

AMENDED IN ASSEMBLY APRIL 18, 2006

AMENDED IN ASSEMBLY MARCH 27, 2006

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 2961

Introduced by Assembly Member Nunez

February 24, 2006

An act to amend Section 11450 of the Welfare and Institutions Code, relating to CalWORKs.

LEGISLATIVE COUNSEL'S DIGEST

AB 2961, as amended, Nunez. CalWORKs: nonrecurring special needs: homeless assistance.

Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states, with California's version of this program being known as the California Work Opportunity and Responsibility to Kids (CalWORKs) program. Existing law provides for the CalWORKs program, under which each county provides cash assistance and other benefits to qualified low-income families and individuals who meet specified eligibility criteria. Existing law establishes maximum aid grant amounts to be provided under the CalWORKs program, and provides, with certain exceptions, that the aid grant amounts shall be adjusted annually to reflect any increases or decreases in the cost of living.

Under existing law, after a family has used all available liquid resources in excess of \$100, the family shall be entitled to receive an allowance for nonrecurring special needs, including homeless assistance, under specified circumstances.

This bill would revise the purposes for which homeless assistance payment may be provided, to include payment of *up to 2 months of* rent arrearages when these payments are a reasonable condition of preventing eviction. The bill would also include within the circumstances pursuant to which homeless assistance would be available, when a family receives a notice ~~of eviction due to nonpayment of rent, as specified to pay rent or quit~~. The bill would increase the amount of assistance available to a family, from \$40 per day to \$65 per day for a family of 4 or fewer, plus \$15 per day for each additional family member up to a daily maximum of \$125. This bill would also revise the manner of calculation of the nonrecurring special need of permanent housing assistance for last month's rent and security deposits.

This bill would require the payment of a nonrecurring work support, for 12 months, to an eligible CalWORKs recipient who has recently received homeless assistance, as specified, in order to relieve housing instability. The bill would set forth the amount and manner of payment of the work support, and would provide that the amount of the work support would not affect the assistance unit's base grant or be included in the assistance unit's income for purposes of eligibility or grant levels for aid. The bill would impose related requirements on county welfare departments, including requiring the county to report to the department data required by the department regarding individuals who receive work support payments pursuant to the bill.

This bill would impose a state-mandated local program by requiring each county to perform additional administrative duties under the CalWORKs program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 11450 of the Welfare and Institutions
2 Code, as amended by Section 18 of Chapter 147 of the Statutes
3 of 1999, is amended to read:

4 11450. (a) (1) Aid shall be paid for each needy family,
5 which shall include all eligible brothers and sisters of each
6 eligible applicant or recipient child and the parents of the
7 children, but shall not include unborn children, or recipients of
8 aid under Chapter 3 (commencing with Section 12000), qualified
9 for aid under this chapter. In determining the amount of aid paid,
10 and notwithstanding the minimum basic standards of adequate
11 care specified in Section 11452, the family's income, exclusive
12 of any amounts considered exempt as income or paid pursuant to
13 subdivision (e) or Section 11453.1 shall be deducted from the
14 sum specified in the following table, as adjusted for
15 cost-of-living increases pursuant to Section 11453 and paragraph
16 (2). In no case shall the amount of aid paid for each month
17 exceed the sum specified in the following table, as adjusted for
18 cost-of-living increases pursuant to Section 11453 and paragraph
19 (2), plus any special needs, as specified in subdivisions (c), (e),
20 and (f):

21 22 Number of 23 eligible needy 24 persons in 25 the same home	Maximum aid
26 1.....	\$ 326
27 2.....	535
28 3.....	663
29 4.....	788
30 5.....	899
31 6.....	1,010
32 7.....	1,109
33 8.....	1,209
34 9.....	1,306
35 10 or more.....	1,403

36
37 If, when, and during those times that the United States
38 government increases or decreases its contributions in assistance

1 of needy children in this state above or below the amount paid on
2 July 1, 1972, the amounts specified in the above table shall be
3 increased or decreased by an amount equal to that increase or
4 decrease by the United States government, provided that no
5 increase or decrease shall be subject to subsequent adjustment
6 pursuant to Section 11453.

7 (2) The sums specified in paragraph (1) shall not be adjusted
8 for cost of living for the 1990–91, 1991–92, 1992–93, 1993–94,
9 1994–95, 1995–96, 1996–97, and 1997–98 fiscal years, and
10 through October 31, 1998, nor shall that amount be included in
11 the base for calculating any cost-of-living increases for any fiscal
12 year thereafter. Elimination of the cost-of-living adjustment
13 pursuant to this paragraph shall satisfy the requirements of
14 Section 11453.05, and no further reduction shall be made
15 pursuant to that section.

