

AMENDED IN SENATE JUNE 13, 2012

SENATE BILL

No. 1293

Introduced by Senator Emmerson

February 23, 2012

An act to ~~add Section 110673.1 to the Health and Safety Code, relating to food;~~ amend Section 11253.5 of, to amend and repeal Sections 11450.01, 11450.015, 11450.017, 11450.018, 11450.019, 11450.02, 11450.03, and 11454.6 of, to amend, add, and repeal Sections 11450 and 11451.5 of, to amend, repeal, and add Sections 11253.3, 11454, 11454.5, and 11475.3 of, to add Sections 11271, 11271.5, 11272, 11273, 11274, 11275, 11276, 11277, 11278, 11279, 11280, 11281, 11282, 11283, 11329.6, 11334.9, 11453.3, and 11496 to, to add Article 3 (commencing with Section 11300), Article 3.5 (commencing with Section 11330), Article 4 (commencing with Section 11340), and Article 8 (commencing with Section 11520) to Chapter 2 of Part 3 of Division 9 of, to repeal Section 11454.2 of, and to repeal Article 2.2 (commencing with Section 11271), Article 2.5 (commencing with Section 11275), Article 3.2 (commencing with Section 11320.33), Article 3.5 (commencing with Section 11331), Article 3.6 (commencing with Section 11336), Article 3.9 (commencing with Section 11349), Article 4 (commencing with Section 11350.61), Article 8 (commencing with Section 11500), Article 9 (commencing with Section 11520), Article 9.5 (commencing with Section 11525), and Article 9.7 (commencing with Section 11526) of Chapter 2 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to CalWORKs, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1293, as amended, Emmerson. ~~Food safety: allergens. CalWORKs~~ program.

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. Under the CalWORKs program, each county provides cash assistance and other benefits to qualified low-income families and individuals who meet specified eligibility criteria, including limitations on income and assets generally applicable to public assistance programs. Existing law establishes maximum aid amounts for CalWORKs recipients, with adjustments for cost-of-living, as specified.

Under existing law, operative as specified, a parent or caretaker relative is not eligible for CalWORKs aid after he or she has received CalWORKs aid or TANF aid from any state, for a cumulative total of 48 months. However, months during which certain conditions exist are not counted toward a recipient's 48-month aid limit. Under existing law, with certain exceptions, every individual, as a condition of eligibility for aid under the CalWORKs program, is required to participate in welfare-to-work activities.

This bill would restructure, revise, and recast various aspects of the law relating to the CalWORKs program, beginning on the later of the first day of the first month following 90 days after the effective date of the bill, or October 1, 2012. The bill would create 3 separate categories of aid under the program. The CalWORKs Basic Program would provide up to 24 months of welfare-to-work and supportive services to eligible families. The CalWORKs Plus Program would provide for a higher grant level for recipients meeting federal work participation requirements. The Child Maintenance Program would apply to an assistance unit that does not include an eligible adult, and would provide specified aid, including cash aid, and an annual well-child medical exam, to the assistance unit. The bill would specify the eligibility requirements and time limits for each aid category.

This bill would decrease the amount of CalWORKs maximum aid payments, and would establish maximum aid payment schedules for CalWORKs Basic, CalWORKs Plus, and the Child Maintenance Program. The bill also would revise the schedules pursuant to which

an assistance unit's earned income would be exempted for purposes of calculating family income in determining the appropriate maximum aid payment.

This bill would eliminate the existing Cal-Learn Program, which is currently suspended under existing law, and would provide instead for a welfare-to-work teen parent program, which would require cash supplements to be paid to the assistance unit of which the teen parent is a member, when the teen parent maintains satisfactory progress in school and satisfactorily completes high school or a California high school equivalency examination.

This bill would include within the cumulative 48-month time limit for aid all months of aid received from January 1, 1998, to the operative date of the bill.

This bill also would make numerous technical, nonsubstantive, and conforming changes.

This bill would authorize the State Department of Social Services to implement and administer the bill through all-county letters or similar instructions from the director until regulations are adopted. The bill would require the department to adopt emergency regulations implementing its provisions no later than July 1, 2014.

By imposing new duties on counties in connection with the administration of the CalWORKs program, and by expanding certain circumstances under which an assistance unit would be required to submit documentation signed under penalty of perjury, the bill would impose a state-mandated local 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 with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

This bill would declare that it is to take effect immediately as an urgency statute.

~~Existing federal law deems food to be misbranded if it contains a major food allergen, as defined, unless the labeling contains specified information.~~

~~The existing Sherman Food, Drug, and Cosmetic Law, administered and enforced by the State Department of Public Health, provides that any food is misbranded if the labeling does not conform with the federal requirements for food allergen labeling. Violation of the law or any regulation adopted pursuant to the law is a misdemeanor.~~

~~This bill would require, to the extent permitted by federal law, the State Department of Public Health to adopt certain standards for use of the terms “gluten free” and “wheat free” on food labels. By changing the definition of a crime, this bill would impose a state-mandated local 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 no reimbursement is required by this act for a specified reason.~~

Vote: ~~majority~~^{2/3}. 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 11253.3 of the Welfare and Institutions*
2 *Code is amended to read:*

3 11253.3. (a) On and after the effective dates of the age
4 extensions provided in subdivision (k) of Section 11403, a
5 nonminor dependent, as defined in subdivision (v) of Section
6 11400, who was receiving CalWORKs aid and was placed in the
7 approved home of a relative under the supervision of the county
8 child welfare or probation department or Indian tribe that has
9 entered into an agreement pursuant to Section 10553.1, and who
10 has become eligible for continued receipt of CalWORKs pursuant
11 to Section 11403, shall not be subject to this chapter, except as
12 specified in subdivision (b).

13 (b) The nonminor dependent shall continue to receive the same
14 grant amount as a CalWORKs grant recipient in an assistance unit
15 of one, pursuant to the amount set forth in Section 11450. Any
16 changes to the CalWORKs grant amount shall also apply to the
17 nonminor dependent’s grant.

18 (c) *This section shall become inoperative on the first day of the*
19 *first month following 90 days after the effective date of the act that*
20 *added this section, or October 1, 2012, whichever is later, and as*

1 of January 1, 2014, is repealed, unless a later enacted statute that
2 is enacted before January 1, 2014, deletes or extends the dates on
3 which it becomes inoperative and is repealed.

4 SEC. 2. Section 11253.3 is added to the Welfare and Institutions
5 Code, to read:

6 11253.3. (a) On and after the effective dates of the age
7 extensions provided in subdivision (k) of Section 11403, a nonminor
8 dependent, as defined in subdivision (v) of Section 11400, who
9 was receiving CalWORKs aid and was placed in the approved
10 home of a relative under the supervision of the county child welfare
11 or probation department or Indian tribe that has entered into an
12 agreement pursuant to Section 10553.1, and who has become
13 eligible for continued receipt of CalWORKs pursuant to Section
14 11403, shall not be subject to this chapter, except as specified in
15 subdivision (b).

16 (b) The nonminor dependent shall continue to receive the same
17 grant amount as a CalWORKs Basic Program grant recipient in
18 an assistance unit of one in the amount set forth in Section 11450.
19 Any changes to the CalWORKs grant amount shall also apply to
20 the nonminor dependent's grant.

21 (c) This section shall become operative on the first day of the
22 first month following 90 days after the effective date of the act that
23 added this section, or October 1, 2012, whichever is later.

24 SEC. 3. Section 11253.5 of the Welfare and Institutions Code
25 is amended to read:

26 11253.5. (a) All children in an assistance unit for whom school
27 attendance is compulsory, ~~except individuals who are eligible for~~
28 ~~the Cal-Learn Program under Article 3.5 (commencing with~~
29 ~~Section 11331), for any period during which that article is~~
30 ~~operative,~~ and children subject to a county school attendance
31 project under Article 2 (commencing with Section 18236) of
32 Chapter 3.3 of Part 6, shall be required to attend school.

33 (b) Applicants for and recipients of aid under this chapter shall
34 be informed of the attendance requirement and it shall be included
35 in the recipient's welfare-to-work plan under Section 11325.21.

36 (c) A recipient shall cooperate in providing the county with
37 documentation routinely available from the school or school district
38 of regular attendance of all applicable children in the assistance
39 unit when the county determines it is appropriate.

1 (d) If it is determined by the county that any eligible child under
2 the age of 16 years is not regularly attending school as required,
3 the needs of all adults in the assistance unit shall not be considered
4 in computing the grant of the family under Section 11450 unless
5 it has been determined by the county that good cause exists.

6 (e) If it is determined by the county that any child in the
7 assistance unit who is age 16 years or older is not regularly
8 attending school as required, or participating pursuant to a
9 welfare-to-work plan, the needs of the child shall not be considered
10 in computing the grant of the family under Section 11450 unless
11 it has been determined by the county that good cause exists.

12 *SEC. 4. Article 2.2 (commencing with Section 11271) of*
13 *Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions*
14 *Code is repealed.*

15 *SEC. 5. Section 11271 is added to the Welfare and Institutions*
16 *Code, to read:*

17 *11271. For purposes of this article, the following definitions*
18 *shall apply:*

19 (a) *“Restricted payment” means payment of homeless assistance*
20 *benefits in the form of either of the following:*

21 (1) *A vendor payment to the provider of shelter or utilities, or*
22 *both.*

23 (2) *A two-party payment for rent or utilities, or both.*

24 (b) *“Recipient” means a recipient of aid pursuant to subdivision*
25 *(a) of Section 11450.*

26 (c) *“Two-party payment” means a check which is drawn jointly*
27 *to the order of the recipient and the service provider and is*
28 *negotiable only upon the endorsement of both parties.*

29 (d) *“Vendor payment” means a voucher or a check drawn to*
30 *the order of the service provider.*

31 (e) *“Homeless assistance benefits” means benefits paid pursuant*
32 *to paragraph (2) of subdivision (f) of Section 11450 and Section*
33 *11450.4.*

34 *SEC. 6. Section 11271.5 is added to the Welfare and Institutions*
35 *Code, to read:*

36 *11271.5. (a) Restricted payments for homeless assistance*
37 *benefits shall be provided by a county welfare department to a*
38 *recipient, if either or both of the following criteria are met:*

39 (1) *The recipient has mismanaged CalWORKs funds, as*
40 *described in Section 11273 and in accordance with federal law.*

1 (2) *The recipient has voluntarily requested restricted payments.*

2 (b) *A request pursuant to paragraph (2) of subdivision (a) shall*
3 *be in writing from the recipient and shall be recorded and retained*
4 *in the case file by the county welfare department.*

5 (c) *At the option of the county welfare department, restricted*
6 *payments made pursuant to subdivision (a) may be made for*
7 *utilities as well as shelter.*

8 *SEC. 7. Section 11272 is added to the Welfare and Institutions*
9 *Code, to read:*

10 *11272. When restricted payments are provided to a recipient,*
11 *the county welfare department shall do all of the following:*

12 (a) *Issue the vendor or two-party payment by either of the*
13 *following methods, at the discretion of the county:*

14 (1) *Mail or delivery to the recipient for delivery to the service*
15 *provider.*

16 (2) *Mail or delivery directly to the service provider.*

17 (b) *In order to develop greater ability on the part of the recipient*
18 *to manage funds in a manner that protects the welfare of the family:*

19 (1) *Provide each family with informational materials designed*
20 *to improve the recipient's ability to manage funds.*

21 (2) *Refer the family to appropriate services, where those services*
22 *exist.*

23 (c) *Provide for timely and correct vendor payments and*
24 *two-party payments.*

25 *SEC. 8. Section 11273 is added to the Welfare and Institutions*
26 *Code, to read:*

27 *11273. (a) Homeless assistance provided pursuant to*
28 *paragraph (2) of subdivision (f) of Section 11450 shall be subject*
29 *to restricted payments consistent with federal regulations if the*
30 *county welfare department has made a determination that*
31 *mismanagement exists. Instances where mismanagement exists*
32 *include, but are not limited to, the following:*

33 (1) *Nonpayment of rent unless nonpayment is due to:*

34 (A) *A rent increase that results in the recipient's share of the*
35 *rent being over 80 percent of the maximum aid payable pursuant*
36 *to Section 11450.*

37 (B) *Domestic violence by a spouse, partner, or roommate.*

38 (C) *Reasonable exercise of a tenant's right to withhold rent for*
39 *cause.*

40 (2) *The homeless assistance payment was not used for shelter.*

1 (3) *The recipient or applicant fails to provide verification that*
2 *homeless assistance payments were used for shelter.*

3 (b) *To the extent allowed by federal law, the department is*
4 *authorized to issue regulations defining additional situations when*
5 *mismanagement may exist.*

6 SEC. 9. *Section 11274 is added to the Welfare and Institutions*
7 *Code, to read:*

8 11274. (a) *Notwithstanding Section 11271, for purposes of*
9 *this section, the following definitions shall apply:*

10 (1) *“CalWORKs benefits” means benefits paid pursuant to*
11 *subdivision (a) of Section 11450.*

12 (2) *“Recipient” means a recipient of aid pursuant to subdivision*
13 *(a) of Section 11450.*

14 (3) *“Restricted payment” means payment of CalWORKs benefits*
15 *in the form of either of the following:*

16 (A) *A vendor payment to the provider of shelter or utilities, or*
17 *both.*

18 (B) *A two-party payment for rent or utilities, or both.*

19 (4) *“Two-party payment” means a check that is drawn jointly*
20 *to the order of the recipient and the service provider and is*
21 *negotiable only upon the endorsement of both parties.*

22 (5) *“Vendor payment” means a voucher or check drawn to the*
23 *order of the service provider.*

24 (b) *A county may, at its option, provide restricted payments for*
25 *CalWORKs on behalf of a recipient to the provider of shelter or*
26 *utilities, or both, if the county determines that the recipient has*
27 *demonstrated an inability to manage funds such that payments to*
28 *the relative have not been or are not currently used in the best*
29 *interest of the child. A recipient shall be presumed to have*
30 *mismanaged funds if he or she has previously failed to pay rent*
31 *within the past 12 months, unless the failure was due to a*
32 *significant rent increase, a reasonable exercise of a tenant’s right*
33 *to withhold rent for repair and deduct, or domestic violence by a*
34 *spouse, partner, or roommate.*

35 (c) *If the county, at its option, elects to establish a program to*
36 *provide restricted payments to the provider of shelter or utilities,*
37 *or both, the county shall do all of the following:*

38 (1) *Provide restricted payments on behalf of recipients who*
39 *request them, in addition to making involuntary restricted payments*
40 *to those persons to whom subdivision (b) applies.*

1 (2) Continue voluntary restricted payments for not less than
2 three months, unless the county determines that exceptional
3 circumstances exist that require that the restricted payments be
4 ended earlier.

5 (3) If a recipient notifies the county at least two weeks prior to
6 the issuance of the next regular rental payment that he or she
7 wishes to exercise his or her right to withhold rent due to
8 untenable conditions, issue a two-party check to the recipient
9 requiring endorsement of both the landlord and the recipient.

10 (4) If a recipient notifies the county at least two weeks prior to
11 the issuance of the next regular rental payment that he or she
12 wishes to exercise his or her right to repair and deduct the money
13 pursuant to Section 1942 of the Civil Code, and the amount the
14 tenant wishes to deduct, deduct that amount from the restricted
15 payment to the landlord and add the amount to the recipient's
16 grant check.

17 (5) If a recipient notifies the county at least two weeks prior to
18 the issuance of the next regular rental payment that he or she
19 intends to move, provide the next regular rental payment to the
20 new landlord. If the recipient indicates his or her intent to move
21 but does not provide the name and address of the new landlord,
22 the county shall terminate restricted payments for rent until the
23 name and address of a new landlord is provided.

24 (d) (1) In no case is a landlord entitled to payment under this
25 section for days that the recipient was not residing at the landlord's
26 property.

27 (2) If a landlord does receive a restricted payment pursuant to
28 this section for days that the recipient did not reside at the
29 landlord's property, the landlord shall remit to the county welfare
30 department an amount that represents the overpaid rent.

31 (3) The county may not assess an overpayment against a
32 recipient for payments made to a landlord for periods in which
33 the recipient was not residing at that location.

34 (4) A landlord may not base an eviction or late fee upon failure
35 to receive rent due to county administrative error.

