

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 326

Introduced by Speaker Flood, 19; at the request of the Governor;

Read first time January 11, 2007

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to public assistance; to amend section
2 68-1070, Revised Statutes Cumulative Supplement, 2006;
3 to change provisions relating to eligibility; to provide
4 an operative date; to repeal the original section; and to
5 declare an emergency.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 68-1070, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 68-1070 (1) If the following non-United-States citizens
4 meet the income and other requirements for participation in the
5 medical assistance program established pursuant to the Medical
6 Assistance Act, in the program for financial assistance pursuant
7 to section 43-512, ~~in the food stamp program administered by the~~
8 ~~State of Nebraska pursuant to the federal Food Stamp Act,~~ or in
9 the program for assistance to the aged, blind, and disabled, such
10 persons shall be eligible for such program or benefits:

11 ~~(a) Non-United-States citizens lawfully admitted,~~
12 ~~regardless of the date entry was granted, into the United States~~
13 ~~for permanent residence;~~

14 ~~(b)~~ (a) Refugees admitted under section 207 of the
15 federal Immigration and Naturalization Act, non-United-States
16 citizens granted asylum under section 208 of such federal act,
17 and non-United-States citizens whose deportation is withheld under
18 section 243(h) of such federal act, regardless of the date of entry
19 into the United States; and

20 ~~(c)~~ (b) Individuals for whom coverage is mandated under
21 federal law.

22 ~~(2)~~ Individuals eligible for food stamp assistance under
23 this section shall receive any food stamp coupons or electronic
24 benefits or a state voucher which can be used only for food
25 products authorized under the federal Food Stamp Act, in the amount

1 of the food stamp benefit for which this individual was otherwise
2 eligible but for the citizenship provisions of Public Law 104-193,
3 110 Stat. 2105 (1996).

4 ~~(3)~~ (2) The income and resources of any individual who
5 assists a non-United-States citizen to enter the United States
6 by signing an affidavit of support shall be deemed available
7 in determining the non-United-States citizen's eligibility for
8 assistance until the non-United-States citizen becomes a United
9 States citizen.

10 Sec. 2. This act becomes operative on July 1, 2007.

11 Sec. 3. Original section 68-1070, Revised Statutes
12 Cumulative Supplement, 2006, is repealed.

13 Sec. 4. Since an emergency exists, this act takes effect
14 when passed and approved according to law.