16 (b) When the family does not include a needy child qualified
17 for aid under this chapter, aid shall be paid to a pregnant mother
18 for the month in which the birth is anticipated and for the
19 three-month period immediately prior to the month in which the
20 birth is anticipated in the amount which would otherwise be paid
21 to one person, as specified in subdivision (a), if the mother, and
22 child if born, would have qualified for aid under this chapter.
23 Verification of pregnancy shall be required as a condition of
24 eligibility for aid under this subdivision. Aid shall also be paid to
25 a pregnant woman with no other children in the amount which
26 would otherwise be paid to one person under subdivision (a) at
27 any time after verification of pregnancy if the pregnant woman is
28 also eligible for the Cal-Learn Program described in Article 3.5
29 (commencing with Section 11331) and if the mother and child, if
30 born, would have qualified for aid under this chapter.

31 (c) The amount of forty-seven dollars (\$47) per month shall be
32 paid to pregnant mothers qualified for aid under subdivision (a)
33 or (b) to meet special needs resulting from pregnancy if the
34 mother, and child, if born, would have qualified for aid under this
35 chapter. County welfare departments shall refer all recipients of
36 aid under this subdivision to a local provider of the Women,
37 Infants and Children program. If that payment to pregnant
38 mothers qualified for aid under subdivision (a) is considered
39 income under federal law in the first five months of pregnancy,
40 payments under this subdivision shall not apply to persons

1 eligible under subdivision (a), except for the month in which
2 birth is anticipated and for the three-month period immediately
3 prior to the month in which delivery is anticipated, if the mother,
4 and the child if born, would have qualified for aid under this
5 chapter.

6 (d) For children receiving AFDC-FC under this chapter, there
7 shall be paid, exclusive of any amount considered exempt as
8 income, an amount of aid each month which, when added to the
9 child's income, is equal to the rate specified in Section 11460,
10 11461, 11462, 11462.1, or 11463. In addition, the child shall be
11 eligible for special needs, as specified in departmental
12 regulations.

13 (e) In addition to the amounts payable under subdivision (a)
14 and Section 11453.1, a family shall be entitled to receive an
15 allowance for recurring special needs not common to a majority
16 of recipients. These recurring special needs shall include, but not
17 be limited to, special diets upon the recommendation of a
18 physician for circumstances other than pregnancy, and unusual
19 costs of transportation, laundry, housekeeping service, telephone,
20 and utilities. The recurring special needs allowance for each
21 family per month shall not exceed that amount resulting from
22 multiplying the sum of ten dollars (\$10) by the number of
23 recipients in the family who are eligible for assistance.

24 (f) After a family has used all available liquid resources, both
25 exempt and nonexempt, in excess of one hundred dollars (\$100),
26 the family shall also be entitled to receive an allowance for
27 nonrecurring special needs.

28 (1) An allowance for nonrecurring special needs shall be
29 granted for replacement of clothing and household equipment
30 and for emergency housing needs other than those needs
31 addressed by paragraph (2). These needs shall be caused by
32 sudden and unusual circumstances beyond the control of the
33 needy family. The department shall establish the allowance for
34 each of the nonrecurring special need items. The sum of all
35 nonrecurring special needs provided by this subdivision shall not
36 exceed six hundred dollars (\$600) per event.

37 (2) Homeless assistance is available to a homeless family
38 seeking shelter when the family is eligible for aid under this
39 chapter. Homeless assistance for temporary shelter is also
40 available to homeless families which are apparently eligible for

1 aid under this chapter. Apparent eligibility exists when evidence
2 presented by the applicant or which is otherwise available to the
3 county welfare department and the information provided on the
4 application documents indicate that there would be eligibility for
5 aid under this chapter if the evidence and information were
6 verified. However, an alien applicant who does not provide
7 verification of his or her eligible alien status, or a woman with no
8 eligible children who does not provide medical verification of
9 pregnancy, is not apparently eligible for purposes of this section.

10 A family is considered homeless, for the purpose of this
11 section, when the family lacks a fixed and regular nighttime
12 residence; or the family has a primary nighttime residence that is
13 a supervised publicly or privately operated shelter designed to
14 provide temporary living accommodations; or the family is
15 residing in a public or private place not designed for, or
16 ordinarily used as, a regular sleeping accommodation for human
17 beings. A family is also considered homeless for the purpose of
18 this section if the family has received ~~an official notice of~~
19 ~~eviction as a result of nonpayment of rent~~ *a notice to pay rent or*
20 *quit*. The family shall demonstrate that the eviction is the result
21 of a verified financial hardship as a result of extraordinary
22 circumstances beyond their control, and not other lease or rental
23 violations, and that the family is experiencing a financial crisis
24 that could result in homelessness if preventative assistance is not
25 provided.