36 (5) If the notice from the recipient is given less than two weeks
37 prior to a move, the county shall pay the new landlord as soon as
38 practicable.

39 (6) Nothing in this subdivision shall be construed to prevent a
40 landlord accepting restricted payments from pursuing existing

1 remedies against a tenant or former tenant for money that may be
2 owed by the tenant to the landlord.

3 (e) Restricted payments shall expire after a period of 12 months,
4 unless the recipient requests a continuation of that period or the
5 county finds that the recipient continues to experience money
6 management problems. The county shall provide notification to
7 the recipient within 30 days of the expiration of the restricted
8 payment.

9 (f) When restricted payments are provided on behalf of a
10 recipient, the county welfare department shall do all of the
11 following:

12 (1) Either of the following:

13 (A) Mail or deliver the voucher or check to the recipient for
14 delivery to the service provider.

15 (B) Mail or deliver the voucher or check directly to the service
16 provider.

17 (2) Provide timely notification to the recipient that the restricted
18 payment has been made.

19 (3) Refer the family to appropriate money management services,
20 where those services exist.

21 (g) If the restricted payment involves a third party, the
22 third-party payee shall be an individual or organization interested
23 in, or concerned with, the recipient's welfare, and shall not include
24 any employees of the county welfare department or parties that
25 are vendors that stand to gain financially from doing commercial
26 business with the recipient. To the extent possible, the selection of
27 a third-party payee shall be made by the recipient, or with his or
28 her participation and consent.

29 (h) Any landlord who accepts a restricted payment of
30 CalWORKs benefits shall not require his or her tenant to pay the
31 last month's rent in advance or retain any portion of the tenant's
32 security deposit as rent owing.

33 (i) (1) Nothing in this section shall be construed to prevent a
34 landlord who accepts a restricted payment of rent pursuant to this
35 section from charging a cleaning or damage deposit, or a deposit
36 for both cleaning and damage, in an amount that does not exceed
37 an amount equal to rent for one month.

38 (2) Nothing in this section shall be construed to limit the rights
39 of tenants provided under Section 1942 of the Civil Code.

1 *SEC. 10. Article 2.5 (commencing with Section 11275) of*
2 *Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions*
3 *Code is repealed.*

4 *SEC. 11. Section 11275 is added to the Welfare and Institutions*
5 *Code, to read:*

6 11275. (a) *Only verification of information necessary to*
7 *determine past or present eligibility for, or the computation or*
8 *delivery of, aid shall be requested from an applicant for or*
9 *recipient of aid under this chapter. Additional information*
10 *necessary for the administration of the CalWORKs program may*
11 *be requested, but the individual's eligibility for aid shall not be*
12 *delayed, denied, or terminated due to his or her inability to provide*
13 *this information.*

14 (b) *Within 10 days from the date of application, the county shall*
15 *identify and provide written notice of documents and alternative*
16 *documents, if applicable, that may be submitted to verify eligibility.*

17 *SEC. 12. Section 11276 is added to the Welfare and Institutions*
18 *Code, to read:*

19 11276. (a) *Whenever a former recipient of aid applies for aid*
20 *before the expiration of one year from the effective date of*
21 *discontinuance, the county shall examine the existing case file to*
22 *determine whether the necessary verification is in the possession*
23 *of the county if any of the following criteria are present:*

24 (1) *The applicant does not have easy access to the verification.*

25 (2) *There is a cost associated with obtaining the verification.*

26 (3) *The time needed to obtain the verification would delay the*
27 *application.*

28 (b) *The county shall not be required to examine the existing*
29 *case file if it would be unreasonable to expect the file to contain*
30 *the needed verification because the circumstance for which the*
31 *verification is needed did not exist during the period for which the*
32 *applicant previously received aid.*

33 (c) *Notwithstanding subdivision (a), whenever a former recipient*
34 *of aid applies for aid within the calendar month following the*
35 *effective date of a discontinuance, a county shall not require the*
36 *former recipient to furnish any documentation previously provided*
37 *to the county unless the documentation is absent from the existing*
38 *file and the documentation affects eligibility or the amount of aid.*

1 (d) *The retrieval and examination of the file shall be conducted*
 2 *in a timely manner to ensure the prompt determination of eligibility*
 3 *for aid.*

4 (e) *At the time an applicant described in subdivisions (a) and*
 5 *(c) is requested to obtain and submit to the county verification of*
 6 *eligibility, the county shall inform the applicant, in writing, of the*
 7 *requirements of this section.*

8 SEC. 13. *Section 11277 is added to the Welfare and Institutions*
 9 *Code, to read:*

10 11277. (a) *When an applicant or recipient establishes that he*
 11 *or she has made a good faith effort to obtain information or*
 12 *verification from a third party, including any other public agency,*
 13 *and the third party fails or refuses to provide the information or*
 14 *verification or seeks to impose a charge or fee for providing the*
 15 *information to the applicant or recipient, the county shall assist*
 16 *the applicant or recipient in obtaining the information or*
 17 *verification from the third party, and when necessary, shall obtain*
 18 *the document.*

19 (b) *If it is necessary to pay a fee imposed by a third party to*
 20 *obtain the information or verification, the county shall pay that*
 21 *fee on behalf of the applicant or recipient.*

22 (c) *If the county finds that the applicant or recipient has not*
 23 *made a good faith effort to obtain the information or verification,*
 24 *it shall document its reasons for the finding in the individual's file.*

25 (d) *Any notice requesting verification shall clearly inform*
 26 *applicants and recipients of the requirements of this section.*

27 SEC. 14. *Section 11278 is added to the Welfare and Institutions*
 28 *Code, to read:*

29 11278. *No application for aid may be denied for failure to*
 30 *provide verification if the applicant is cooperating in obtaining*
 31 *the information requested, except as required by Section 11268.*

32 SEC. 15. *Section 11279 is added to the Welfare and Institutions*
 33 *Code, to read:*

34 11279. (a) *If an applicant is denied assistance solely due to*
 35 *failure to provide verification of eligibility, but subsequently*
 36 *submits all required verifications within 30 days of the date of the*
 37 *denial notice, denial shall be rescinded, and if eligibility is*
 38 *approved, aid shall be granted based on the original application.*

39 (b) *The notice of denial of aid for failure to provide verification*
 40 *of eligibility shall advise the applicant of his or her right to have*

1 *the denial rescinded if he or she meets the requirements of this*
2 *section.*

3 *SEC. 16. Section 11280 is added to the Welfare and Institutions*
4 *Code, to read:*

5 *11280. (a) In complying with Section 10353 of the Public*
6 *Contract Code, a contractor shall give priority consideration to*
7 *qualified recipients of aid under this chapter. For purposes of this*
8 *section, priority consideration means that a contractor shall hire*
9 *all qualified job applicants who are recipients of aid under this*
10 *chapter and who apply within five working days of the listing of*
11 *the job opening with the Employment Development Department,*
12 *before hiring any other applicant.*

13 *(b) Notwithstanding any other law, participation by a recipient*
14 *of aid under this chapter shall be voluntary only, and in no event*
15 *shall any person be subject to sanctions, through loss of benefits*
16 *or eligibility, for not applying for, accepting, or continuing in such*
17 *a position.*

18 *(c) Contractors shall immediately list with the appropriate local*
19 *office of the Employment Development Department all suitable*
20 *employment openings in positions funded by a contract subject to*
21 *Section 10353 of the Public Contract Code. The Employment*
22 *Development Department shall advise qualified recipients of aid*
23 *of these openings and shall refer them to the contractor within five*
24 *working days from the listing of the openings. The Employment*
25 *Development Department shall advise recipients of aid of the*
26 *voluntary nature of an application for such an opening, and that*
27 *the recipients shall have priority in being hired for these openings,*
28 *provided the recipient possesses all the necessary skills and meets*
29 *all requirements of the employer.*

30 *(d) This section and Section 10353 of the Public Contract Code*
31 *may be waived by the Governor, if requested to do so by the state*
32 *agency involved, in order to address an emergency which threatens*
33 *the public health or safety, the state's natural resources, or the*
34 *economy. If an emergency waiver is granted, notification including*
35 *reasons for the waiver shall be forwarded to the Joint Legislative*
36 *Budget Committee within five working days.*

37 *SEC. 17. Section 11281 is added to the Welfare and Institutions*
38 *Code, to read:*

39 *11281. The order to show cause or notice of motion described*
40 *in subdivision (j) of Section 17520 of the Family Code shall be*

1 filed and heard in the superior court. If, however, criminal
2 proceedings pursuant to paragraph (4) of subdivision (a) of Section
3 166 of the Penal Code, relating to a support order, or pursuant
4 to Section 270 of the Penal Code are pending against the applicant
5 in the municipal court, in a county in which there is a municipal
6 court, an order to show cause or notice of motion for judicial
7 review of the district attorney's decision not to issue a release may
8 be filed and heard in that court.

9 SEC. 18. Section 11282 is added to the Welfare and Institutions
10 Code, to read:

11 11282. (a) Whenever an unrelated adult resides with a family
12 applying for or receiving aid under this chapter, he or she shall
13 be required to make a financial contribution to the family which
14 shall not be less than it would cost to provide the adult with an
15 independent living arrangement.

16 (b) The minimum financial contribution to the family shall be
17 determined in accordance with standards established by the
18 department that take into account the adult person's income and
19 expenses. The regulations formulated by the department shall
20 require the parent or caretaker relative of the children and the
21 unrelated adult to present all of the facts in connection with the
22 sharing of expenses which comprise the agreement whereby that
23 adult resides with the family. The conditions of the agreement and
24 the facts related to the sharing of the family expenses shall be
25 signed under penalty of perjury by both the parent or caretaker
26 relative of the child and the unrelated adult. In the event that either
27 the parent, caretaker relative, or the unrelated adult willfully and
28 knowingly fails to cooperate during the period when the joint
29 sharing of expenses arrangement exists in setting forth all of the
30 facts in accordance with provisions of this section, aid to the family
31 may be discontinued.

32 (c) This section does not apply to a bona fide paying lodger,
33 roomer, or boarder living in the home of a family applying for or
34 receiving aid under this chapter.

35 SEC. 19. Section 11283 is added to the Welfare and Institutions
36 Code, to read:

37 11283. (a) Any parent whose absence is the basis upon which
38 an application is filed for aid on behalf of a child shall complete
39 and return to the county within 15 days after service pursuant to
40 Section 17415 of the Family Code a written statement of his or

1 her current monthly income, his or her total income over the past
2 12 months, a description of all real and personal property owned
3 by him or her, together with an estimate of its value, the number
4 of dependents for whom he or she is providing support, the amount
5 he or she is contributing regularly toward the support of all
6 children for whom application for aid is made under this chapter,
7 his or her social security number, his or her current monthly living
8 expenses, and any other information as is pertinent to determining
9 his or her ability to support his or her children.

10 (b) A violation of this section constitutes a misdemeanor.

11 SEC. 20. Article 3 (commencing with Section 11300) is added
12 to Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions
13 Code, to read:

14
15 Article 3. CalWORKs Basic Program

16
17 11300. (a) This article shall be known and may be cited as
18 the CalWORKs Basic Program.

19 (b) The Legislature finds and declares as follows:

20 (1) The CalWORKs program, which replaced the federal Aid
21 to Families with Dependent Children program in 1998, contains
22 federally required time limits on the receipt of aid and work
23 participation requirements for adult recipients. CalWORKs also
24 provides monthly assistance to children whose parents are not
25 eligible for aid.

26 (2) Initially, counties were successful in moving employable
27 CalWORKs families to the labor market, evidenced by the
28 substantial decline in the welfare caseload from 921,000 cases in
29 1994–95 to a low of 460,000 cases in 2006–07.

30 (3) With the steep rise in unemployment stemming from the
31 recession, the caseload has increased and its composition has
32 changed. Over time, the caseload of children receiving aid has
33 become larger than the caseload that is subject to work
34 requirements. Additionally, severe budget reductions, including
35 cuts to employment and child care services, have further
36 constrained the work first/work pays focus of the program.

37 (4) Absent any changes, General Fund costs for CalWORKs
38 are projected to grow by more than five hundred million dollars
39 (\$500,000,000) in 2012–13, compared to the 2011 Budget Act.
40 For the last two fiscal years, the state has achieved savings through

1 a significant reduction in funding for counties to provide
2 employment and child care. Over time, however, these changes
3 have significantly eroded the work focus of the CalWORKs
4 program, and left the state more vulnerable to federal penalties
5 related to the state's work participation rate. Also, in 2005, federal
6 welfare reform was modified to further restrict countable work
7 activities and to require states to have 50 percent of the program's
8 caseload meeting federal work participation levels.

9 (5) Thus, major programmatic changes are necessary to refocus
10 the work emphasis of the program and better utilize the state's
11 limited resources. The CalWORKs program will be restructured
12 to include initial work-focused services and a work mandate
13 aligned to federal requirements.

14 (6) Initially, the CalWORKs Basic Program shall assist
15 work-eligible families to move toward self-sufficiency by providing
16 up to 24 months of welfare-to-work services, including job search,
17 employment training, child care, and barrier removal services,
18 such as substance abuse, mental health, and assistance for victims
19 of domestic violence.

20 (7) Recipients who do not meet work requirements via
21 unsubsidized employment after an initial job search shall be placed
22 in the CalWORKs Basic Program and shall be required to
23 participate in welfare-to-work activities. After the first 12 months,
24 each adult shall again participate in job search. If, during the
25 second 12 months, an adult remains unable to find unsubsidized
26 employment, the adult shall continue to participate in
27 welfare-to-work activities, including subsidized job placements.

28 (8) The substantial caseload of children-only households will
29 receive aid under a new Child Maintenance Program designed to
30 provide these households with a basic level of income maintenance.
31 Recipients who do not meet federal work participation
32 requirements after 24 months or cases in sanction status for more
33 than three months will also be eligible for the Child Maintenance
34 Program.

35 11301. (a) Upon a determination of eligibility for CalWORKs,
36 an assistance unit that includes an eligible adult shall receive
37 assistance under the CalWORKs Basic Program in accordance
38 with this article.

39 (b) Unless exempt in accordance with subdivision (b) of Section
40 11320.3, an adult member of an assistance unit that is eligible for

1 *the CalWORKs Basic Program shall participate in welfare-to-work*
2 *activities as required in this article and shall receive supportive*
3 *services in accordance with Section 11323.2.*

4 *(c) Except as provided in Section 11327.5 and in subdivision*
5 *(f), an assistance unit eligible for aid under this article shall receive*
6 *a grant in accordance with the maximum aid payment for the*
7 *CalWORKs Basic Program in the appropriate region, in*
8 *accordance with Section 11450, that corresponds to the number*
9 *of individuals in the assistance unit.*

10 *(d) The earned income disregard described in subdivision (a)*
11 *of Section 11451.5 and the child support disregard described in*
12 *Section 11475.3 shall apply to the income of the family for purposes*
13 *of calculating grants provided under the CalWORKs Basic*
14 *Program.*

15 *(e) (1) Notwithstanding subdivision (a) or any other law, an*
16 *assistance unit in which all adults have been sanctioned for a*
17 *cumulative total of three months within a consecutive 12-month*
18 *period in accordance with Sections 11327.4 and 11327.5 shall be*
19 *ineligible for the CalWORKs Basic Program until any sanction*
20 *or sanctions are cured.*

21 *(2) If an assistance unit that has previously become ineligible*
22 *for the CalWORKs Basic Program in accordance with paragraph*
23 *(1) is subject to any subsequent sanction and all adults in the*
24 *assistance unit are sanctioned, the assistance unit shall be*
25 *ineligible for the CalWORKs Basic Program commencing the*
26 *month in which the sanction was applied to the assistance unit.*

27 *(3) If a sanction described in this subdivision is cured in*
28 *accordance with subdivision (d) of Section 11327.5, the assistance*
29 *unit shall be eligible for the CalWORKs Basic Program in*
30 *accordance with Section 11305 the month subsequent to the month*
31 *in which the sanction was cured.*

32 *(f) (1) An assistance unit that includes an individual who cured*
33 *a sanction and who became eligible for the CalWORKs Basic*
34 *Program in accordance with paragraph (3) of subdivision (e) shall*
35 *receive a grant in accordance with the maximum aid payment for*
36 *the CalWORKs Basic Program in the appropriate region in*
37 *accordance with Section 11450 that corresponds to the number*
38 *of individuals in the assistance unit with the exception of the*
39 *member who was subject to the sanction.*

1 (2) If the individual described in paragraph (1) remains
2 compliant with the welfare-to-work requirements described in this
3 article for a period of two calendar months, the grant to an
4 assistance unit described in paragraph (1) shall be adjusted to
5 also include the member who was subject to the sanction.

