

SENATE No. 727

[Senate, No. 727. — Substituted by amendment by the Senate (Cutler) (in part) for the House Report of the committee on Public Welfare, reference to the next annual session (under Joint Rule 10), on the special report of the Legislative Research Council relative to the administration and interpretation of the old age assistance law by the Department of Public Welfare (House, No. 3070).]

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Seven.

AN ACT RELATIVE TO THE ABILITY OF CHILDREN TO CONTRIBUTE SUPPORT TO PARENTS WHO ARE RECIPIENTS OF OLD AGE ASSISTANCE OR ASSISTANCE TO DISABLED PERSONS, AND INCREASING THE AMOUNT OF CASH A RECIPIENT OF ASSISTANCE FOR DISABLED PERSONS MAY POSSESS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 SECTION 1. Section 2A of chapter 118A of the General
2 Laws is hereby amended by striking out paragraphs 1, 3 and
3 4, as amended by section 3 of chapter 801 of the acts of 1951,
4 and inserting in place thereof the following three paragraphs:—
5 1. In the case of an employed single child living with his
6 aged parent or parents, income up to twenty-five hundred
7 dollars per annum shall be considered exempt and available
8 to said child for his personal needs and his board and lodging.
9 Of the amount of income in excess of the twenty-five hundred
10 dollars per annum received by said child, one third shall be
11 contributed as support to the parent or parents.
12 3. In the case of an employed single child living apart from
13 his aged parent or parents, income up to twenty-seven hundred

14 and fifty dollars per annum shall be considered exempt and
15 available to said child for his personal needs and his board
16 and lodging. Of the amount of income in excess of the
17 twenty-seven hundred and fifty dollars per annum received
18 by said child, one third shall be contributed as support to the
19 parent or parents.

20 4. In the case of an employed married child living apart
21 from his aged parent or parents, income up to thirty-seven
22 hundred and fifty dollars per annum shall be considered
23 exempt and available to said child for his personal needs.
24 Of the amount of income in excess of thirty-seven hundred
25 and fifty dollars per annum received by said child, one third
26 shall be contributed as support to the parent or parents.

1 SECTION 2. Section 7 of chapter 118D of the General Laws,
2 as appearing in section 2 of chapter 741 of the acts of 1951, is
3 hereby amended by striking out, in lines 6, 13 and 16, the
4 words "three hundred" and inserting in place thereof, in each
5 instance, the words: — five hundred.

1 SECTION 3. Section 8 of said chapter 118D is hereby
2 amended by striking out paragraphs (a) to (g), inclusive, and
3 inserting in place thereof the following paragraphs: —

4 1. In the case of an employed single child living with his
5 parent or parents, income up to two thousand five hundred
6 dollars per annum shall be considered exempt and available
7 to said child for his personal needs and his board and lodging
8 Of the amount of income in excess of the two thousand five
9 hundred dollars per annum received by said child, one third
10 shall be contributed as support to the parent or parents.

11 2. Board and lodging paid by a child living with his parent
12 or parents shall not be considered as a resource unless it
13 exceeds ten dollars per week.

14 3. In the case of an employed single child living apart from
15 his parent or parents, income up to twenty-seven hundred
16 and fifty dollars per annum shall be considered exempt and
17 available to said child for his personal needs and his board
18 and lodging. Of the amount of income in excess of the
19 twenty-seven hundred and fifty dollars per annum received

20 by said child, one third shall be contributed as support to
21 the parent or parents.

22 4. In the case of an employed married child living apart
23 from his parent or parents, income up to thirty-seven hun-
24 dred and fifty dollars per annum shall be considered exempt
25 and available to said child for his personal needs. Of the
26 amount of income in excess of thirty-seven hundred and fifty
27 dollars per annum received by said child, one third shall be
28 contributed as support to the parent or parents.

29 5. The amounts of exempted income of any child herein-
30 above specified shall be increased by the amount of five hun-
31 dred dollars for each dependent, other than the spouse, of
32 such child.

33 6. In any case, any unusual circumstances within the im-
34 mediate family shall be considered with a view to determin-
35 ing whether such circumstances justify an exemption from
36 the general rule relative to persons coming within the above
37 classes.

38 7. The word "income" as used in this schedule shall mean
39 income after deducting state and federal income taxes thereon.
40 In determining the income of a child of a person or persons
41 seeking to receive, or receiving, assistance under this chapter,
42 the statement of said child under oath shall be accepted,
43 except as hereinafter provided. No investigation as to the
44 income of such child shall be made by a local board of public
45 welfare unless the child shall have refused to submit such a
46 statement, or unless the board reasonably doubts the accuracy
47 of a statement submitted.