26 (A) (i) A nonrecurring special need of sixty-five dollars (\$65)
27 a day shall be available to families of up to four members for the
28 costs of temporary shelter, subject to the requirements of this
29 paragraph. The fifth and additional members of the family shall
30 each receive fifteen dollars (\$15) per day, up to a daily maximum
31 of one hundred twenty-five dollars (\$125). County welfare
32 departments may increase the daily amount available for
33 temporary shelter as necessary to secure the additional bed space
34 needed by the family.

35 (ii) This special need shall be granted or denied immediately
36 upon the family's application for homeless assistance, and
37 benefits shall be available for up to three working days. The
38 county welfare department shall verify the family's homelessness
39 within the first three working days and if the family meets the
40 criteria of questionable homelessness established by the

1 department, the county welfare department shall refer the family
2 to its early fraud prevention and detection unit, if the county has
3 such a unit, for assistance in the verification of homelessness
4 within this period.

5 (iii) After homelessness has been verified, the three-day limit
6 shall be extended for a period of time which, when added to the
7 initial benefits provided, does not exceed a total of 16 calendar
8 days. This extension of benefits shall be done in increments of
9 one week and shall be based upon searching for permanent
10 housing which shall be documented on a housing search form;
11 good cause; or other circumstances defined by the department.
12 Documentation of housing search shall be required for the initial
13 extension of benefits beyond the three-day limit and on a weekly
14 basis thereafter as long as the family is receiving temporary
15 shelter benefits. Good cause shall include, but is not limited to,
16 situations in which the county welfare department has
17 determined that the family, to the extent it is capable, has made a
18 good faith but unsuccessful effort to secure permanent housing
19 while receiving temporary shelter benefits.

20 (B) A nonrecurring special need for permanent housing
21 assistance is available to pay for last month's rent and security
22 deposits when these payments are reasonable conditions of
23 securing a residence, or to pay for *up to two months of* rent
24 arrearages, when these payments are a reasonable condition of
25 preventing eviction.

26 The last month's rent *or monthly arrearage* portion of the
27 payment (1) shall not exceed 80 percent of the family's total
28 household income without *the value of food stamps or* special
29 needs for a family of that size and (2) shall only be made to
30 families that have found permanent housing costing no more than
31 80 percent of the family's total household income without special
32 needs for a family of that size.

33 However, if the county welfare department determines that a
34 family intends to reside with individuals who will be sharing
35 housing costs, the county welfare department shall, in
36 appropriate circumstances, set aside the condition specified in
37 clause (2) of the preceding paragraph.

38 (C) The nonrecurring special need for permanent housing
39 assistance is also available to cover the standard costs of deposits

1 for utilities which are necessary for the health and safety of the
2 family.

3 (D) A payment for or denial of permanent housing assistance
4 shall be issued no later than one working day from the time that a
5 family presents evidence of the availability of permanent
6 housing. If an applicant family provides evidence of the
7 availability of permanent housing before the county welfare
8 department has established eligibility for aid under this chapter,
9 the county welfare department shall complete the eligibility
10 determination so that the denial of or payment for permanent
11 housing assistance is issued within one working day from the
12 submission of evidence of the availability of permanent housing,
13 unless the family has failed to provide all of the verification
14 necessary to establish eligibility for aid under this chapter.

15 (E) (i) Except as provided in clauses (ii) and (iii), eligibility
16 for the temporary shelter assistance and the permanent housing
17 assistance pursuant to this paragraph shall be limited to one
18 period of up to 16 consecutive calendar days of temporary
19 assistance and one payment of permanent assistance. Any family
20 that includes a parent or nonparent caretaker relative living in the
21 home who has previously received temporary or permanent
22 homeless assistance at any time on behalf of an eligible child
23 shall not be eligible for further homeless assistance. Any person
24 who applies for homeless assistance benefits shall be informed
25 that the temporary shelter benefit of up to 16 consecutive days is
26 available only once in a lifetime, with certain exceptions, and
27 that a break in the consecutive use of the benefit constitutes
28 permanent exhaustion of the temporary benefit.

29 (ii) A family that becomes homeless as a direct and primary
30 result of a state or federally declared natural disaster shall be
31 eligible for temporary and permanent homeless assistance.