6 (3) An individual who does not remain compliant in accordance
7 with paragraph (2) shall be subject to sanction in accordance with
8 paragraph (2) of subdivision (e).

9 11302. (a) An assistance unit that meets the requirements of
10 Section 11301 is eligible for CalWORKs Basic Program assistance
11 for a cumulative period of 24 months.

12 (b) For an assistance unit that contains an eligible adult who
13 has never received assistance under this chapter, or from any state
14 pursuant to the Temporary Assistance for Needy Families program
15 (Part A (commencing with Section 401) of Title IV of the federal
16 Social Security Act (42 U.S.C. Sec. 601 et seq.)), the 24-month
17 time limit described in this section shall elapse simultaneously
18 with the time requirements described in Section 11454.

19 (c) Notwithstanding subdivision (a) or any other law, an
20 assistance unit that contains an eligible adult who has received
21 assistance under this chapter, or from any state pursuant to the
22 Temporary Assistance for Needy Families program (Part A
23 (commencing with Section 401) of Title IV of the federal Social
24 Security Act (42 U.S.C. Sec. 601 et seq.)), shall remain eligible
25 for the CalWORKs Basic Program until the date the CalWORKs
26 Plus Program becomes operative pursuant to Section 11333, unless
27 either of the following applies:

28 (1) The adult exceeds the 48-month time limitation described
29 in Section 11454 prior to the date the CalWORKs Plus Program
30 becomes operative pursuant to Section 11333.

31 (2) The adult is ineligible for the CalWORKs Basic Program
32 in accordance with subdivision (e) of Section 11301.

33 (d) (1) Commencing the date the CalWORKs Plus Program
34 becomes operative pursuant to Section 11333, any month of aid
35 received between January 1, 1998, and the operative date of the
36 CalWORKs Plus Program, inclusive, that was not applied to the
37 time limits described in subdivision (a) of Section 11454, in
38 accordance with Sections 11454, 11454.5, and 11495.1, as they
39 existed immediately prior to the operative date of the act that added
40 this section, shall be applied to the assistance unit's remaining

1 *period of eligibility for CalWORKs Basic Program assistance*
2 *described in subdivision (a).*

3 *(2) Paragraph (1) shall not apply to any month of aid that was*
4 *not applied to the time limits described in this subdivision pursuant*
5 *to paragraph (1) of subdivision (a) of Section 11454.5, as added*
6 *by the act that added this subdivision.*

7 *(e) (1) In the case of an individual who has received months of*
8 *aid as described in paragraph (2) of subdivision (a) of Section*
9 *11454.5, as added by the act that added this subdivision, the time*
10 *limitations described in this section shall apply without*
11 *consideration of those months.*

12 *(2) If an assistance unit that includes an individual described*
13 *in paragraph (1) is eligible for the Child Maintenance Program*
14 *described in Article 4 (commencing with Section 11340) or the*
15 *CalWORKs Plus Program described in Article 3.5 (commencing*
16 *with Section 11330), notwithstanding subdivision (a) of Section*
17 *11342 and in accordance with subdivision (a) of Section 11332,*
18 *the calculation of the grant for the assistance unit shall also include*
19 *that individual as a member of the assistance unit for the number*
20 *of months the individual was exempt from the 48-month time*
21 *limitation described in Section 11454.*

22 *(f) For an assistance unit that contains more than one eligible*
23 *adult, the time limits described in this section shall be based on*
24 *the eligible adult who has received assistance for the least period*
25 *of time.*

26 *11303. An assistance unit that does not contain an eligible*
27 *adult, that has received CalWORKs Basic Program assistance in*
28 *excess of the time requirements described in Section 11302, or*
29 *that is ineligible for the CalWORKs Basic Program in accordance*
30 *with subdivision (e) of Section 11301, that is otherwise eligible*
31 *for aid under this chapter, shall be eligible for assistance in the*
32 *Child Maintenance Program described in Article 4 (commencing*
33 *with Section 11340).*

34 *11304. Commencing on the date the CalWORKs Plus Program*
35 *becomes operative pursuant to Section 11333, an assistance unit*
36 *that is eligible for the CalWORKs Basic Program that meets the*
37 *work participation requirements described in Sections 11320 and*
38 *11322.8 solely by means of unsubsidized employment shall be*
39 *eligible for the CalWORKs Plus Program described in Article 3.5*
40 *(commencing with Section 11330).*

1 11305. (a) *If an assistance unit that is eligible under this*
2 *article, Article 3.5 (commencing with Section 11330) or Article 4*
3 *(commencing with Section 11340), becomes eligible for the*
4 *CalWORKs Plus Program, or becomes ineligible for the*
5 *CalWORKs Plus Program or the CalWORKs Basic Program, the*
6 *assistance unit shall be eligible for assistance under this article,*
7 *Article 3.5 (commencing with Section 11330), or Article 4*
8 *(commencing with Section 11340), as of the first day of the next*
9 *calendar month.*

10 (b) *If the change in eligibility described in subdivision (a) results*
11 *in a decrease in the grant amount provided to the assistance unit,*
12 *that change shall become effective on the first day of the next*
13 *calendar month following timely and adequate notice of the adverse*
14 *action.*

15 11320. *It is the intent of the Legislature that all of the following*
16 *occur:*

17 (a) *Individuals required to participate in*
18 *welfare-to-work-activities in accordance with Section 11320.3*
19 *meet the federal work participation requirements under Section*
20 *607(c) of Title 42 of the United States Code.*

21 (b) *Participants meet the minimum average hours per week as*
22 *described in Section 607(c) of Title 42 of the United States Code,*
23 *subject to the limitations on the types of activities, limitations on*
24 *certain activities, and special rules described in that section.*

25 (c) *The welfare-to-work procedures described in this article*
26 *shall be implemented in accordance with the requirements of*
27 *Section 11322.8, and notwithstanding this article or any other law,*
28 *be interpreted consistent with the requirements of Section 607(c)*
29 *of Title 42 of the United States Code.*

30 11320.1. *Subsequent to the commencement of the receipt of*
31 *aid under this chapter, the sequence of employment-related*
32 *activities required of participants under this article, unless*
33 *exempted under Section 11320.3, shall be as follows:*

34 (a) *Job search. Recipients shall, and applicants may, at the*
35 *option of a county and with the consent of the applicant, receive*
36 *orientation to the welfare-to-work program provided under this*
37 *article, receive appraisal pursuant to Section 11325.2, and*
38 *participate in job search and job club activities provided pursuant*
39 *to Section 11325.22.*

1 **(b) Assessment.** *If employment is not found during the period*
2 *provided for pursuant to subdivision (a), or at any time the county*
3 *determines that participation in job search for the period specified*
4 *in subdivision (a) of Section 11325.22 is not likely to lead to*
5 *employment, the participant shall be referred to assessment, as*
6 *provided for in Section 11325.4. Following assessment, the county*
7 *and the participant shall develop a welfare-to-work plan, as*
8 *specified in Section 11325.21. The plan shall specify the activities*
9 *provided for in Section 607(d) of Title 42 of the United States*
10 *Code, to which the participant shall be assigned, and the supportive*
11 *services, as provided for pursuant to Section 11323.2, with which*
12 *the recipient will be provided.*

13 **(c) Work activities.** *A participant who has signed a*
14 *welfare-to-work plan pursuant to Section 11325.21 shall*
15 *participate in work activities in accordance with Section 11322.8.*

16 11320.3. **(a)** *Except as provided in subdivision (b) or if*
17 *otherwise exempt, every individual, as a condition of eligibility*
18 *for aid under this chapter, shall participate in welfare-to-work*
19 *activities under this article.*

20 **(b)** *The following individuals shall not be required to participate*
21 *for as long as the condition continues to exist:*

22 **(1)** *An individual under 16 years of age.*

23 **(2) (A)** *A child attending an elementary, secondary, vocational,*
24 *or technical school on a full-time basis.*

25 **(B)** *A person who is 16 or 17 years of age, or a person described*
26 *in subdivision (d) who loses this exemption, shall not requalify for*
27 *the exemption by attending school as a required activity under this*
28 *article.*

29 **(C)** *Notwithstanding subparagraph (B), a person who is 16 or*
30 *17 years of age, who has obtained a high school diploma or its*
31 *equivalent, and is enrolled or is planning to enroll in a*
32 *postsecondary education, vocational, or technical school training*
33 *program also shall not be required to participate for as long as*
34 *the condition continues to exist.*

35 **(D)** *For purposes of subparagraph (C), a person shall be*
36 *deemed to be planning to enroll in a postsecondary education,*
37 *vocational, or technical school training program if he or she, or*
38 *his or her parent, acting on his or her behalf, submits a written*
39 *statement expressing his or her intent to enroll in such a program*
40 *for the following term. The exemption from participation shall not*

1 continue beyond the beginning of the term, unless verification of
2 enrollment is provided, or obtained by the county.

3 (3) An individual who meets either of the following conditions:

4 (A) The individual is disabled, as determined by a doctor's
5 verification that the disability is expected to last at least 30 days
6 and that it significantly impairs the recipient's ability to be
7 regularly employed or participate in welfare-to-work activities,
8 provided that the individual is actively seeking appropriate medical
9 treatment.

10 (B) The individual is of advanced age.

11 (4) A nonparent caretaker relative who has primary
12 responsibility for providing care for a child and is either caring
13 for a child who is a dependent or ward of the court, or caring for
14 a child in a case in which a county determines that the child is at
15 risk of placement in foster care, and the county determines that
16 the caretaking responsibilities are beyond those considered normal
17 day-to-day parenting responsibilities, to the extent that those
18 responsibilities impair the caretaker relative's ability to be
19 regularly employed or to participate in welfare-to-work activities.

20 (5) An individual whose presence in the home is required
21 because of illness or incapacity of another member of the
22 household, and whose caretaking responsibilities impair the
23 recipient's ability to be regularly employed or to participate in
24 welfare-to-work activities.

25 (6) A parent or other relative who meets the criteria in
26 subparagraph (A) or (B).

27 (A) (i) The parent or other relative has primary responsibility
28 for personally providing care to a child six months of age or under,
29 except that, on a case-by-case basis, and based on criteria
30 developed by the county, this period may be reduced to the first
31 12 weeks after the birth or adoption of the child, or increased to
32 the first 12 months after the birth or adoption of the child. An
33 individual may be exempted only once under this clause.

34 (ii) An individual who received an exemption pursuant to clause
35 (i) shall be exempt for a period of 12 weeks, upon the birth or
36 adoption of any subsequent children, except that this period may
37 be extended on a case-by-case basis to six months, based on
38 criteria developed by the county.

39 (iii) In making the determination to extend the period of
40 exception under clause (i) or (ii), the following may be considered:

1 (I) *The availability of child care.*

2 (II) *Local labor market conditions.*

3 (III) *Other factors determined by the county.*

4 (B) *In a family eligible for aid under this chapter due to the*
5 *unemployment of the principal wage earner, the exemption criteria*
6 *contained in subparagraph (A) shall be applied to only one parent.*

7 (7) *A woman who is pregnant and for whom it has been*
8 *medically verified that the pregnancy impairs her ability to be*
9 *regularly employed or participate in welfare-to-work activities,*
10 *or for whom the county has determined that, at that time,*
11 *participation will not readily lead to employment, or that a training*
12 *activity is not appropriate.*

13 (c) *Any individual not required to participate may choose to*
14 *participate voluntarily under this article, and end that participation*
15 *at any time, without loss of eligibility for aid under this chapter,*
16 *if his or her status has not changed in a way that would require*
17 *participation.*

18 (d) (1) *Notwithstanding subdivision (a), a custodial parent who*
19 *is under 20 years of age and who has not earned a high school*
20 *diploma or its equivalent, and who is not exempt or whose only*
21 *basis for exemption is paragraph (1), (2), (5), (6), or (7) of*
22 *subdivision (b), shall be required to participate solely for the*
23 *purpose of earning a high school diploma or its equivalent.*

24 (2) *Section 11325.25 shall apply to a custodial parent who is*
25 *18 or 19 years of age and who is required to participate under*
26 *this article.*

27 (e) *A recipient shall be excused from participation for good*
28 *cause when the county has determined there is a condition or other*
29 *circumstance that temporarily prevents or significantly impairs*
30 *the recipient's ability to be regularly employed or to participate*
31 *in welfare-to-work activities. The county welfare department shall*
32 *review the good cause determination for its continuing*
33 *appropriateness, in accordance with the projected length of the*
34 *condition or circumstance, but not less than every three months.*
35 *The recipient shall cooperate with the county welfare department*
36 *and provide information, including written documentation, as*
37 *required to complete the review. Conditions that may be considered*
38 *good cause include, but are not limited to, the following:*

39 (1) *Lack of necessary supportive services.*

1 (2) *In accordance with Article 7.5 (commencing with Section*
2 *11495), the applicant or recipient is a victim of domestic violence,*
3 *but only if participation under this article is detrimental to or*
4 *unfairly penalizes that individual or his or her family.*

5 (3) *Licensed or license-exempt child care for a child 10 years*
6 *of age or younger is not reasonably available during the*
7 *individual's hours of training or employment, including commuting*
8 *time, or arrangements for child care have broken down or have*
9 *been interrupted, or child care is needed for a child who meets*
10 *the criteria of subparagraph (C) of paragraph (1) of subdivision*
11 *(a) of Section 11323.2, but who is not included in the assistance*
12 *unit. For purposes of this paragraph, "reasonable availability"*
13 *means child care that is commonly available in the recipient's*
14 *community to a person who is not receiving aid and that is in*
15 *conformity with the requirements of the federal Personal*
16 *Responsibility and Work Opportunity Reconciliation Act of 1996*
17 *(Public Law 104-193), as amended. The choices of child care shall*
18 *meet either licensing requirements or the requirements of Section*
19 *11324. This good cause criterion shall include the unavailability*
20 *of suitable special needs child care for children with identified*
21 *special needs, including, but not limited to, disabilities or chronic*
22 *illnesses.*

23 *11320.31. Sanctions shall not be applied for a failure or refusal*
24 *to comply with program requirements for reasons related to*
25 *employment, an offer of employment, an activity, or other training*
26 *for employment, including, but not limited to, the following*
27 *reasons:*

28 (a) *The employment, offer of employment, activity, or other*
29 *training for employment discriminates on any basis listed in*
30 *subdivision (a) of Section 12940 of the Government Code, as those*
31 *bases are defined in Sections 12926 and 12926.1 of the*
32 *Government Code, except as otherwise provided in Section 12940*
33 *of the Government Code.*

34 (b) *The employment or offer of employment exceeds the daily*
35 *or weekly hours of work customary to the occupation.*

36 (c) *The employment, offer of employment, activity, or other*
37 *training for employment requires travel to and from the place of*
38 *employment, activity, or other training and the individual's home*
39 *that exceeds a total of two hours in round-trip time, exclusive of*
40 *the time necessary to transport family members to a school or*

1 *place providing care, or, when walking is the only available means*
2 *of transportation, the round trip is more than two miles, exclusive*
3 *of the mileage necessary to accompany family members to a school*
4 *or a place providing care. An individual who fails or refuses to*
5 *comply with the program requirements pursuant to this subdivision*
6 *shall be required to participate in community service activities*
7 *pursuant to Section 11322.9.*

8 *(d) The employment, offer of employment, activity, or other*
9 *training for employment involves conditions that are in violation*
10 *of applicable health and safety standards.*

11 *(e) The employment, offer of employment, or work activity does*
12 *not provide for workers' compensation insurance.*

13 *(f) Accepting the employment or work activity would cause an*
14 *interruption in an approved education or job training program in*
15 *progress that would otherwise lead to employment and sufficient*
16 *income to be self-supporting, excluding work experience or*
17 *community service employment, as described in Section 607(d)(4)*
18 *and (d)(7) of Title 42 of the United States Code and Section*
19 *11322.9, or other community work experience assignments, except*
20 *that a recipient may be required to engage in welfare-to-work*
21 *activities to the extent necessary to meet the hours of participation*
22 *required by Section 11322.8.*

23 *(g) Accepting the employment, offer of employment, or work*
24 *activity would cause the individual to violate the terms of his or*
25 *her union membership.*

26 *11321.6. (a) A county plan may provide that the program*
27 *provided for in this article shall apply to recipients of aid under*
28 *Part 5 (commencing with Section 17000), except that no funds*
29 *appropriated for purposes of this article shall be utilized for*
30 *purposes of applying this article to these individuals.*

31 *(b) A county plan may also provide that the program provided*
32 *for in this article shall apply to refugees receiving Refugee Cash*
33 *Assistance.*

34 *(c) The county shall maintain separate accounting records of*
35 *expenditures related to applicants for, and recipients of, aid under*
36 *this chapter, and for the individuals to whom the program applies*
37 *pursuant to subdivisions (a) and (b). If a county elects to apply*
38 *the program provided for in this article to refugees receiving*
39 *Refugee Cash Assistance or to refugee recipients of aid under Part*
40 *5 (commencing with Section 17000), costs of applying the program*

1 shall be funded from the county's federal social services and
2 targeted assistance allocation, as provided for under Chapter 5.5
3 (commencing with Section 13275).

