
 16 legislature.

17 **SEC. 5. ELIMINATING ASSET LIMIT IN LOW INCOME HOME**
 18 **ENERGY ASSISTANCE PROGRAM (LIHEAP).**

19 (a) ELIMINATION OF LIMITATIONS ON ALLOWABLE
 20 FINANCIAL RESOURCES.—Section 2605(b)(2) of the Low-
 21 Income Home Energy Assistance Act of 1981 (42 U.S.C.
 22 8624(b)(2)) is amended, in the matter following subpara-
 23 graph (B), by inserting “, and agrees that a State may
 24 not exclude a household from eligibility in a fiscal year

1 solely or partially on the basis of the assets of 1 or more
 2 members of the household” before the semicolon.

3 (b) DELAY PERMITTED IF STATE LEGISLATION RE-
 4 QUIRED.—

5 (1) IN GENERAL.—In the case of a State plan
 6 under section 2605 of the Low-Income Home En-
 7 ergy Assistance Act of 1981 (42 U.S.C. 8624) that
 8 the Secretary of Health and Human Services deter-
 9 mines requires State legislation (other than legisla-
 10 tion appropriating funds) in order for the plan to
 11 meet the additional requirements imposed by the
 12 amendment made by this section, the State plan
 13 shall not be regarded as failing to comply with the
 14 requirements of such section 2605 solely on the
 15 basis of the failure of the plan to meet those addi-
 16 tional requirements before the first day of the first
 17 calendar quarter that begins after the close of the
 18 first regular session of the State legislature that be-
 19 gins after the date of enactment of this Act.

20 (2) 2-YEAR LEGISLATIVE SESSION.—For pur-
 21 poses of paragraph (1), in the case of a State that
 22 has a 2-year legislative session, each year of the ses-
 23 sion shall be considered to be a separate regular ses-
 24 sion of the State legislature.

1 **SEC. 6. UPDATING AND INDEXING THE RESOURCE LIMIT**
 2 **FOR SUPPLEMENTAL SECURITY INCOME**
 3 **(SSI).**

4 (a) IN GENERAL.—

5 (1) UPDATE IN RESOURCE LIMIT FOR INDIVID-
 6 UALS AND COUPLES.—Section 1611(a)(3) of such
 7 Act (42 U.S.C. 1382(a)(3)) is amended—

8 (A) in subparagraph (A), by striking
 9 “\$2,250” and all that follows through the end
 10 of the subparagraph and inserting “\$20,000 in
 11 calendar year 2020, and shall be increased as
 12 described in section 1617(d) for each subse-
 13 quent calendar year.”; and

14 (B) in subparagraph (B), by striking
 15 “\$1,500” and all that follows through the end
 16 of the subparagraph and inserting “\$10,000 in
 17 calendar year 2020, and shall be increased as
 18 described in section 1617(d) for each subse-
 19 quent calendar year.”.

20 (2) INFLATION ADJUSTMENT.—Section 1617 of
 21 such Act (42 U.S.C. 1382f) is amended—

22 (A) in the section heading, by inserting “;
 23 INFLATION ADJUSTMENT” after “BENEFITS”;
 24 and

25 (B) by adding at the end the following:

1 “(d) In the case of any calendar year after 2020, each
 2 of the amounts specified in section 1611(a)(3) shall be in-
 3 creased by multiplying each such amount by the quotient
 4 (not less than 1) obtained by dividing—

5 “(1) the average of the Consumer Price Index
 6 for Elderly Consumers (CPI-E, as published by the
 7 Bureau of Labor Statistics of the Department of
 8 Labor) for the 12-month period ending with Sep-
 9 tember of the preceding calendar year, by

10 “(2) such average for the 12-month period end-
 11 ing with September 2019.”.

12 (b) EFFECTIVE DATE.—The amendments made by
 13 this section shall take effect on January 1, 2020.

14 **SEC. 7. EFFECTIVE DATE.**

15 Except as otherwise provided, the amendments made
 16 by this Act shall apply to benefits for calendar months
 17 beginning on or after the date that is 30 days after the
 18 date of enactment of this Act.

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