32 (iii) A family shall be eligible for temporary and permanent
33 homeless assistance when homelessness is a direct result of
34 domestic violence by a spouse, partner, or roommate; physical or
35 mental illness that is medically verified that shall not include a
36 diagnosis of alcoholism, drug addiction, or psychological stress;
37 or, the uninhabitability of the former residence caused by sudden
38 and unusual circumstances beyond the control of the family
39 including natural catastrophe, fire, or condemnation. These
40 circumstances shall be verified by a third-party governmental or

1 private health and human services agency and homeless
2 assistance payments based on these specific circumstances may
3 not be received more often than once in any 12-month period. A
4 county may require that a recipient of homeless assistance
5 benefits who qualifies under this paragraph for a second time in a
6 24-month period participate in a homelessness avoidance case
7 plan as a condition of eligibility for homeless assistance benefits.

8 (iv) The county welfare department shall report to the
9 department through a statewide homeless assistance payment
10 indicator system, necessary data, as requested by the department,
11 regarding all recipients of aid under this paragraph.

12 (F) The county welfare departments, and all other entities
13 participating in the costs of the AFDC program, have the right in
14 their share to any refunds resulting from payment of the
15 permanent housing. However, if an emergency requires the
16 family to move within the 12-month period specified in
17 subparagraph (E), the family shall be allowed to use any refunds
18 received from its deposits to meet the costs of moving to another
19 residence.

20 (G) Payments to providers for temporary shelter and
21 permanent housing and utilities shall be made on behalf of
22 families requesting these payments.

23 (H) The daily amount for the temporary shelter special need
24 for homeless assistance may be increased if authorized by the
25 current year's Budget Act by specifying a different daily
26 allowance and appropriating the funds therefor.

27 (I) No payment shall be made pursuant to this paragraph
28 unless the provider of housing is a commercial establishment,
29 shelter, or person in the business of renting properties who has a
30 history of renting properties.

31 (g) The department shall establish rules and regulations
32 assuring the uniform application statewide of this subdivision.

33 (h) The department shall notify all applicants and recipients of
34 aid through the standardized application form that these benefits
35 are available and shall provide an opportunity for recipients to
36 apply for the funds quickly and efficiently.

37 (i) Except for the purposes of Section 15200, the amounts
38 payable to recipients pursuant to Section 11453.1 shall not
39 constitute part of the payment schedule set forth in subdivision
40 (a).

1 The amounts payable to recipients pursuant to Section 11453.1
2 shall not constitute income to recipients of aid under this section.

3 (j) For children receiving Kin-GAP pursuant to Article 4.5
4 (commencing with Section 11360) of Chapter 2, there shall be
5 paid, exclusive of any amount considered exempt as income, an
6 amount of aid each month, which, when added to the child's
7 income, is equal to the rate specified in Section 11364.

8 (k) (1) A recipient of aid under this chapter who meets all of
9 the following criteria shall be provided with a nonrecurring work
10 support to alleviate housing instability:

11 (A) The individual is subject to the requirement to participate
12 in welfare-to-work activities under this chapter pursuant to
13 Section 11320.3, and is not exempt from participation due to any
14 of the factors listed in subdivision (b) of Section 11320.3, or for
15 any other reason.

16 (B) The individual is not subject to a sanction pursuant to
17 Section 11327.5.

18 (C) Within the most recent two calendar months, the
19 individual has received permanent homeless assistance pursuant
20 to subparagraph (B) of paragraph (2) of subdivision (f).

21 (D) The county determines that the individual has a level of
22 housing instability that threatens his or her ability to secure or
23 retain a job.

24 (2) The work support provided pursuant to this subdivision
25 shall be provided on a monthly basis as a payment directly to the
26 individual's landlord, property management company, or other
27 appropriate individual or entity. The work support shall not be
28 provided directly to the family, except that a county may issue
29 the work support by means of a two-party check, where the
30 recipient is one of the two parties. A county shall have the option
31 of using vouchers to provide the work support required by this
32 subdivision.

33 (3) The work support shall be based on the size of the
34 assistance unit, according to the following schedule:

35 (A) An assistance unit of two or fewer shall receive two
36 hundred dollars (\$200) per month.

37 (B) An assistance unit of three shall receive two hundred fifty
38 dollars (\$250) per month.

39 (C) An assistance unit of four or more shall receive three
40 hundred dollars (\$300) per month.

1 (D) The work support shall be provided for a period of 12
2 months, as long as the recipient continues to meet the criteria set
3 forth in subparagraphs (B) and (D) of paragraph (1).