4 (d) If, pursuant to subdivision (a), a county elects to apply the
5 program provided for in this article to refugees or to recipients of
6 aid under Part 5 (commencing with Section 17000), these
7 individuals shall have the same rights, duties, and responsibilities
8 that a participant has who is an applicant for, or a recipient of,
9 aid under this chapter. Any participation by general assistance
10 recipients shall not constitute any actual or implied responsibility
11 for, or assumption of, costs of general assistance by the state.

12 11322.2. Counties shall continually monitor their program
13 expenditures throughout the fiscal year. If a county determines
14 that its anticipated expenditures will exceed the amount of that
15 year's allocations as a result of an unexpected event, including
16 caseload increases, court cases, or significant justifiable increases
17 in component costs, the county shall immediately notify the
18 department.

19 11322.4. It is the intent of the Legislature to fund
20 welfare-to-work activities under this article so that all recipients
21 of aid under this chapter for whom participation under this article
22 is required can be served and, in addition, so that recipients
23 voluntarily participating under this article can be served.

24 11322.5. (a) It is the intent of the Legislature to do each of
25 the following:

26 (1) Maximize the ability of CalWORKs recipients to benefit from
27 the federal Earned Income Tax Credit (EITC), including retroactive
28 EITC credits and the Advance EITC, take advantage of the
29 earned-income disregard to increase their federal Supplemental
30 Nutrition Assistance Program (SNAP) benefits, and accumulate
31 credit toward future social security income.

32 (2) Educate and empower all CalWORKs participants who
33 receive the federal EITC to save or invest part or all of their credits
34 in instruments such as individual development accounts, 401(k)
35 plans, 403(b) plans, IRAs, 457 plans, Coverdell ESA plans,
36 restricted accounts pursuant to subdivision (a) of Section 11155.2,
37 or 529 college savings plans, and to take advantage of the federal
38 Assets for Independence program and other matching funds, tools,
39 and training available from public or private sources, in order to
40 build their assets.

1 (b) It is the intent of the Legislature that counties encourage
2 CalWORKs recipients to participate in activities that will maximize
3 their receipt of the EITC. To this end, counties may do all of the
4 following:

5 (1) Structure welfare-to-work activities pursuant to Section
6 607(d) of Title 42 of the United States Code to give recipients the
7 option of maximizing the portion of their CalWORKs benefits that
8 meets the definition of “earned income” in Section 32(c)(2) of the
9 Internal Revenue Code.

10 (2) Inform CalWORKs recipients of each of the following:

11 (A) That earned income, either previous or future, may make
12 them eligible for the federal EITC, including retroactive EITC
13 credits and the Advance EITC, increase their federal SNAP
14 benefits, and accumulate credit toward future social security
15 income.

16 (B) That recipients, as part of their welfare-to-work plans, have
17 the option of engaging in subsidized employment, and that
18 participating in this activity will increase their earned income to
19 the extent that they meet the requirements of federal law.

20 (C) That receipt of the federal EITC does not affect their
21 CalWORKs grant and is additional tax-free income for them.

22 (D) That a CalWORKs recipient who receives the federal EITC
23 may invest these funds in an individual development account,
24 401(k) plan, 403(b) plan, IRA, 457 plan, 529 college savings plan,
25 Coverdell ESA, or restricted account, and that investments in these
26 accounts will not make the recipient ineligible for CalWORKs
27 benefits or reduce the recipient’s CalWORKs benefits.

28 (3) At each regular eligibility redetermination, the county shall
29 ask a recipient whether the recipient is eligible for, and takes
30 advantage of, the EITC. If the recipient may be eligible and does
31 not participate, the county shall give the recipient the federal EITC
32 form and encourage and assist the recipient to take advantage of
33 it.

34 11322.6. The welfare-to-work plan developed by the county
35 welfare department and the participant pursuant to this article
36 shall provide for welfare-to-work activities. Welfare-to-work
37 activities shall be consistent with the requirements of Section
38 607(c) and (d) of Title 42 of the United States Code.

39 11322.62. Employers, sponsors of training activities, and
40 contractors shall not discriminate against participants on any

1 basis listed in subdivision (a) of Section 12940 of the Government
2 Code, as those bases are defined in Sections 12926 and 12926.1
3 of the Government Code, except as otherwise provided in Section
4 12940 of the Government Code.

5 11322.63. (a) For counties that implement a welfare-to-work
6 plan that includes subsidized private sector or public sector
7 employment activities, the State Department of Social Services
8 shall pay the county 50 percent, less fifty-six dollars (\$56), of the
9 total wage costs of an employee for whom a wage subsidy is paid,
10 subject to all of the following conditions:

11 (1) (A) For participants receiving CalWORKs aid, the maximum
12 state contribution to the total wage cost shall not exceed 100
13 percent of the computed grant for the assistance unit in the month
14 prior to participation in subsidized employment.

15 (B) For participants who have received aid in excess of the time
16 limits provided in subdivision (a) of Section 11454, the maximum
17 state contribution of the total wage cost shall not exceed 100
18 percent of the computed grant for the assistance unit in the month
19 prior to participation in subsidized employment.

20 (C) In the case of an individual who participates in subsidized
21 employment as a service provided by a county pursuant to Section
22 11323.25, the maximum state contribution to the total wage cost
23 shall not exceed 100 percent of the computed grant that the
24 assistance unit received in the month prior to participation in the
25 subsidized employment.

26 (D) The maximum state contribution, as defined in this
27 paragraph, shall remain in effect until the end of the subsidy
28 period, as specified in paragraph (2), including with respect to
29 subsidized employment participants whose wage results in the
30 assistance unit no longer receiving a CalWORKs grant.

31 (E) State funding provided for total wage costs shall only be
32 used to fund wage and nonwage costs of the county's subsidized
33 employment program.

34 (2) State participation in the total wage costs pursuant to this
35 section shall be limited to a maximum of six months of wage
36 subsidies for each participant. If the county finds that a longer
37 subsidy period is necessary in order to mutually benefit the
38 employer and the participant, state participation in a subsidized
39 wage may be offered for up to 12 months.

1 (3) *Eligibility for entry into subsidized employment funded under*
2 *this section shall be limited to individuals who are not otherwise*
3 *employed at the time of entry into the subsidized job, and who are*
4 *current CalWORKs recipients, sanctioned individuals, or*
5 *individuals who have exceeded the time limits specified in*
6 *subdivision (a) of Section 11454. A county may continue to provide*
7 *subsidized employment funded under this section to individuals*
8 *who become ineligible for CalWORKs benefits in accordance with*
9 *Section 11323.25.*

10 (b) *Upon application for CalWORKs after a participant's*
11 *subsidized employment ends, if an assistance unit is otherwise*
12 *eligible within three calendar months of the date that subsidized*
13 *employment ended, the income exemption requirements in Section*
14 *11451.5 and the work requirements in subdivision (c) of Section*
15 *11201 shall apply. If aid is restored after the expiration of that*
16 *three-month period, the income exemption requirements in Section*
17 *11450.12 and the work requirements in subdivision (b) of Section*
18 *11201 shall apply.*

19 (c) *The department, in conjunction with representatives of*
20 *county welfare offices and their directors and the Legislative*
21 *Analyst's Office, shall assess the cost neutrality of the subsidized*
22 *employment program pursuant to this section and make*
23 *recommendations to the Legislature, if necessary, to ensure cost*
24 *neutrality. The department shall testify regarding the cost neutrality*
25 *of the subsidized employment program during the 2012–13 fiscal*
26 *year legislative budget hearings.*

27 (d) *No later than January 10, 2013, the State Department of*
28 *Social Services shall submit a report to the Legislature on the*
29 *outcomes of implementing this section that shall include, but need*
30 *not be limited to, all of the following:*

31 (1) *The number of CalWORKs recipients that entered subsidized*
32 *employment.*

33 (2) *The number of CalWORKs recipients who found*
34 *nonsubsidized employment after the subsidy ended.*

35 (3) *The earnings of the program participants before and after*
36 *the subsidy.*

37 (4) *The impact of the program on the state's work participation*
38 *rate.*

1 (e) Payment of the state's share in total wage costs required by
2 this section shall be made in addition to, and independent of, the
3 county allocations made pursuant to Section 15204.2.

4 (f) For purposes of this section, "total wage costs" include the
5 actual wage paid directly to the participant that is allowable under
6 the Temporary Assistance for Needy Families program.

7 11322.7. (a) Every county shall provide an adequate range
8 of those activities described in Section 11322.6 to ensure each
9 participant's access to needed activities and services to assist him
10 or her in seeking employment, to provide education and training
11 the participant needs to find self-supporting work, and to arrange
12 for placement in paid or unpaid work settings that will enhance a
13 participant's ability to obtain unsubsidized employment.

14 (b) No plan shall require job search and work experience of
15 participants to the exclusion of a range of activities to be offered
16 to recipients.

17 11322.8. (a) Unless otherwise exempt, an adult recipient in a
18 one-parent assistance unit shall participate in welfare-to-work
19 activities for the minimum average hours per week described in
20 Section 607(c)(1)(A) of Title 42 of the United States Code, subject
21 to the limitations and special rules described in that section.

22 (b) Unless otherwise exempt, an adult recipient who is an
23 unemployed parent, as defined in Section 11201, shall participate
24 in welfare-to-work activities for the minimum average hours per
25 week described in Section 607(c)(1)(B) of Title 42 of the United
26 States Code, subject to the limitations and special rules described
27 in that section.

28 (c) If the provisions of federal law described in this section are
29 amended subsequent to the effective date of the act that added this
30 article, the department shall adopt requirements that mandate that
31 an adult recipient described in this section participate in
32 welfare-to-work consistent with those amendments, to the extent
33 required to meet the minimum work requirements imposed by
34 federal law.

35 11322.9. (a) Community service activities shall meet all of the
36 following criteria:

37 (1) Be performed in the public and private nonprofit sector.

38 (2) Provide participants with job skills that can lead to
39 unsubsidized employment.

1 (3) *Comply with the antidisplacement provisions contained in*
2 *Section 11324.6.*

3 (b) *Participants in community service activities shall do all of*
4 *the following:*

5 (1) *Participate in a community service activity for the number*
6 *of hours required by Section 11322.8, unless fewer hours of*
7 *community service participation are required by federal law.*

8 (2) *Participate in other work activities for the number of hours*
9 *equal to the difference between the hours of participation in*
10 *community service and the number of hours of participation*
11 *required under Section 11322.8.*

12 (c) *The county plan pursuant to Section 10531 shall include a*
13 *component, developed by the county in collaboration with local*
14 *private sector employers, local education agencies, county welfare*
15 *departments, organized labor, recipients of aid under this chapter,*
16 *and government and community-based organizations providing*
17 *job training and economic development, in order to identify all of*
18 *the following:*

19 (1) *Unmet community needs that could be met through*
20 *community service activities.*

21 (2) *The target population to be served.*

22 (3) *Entities responsible for project development, fiscal*
23 *administration, and case management services.*

24 (4) *The terms of community service activities that, to the extent*
25 *feasible, shall be temporary and transitional, and not permanent.*

26 (5) *Supportive efforts, including job search, education, and*
27 *training, which shall be provided to participants in community*
28 *service activities.*

29 (d) *Aid under this chapter for any participant who fails to*
30 *comply with the requirements of this section without good cause*
31 *shall be reduced in accordance with Section 11327.5.*

32 11323.2. (a) *Necessary supportive services shall be available*
33 *to every participant in order to participate in the program activity*
34 *to which he or she is assigned or to accept employment or the*
35 *participant shall have good cause for not participating under*
36 *subdivision (e) of Section 11320.3. As provided in the*
37 *welfare-to-work plan entered into between the county and*
38 *participant pursuant to this article, supportive services shall*
39 *include all of the following:*

40 (1) *Child care.*

1 (A) Paid child care shall be available to every participant with
2 a dependent child in the assistance unit who needs paid child care
3 if the child is 10 years of age or under, or requires child care or
4 supervision due to a physical, mental, or developmental disability
5 or other similar condition as verified by the county welfare
6 department, or who is under court supervision.

7 (B) To the extent funds are available, paid child care shall be
8 available to a participant with a dependent child in the assistance
9 unit who needs paid child care if the child is 11 or 12 years of age.

10 (C) A child in foster care receiving benefits under Title IV-E of
11 the federal Social Security Act (42 U.S.C. Sec. 670 et seq.), or a
12 child who would become a dependent child except for the receipt
13 of federal Supplemental Security Income benefits pursuant to Title
14 XVI of the federal Social Security Act (42 U.S.C. Sec. 1381 et seq.),
15 shall be deemed to be a dependent child for the purposes of this
16 paragraph.

17 (D) The provision of care and payment rates under this
18 paragraph shall be governed by Article 15.5 (commencing with
19 Section 8350) of Chapter 2 of Part 6 of Division 1 of Title 1 of the
20 Education Code.

21 (2) Transportation costs, which shall be governed by regional
22 market rates as determined in accordance with regulations
23 established by the department.

24 (3) Ancillary expenses, which shall include the cost of books,
25 tools, clothing specifically required for the job, fees, and other
26 necessary costs.

27 (4) Personal counseling. A participant who has personal or
28 family problems that would affect the outcome of the
29 welfare-to-work plan entered into pursuant to this article shall
30 receive, to the extent available, necessary counseling or therapy
31 to help him or her and his or her family adjust to his or her job or
32 training assignment.

33 (b) If provided in a county plan, the county may continue to
34 provide case management and services to either a recipient of aid
35 under this chapter not participating under this article or a former
36 recipient of aid under this chapter who has received aid within
37 the previous 12 months if a recipient or former recipient is
38 employed, in order to assist the individual in retaining employment.
39 These job retention services may be provided for up to 12 months
40 after the first day of employment, to the extent they are not provided

1 *by the employer, the entity that arranged the job placement, if*
2 *other than the county, and, to the extent that the services are not*
3 *available from other sources.*

4 *11323.25. In addition to its authority under subdivision (b) of*
5 *Section 11323.2, if provided in a county plan, the county may*
6 *continue to provide welfare-to-work services to former participants*
7 *who became ineligible for CalWORKs benefits because they*
8 *became employed under Section 11322.63. The county may provide*
9 *these services for up to the first 12 months of employment, to the*
10 *extent they are not available from other sources and are needed*
11 *for the individual to retain the subsidized employment.*

12 *11323.3. (a) It is the intent of the Legislature that all*
13 *CalWORKs applicants and recipients be aware of their potential*
14 *liability for payment for child care, and that child care providers*
15 *be promptly paid for their services to eligible families.*

16 *(b) An applicant for, or a recipient of, CalWORKs benefits shall*
17 *be provided written notice, both at the time of application and*
18 *when he or she signs an original or amended welfare-to-work*
19 *plan, of the availability of paid child care as provided in Section*
20 *11323.2. The notice shall inform applicants and recipients of all*
21 *of the following:*

22 *(1) Paid child care is available to allow them to be employed*
23 *or participate in welfare-to-work activities.*

24 *(2) Assistance in finding and choosing a child care provider is*
25 *available.*

26 *(3) A recipient is required to inform the county welfare*
27 *department of his or her need for paid child care as soon as that*
28 *need arises.*

29 *(4) The recipient is required to request a child care subsidy*
30 *from the county within 30 days from the first day child care services*
31 *are received from each different provider, to be fully reimbursed*
32 *for child care services.*

33 *(c) An applicant for, or recipient of, CalWORKs benefits shall*
34 *be required to sign a copy of the written notice acknowledging*
35 *that he or she has been informed of and understands the notice.*
36 *The signed notice shall be retained in the client's file.*

37 *(d) No payment shall be made for child care services provided*
38 *pursuant to Section 8351 of the Education Code more than 30 days*
39 *prior to the recipient's initial request for payment for the child*

1 care service from that provider, when the recipient received the
2 written notice provided in subdivision (b).

