

mining the need of any dependent child or relative claiming aid who is living with other individuals (not claiming aid together with such child or relative) as a household (as defined, for purposes of this section, by the Secretary), the amount included in the standard of need, and the payment standard, applied to such child or relative for shelter, utilities, and similar needs may be prorated on a reasonable basis, in such manner and under such circumstances as the State may determine to be appropriate. For purposes of any method of proration used by a State under this section, there shall not be included as a member of a household an individual receiving benefits under subchapter XVI of this chapter in any month to whom the one-third reduction prescribed by section 1382a(a)(2)(A)(i) of this title is applied.

(Aug. 14, 1935, ch. 531, title IV, §412, as added June 17, 1980, Pub. L. 96-272, title III, §303, 94 Stat. 528; amended Aug. 13, 1981, Pub. L. 97-35, title XXIII, §2306(b), 95 Stat. 846; Sept. 3, 1982, Pub. L. 97-248, title I, §155(a), 96 Stat. 397.)

#### AMENDMENTS

1982—Pub. L. 97-248 substituted provisions relating to prorating shelter allowance of AFDC family living with another household, for provisions relating to eligible children, definition of “closely related family members”, amount of aid, and determination of total income with respect to prorating of shelter allowance in certain cases where child lives with relative not responsible for his support.

1981—Subsec. (b). Pub. L. 97-35 substituted “does not include a stepparent whose income is taken into consideration under section 602(a)(31) of this title (regardless of whether such income exceeds the sum specified in such section) or any other such relative” for “does not include any such relative”.

#### EFFECTIVE DATE OF 1982 AMENDMENT

Section 155(b) of Pub. L. 97-248 provided that: “The amendment made by this section [amending this section] shall become effective on October 1, 1982.”

#### EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-35 effective Oct. 1, 1981, except as otherwise specifically provided, see section 2321 of Pub. L. 97-35, set out as a note under section 602 of this title.

### § 613. Technical assistance for developing management information systems

The Secretary shall provide such technical assistance to States as he determines necessary to assist States to plan, design, develop, or install and provide for the security of, the management information systems referred to in section 603(a)(3)(B)<sup>1</sup> of this title.

(Aug. 14, 1935, ch. 531, title IV, §413, as added June 9, 1980, Pub. L. 96-265, title IV, §406(c), 94 Stat. 467.)

#### REFERENCES IN TEXT

Section 603(a)(3) of this title, referred to in text, was amended generally by Pub. L. 103-66, title XIII, §13741(a), Aug. 10, 1993, 107 Stat. 663, and, as so amended, no longer contains subpars.

#### EFFECTIVE DATE

Section 406(d) of Pub. L. 96-265 provided that: “The amendments made by this section [enacting this sec-

tion and amending sections 602 and 603 of this title] shall be effective with respect to expenditures made during calendar quarters beginning on or after July 1, 1981.”

### § 614. Repealed. Pub. L. 100-485, title II, § 202(b)(13), Oct. 13, 1988, 102 Stat. 2378

Section, act Aug. 14, 1935, ch. 531, title IV, §414, as added Aug. 13, 1981, Pub. L. 97-35, title XXIII, §2308, 95 Stat. 848; amended July 18, 1984, Pub. L. 98-369, div. B, title VI, §§2638(a), 2663(c)(7)(A), 98 Stat. 1143, 1166, related to work supplementation program.

#### EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1990, with provision for earlier effective dates in case of States making certain changes in their State plans and formally notifying the Secretary of Health and Human Services of their desire to become subject to the amendments by title II of Pub. L. 100-485, at such earlier effective dates, see section 204(a), (b)(1)(A), of Pub. L. 100-485, set out as an Effective Date note under section 681 of this title.

### § 615. Attribution of income and resources of sponsor and spouse to alien

#### (a) Applicability; time period

For purposes of determining eligibility for and the amount of benefits under a State plan approved under this part for an individual who is an alien described in clause (B) of section 602(a)(33) of this title, the income and resources of any person who (as a sponsor of such individual's entry into the United States) executed an affidavit of support or similar agreement with respect to such individual, and the income and resources of the sponsor's spouse, shall be deemed to be the unearned income and resources of such individual (in accordance with subsections (b) and (c) of this section) for a period of three years after the individual's entry into the United States, except that this section is not applicable if such individual is a dependent child and such sponsor (or such sponsor's spouse) is the parent of such child.

#### (b) Computation

(1) The amount of income of a sponsor (and his spouse) which shall be deemed to be the unearned income of an alien for any month shall be determined as follows:

(A) the total amount of earned and unearned income of such sponsor and such sponsor's spouse (if such spouse is living with the sponsor) shall be determined for such month;

(B) the amount determined under subparagraph (A) shall be reduced by an amount equal to the sum of—

(i) the lesser of (I) 20 percent of the total of any amounts received by the sponsor and his spouse in such month as wages or salary or as net earnings from self-employment, plus the full amount of any costs incurred by them in producing self-employment income in such month, or (II) \$175;

(ii) the cash needs standard established by the State under its plan for a family of the same size and composition as the sponsor and those other individuals living in the same household as the sponsor who are claimed by him as dependents for purposes of determining his Federal personal income tax liability but whose needs are not taken

<sup>1</sup> See References in Text note below.