



STIMULUS PAYMENTS FOR IMMIGRANTS

If you are an immigrant and not yet a naturalized citizen, you are eligible to receive a rebate check if you meet the income criteria (adjusted gross income less than \$99,000 if you are single or \$198,000 if you are a married couple) and:

- Have a valid Social Security number

AND

- You meet the “resident alien” criteria for tax filing purposes. You can meet this in one of two ways – you *either*:
 - Have a green card (permanent resident status); *or*
 - Meet the “substantial presence” test.
 - The “substantial presence” test is complicated, but the following people ordinarily meet it if, during the tax year, they were in the U.S. between at least December 1st and December 31st and they:
 - Entered the U.S. as a refugee;
 - Had a work permit through a pending application for permanent status such as:
 - Application for asylum
 - Application for “adjustment of status” to permanent residency through a family member, an employer, or the Diversity lottery
 - Had a work permit through:
 - Temporary Protected Status (TPS)
 - Deferred Action for Childhood Arrivals
 - An application in the immigration court to stay in the U.S.
 - The list above doesn’t include all the categories of noncitizens who might meet the “substantial presence” test. Also, some people who were not in the U.S. in December of the tax year but were in the U.S. earlier in that year may still meet the “substantial presence” test. Work with an experienced tax or immigration advocate if you have a Social Security number but are not in one of the categories listed above.
 - Most, but not all noncitizens in the U.S. with temporary visas will not meet the “substantial presence” test.

As of this writing, the IRS says that if you qualify for the stimulus payment because you meet the “substantial presence” test for 2019 (as opposed to having a green card),

you should file a 2019 tax return. You should not use the [Non-Filers: Enter Payment Info Here](#) web portal.

Note: If you are married filing jointly, both spouses must have Social Security numbers (unless one of the spouses is in the U.S. military). To claim a dependent child (16 years old or older), the child must also have a Social Security number or an ATIN.

NOTE ON THE “**PUBLIC CHARGE**” TEST: Federal stimulus checks will NOT be part of a public charge decision. Your stimulus check is a tax credit, so the public charge test DOES NOT include this money.

Stimulus payments will not count in determining eligibility for MaineCare (Medicaid), SSI, Food Supplement benefits (also known as Food Stamps or SNAP), TANF (Temporary Assistance for Needy Families), Heating Assistance, or federal Housing Assistance like the Section 8 programs. Local city and town General Assistance will also not count the stimulus payment.