3 (e) The department shall develop regulations to implement this
4 section.

5 11323.4. (a) Payments for supportive services, as described
6 in Section 11323.2, shall be advanced to the participant, wherever
7 necessary, and when desired by the participant, so that the
8 participant need not use his or her funds to pay for these services.
9 Payments for child care services shall be made in accordance with
10 Article 15.5 (commencing with Section 8350) of Chapter 2 of Part
11 6 of Division 1 of Title 1 of the Education Code.

12 (b) The county welfare department shall take all reasonable
13 steps necessary to promptly correct any overpayment or
14 underpayment of supportive services payments to a recipient or a
15 service provider, including, but not limited to, all cases involving
16 fraud and abuse, consistent with procedures developed by the
17 department.

18 (c) (1) Participants shall be encouraged to apply for financial
19 aid, including educational grants, scholarships, and awards.

20 (2) To the extent permitted by federal law, the county shall
21 coordinate with financial aid offices to establish procedures
22 whereby the educational expenses of participants are met through
23 available financial aid and the supportive services described in
24 Section 11323.2. These procedures shall not result in duplication
25 of payments, and shall require determinations to be made on an
26 individual basis to ensure that using financial aid will not prevent
27 the person's participation in his or her welfare-to-work plan.

28 (d) Notwithstanding Section 10850, for purposes of child care
29 supportive services, county welfare departments shall share
30 information necessary for the administration of the child care
31 programs and the CalWORKs program.

32 11323.6. The department shall be responsible for supervising
33 the provision of child care by counties as described in Article 15.5
34 (commencing with Section 8350) of Chapter 2 of Part 6 of Division
35 1 of Title 1 of the Education Code. Counties may contract with
36 public and private child care entities or providers for this purpose.

37 11323.9. Each county welfare department shall provide to the
38 State Department of Social Services, on a monthly basis, data
39 regarding child care usage and demand in child care services
40 managed by the county, as described in Article 15.5 (commencing

1 with Section 8350) of Chapter 2 of Part 6 of Division 1 of Title 1
2 of the Education Code, through which a recipient of aid under this
3 chapter, or any successor program, will pass. The specific
4 information needed for these reports may be specified by the State
5 Department of Social Services or through provisions of the annual
6 Budget Act.

7 11324. (a) If the county welfare department or a contractor
8 pays for child care services that are exempt from licensure, all of
9 the following information about the caregiver shall be on file with
10 the county welfare department or the contractor and shall be made
11 available to the participant:

12 (1) The name and address of the child care provider.

13 (2) The address where child care is to be provided.

14 (3) The hours child care is to be provided and the charge for
15 this care.

16 (4) The names, addresses, and telephone numbers of two
17 character references.

18 (5) A copy of a valid California driver's license or other
19 identification to establish that the caregiver is at least 18 years
20 old.

21 (6) A statement from the caregiver as to his or her health
22 education, experience or other qualification, criminal record, and
23 names and ages of other persons in the home or providing care.

24 (b) The county welfare department or the contractor shall use
25 existing child care licensing or CalWORKs program procedures
26 in meeting the requirements of subdivision (a).

27 (c) To the extent permitted by federal law, the county welfare
28 department shall deny payment, or cause the contractor to deny
29 payment, for child care services that are exempt from licensure if
30 either of the following applies:

31 (1) The provider has been convicted of a violent felony, as
32 defined in subdivision (c) of Section 667.5 of the Penal Code.

33 (2) The provider has been convicted of child abuse.

34 (d) If the child care provider selected by the participant is denied
35 payment, the participant may have good cause for not participating
36 as specified in paragraph (3) of subdivision (e) of Section 11320.3.

37 11324.4. (a) The employer or sponsor of an employment or
38 training program position described in Section 11322.6 or 11322.9,
39 or any positions created under any county pilot project, shall assist

1 *and encourage qualified participants to compete for job openings*
2 *for which they qualify occurring within the sponsor's organization.*

3 *(b) Workers assigned to public agencies shall be allowed to*
4 *participate in classified service examinations equivalent to the*
5 *positions they occupy, as well as all open and promotional*
6 *examinations for which experience in the position or other relevant*
7 *experience is qualifying under merit system rules. To the extent*
8 *permitted under federal or state law, local ordinance, or applicable*
9 *collective bargaining agreements, time worked in the positions*
10 *shall apply toward seniority in the merit public agency positions.*

11 *11324.5. The county shall ensure that the labor union is notified*
12 *of the use of participants assigned to an employment or training*
13 *program position described in Section 11322.6 or 11322.9 or any*
14 *positions created under any county pilot project, in any location*
15 *or work activity controlled by an employer and covered by a*
16 *collective bargaining agreement between the employer and a union.*
17 *For nonunionized employees, procedures shall provide for*
18 *notification to employees of the use of participants under this*
19 *article and the availability of the grievance process. Display of a*
20 *poster shall satisfy this requirement.*

21 *11324.6. (a) An employment or training program position*
22 *described in Section 11322.6 or 11322.9 or under any county pilot*
23 *project, shall not be created as a result of, or shall not result in,*
24 *any of the following:*

25 *(1) Displacement or partial displacement of current employees,*
26 *including, but not limited to, a reduction in hours of nonovertime*
27 *and overtime work, wages, or employment benefits.*

28 *(2) The filling of positions that would otherwise be promotional*
29 *opportunities for current employees, except when positions are to*
30 *be filled through an open process in which recipients are provided*
31 *equal opportunity to compete.*

32 *(3) The filling of a position, prior to compliance with applicable*
33 *personnel procedures or provisions of collective bargaining*
34 *agreements.*

35 *(4) The filling of established unfilled public agency positions,*
36 *unless the positions are unfunded in a public agency budget.*

37 *(5) The filling of a position created by termination, layoff, or*
38 *reduction in workforce, caused by the employer's intent to fill the*
39 *position with a subsidized position pursuant to this article.*

1 (6) A strike, lockout, or other bona fide labor dispute, or
2 violation of any existing collective bargaining agreement between
3 employees and employers.

4 (7) The filling of a work assignment customarily performed by
5 a worker in a job classification within a recognized collective
6 bargaining unit in that specific worksite, or the filling of a work
7 assignment in any bargaining unit in which funded positions are
8 vacant, or in which regular employees are on layoff.

9 (8) The termination of a contract for services, prior to its
10 expiration date, that results in the displacement or partial
11 displacement of workers performing contracted services, caused
12 by the employer's intent to fill the position with a subsidized
13 position pursuant to this article.

14 (9) The filling of a work assignment that results in not rehiring
15 a seasonal employee who has a history of regular seasonal
16 employment with an employer. This subdivision shall apply only
17 to the construction industry.

18 (10) The denial to a participant or employee of protections
19 afforded other workers on the worksite by state and federal laws
20 governing workplace health, safety, and representation.

21 (b) Paragraphs (2), (4), and (7) of subdivisions (a) shall not
22 apply to unsubsidized employment placements.

23 11324.7. (a) The department shall provide a grievance process
24 for regular employees and their representatives who wish to file
25 a complaint that an assignment to community service or work
26 experience violates any of the displacement provisions contained
27 in Section 11324.6, as applicable, respecting any employment or
28 training position created pursuant to this article.

29 (b) (1) The grievance process established pursuant to
30 subdivision (a) shall consist of an informal procedure followed by
31 a hearing if the informal procedure fails to resolve the complaint
32 to the satisfaction of the complainant.

33 (2) The grievance and any available appeal process shall be
34 conducted in accordance with rules and notification requirements
35 adopted and promulgated in federal law.

36 (3) The department shall issue instructions and requirements
37 for the grievance process.

38 (c) The department shall administer the employee grievance
39 process either directly or through the county welfare departments,

1 or may enter into agreements with another state agency to
2 administer all or any part of the grievance process.

3 (d) Notwithstanding subdivisions (b) and (c), the department
4 shall require the use of any existing grievance procedure that is
5 part of a collective bargaining agreement between the employer
6 and the labor union representing the regular employee, in lieu of
7 the process established by this section.

8 (e) Remedies for complaining regular employees in the process
9 established by this section shall include, where appropriate,
10 reinstatement, retroactive pay, and retroactive benefits.

11 11324.8. (a) At the time an individual applies for aid under
12 this chapter, or at the time a recipient's eligibility for aid is
13 determined, the county shall do all of the following:

14 (1) Provide the individual, in writing and orally as necessary,
15 with at least the following program information:

16 (A) A general description of the education, employment, and
17 training opportunities and the supportive services available,
18 including transitional benefits.

19 (B) A description of the exemptions from required participation
20 provided under this article and the consequences of a refusal to
21 participate in program components, if not exempt.

22 (C) A description of the responsibility of the participant to
23 cooperate in establishing paternity and enforcing child support
24 obligations, and to assist individuals in establishing paternity and
25 obtaining child support as a condition of eligibility.

26 (2) Determine whether the individual is required to participate
27 in the program provided under this article.

28 (b) At the time an individual is required to participate pursuant
29 to this article, he or she shall receive a written preliminary
30 determination that he or she is a member of a targeted group, for
31 purposes of any applicable and operative federal Targeted Jobs
32 Tax Credit and California Jobs Tax Credit.

33 (c) Persons not required to participate may volunteer to
34 participate.

35 (d) An applicant for, or a recipient of, aid who is dissatisfied
36 with the provisions of the welfare-to-work plan may seek redress
37 through the independent assessment process, as described in
38 subdivision (c) of Section 11325.4 or the state hearing or county
39 grievance process, as described in Section 11327.8.

1 11325.1. *When child care services are provided by a program*
2 *funded under Section 8481 of the Education Code to a recipient*
3 *under this article or any other job training program for recipients*
4 *under this chapter, and the job training program utilizes vouchers*
5 *for child care services issued by the county or a contracting*
6 *agency, reimbursement for those child care services shall be made*
7 *at a market rate established by the State Department of Education*
8 *pursuant to Article 15.5 (commencing with Section 8350) of*
9 *Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code.*

10 11325.2. *At the time a recipient enters the welfare-to-work*
11 *program, the county shall conduct an appraisal, pursuant to*
12 *regulations adopted by the department, during which the recipient*
13 *is informed of the requirement to participate in training*
14 *opportunities available to a participant, and available supportive*
15 *services. The appraisal shall provide information about the*
16 *recipient in the following areas:*

17 (a) *Employment history and skills.*

18 (b) *Need for supportive services as described in Section 11323.2.*

19 11325.21. (a) *Any individual who is required to participate*
20 *in welfare-to-work activities pursuant to this article shall enter*
21 *into a written welfare-to-work plan with the county welfare*
22 *department after assessment as required by subdivision (b) of*
23 *Section 11320.1, but no more than 90 days after the date that a*
24 *recipient's eligibility for aid is determined, or the date the recipient*
25 *is required to participate in welfare-to-work activities pursuant*
26 *to Section 11320.3. The recipient and the county may enter into a*
27 *welfare-to-work plan as late as 90 days after the completion of*
28 *the job search activity, as defined in subdivision (a) of Section*
29 *11320.1, if the job search activity is initiated within 30 days after*
30 *the recipient's eligibility for aid is determined. The plan shall*
31 *include the activities and services that will move the individual*
32 *into employment.*

33 (b) *The county shall allow the participant three working days*
34 *after completion of the plan or subsequent amendments to the plan*
35 *in which to evaluate and request changes to the terms of the plan.*

36 (c) *The plan shall be written in clear and understandable*
37 *language, and have a simple and easy-to-read format.*

38 (d) *The plan shall contain at least all of the following general*
39 *information:*

1 (1) A general description of the program provided for in this
2 article, including available program components and supportive
3 services.

4 (2) A general description of the rights, duties, and
5 responsibilities of program participants, including a list of the
6 exemptions from the required participation under this article, the
7 consequences of a refusal to participate in program components,
8 and criteria for successful completion of the program.

9 (e) The plan shall specify, and shall be amended to reflect
10 changes in, the participant's welfare-to-work activity, a description
11 of services to be provided in accordance with Sections 11322.6
12 and 11322.8, as needed, and specific requirements for successful
13 completion of assigned activities, including required hours of
14 participation. The plan shall also include a general description
15 of supportive services pursuant to Section 11323.2 that are to be
16 provided as necessary for the participant to complete assigned
17 program activities.

18 (f) Any assignment to a program component shall be reflected
19 in the plan or an amendment to the plan. The participant shall
20 maintain satisfactory progress toward employment through the
21 methods set forth in the plan, and the county shall provide the
22 services pursuant to Section 11323.2.

23 (g) In the case of an individual who was participating in a
24 self-initiated plan pursuant to the former provisions of Section
25 11325.23 as of the effective date of the act that added this article,
26 the individual may continue to participate in that self-initiated
27 plan, subject to the requirements of Section 11322.8, to the extent
28 that the individual remains eligible for the CalWORKs Basic
29 Program or the CalWORKs Plus Program.

