Kansas Administrative Regulations

Kansas Department for Children and Families

Article 4.—Public Assistance Program

30-4-113. Exempt income.

The following types of income shall be exempt in the determination of the budgetary deficit:

(a) For TANF, earned income of a child who is under the age of 19 years if the child is a student in elementary or secondary school or is working towards attainment of a GED;

(b) for food assistance, earned income of a child who is under the age of 18 years if the child is a student in elementary or secondary school or is working towards attainment of a GED;

(c) lump sum income;

(d) irregular, occasional, or unpredictable monetary gifts that do not exceed $50.00 per month per family group;

(e) income-in-kind;

(f) shelter cost participation payments. In shared living arrangements in which two families contribute toward the shelter obligations, any cash paid toward the shared shelter obligation by one family to the second family in the shared arrangement shall not be considered as income to the second family. This exemption shall not be applicable in a bona fide, commercial landlord-tenant arrangement;

(g) tax refunds and rebates, except for earned income tax credits in accordance with K.A.R. 30-4-112;

(h) incentive payments received by renal dialysis patients;

(i) home energy assistance furnished on the basis of need by a federally regulated or state-regulated entity whose revenues are primarily derived on a rate-of-return basis, by a private, nonprofit organization, by a supplier of home heating oil or gas, or by a municipal utility company that provides home energy;

(j) income received from the job training partnership act of 1982. However, earnings received by individuals who are participating in on-the-job training programs shall be countable unless the individual is a child;

(k) housing assistance from federal housing programs;

(l) assistance payments in the month received;

(m) support payments received following the effective date of the assignment of support rights to the department. However, a support refund disbursed by the department to the recipient or reported current support that, if prospectively treated as nonexempt income, would result in ineligibility, shall not be exempt income;

(n) up to $2,000.00 per year of income received by an individual Indian that is derived from leases or other uses of an individually owned trust or restricted lands;

(o) veterans administration (VA) payments resulting from unusual medical expenses, which shall mean expenditures exceeding five percent of the veteran's reported annual income;

(p) interest income that does not exceed $50.00 per month per family group; and

(q) the amount of any child support pass-through payment.

(Authorized by K.S.A. 2018 Supp. 39-708c; implementing K.S.A. 2018 Supp. 39-708c and 39-709; effective May 1, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended May 1, 1983; amended, T-84-11, July 1, 1983; amended, T-84-25, Sept. 19, 1983; amended May 1, 1984; amended, T-85-26, Oct. 15, 1984; amended May 1, 1985; amended, T-87-15, July 1, 1986; amended May 1, 1987; amended, T-88-59, Dec. 16, 1987; amended May 1, 1988; amended Sept. 26, 1988; amended July 1, 1989; amended Oct. 1, 1989; amended May 1, 1991; amended July 1, 1991; amended Sept. 30, 1994; amended Dec. 30, 1994; amended March 1, 1997; amended July 1, 1997; amended Oct. 1, 1997; amended May 3, 2019.)