4 (E) The provision of a work support pursuant to this
5 subdivision shall not affect the assistance unit's base grant and
6 shall not be calculated into the assistance unit's income for
7 purposes of determining eligibility or grant levels for aid
8 provided under this chapter.

9 (4) While welfare-to-work recipient is receiving assistance
10 pursuant to this chapter, the county welfare department shall
11 work with the recipient to develop a plan for stable housing after
12 the assistance is no longer available to the recipient.

13 (5) The county welfare department shall report to the
14 department all data required by the department regarding
15 individuals who receive a work support pursuant to this
16 subdivision.

17 (6) Notwithstanding Chapter 3.5 (commencing with Section
18 11340) of Part 1 of Division 3 of Title 2 of the Government
19 Code, the department may implement this subdivision by means
20 of all-county letters or similar instructions from the director,
21 followed by the subsequent adoption of regulations as soon as is
22 practicable.

23 SEC. 2. Section 11450 of the Welfare and Institutions Code,
24 as amended by Section 328 of Chapter 62 of the Statutes of 2003,
25 is amended to read:

26 11450. (a) (1) Aid shall be paid for each needy family,
27 which shall include all eligible brothers and sisters of each
28 eligible applicant or recipient child and the parents of the
29 children, but shall not include unborn children, or recipients of
30 aid under Chapter 3 (commencing with Section 12000), qualified
31 for aid under this chapter. In determining the amount of aid paid,
32 and notwithstanding the minimum basic standards of adequate
33 care specified in Section 11452, the family's income, exclusive
34 of any amounts considered exempt as income or paid pursuant to
35 subdivision (e) or Section 11453.1, averaged for the prospective
36 quarter pursuant to Sections 11265.2 and 11265.3, and then
37 calculated pursuant to Section 11451.5, shall be deducted from
38 the sum specified in the following table, as adjusted for
39 cost-of-living increases pursuant to Section 11453 and paragraph
40 (2). In no case shall the amount of aid paid for each month

1 exceed the sum specified in the following table, as adjusted for
2 cost-of-living increases pursuant to Section 11453 and paragraph
3 (2), plus any special needs, as specified in subdivisions (c), (e),
4 and (f):

5 6 Number of 7 eligible needy 8 persons in 9 the same home	Maximum aid
10 1.....	\$ 326
11 2.....	535
12 3.....	663
13 4.....	788
14 5.....	899
15 6.....	1,010
16 7.....	1,109
17 8.....	1,209
18 9.....	1,306
19 10 or more.....	1,403

20
21 If, when, and during those times that the United States
22 government increases or decreases its contributions in assistance
23 of needy children in this state above or below the amount paid on
24 July 1, 1972, the amounts specified in the above table shall be
25 increased or decreased by an amount equal to that increase or
26 decrease by the United States government, provided that no
27 increase or decrease shall be subject to subsequent adjustment
28 pursuant to Section 11453.

29 (2) The sums specified in paragraph (1) shall not be adjusted
30 for cost of living for the 1990–91, 1991–92, 1992–93, 1993–94,
31 1994–95, 1995–96, 1996–97, and 1997–98 fiscal years, and
32 through October 31, 1998, nor shall that amount be included in
33 the base for calculating any cost-of-living increases for any fiscal
34 year thereafter. Elimination of the cost-of-living adjustment
35 pursuant to this paragraph shall satisfy the requirements of
36 Section 11453.05, and no further reduction shall be made
37 pursuant to that section.

38 (b) When the family does not include a needy child qualified
39 for aid under this chapter, aid shall be paid to a pregnant mother
40 for the month in which the birth is anticipated and for the

1 three-month period immediately prior to the month in which the
2 birth is anticipated in the amount that would otherwise be paid to
3 one person, as specified in subdivision (a), if the mother, and
4 child, if born, would have qualified for aid under this chapter.
5 Verification of pregnancy shall be required as a condition of
6 eligibility for aid under this subdivision. Aid shall also be paid to
7 a pregnant woman with no other children in the amount which
8 would otherwise be paid to one person under subdivision (a) at
9 any time after verification of pregnancy if the pregnant woman is
10 also eligible for the Cal-Learn Program described in Article 3.5
11 (commencing with Section 11331) and if the mother, and child, if
12 born, would have qualified for aid under this chapter.