30 11325.22. (a) Following the appraisal required by Section
31 11325.2, all participants shall be assigned to participate for a
32 period of job search activities in accordance with Section
33 607(c)(2)(A) of Title 42 of the United States Code. These activities
34 may include the use of job clubs to identify the participant's
35 qualifications. The county shall consider the skills and interests
36 of the participant in developing a job search strategy. The period
37 of job search activities may be shortened if the participant and the
38 county agree that further activities would not be beneficial. Job
39 search activities may be shortened for a recipient if the county
40 determines that the recipient will not benefit because he or she

1 *may suffer from an emotional or mental disability that will limit*
2 *or preclude the recipient's participation under this article.*

3 *(b) (1) Upon the completion of job search activities, the*
4 *participant shall be assigned to one or more of the activities*
5 *described in Section 11322.6, as needed to attain employment.*

6 *(2) (A) The assignment to one or more of the program activities*
7 *as required in paragraph (1) shall be based on the welfare-to-work*
8 *plan developed pursuant to an assessment described in Section*
9 *11325.4. The plan shall be based, at a minimum, on consideration*
10 *of the individual's existing education level, employment experience*
11 *and relevant employment skills, available program resources, and*
12 *local labor market opportunities.*

13 *(B) An assessment pursuant to Section 11325.4 shall be*
14 *performed upon completion of job search activities or at such time*
15 *as it is determined that job search will not be beneficial.*

16 *(c) A participant who has not obtained unsubsidized employment*
17 *upon completion of the activities in a welfare-to-work plan*
18 *developed pursuant to the job search activities required by*
19 *subdivision (a) and an assessment required by subdivision (b) shall*
20 *be referred to reappraisal as described in Section 11326.*

21 *(d) The criteria for successful completion of an assigned*
22 *education or training activity shall include regular attendance,*
23 *satisfactory progress, and completion of the assignment. A person*
24 *who fails or refuses to comply with program requirements for*
25 *participation in the activities assigned pursuant to this section*
26 *shall be subject to Sections 11327.4 and 11327.5.*

27 *11325.25. (a) A participant with a suspected learning or*
28 *medical problem, as indicated by information received during*
29 *appraisal or assessment or by lack of satisfactory progress in an*
30 *assigned program component, shall be referred for an evaluation*
31 *to determine whether the individual is unable to successfully*
32 *complete or benefit from a current or proposed program*
33 *assignment. As part of the evaluation, the county may require the*
34 *individual to undergo the appropriate examinations to obtain*
35 *information regarding the individual's learning and physical*
36 *abilities.*

37 *(b) Based upon the results of the evaluation required by*
38 *subdivision (a), the county may refer the individual to any of the*
39 *following components as appropriate:*

- 1 (1) Referral to any of the activities described in Section 11322.6,
- 2 including referral to the person’s previous activity.
- 3 (2) Existing special programs that meet specific needs of the
- 4 individual.
- 5 (3) Job search services, if the county determines the individual
- 6 has the skills needed to find a job in the local labor market.
- 7 (4) Assessment, as described in Section 11325.4, or reappraisal,
- 8 as described in Section 11326.
- 9 (5) Rehabilitation assessment and subsequent training.
- 10 (c) The participant shall be involved in the decisions made
- 11 during the progress evaluation and shall have appeal rights
- 12 consistent with those accorded to all program participants.
- 13 11325.4. (a) Upon referral to assessment, a participant shall
- 14 work with the county welfare department to develop and agree on
- 15 a welfare-to-work plan on the basis of an assessment of the
- 16 individual’s skills and needs. The assessment shall include at least
- 17 all of the following:
- 18 (1) The participant’s work history and an inventory of his or
- 19 her employment skills, knowledge, and abilities.
- 20 (2) The participant’s educational history and present
- 21 educational competency level.
- 22 (3) The participant’s need for supportive services in order to
- 23 obtain the greatest benefit from the employment and training
- 24 services offered under this article.
- 25 (4) An evaluation of the chances for employment given the
- 26 current skills of the participant and the local labor market
- 27 conditions.
- 28 (5) Local labor market information.
- 29 (6) Physical limitations or mental conditions that limit the
- 30 participant’s ability for employment or participation in
- 31 welfare-to-work activities.
- 32 (b) The county may contract with outside parties, including
- 33 local educational agencies and service delivery areas, to provide
- 34 the assessment.
- 35 (c) (1) Notwithstanding the procedures set forth in Chapter 7
- 36 (commencing with Section 10950) of Part 2, if the participant and
- 37 assessor are unable to reach agreement on the welfare-to-work
- 38 plan, the matter shall be referred by the county for an independent
- 39 assessment by an impartial third party. The results of this
- 40 assessment, which shall be binding upon the county and the

1 *participant, shall be used to develop the appropriate plan for the*
2 *participant.*

3 *(2) No third-party assessment under this subdivision shall be*
4 *made by a party having any financial or other interest in the result*
5 *of the assessment. The party making the assessment shall be*
6 *selected by the county according to an unbiased procedure.*

7 *11325.5. (a) If, pursuant to the assessment conducted pursuant*
8 *to Section 11325.4, there is a concern that a mental disability*
9 *exists that will impair the ability of a recipient to obtain*
10 *employment, he or she shall be referred to the county mental health*
11 *department.*

12 *(b) Subject to appropriations in the Budget Act, the county*
13 *mental health department shall evaluate the recipient and*
14 *determine any treatment needs. The evaluation shall include the*
15 *extent to which the individual is capable of employment at the*
16 *present time and under what working and treatment conditions*
17 *the individual is capable of employment. The evaluation shall*
18 *include prior diagnoses, assessments, or evaluations that the*
19 *recipient provides.*

20 *(c) Each county welfare department shall develop individual*
21 *welfare-to-work plans for recipients with mental or emotional*
22 *disorders, based on the evaluation conducted by the county mental*
23 *health department. The plan for the recipient shall include*
24 *appropriate employment accommodations or restrictions,*
25 *supportive services, and treatment requirements. Any prior*
26 *diagnosis, evaluation, or assessment provided by the recipient*
27 *shall be considered in the development of his or her individual*
28 *welfare-to-work plan.*

29 *11325.6. Subject to the limitations of subdivision (a) of Section*
30 *11325.22, if activities to be provided under the plan between the*
31 *county welfare department and the participant are not immediately*
32 *available to the participant, he or she shall receive job search*
33 *activities until the education or training services designated in the*
34 *plan are available.*

35 *11325.7. (a) It is the intent of the Legislature in enacting this*
36 *section to create a funding stream and program that assist certain*
37 *recipients of aid under this chapter to receive necessary mental*
38 *health services, including case management and treatment, thereby*
39 *enabling them to make the transition from welfare to work. This*
40 *funding stream shall be used specifically to serve recipients in*

1 *need of mental health services, and shall be accounted for and*
2 *expended by each county in a manner that ensures that recipients*
3 *in need of mental health services are receiving appropriate*
4 *services.*

5 *(b) The county plan required by Section 10531 shall include a*
6 *plan for the development of mental health employment assistance*
7 *services, developed jointly by the county welfare department and*
8 *the county department of mental health. The plan shall have as its*
9 *goal the treatment of mental or emotional disabilities that may*
10 *limit or impair the ability of a recipient to make the transition from*
11 *welfare to work, or that may limit or impair the ability to retain*
12 *employment over a long-term period. The plan shall be developed*
13 *in a manner consistent with both the county's welfare-to-work*
14 *program and the county's consolidated mental health Medi-Cal*
15 *services plan. The county may use community-based providers, as*
16 *necessary, that have experience in addressing the needs of the*
17 *CalWORKs population. The county, whenever possible, shall*
18 *ensure that the services provided qualify for federal reimbursement*
19 *of the nonstate share of Medi-Cal costs.*

20 *(c) Subject to specific expenditure authority, mental health*
21 *services available under this section shall include all of the*
22 *following elements:*

23 *(1) Assessment for the purpose of identifying the level of the*
24 *participant's mental health needs and the appropriate level of*
25 *treatment and rehabilitation for the participant.*

26 *(2) Case management, as appropriate, as determined by the*
27 *county.*

28 *(3) Treatment and rehabilitation services, that shall include*
29 *counseling, as necessary to overcome mental health barriers to*
30 *employment and mental health barriers to retaining employment,*
31 *in coordination with an individual's welfare-to-work plan.*

32 *(4) In cases where a secondary diagnosis of substance abuse*
33 *is made for a person referred for mental or emotional disorders,*
34 *the welfare-to-work plan shall also address the substance abuse*
35 *treatment needs of the participant.*

36 *(5) A process by which the county can identify those with severe*
37 *mental disabilities that may qualify them for aid under Chapter 3*
38 *(commencing with Section 12000).*

39 *(d) Any funds appropriated by the Legislature to cover the*
40 *nonfederal costs of the mental health employment assistance*

1 *services required by this section shall be allocated consistent with*
2 *the formula used to distribute each county's CalWORKs program*
3 *allocation. Each county shall report annually to the state the*
4 *number of CalWORKs program recipients who received mental*
5 *health services and the extent to which the allocation is sufficient*
6 *to meet the need for these services as determined by the county.*
7 *The State Department of Mental Health shall develop a uniform*
8 *methodology for ensuring that this allocation supplements and*
9 *does not supplant current expenditure levels for mental health*
10 *services for this population.*

11 *11325.8. (a) The county plan required by Section 10531 shall*
12 *include a plan for the provision of substance abuse treatment*
13 *services. The plan shall describe how the county welfare*
14 *department and the county alcohol and drug program will*
15 *collaborate to ensure that an effective system is available to*
16 *provide alcohol and drug services to recipients whose substance*
17 *abuse creates a barrier to employment. The plan shall be developed*
18 *in a manner that is consistent with the county's welfare-to-work*
19 *program. Substance abuse treatment services shall include*
20 *evaluation, substance abuse treatment, employment counseling,*
21 *provision of community service jobs, or other appropriate services.*

22 *(b) It is the intent of the Legislature that substance abuse*
23 *treatment services for participants shall be provided by the county*
24 *alcohol and drug program, or by a nonprofit agency under contract*
25 *with the county alcohol and drug program. If the county welfare*
26 *department determines that the county alcohol and drug program*
27 *is unable to provide the needed services, the county department*
28 *may contract directly with a nonprofit state-licensed narcotic*
29 *treatment program, residential facility, or certified nonresidential*
30 *substance abuse program to obtain substance abuse services for*
31 *a participant.*

32 *(c) (1) A participant who is in a job search component of the*
33 *county's welfare-to-work program may be directed at any time to*
34 *an assessment by the job search manager, if the county believes*
35 *that the participant's substance abuse may limit or preclude his*
36 *or her satisfactory completion of the job search component.*

37 *(2) During the assessment, if the case manager believes that*
38 *substance abuse will impair the ability of the participant to obtain*
39 *and retain employment, the case manager shall refer the*
40 *participant to the county alcohol and drug program for an*

1 *evaluation and determination of any treatment necessary for the*
2 *participant's transition from welfare-to-work. If the county alcohol*
3 *and drug program is unable to provide the necessary services, the*
4 *county may refer the participant to a state-licensed or certified*
5 *nonprofit agency under contract with the county to perform these*
6 *services.*

7 *(3) If a participant is determined to have a substance abuse*
8 *problem, based on an evaluation by the county alcohol and drug*
9 *program or a nonprofit state-licensed narcotic treatment program,*
10 *residential facility, or certified nonresidential substance abuse*
11 *program, the case manager shall develop the participant's*
12 *welfare-to-work plan based on the results of that evaluation.*

13 *(d) Any funds appropriated by the Legislature for allocation to*
14 *each county to eliminate barriers to employment due to*
15 *participant's substance abuse problems shall be allocated*
16 *consistent with the formula used to distribute each county's*
17 *CalWORKs program allocation, and shall be used to supplement,*
18 *and not supplant, substance abuse treatment funds otherwise*
19 *available to recipients. It is the intent of the Legislature that these*
20 *funds be used to develop, expand, or develop and expand programs*
21 *appropriate for CalWORKs program recipients. It is further the*
22 *intent of the Legislature that, to the extent possible, these funds*
23 *be used to maximize federal financial participation through Title*
24 *XIX of the federal Social Security Act (42 U.S.C. Sec. 1396 et seq.).*

25 *(e) Each county shall report annually to the state the number*
26 *of CalWORKs program recipients who receive substance abuse*
27 *treatment and the extent to which the allocation is sufficient to*
28 *meet the need for substance abuse services as determined by the*
29 *county.*

30 *11326. (a) The county shall conduct a reappraisal of any*
31 *participant who does not obtain unsubsidized employment upon*
32 *completion of all activities included in the welfare-to-work plan*
33 *developed pursuant to Section 11325.4. The reappraisal shall*
34 *evaluate whether there are extenuating circumstances as defined*
35 *by the county that prevent the participant from obtaining*
36 *employment within the local labor market area.*

37 *(b) Upon a determination that extenuating circumstances exist,*
38 *the participant shall be assigned to additional activities in*
39 *accordance with subdivision (b) of Section 11325.22, as the county*
40 *determines to be appropriate and necessary.*

1 11327. Any county that fails to provide services according to
2 its plan approved pursuant to this article shall receive sanctions
3 in accordance with Section 10605. A recipient or a group of
4 recipients may request the director to invoke Section 10605.

5 11327.4. (a) (1) Whenever an individual has failed or refused
6 to comply with program requirements without good cause in a
7 program component to which he or she is assigned and refuses to
8 agree to or fails, without good cause, to comply with, a compliance
9 plan agreed to between the county and the participant, the
10 individual shall be subject to sanctions specified in Section
11 11327.5.

12 (2) For the purposes of this article, the phrase “failed or refused
13 to comply with program requirements” shall be limited to the
14 following:

15 (A) Failing or refusing to sign a welfare-to-work plan,
16 participate in or provide required proof of satisfactory progress
17 in any assigned program activity pursuant to this article, or failing
18 to accept employment.

19 (B) Terminating employment.

20 (C) Reducing earnings.

21 (b) (1) Upon determination that an individual has failed or
22 refused to comply with program requirements, the county shall
23 issue a notice of action, effective no earlier than 30 calendar days
24 from the date of issuance, informing the individual that a sanction
25 will be imposed if the individual fails to either attend an
26 appointment scheduled by the county to be held within 20 calendar
27 days of the notice, or contact the county by phone, within 20
28 calendar days of the notice, and fails to do either of the following:

29 (A) Provide information to the county that he or she had good
30 cause for the refusal or failure that has led the county to make a
31 finding of good cause for nonparticipation.

32 (B) Agree to a compliance plan to correct the failure or refusal
33 to comply.

34 (2) The county shall schedule a time during which each
35 individual who has failed or refused to comply with program
36 requirements has an opportunity to demonstrate that he or she
37 had good cause for that refusal or failure. The county shall
38 schedule an appointment within 20 calendar days of the notice of
39 action. The individual shall be allowed to reschedule the cause
40 determination appointment once within the 20-calendar-day period.

- 1 (3) *The written notice of action sent by the county shall do all*
2 *of the following:*
- 3 (A) *Inform the individual of the specific act or acts that have*
4 *caused the individual to be out of compliance with participation*
5 *requirements.*
- 6 (B) *Inform the individual of his or her right to assert good cause*
7 *for his or her refusal or failure.*
- 8 (C) *Inform the individual of the date and time of the scheduled*
9 *appointment.*
- 10 (D) *Provide a general definition of good cause and examples*
11 *of reasons that constitute good cause for not participating in the*
12 *program.*
- 13 (E) *Inform the individual of the right to contact the county*
14 *welfare department by telephone to establish good cause over the*
15 *telephone in lieu of attending the appointment scheduled by the*
16 *county.*
- 17 (F) *Inform the individual of the right to reschedule the*
18 *appointment once within the 20-calendar-day period.*
- 19 (G) *Inform the individual that if good cause is not found, a*
20 *compliance plan will be developed and the individual will be*
21 *expected to agree to the plan or face a sanction.*
- 22 (H) *Inform the individual of the name, telephone number, and*
23 *address of state and local legal aid and welfare rights*
24 *organizations that may assist the individual with the good cause*
25 *and compliance plan process.*
- 26 (I) *Describe the transportation and child care services that a*
27 *person is entitled to, as needed in order to attend the appointment.*
- 28 (c) *If the individual fails to attend the appointment, the county*
29 *shall attempt to contact the individual by telephone at the time of*
30 *or after the appointment, in order to establish a finding of good*
31 *cause or no good cause. If a finding of no good cause is made, the*
32 *county shall develop a compliance plan to correct the instance of*
33 *nonparticipation.*
- 34 (d) *If the individual fails to attend the meeting and the county*
35 *is not able to contact the individual in accordance with subdivision*
36 *(c), and the individual fails to contact the county within the*
37 *20-calendar-day period, a sanction shall be imposed in accordance*
38 *with Section 11327.5.*
- 39 (e) *If the individual attends the appointment or contacts the*
40 *county by phone within the 20-calendar-day period and is either*

1 found by the county to have had good cause for his or her refusal
2 or failure, or agrees to a compliance plan to correct the failure
3 or refusal, the county shall rescind the notice of action issued
4 pursuant to subdivision (b). If the individual agrees to a compliance
5 plan at the appointment, the individual shall be provided with a
6 copy of the plan. If the individual agrees to a compliance plan
7 over the telephone, a copy of the plan shall be mailed to him or
8 her.

9 (f) If the individual is found by the county to have had good
10 cause for his or her refusal or failure, an instance of
11 noncompliance shall not be considered to have occurred.

12 (g) If the individual is found by the county not to have had good
13 cause, but agrees to a compliance plan and then fulfills the terms
14 of the compliance plan, an instance of noncompliance shall not
15 be considered to have occurred.

16 (h) If the individual enters into a written compliance plan and
17 does not fulfill the terms of the plan, but the county determines
18 that the individual substantially complied with the plan, the county
19 shall extend or modify the compliance plan in accordance with
20 subdivision (e) and shall document the reasons for that
21 determination in the case file of the individual. For purposes of
22 this subdivision, substantial compliance with a written compliance
23 plan shall be determined by the county on a case-by-case basis
24 considering all of the following:

25 (1) The progress made on each item contained in the plan.

26 (2) Extenuating circumstances that are not considered good
27 cause under subdivision (a), but impaired the individual's ability
28 to fully comply.

29 (3) The extent to which learning disabilities, mental health
30 issues, and substance abuse issues may have contributed to the
31 individual's ability to fully comply.

32 (4) Other factors, as determined by the department.

