

**205.210 Amount of assistance -- Proration in case of deficiency -- Resources defined.**

- (1) The amount of public assistance to be granted shall be determined with due regard to the needs and resources of the individual and family as prescribed by regulation, provided, that if available funds during a budgetary period are insufficient to meet the full needs of the recipients in all or any of the categories of public assistance, the funds available shall be reasonably prorated to recipients in such categories according to pending and anticipated applications during such budgetary period.
- (2) Notwithstanding any other provisions of law to the contrary, resources in any given case shall be deemed to include among other things:
  - (a) The income and any property belonging to any applicant or recipient; except the exemptions of the kind and the amount of income prescribed by regulations within the scope of the public assistance titles of the Social Security Act, its amendments and other federal acts and regulations;
  - (b) The income and any property of the spouse living with any needy aged, needy blind or needy permanently and totally disabled person; and
  - (c) Such income and resources as may be available to applicants or recipients from persons legally liable for their support.

The price brought on the sale of property at a public auction conducted by a licensed auctioneer shall be deemed to be the fair market value of that property.

- (3) The value of any property voluntarily transferred by any applicant or recipient or the spouse living with any applicant or recipient for the purpose of establishing eligibility for public assistance shall be deemed a resource of such applicant or recipient under this section.

**Effective:** July 15, 2016

**History:** Amended 2016 Ky. Acts ch. 103, sec. 18, effective July 15, 2016. -- Amended 1972 Ky. Acts ch. 256, sec. 6. -- Amended 1970 Ky. Acts ch. 248, sec. 5. -- Amended 1966 Ky. Acts ch. 134, sec. 4. -- Amended 1962 Ky. Acts ch. 34, sec. 1. -- Amended 1952 Ky. Acts ch. 33, sec. 5. -- Created 1950 Ky. Acts ch. 110, sec. 7.