13 (c) The amount of forty-seven dollars (\$47) per month shall be
14 paid to pregnant mothers qualified for aid under subdivision (a)
15 or (b) to meet special needs resulting from pregnancy if the
16 mother, and child, if born, would have qualified for aid under this
17 chapter. County welfare departments shall refer all recipients of
18 aid under this subdivision to a local provider of the Women,
19 Infants and Children program. If that payment to pregnant
20 mothers qualified for aid under subdivision (a) is considered
21 income under federal law in the first five months of pregnancy,
22 payments under this subdivision shall not apply to persons
23 eligible under subdivision (a), except for the month in which
24 birth is anticipated and for the three-month period immediately
25 prior to the month in which delivery is anticipated, if the mother,
26 and the child, if born, would have qualified for aid under this
27 chapter.

28 (d) For children receiving AFDC-FC under this chapter, there
29 shall be paid, exclusive of any amount considered exempt as
30 income, an amount of aid each month which, when added to the
31 child's income, is equal to the rate specified in Section 11460,
32 11461, 11462, 11462.1, or 11463. In addition, the child shall be
33 eligible for special needs, as specified in departmental
34 regulations.

35 (e) In addition to the amounts payable under subdivision (a)
36 and Section 11453.1, a family shall be entitled to receive an
37 allowance for recurring special needs not common to a majority
38 of recipients. These recurring special needs shall include, but not
39 be limited to, special diets upon the recommendation of a
40 physician for circumstances other than pregnancy, and unusual

1 costs of transportation, laundry, housekeeping service, telephone,
2 and utilities. The recurring special needs allowance for each
3 family per month shall not exceed that amount resulting from
4 multiplying the sum of ten dollars (\$10) by the number of
5 recipients in the family who are eligible for assistance.

6 (f) After a family has used all available liquid resources, both
7 exempt and nonexempt, in excess of one hundred dollars (\$100),
8 the family shall also be entitled to receive an allowance for
9 nonrecurring special needs.

10 (1) An allowance for nonrecurring special needs shall be
11 granted for replacement of clothing and household equipment
12 and for emergency housing needs other than those needs
13 addressed by paragraph (2). These needs shall be caused by
14 sudden and unusual circumstances beyond the control of the
15 needy family. The department shall establish the allowance for
16 each of the nonrecurring special need items. The sum of all
17 nonrecurring special needs provided by this subdivision shall not
18 exceed six hundred dollars (\$600) per event.

19 (2) Homeless assistance is available to a homeless family
20 seeking shelter when the family is eligible for aid under this
21 chapter. Homeless assistance for temporary shelter is also
22 available to homeless families which are apparently eligible for
23 aid under this chapter. Apparent eligibility exists when evidence
24 presented by the applicant or which is otherwise available to the
25 county welfare department and the information provided on the
26 application documents indicate that there would be eligibility for
27 aid under this chapter if the evidence and information were
28 verified. However, an alien applicant who does not provide
29 verification of his or her eligible alien status, or a woman with no
30 eligible children who does not provide medical verification of
31 pregnancy, is not apparently eligible for purposes of this section.

32 A family is considered homeless, for the purpose of this
33 section, when the family lacks a fixed and regular nighttime
34 residence; or the family has a primary nighttime residence that is
35 a supervised publicly or privately operated shelter designed to
36 provide temporary living accommodations; or the family is
37 residing in a public or private place not designed for, or
38 ordinarily used as, a regular sleeping accommodation for human
39 beings. A family is also considered homeless for the purpose of
40 this section if the family has received ~~an official notice of~~

1 ~~eviction as a result of nonpayment of rent~~ *a notice to pay rent or*
2 *quit*. The family shall demonstrate that the eviction is the result
3 of a verified financial hardship as a result of extraordinary
4 circumstances beyond their control, and not other lease or rental
5 violations, and that the family is experiencing a financial crisis
6 that could result in homelessness if preventative assistance is not
7 provided.

8 (A) (i) A nonrecurring special need of sixty-five dollars (\$65)
9 a day shall be available to families of up to four members for the
10 costs of temporary shelter, subject to the requirements of this
11 paragraph. The fifth and additional members of the family shall
12 each receive fifteen dollars (\$15) per day, up to a daily maximum
13 of one hundred twenty-five dollars (\$125). County welfare
14 departments may increase the daily amount available for
15 temporary shelter as necessary to secure the additional bed space
16 needed by the family.

17 (ii) This special need shall be granted or denied immediately
18 upon the family's application for homeless assistance, and
19 benefits shall be available for up to three working days. The
20 county welfare department shall verify the family's homelessness
21 within the first three working days and if the family meets the
22 criteria of questionable homelessness established by the
23 department, the county welfare department shall refer the family
24 to its early fraud prevention and detection unit, if the county has
25 such a unit, for assistance in the verification of homelessness
26 within this period.