33 (i) If the individual enters into a written compliance plan, but
34 does not fulfill the terms of the plan, and the county determines,
35 based on available information, that the individual did not have
36 good cause for failure to meet the terms of the plan and did not
37 substantially comply with the plan as described in subdivision (h),
38 the county shall send a notice of action to impose a sanction. The
39 procedures specified in subdivision (b) shall not be applicable to
40 a sanction imposed under this subdivision.

1 11327.5. (a) Sanctions shall be imposed in accordance with
2 subdivision (b) or (c), as appropriate, if an individual has failed
3 or refused to comply with program requirements without good
4 cause, and conciliation efforts, as described in Section 11327.4,
5 have failed.

6 (b) The sanctions provided for in subdivisions (c) and (d) shall
7 not apply to an individual who is exempt from the requirements
8 of this article but is voluntarily participating in the program. If
9 that individual engages in conduct that would bring about the
10 actions provided for in subdivisions (c) and (d), except for his or
11 her status as a voluntary program participant, the individual shall
12 not be given priority as long as other individuals are actively
13 seeking to participate.

14 (c) Financial sanctions for failing or refusing to comply with
15 program requirements without good cause shall cause a reduction
16 in the family's grant by removing the noncomplying family member
17 from the assistance unit for a period of time specified in subdivision
18 (d).

19 (1) For families that qualify for aid due to unemployment of the
20 family's primary wage earner, the sanctioned parent shall be
21 removed from the assistance unit. Unless the spouse or the family's
22 second parent meets the provisions of subparagraph (A) of
23 paragraph (2), if the sanctioned parent's spouse or the family's
24 second parent is not participating in the program, both the
25 sanctioned parent and the spouse or second parent shall be
26 removed from the assistance unit. The county shall notify the
27 spouse of the noncomplying participant or second parent in writing
28 at the commencement of conciliation of his or her own opportunity
29 to participate and the impact of sanctions on that participation.

30 (2) (A) Except as provided in subparagraph (B), exemption
31 criteria specified in Section 11320.3, conciliation specified in
32 Section 11327.4, and good cause criteria specified in Section
33 11320.31 and subdivision (e) of Section 11320.3, shall apply to
34 the sanctioned parent's spouse or the family's second parent.

35 (B) Exemption criteria specified in paragraphs (5) and (6) of
36 subdivision (b) of Section 11320.3 do not apply to a spouse or
37 second parent who is participating to avoid the sanction of the
38 noncomplying parent.

39 (C) If the sanctioned parent's spouse or the family's second
40 parent chooses to participate to avoid the noncomplying parent's

1 *sanction, subsequently fails or refuses to participate without good*
2 *cause, and does not conciliate, he or she shall be removed from*
3 *the assistance unit for a period of time specified in subdivision*
4 *(d).*

5 *(D) If the sanctioned parent's spouse or the family's second*
6 *parent is under his or her own sanction at the time of the first*
7 *parent's sanction, the spouse or second parent shall not be*
8 *provided the opportunity to avoid the first parent's sanction until*
9 *the spouse or second parent's sanction is completed.*

10 *(3) For families that qualify due to the absence or incapacity*
11 *of a parent, only the noncomplying parent shall be removed from*
12 *the assistance unit.*

13 *(4) If the noncomplying individual is the only dependent child*
14 *in the family, his or her needs shall not be taken into account in*
15 *determining the family's need for assistance and the amount of*
16 *the assistance payment.*

17 *(5) If the noncomplying individual is one of several dependent*
18 *children in the family, his or her needs shall not be taken into*
19 *account in determining the family's need for assistance and the*
20 *amount of the assistance payment.*

21 *(d) An instance of noncompliance without good cause shall*
22 *result in a financial sanction. This sanction shall terminate at any*
23 *point if the noncomplying participant performs the activity or*
24 *activities he or she previously refused to perform.*

25 *(e) Sanctions shall become effective on the first day of the first*
26 *payment-month that the sanctioned individual's needs are removed*
27 *from aid under this chapter.*

28 *(f) In the event this section conflicts with federal law, the*
29 *department shall adopt regulations to conform to federal law.*

30 *11327.6. Notwithstanding any other law, any person who is*
31 *not required, but who volunteers, to participate in the program*
32 *established by this article, and who fails to appear for a scheduled*
33 *appointment prior to entering into the welfare-to-work plan, shall*
34 *be deemed to not be subject to the requirements of this article, and*
35 *the conciliation efforts and sanction requirements established*
36 *under Sections 11327.4 and 11327.5 shall not apply.*

37 *11327.8. (a) Except as specified in this section, whenever a*
38 *participant believes that any program requirement or assignment*
39 *in this program is in violation of his or her welfare-to-work plan*
40 *or is inconsistent with this article, the participant may request a*

1 state hearing pursuant to Chapter 7 (commencing with Section
2 10950) of Part 2 or utilize a formal grievance procedure to be
3 established by the county board of supervisors and specified in
4 each county plan.

5 (b) If the participant is not satisfied with the outcome of the
6 grievance procedure, he or she may appeal the decision, in
7 accordance with the procedures set forth in Chapter 7
8 (commencing with Section 10950) of Part 2. Participants shall be
9 subject to sanctions pending the outcome of the formal grievance
10 procedure or any subsequent appeal, only if they fail to participate
11 during the period the grievance procedure is being processed.
12 However, a participant shall not utilize the grievance procedure
13 to appeal the results of an assessment made pursuant to Section
14 11325.4.

15 (c) If a participant is not satisfied with the decision of a hearing
16 conducted pursuant to Section 10950 concerning on-the-job
17 working conditions or workers' compensation coverage, the
18 participant may file a further appeal with the appropriate state
19 regulating agency.

20 11327.9. In determining whether good cause exists for a refusal
21 or failure to comply with program requirements, the county shall
22 take into consideration whether the participant has a mental
23 disability that caused or substantially contributed to the refusal
24 or failure to comply with program requirements. This
25 determination shall be made, where appropriate, in consultation
26 with the county mental health department.

27 11328.2. A participant under this article shall have all due
28 process rights granted pursuant to Chapter 7 (commencing with
29 Section 10950) of Part 2.

30 11328.8. (a) The department, under the direction of the
31 California Health and Human Services Agency, the office of the
32 Chancellor of the California Community Colleges, and the State
33 Department of Education, each shall develop and implement
34 regulations whereby any payment for education and training
35 services from funds appropriated for the purposes of this article
36 and delivered pursuant to Section 11322.6 by an entity contracting
37 with a county shall be made in accordance with a competitively
38 selected fixed unit price performance-based contract. Under these
39 contracts, full payment shall not be considered earned until either
40 of the following has occurred:

1 (1) *The participant has successfully completed the education*
2 *program.*

3 (2) *The participant has successfully completed the job training*
4 *program and has been retained in unsubsidized employment for*
5 *at least 180 days.*

6 (b) *Up to 70 percent of the fixed unit price for job training may*
7 *be paid upon placement. At least 30 percent of the fixed unit price*
8 *for job training shall be withheld for the followup during the*
9 *180-day retention period. Progress payments shall be made from*
10 *this portion upon evidence of job retention at 30, 90, and 180 days.*
11 *A pro rata share of the 70 percent payment shall be paid to the*
12 *training provider if the participant fails to complete the training.*

13 (c) *The department may exempt county contracts for CalWORKs*
14 *educational services from subdivisions (a) and (b) in instances*
15 *where counties are unable to obtain educational services due to*
16 *the absence of an available adult education program or the small*
17 *number of CalWORKs referrals. The department, in conjunction*
18 *with the State Department of Education, shall develop criteria for*
19 *granting the exemptions from subdivisions (a) and (b). The*
20 *department and State Department of Education also shall consider*
21 *using funds set aside for CalWORKs educational services in the*
22 *State Department of Education's annual budget allocation or funds*
23 *allocated to the State Department of Education for CalWORKs*
24 *costs in the annual Budget Act, to pay for the costs of education*
25 *contracts authorized by this subdivision.*

26 11329. (a) *The department shall evaluate the program and*
27 *shall collect data on program cost, caseload movement, and*
28 *program outcomes, including data on all of the following:*

29 (1) *The numbers of voluntary and mandatory participants in*
30 *each program component.*

31 (2) *The amount of time that each participant remains in each*
32 *component, and the types of services, including supportive services,*
33 *each participant receives.*

34 (3) *The number of recipients in each component that move to*
35 *each of the other components.*

36 (4) *The number of participants sanctioned, as well as the amount*
37 *and duration of the sanction, the reason for the sanction, and the*
38 *amount of time the participant was in the program prior to the*
39 *sanction.*

- 1 (5) *The number of participants who go off aid, and to the extent*
- 2 *possible, the reason they have gone off aid.*
- 3 (6) *The number of applicants who reapplied for and received*
- 4 *aid after having gone off aid during the time they were*
- 5 *participating in the program.*
- 6 (7) *The starting salary of employed participants.*
- 7 (8) *Participants' job retention rates.*
- 8 (9) *The appropriateness of the categorization of participants.*
- 9 (10) *The appropriateness of assessments and employment plans.*
- 10 (11) *The appropriateness of preemployment preparation*
- 11 *assignments, including a periodic review of the appropriateness*
- 12 *of these assignments.*
- 13 (12) *The effectiveness of training components, based upon the*
- 14 *number of individuals placed in employment.*
- 15 (13) *The timeliness of preemployment preparation assignment*
- 16 *reviews.*
- 17 (14) *The appropriateness of sanctions applied under this article.*
- 18 (b) *The department may use standard statistical sampling*
- 19 *methods to conduct the evaluation. The department shall maintain*
- 20 *this data for the state and for each county. The department may*
- 21 *contract with a qualified organization for the evaluation required*
- 22 *by this section. The department shall submit a plan for*
- 23 *implementing this evaluation to the Joint Legislative Budget*
- 24 *Committee. To the extent possible, the data collection system for*
- 25 *this evaluation shall be designed to collect data in the least*
- 26 *expensive and least time-consuming manner possible.*
- 27 11329.2. *The department shall seek any federal funds available*
- 28 *for implementation of this article, including, but not limited to,*
- 29 *funds available under Title IV of the federal Social Security Act*
- 30 *(42 U.S.C. Sec. 601 et seq.).*
- 31 11329.4. (a) *No funds appropriated for purposes of this article*
- 32 *shall be used to fund education or training services in any county*
- 33 *plan if these services could reasonably be provided by local*
- 34 *educational agencies from Section A or Section B of the State*
- 35 *School Fund which are not otherwise committed.*
- 36 (b) *No local educational agency shall be authorized to receive*
- 37 *funds appropriated for purposes of this article unless it has*
- 38 *demonstrated that it has fully committed all the funds from Section*
- 39 *A or Section B of the State School Fund available to it, as certified*

1 by the district to the Chancellor of the California Community
2 Colleges, or the Superintendent of Public Instruction.

3 (c) The Chancellor of the California Community Colleges and
4 the Superintendent of Public Instruction, as appropriate, shall
5 certify this information to the Director of Finance.

6 11329.5. This article shall become operative on the first day
7 of the first month following 90 days after the effective date of the
8 act that added this section, or October 1, 2012, whichever is later.

9 SEC. 21. Section 11329.6 is added to the Welfare and
10 Institutions Code, to read:

11 11329.6. This article shall become inoperative on the first day
12 of the first month following 90 days after the effective date of the
13 act that added this section, or October 1, 2012, whichever is later,
14 and as of January 1, 2014, is repealed, unless a later enacted
15 statute that is enacted before January 1, 2014, deletes or extends
16 the dates on which it becomes inoperative and is repealed.

17 SEC. 22. Article 3.5 (commencing with Section 11330) is added
18 to Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions
19 Code, to read:

20

21

Article 3.5. CalWORKs Plus Program

22

23 11330. (a) This article shall be known and may be cited as
24 the CalWORKs Plus Program.

25 (b) The Legislature finds and declares all of the following:

26 (1) Consistent with the programmatic changes to refocus the
27 requirement to work described in Section 11300, the CalWORKs
28 Plus Program will serve those clients working sufficient hours in
29 unsubsidized employment to meet federal work participation
30 requirements.

31 (2) This program will reward recipients who meet federal work
32 participation requirements with a higher grant level by allowing
33 them to retain more of their earned income through a higher
34 income disregard. These recipients also shall have full access to
35 supportive services and child care.

36 (3) These benefits shall continue for up to 48 months, as long
37 as clients continue to meet work participation requirements through
38 unsubsidized employment. After 48 months, the adult will no longer
39 be provided aid, but the higher earned income disregard shall
40 remain available if the employment continues.

1 11331. (a) A CalWORKs assistance unit that includes an
2 individual who is meeting the minimum average hours per week
3 required in Section 11322.8 solely by means of unsubsidized
4 employment shall be eligible for assistance under this article.

5 (b) An assistance unit that is receiving aid under Article 4
6 (commencing with Section 11340) shall be eligible for assistance
7 under this article if an individual or individuals in the household
8 of the assistance unit are meeting the minimum average hours per
9 week required in Section 607(c) of Title 42 of the United States
10 Code solely by means of unsubsidized employment.

11 (c) An assistance unit participating in the CalWORKs Plus
12 Program shall receive supportive services in accordance with
13 Section 11323.2.

14 (d) The earned income disregard described in subdivision (b)
15 of Section 11451.5 and the child support disregard described in
16 Section 11475.3 shall apply to the income of the family for purposes
17 of calculating grants provided under the CalWORKs Plus Program.

18 (e) An assistance unit that is not meeting the requirements of
19 subdivision (a), but that is eligible for the CalWORKs Basic
20 Program in accordance with Section 11302, shall be ineligible for
21 the CalWORKs Plus Program. The assistance unit shall be
22 provided a notice of action and shall be eligible for the CalWORKs
23 Basic Program in accordance with Section 11305. If the assistance
24 unit is not otherwise meeting the requirements of Section 11322.8,
25 the eligible adult also shall be subject to the sanction provisions
26 described in Sections 11327.4 and 11327.5.

27 (f) (1) An assistance unit that is not meeting the requirements
28 of subdivision (a) or (b) that is ineligible for the CalWORKs Basic
29 Program shall be provided a notice of action that the assistance
30 unit shall become ineligible for the CalWORKs Plus Program 60
31 days following the issuance of that notice of action unless
32 documentation, as determined by the department, that the parent
33 or caretaker relative has met the requirements of subdivision (a)
34 or (b) is provided to the county.

35 (2) If the parent or caretaker relative fails to provide the
36 documentation as described in paragraph (1), the assistance unit
37 shall become ineligible for the CalWORKs Plus Program and shall
38 be eligible for the Child Maintenance Program in accordance with
39 Section 11305.

1 (3) An assistance unit described in this subdivision shall receive
2 full supportive services for the 60-day compliance period described
3 in paragraph (1) and child care for a maximum of 30 days within
4 that 60-day period.

5 (g) Notwithstanding subdivision (a) or (b) or any other law, an
6 assistance unit or household in which the only adult has not been
7 authorized for employment by the United States Citizenship and
8 Immigration Services is not eligible for assistance under this
9 article.

10 11332. (a) An assistance unit eligible for aid under this article
11 shall receive a grant that includes any eligible adult in accordance
12 with the maximum aid payment for the CalWORKs Plus Program
13 in the appropriate region in accordance with Section 11450 until
14 the adult has received aid for a cumulative total of 48 months in
15 accordance with Section 11454.

16 (b) An assistance unit that does not include an eligible adult
17 shall receive a grant amount that corresponds to the number of
18 eligible persons in the assistance unit.

19 11333. This article shall become operative on the first day of
20 the first month following six months after the date Article 3
21 (commencing with Section 11300) becomes operative pursuant to
22 Section 11329.5, or April 1, 2013, whichever is later.

23 SEC. 23. Section 11334.9 is added to the Welfare and
24 Institutions Code, to read:

25 11334.9. This article shall become inoperative on July 1, 2012,
26 and as of January 1, 2013, is repealed, unless a later enacted
27 statute that is enacted before January 1, 2013, deletes or extends
28 the dates on which it becomes inoperative and is repealed.

29 SEC. 24. Article 3.6 (commencing with Section 11336) of
30 Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions
31 Code is repealed.