27 (iii) After homelessness has been verified, the three-day limit
28 shall be extended for a period of time which, when added to the
29 initial benefits provided, does not exceed a total of 16 calendar
30 days. This extension of benefits shall be done in increments of
31 one week and shall be based upon searching for permanent
32 housing which shall be documented on a housing search form;
33 good cause; or other circumstances defined by the department.
34 Documentation of housing search shall be required for the initial
35 extension of benefits beyond the three-day limit and on a weekly
36 basis thereafter as long as the family is receiving temporary
37 shelter benefits. Good cause shall include, but is not limited to,
38 situations in which the county welfare department has
39 determined that the family, to the extent it is capable, has made a

1 good faith but unsuccessful effort to secure permanent housing
2 while receiving temporary shelter benefits.

3 (B) A nonrecurring special need for permanent housing
4 assistance is available to pay for last month's rent and security
5 deposits when these payments are reasonable conditions of
6 securing a residence, or to pay for *up to two months of* rent
7 arrearages, when these payments are a reasonable condition of
8 preventing eviction.

9 The last month's rent *or monthly arrearage* portion of the
10 payment (1) shall not exceed 80 percent of the family's total
11 household income without special needs for a family of that size
12 and (2) shall only be made to families that have found permanent
13 housing costing no more than 80 percent of the family's total
14 household income without *the value of food stamps or* special
15 needs for a family of that size.

16 However, if the county welfare department determines that a
17 family intends to reside with individuals who will be sharing
18 housing costs, the county welfare department shall, in
19 appropriate circumstances, set aside the condition specified in
20 clause (2) of the preceding paragraph.

21 (C) The nonrecurring special need for permanent housing
22 assistance is also available to cover the standard costs of deposits
23 for utilities which are necessary for the health and safety of the
24 family.

25 (D) A payment for or denial of permanent housing assistance
26 shall be issued no later than one working day from the time that a
27 family presents evidence of the availability of permanent
28 housing. If an applicant family provides evidence of the
29 availability of permanent housing before the county welfare
30 department has established eligibility for aid under this chapter,
31 the county welfare department shall complete the eligibility
32 determination so that the denial of or payment for permanent
33 housing assistance is issued within one working day from the
34 submission of evidence of the availability of permanent housing,
35 unless the family has failed to provide all of the verification
36 necessary to establish eligibility for aid under this chapter.

37 (E) (i) Except as provided in clauses (ii) and (iii), eligibility
38 for the temporary shelter assistance and the permanent housing
39 assistance pursuant to this paragraph shall be limited to one
40 period of up to 16 consecutive calendar days of temporary

1 assistance and one payment of permanent assistance. Any family
2 that includes a parent or nonparent caretaker relative living in the
3 home who has previously received temporary or permanent
4 homeless assistance at any time on behalf of an eligible child
5 shall not be eligible for further homeless assistance. Any person
6 who applies for homeless assistance benefits shall be informed
7 that the temporary shelter benefit of up to 16 consecutive days is
8 available only once in a lifetime, with certain exceptions, and
9 that a break in the consecutive use of the benefit constitutes
10 permanent exhaustion of the temporary benefit.

11 (ii) A family that becomes homeless as a direct and primary
12 result of a state or federally declared natural disaster shall be
13 eligible for temporary and permanent homeless assistance.

14 (iii) A family shall be eligible for temporary and permanent
15 homeless assistance when homelessness is a direct result of
16 domestic violence by a spouse, partner, or roommate; physical or
17 mental illness that is medically verified that shall not include a
18 diagnosis of alcoholism, drug addiction, or psychological stress;
19 or, the uninhabitability of the former residence caused by sudden
20 and unusual circumstances beyond the control of the family
21 including natural catastrophe, fire, or condemnation. These
22 circumstances shall be verified by a third-party governmental or
23 private health and human services agency and homeless
24 assistance payments based on these specific circumstances may
25 not be received more often than once in any 12-month period. A
26 county may require that a recipient of homeless assistance
27 benefits who qualifies under this paragraph for a second time in a
28 24-month period participate in a homelessness avoidance case
29 plan as a condition of eligibility for homeless assistance benefits.

30 (iv) The county welfare department shall report to the
31 department through a statewide homeless assistance payment
32 indicator system, necessary data, as requested by the department,
33 regarding all recipients of aid under this paragraph.

34 (F) The county welfare departments, and all other entities
35 participating in the costs of the AFDC program, have the right in
36 their share to any refunds resulting from payment of the
37 permanent housing. However, if an emergency requires the
38 family to move within the 12-month period specified in
39 subparagraph (E), the family shall be allowed to use any refunds

1 received from its deposits to meet the costs of moving to another
2 residence.

3 (G) Payments to providers for temporary shelter and
4 permanent housing and utilities shall be made on behalf of
5 families requesting these payments.

6 (H) The daily amount for the temporary shelter special need
7 for homeless assistance may be increased if authorized by the
8 current year's Budget Act by specifying a different daily
9 allowance and appropriating the funds therefor.

10 (I) No payment shall be made pursuant to this paragraph
11 unless the provider of housing is a commercial establishment,
12 shelter, or person in the business of renting properties who has a
13 history of renting properties.

14 (g) The department shall establish rules and regulations
15 assuring the uniform application statewide of this subdivision.

16 (h) The department shall notify all applicants and recipients of
17 aid through the standardized application form that these benefits
18 are available and shall provide an opportunity for recipients to
19 apply for the funds quickly and efficiently.

20 (i) Except for the purposes of Section 15200, the amounts
21 payable to recipients pursuant to Section 11453.1 shall not
22 constitute part of the payment schedule set forth in subdivision
23 (a).

24 The amounts payable to recipients pursuant to Section 11453.1
25 shall not constitute income to recipients of aid under this section.

26 (j) For children receiving Kin-GAP pursuant to Article 4.5
27 (commencing with Section 11360) of Chapter 2, there shall be
28 paid, exclusive of any amount considered exempt as income, an
29 amount of aid each month, which, when added to the child's
30 income, is equal to the rate specified in Section 11364.

31 (k) (1) A recipient of aid under this chapter who meets all of
32 the following criteria shall be provided with a nonrecurring work
33 support to alleviate housing instability:

34 (A) The individual is subject to the requirement to participate
35 in welfare-to-work activities under this chapter pursuant to
36 Section 11320.3, and is not exempt from participation due to any
37 of the factors listed in subdivision (b) of Section 11320.3, or for
38 any other reason.

39 (B) The individual is not subject to a sanction pursuant to
40 Section 11327.5.

1 (C) Within the most recent two calendar months, the
2 individual has received permanent homeless assistance pursuant
3 to subparagraph (B) of paragraph (2) of subdivision (f).

4 (D) The county determines that the individual has a level of
5 housing instability that threatens his or her ability to secure or
6 retain a job.

7 (2) The work support provided pursuant to this subdivision
8 shall be provided on a monthly basis as a payment directly to the
9 individual's landlord, property management company, or other
10 appropriate individual or entity. The work support shall not be
11 provided directly to the family, except that a county may issue
12 the work support by means of a two-party check, where the
13 recipient is one of the two parties. A county shall have the option
14 of using vouchers to provide the work support required by this
15 subdivision.

16 (3) The work support shall be based on the size of the
17 assistance unit, according to the following schedule:

18 (A) An assistance unit of two or fewer shall receive two
19 hundred dollars (\$200) per month.

20 (B) An assistance unit of three shall receive two hundred fifty
21 dollars (\$250) per month.

22 (C) An assistance unit of four or more shall receive three
23 hundred dollars (\$300) per month.

24 (D) The work support shall be provided for a period of 12
25 months, as long as the recipient continues to meet the criteria set
26 forth in subparagraphs (B) and (D) of paragraph (1).

27 (E) The provision of a work support pursuant to this
28 subdivision shall not affect the assistance unit's base grant and
29 shall not be calculated into the assistance unit's income for
30 purposes of determining eligibility or grant levels for aid
31 provided under this chapter.

32 (4) While welfare-to-work recipient is receiving assistance
33 pursuant to this chapter, the county shall work with the recipient
34 to develop a plan for stable housing after the assistance is no
35 longer available to the recipient.

36 (5) The county welfare department shall report to the
37 department all data required by the department regarding
38 individuals who receive a work support pursuant to this
39 subdivision.

1 (6) Notwithstanding Chapter 3.5 (commencing with Section
2 11340) of Part 1 of Division 3 of Title 2 of the Government
3 Code, the department may implement this subdivision by means
4 of all-county letters or similar instructions from the director,
5 followed by the subsequent adoption of regulations as soon as is
6 practicable.
7 SEC. 3. If the Commission on State Mandates determines that
8 this act contains costs mandated by the state, reimbursement to
9 local agencies and school districts for those costs shall be made
10 pursuant to Part 7 (commencing with Section 17500) of Division
11 4 of Title 2 of the Government Code.

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