32 SEC. 25. Article 4 (commencing with Section 11340) is added
33 to Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions
34 Code, to read:

35
36 *Article 4. Child Maintenance Program*

37
38 11340. (a) This article shall be known and may be cited as
39 the Child Maintenance Program.

40 (b) The Legislature finds and declares both of the following:

1 (1) For the significant share of the caseload that is not subject
2 to work participation requirements, or is required to participate
3 in work activities but is not doing so, the Child Maintenance
4 Program will provide children with a basic level of income
5 maintenance in addition to CalFresh and Medi-Cal benefits.

6 (2) Children will be eligible for this program as long as they
7 meet eligibility criteria, including a requirement to participate in
8 a well-child examination.

9 11341. (a) An assistance unit that does not include an eligible
10 adult is eligible for assistance under this article.

11 (b) An assistance unit in which the only adult or adults are
12 ineligible for CalWORKs Basic Program pursuant to subdivision
13 (e) of Section 11301 or Section 11302 is eligible for assistance
14 under this article.

15 (c) Commencing the date the CalWORKs Plus Program becomes
16 operative pursuant to Section 11333, an assistance unit that is
17 receiving aid under this article and that resides in a household
18 that includes an adult or adults who are meeting the requirements
19 of Section 607(c) of Title 42 of the United States Code by means
20 of unsubsidized employment, may be eligible for the CalWORKs
21 Plus Program in accordance with subdivision (b) of Section 11331.

22 11342. (a) Notwithstanding Article 2 (commencing with
23 Section 11250), Sections 11450 and 11454, or any other law, an
24 assistance unit that qualifies only for Child Maintenance Program
25 assistance shall receive a grant amount in accordance with the
26 maximum aid payment for the Child Maintenance Program in the
27 appropriate region, as described in Section 11450, that
28 corresponds to the number of minor children in the assistance
29 unit.

30 (b) The earned income disregard described in subdivision (c)
31 of Section 11451.5 shall apply to the income of the family for
32 purposes of calculating grants provided under the Child
33 Maintenance Program.

34 11343. (a) An assistance unit eligible under this article may
35 be provided welfare-to-work services at the option of the county.

36 (b) Notwithstanding subdivision (a), an individual that is in
37 sanction pursuant to subdivision (e) of Section 11301, or who is
38 no longer eligible for the CalWORKs Basic Program in accordance
39 with Section 11302, is eligible for up to a cumulative total of 30
40 days of child care services every six months.

1 (c) Subdivision (b) shall not apply to an individual who has not
2 been authorized for employment by the United States Citizenship
3 and Immigration Services.

4 11344. (a) An individual who is under 18 years of age and a
5 member of an assistance unit receiving aid under this article shall
6 be required to receive an annual well-child medical examination.

7 (b) If it is determined by the county that any child in the
8 assistance unit who is under 18 years of age has not attended a
9 well-child medical examination as required in subdivision (a), the
10 needs of the child shall not be considered in computing the grant
11 of the family under Section 11450 unless it has been determined
12 by the county that good cause exists.

13 (c) For purposes of subdivision (b), good cause shall include,
14 but not be limited to, the unavailability of insurance reimbursement
15 for the costs of the well-child medical examination.

16 11345. (a) Notwithstanding Sections 11265.1, 11265.2, and
17 11265.3 or any other law, assistance units eligible for aid under
18 this article shall not be subject to periodic reporting requirements
19 other than the annual redetermination required in Section 11265.

20 (b) Grant calculations may not be revised to adjust the grant
21 amount during the year except as provided in Section 11346 and
22 subdivisions (c), (d), (e), and (f) and as otherwise established by
23 the department by regulation.

24 (c) Notwithstanding subdivision (b), statutes and regulations
25 relating to the 48-month time limit, age limitations for children
26 under Section 11253, and sanctions and financial penalties
27 affecting eligibility or grant amount shall be applicable as provided
28 in those statutes and regulations.

29 (d) If the county is notified that a child for whom Child
30 Maintenance Program assistance is currently being paid has been
31 placed in a foster care home, the county shall discontinue aid to
32 the child at the end of the month of placement. The county shall
33 discontinue the case if the remaining assistance unit members are
34 not otherwise eligible.

35 (e) If the county determines that a recipient is no longer a
36 California resident, pursuant to Section 11100, the recipient shall
37 be discontinued. The county shall discontinue the case if the
38 remaining assistance unit members are not otherwise eligible.

39 (f) If an overpayment has occurred, the county shall commence
40 any applicable grant adjustment in accordance with Section 11004

1 as of the first monthly grant after timely and adequate notice is
2 provided.

3 11346. (a) The department shall establish an income reporting
4 threshold for recipients of the Child Maintenance Program in
5 accordance with subdivision (b).

6 (b) The Child Maintenance Program income reporting threshold
7 shall be the lesser of the following:

8 (1) Fifty-five percent of the monthly income for a family of three
9 at the federal poverty level, plus the amount of income last used
10 to calculate the recipient's monthly benefits.

11 (2) The amount likely to render the recipient ineligible for
12 federal Supplemental Nutrition Assistance Program benefits.

13 (3) The amount likely to render the recipient ineligible for Child
14 Maintenance Program benefits.

15 (c) A recipient shall report to the county, orally or in writing,
16 within 10 days, when any of the following occurs:

17 (1) The monthly household income exceeds the threshold
18 established pursuant to this section.

19 (2) Any change in household composition.

20 (3) The household address has changed.

21 (4) A drug felony conviction, as specified in Section 11251.3.

22 (5) An incidence of an individual fleeing prosecution or custody
23 or confinement, or violating a condition of probation or parole,
24 as specified in Section 11486.5.

25 (d) When a recipient reports income or a household composition
26 change pursuant to subdivision (c), the county shall redetermine
27 eligibility and grant amounts as follows:

28 (1) If the recipient reports an increase in income or household
29 composition change for the first through eleventh months of a year,
30 the county shall verify the report and determine the recipient's
31 financial eligibility and grant amount.

32 (A) If the recipient is determined to be financially ineligible
33 based on the increase in income or household composition change,
34 the county shall discontinue the recipient with timely and adequate
35 notice, effective at the end of the month in which the change
36 occurred.

37 (B) If it is determined that the recipient's grant amount should
38 decrease based on the increase in income, or increase or decrease
39 based on a change in household composition, the county shall
40 increase or reduce the recipient's grant amount for the remainder

1 of the year with timely and adequate notice, effective the first of
2 the month following the month in which the change occurred.

3 (2) If the recipient reports an increase in income for the twelfth
4 month of a grant year, the county shall consider this income in
5 redetermining eligibility and the grant amount for the following
6 year.

7 (e) During the year, a recipient may report to the county, orally
8 or in writing, any changes in income that may increase the
9 recipient's grant. If the reported change is for the first through
10 eleventh month of a grant year and results in an increase in
11 benefits, the county shall redetermine the grant for the current
12 month and any remaining months in the year. If the reported
13 change is for the twelfth month of the grant year, the county shall
14 not redetermine the grant for the current year, but shall
15 redetermine the grant for the following year.

16 11347. (a) To the extent permitted by federal law, regulations,
17 waivers, and directives, the department shall implement Sections
18 11345 and 11346 in a cost-effective manner that promotes
19 compatibility between the Child Maintenance Program and
20 CalFresh, and minimizes the potential for payment errors.

21 (b) The department shall seek all necessary waivers from the
22 United States Department of Agriculture to implement subdivision
23 (a).

24 11348. This article shall become operative on the first day of
25 the first month following 90 days after the effective date of the act
26 that added this section, or October 1, 2012, whichever is later.

27 SEC. 26. Article 3.9 (commencing with Section 11349) of
28 Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions
29 Code is repealed.

30 SEC. 27. Article 4 (commencing with Section 11350.61) of
31 Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions
32 Code is repealed.

33 SEC. 28. Section 11450 of the Welfare and Institutions Code,
34 as amended by Section 13 of Chapter 501 of the Statutes of 2011,
35 is amended to read:

36 11450. (a) (1) Aid shall be paid for each needy family, which
37 shall include all eligible brothers and sisters of each eligible
38 applicant or recipient child and the parents of the children, but
39 shall not include unborn children, or recipients of aid under Chapter
40 3 (commencing with Section 12000), qualified for aid under this

1 chapter. In determining the amount of aid paid, and notwithstanding
 2 the minimum basic standards of adequate care specified in Section
 3 11452, the family’s income, exclusive of any amounts considered
 4 exempt as income or paid pursuant to subdivision (e) or Section
 5 11453.1, averaged for the prospective quarter pursuant to Sections
 6 11265.2 and 11265.3, and then calculated pursuant to Section
 7 11451.5, shall be deducted from the sum specified in the following
 8 table, as adjusted for cost-of-living increases pursuant to Section
 9 11453 and paragraph (2). In no case shall the amount of aid paid
 10 for each month exceed the sum specified in the following table,
 11 as adjusted for cost-of-living increases pursuant to Section 11453
 12 and paragraph (2), plus any special needs, as specified in
 13 subdivisions (c), (e), and (f):

15 Number of 16 eligible needy 17 persons in 18 the same home	Maximum aid
19 1.....	\$ 326
20 2.....	535
21 3.....	663
22 4.....	788
23 5.....	899
24 6.....	1,010
25 7.....	1,109
26 8.....	1,209
27 9.....	1,306
28 10 or more.....	1,403

29
 30 If, when, and during those times that the United States
 31 government increases or decreases its contributions in assistance
 32 of needy children in this state above or below the amount paid on
 33 July 1, 1972, the amounts specified in the above table shall be
 34 increased or decreased by an amount equal to that increase or
 35 decrease by the United States government, provided that no
 36 increase or decrease shall be subject to subsequent adjustment
 37 pursuant to Section 11453.

38 (2) The sums specified in paragraph (1) shall not be adjusted
 39 for cost of living for the 1990–91, 1991–92, 1992–93, 1993–94,
 40 1994–95, 1995–96, 1996–97, and 1997–98 fiscal years, and through

1 October 31, 1998, nor shall that amount be included in the base
2 for calculating any cost-of-living increases for any fiscal year
3 thereafter. ~~Elimination of the cost-of-living adjustment pursuant~~
4 ~~to this paragraph shall satisfy the requirements of Section 11453.05,~~
5 ~~and no further reduction shall be made pursuant to that section.~~

6 (b) When the family does not include a needy child qualified
7 for aid under this chapter, aid shall be paid to a pregnant mother
8 for the month in which the birth is anticipated and for the
9 three-month period immediately prior to the month in which the
10 birth is anticipated in the amount that would otherwise be paid to
11 one person, as specified in subdivision (a), if the mother, and child,
12 if born, would have qualified for aid under this chapter. Verification
13 of pregnancy shall be required as a condition of eligibility for aid
14 under this subdivision.

15 (1) Aid shall also be paid to a pregnant woman with no other
16 children in the amount which would otherwise be paid to one
17 person under subdivision (a) at any time after verification of
18 pregnancy if the pregnant woman is also eligible for the Cal-Learn
19 Program described in Article 3.5 (commencing with Section 11331)
20 and if the mother, and child, if born, would have qualified for aid
21 under this chapter.

22 (2) Paragraph (1) shall apply only when the Cal-Learn Program
23 is operative.

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

38 (d) For children receiving AFDC-FC under this chapter, there
39 shall be paid, exclusive of any amount considered exempt as
40 income, an amount of aid each month which, when added to the

1 child's income, is equal to the rate specified in Section 11460,
2 11461, 11462, 11462.1, or 11463. In addition, the child shall be
3 eligible for special needs, as specified in departmental regulations.

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

15 (f) After a family has used all available liquid resources, both
16 exempt and nonexempt, in excess of one hundred dollars (\$100),
17 with the exception of funds deposited in a restricted account
18 described in subdivision (a) of Section 11155.2, the family shall
19 also be entitled to receive an allowance for nonrecurring special
20 needs.

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

30 (2) Homeless assistance is available to a homeless family
31 seeking shelter when the family is eligible for aid under this
32 chapter. Homeless assistance for temporary shelter is also available
33 to homeless families which are apparently eligible for aid under
34 this chapter. Apparent eligibility exists when evidence presented
35 by the applicant, or which is otherwise available to the county
36 welfare department, and the information provided on the
37 application documents indicate that there would be eligibility for
38 aid under this chapter if the evidence and information were verified.
39 However, an alien applicant who does not provide verification of
40 his or her eligible alien status, or a woman with no eligible children

1 who does not provide medical verification of pregnancy, is not
2 apparently eligible for purposes of this section.

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

17 (A) (i) A nonrecurring special need of sixty-five dollars (\$65)
18 a day shall be available to families of up to four members for the
19 costs of temporary shelter, subject to the requirements of this
20 paragraph. The fifth and additional members of the family shall
21 each receive fifteen dollars (\$15) per day, up to a daily maximum
22 of one hundred twenty-five dollars (\$125). County welfare
23 departments may increase the daily amount available for temporary
24 shelter as necessary to secure the additional bedspace needed by
25 the family.

26 (ii) This special need shall be granted or denied immediately
27 upon the family's application for homeless assistance, and benefits
28 shall be available for up to three working days. The county welfare
29 department shall verify the family's homelessness within the first
30 three working days and if the family meets the criteria of
31 questionable homelessness established by the department, the
32 county welfare department shall refer the family to its early fraud
33 prevention and detection unit, if the county has such a unit, for
34 assistance in the verification of homelessness within this period.

35 (iii) After homelessness has been verified, the three-day limit
36 shall be extended for a period of time which, when added to the
37 initial benefits provided, does not exceed a total of 16 calendar
38 days. This extension of benefits shall be done in increments of one
39 week and shall be based upon searching for permanent housing
40 which shall be documented on a housing search form; good cause;

1 or other circumstances defined by the department. Documentation
2 of a housing search shall be required for the initial extension of
3 benefits beyond the three-day limit and on a weekly basis thereafter
4 as long as the family is receiving temporary shelter benefits. Good
5 cause shall include, but is not limited to, situations in which the
6 county welfare department has determined that the family, to the
7 extent it is capable, has made a good faith but unsuccessful effort
8 to secure permanent housing while receiving temporary shelter
9 benefits.

10 (B) A nonrecurring special need for permanent housing
11 assistance is available to pay for last month's rent and security
12 deposits when these payments are reasonable conditions of securing
13 a residence, or to pay for up to two months of rent arrearages, when
14 these payments are a reasonable condition of preventing eviction.

15 The last month's rent or monthly arrearage portion of the
16 payment (i) shall not exceed 80 percent of the family's total
17 monthly household income without the value of CalFresh benefits
18 or special needs for a family of that size and (ii) shall only be made
19 to families that have found permanent housing costing no more
20 than 80 percent of the family's total monthly household income
21 without the value of CalFresh benefits or special needs for a family
22 of that size.

23 However, if the county welfare department determines that a
24 family intends to reside with individuals who will be sharing
25 housing costs, the county welfare department shall, in appropriate
26 circumstances, set aside the condition specified in clause (ii) of
27 the preceding paragraph.

28 (C) The nonrecurring special need for permanent housing
29 assistance is also available to cover the standard costs of deposits
30 for utilities which are necessary for the health and safety of the
31 family.

32 (D) A payment for or denial of permanent housing assistance
33 shall be issued no later than one working day from the time that a
34 family presents evidence of the availability of permanent housing.
35 If an applicant family provides evidence of the availability of
36 permanent housing before the county welfare department has
37 established eligibility for aid under this chapter, the county welfare
38 department shall complete the eligibility determination so that the
39 denial of or payment for permanent housing assistance is issued
40 within one working day from the submission of evidence of the

1 availability of permanent housing, unless the family has failed to
2 provide all of the verification necessary to establish eligibility for
3 aid under this chapter.

4 (E) (i) Except as provided in clauses (ii) and (iii), eligibility
5 for the temporary shelter assistance and the permanent housing
6 assistance pursuant to this paragraph shall be limited to one period
7 of up to 16 consecutive calendar days of temporary assistance and
8 one payment of permanent assistance. Any family that includes a
9 parent or nonparent caretaker relative living in the home who has
10 previously received temporary or permanent homeless assistance
11 at any time on behalf of an eligible child shall not be eligible for
12 further homeless assistance. Any person who applies for homeless
13 assistance benefits shall be informed that the temporary shelter
14 benefit of up to 16 consecutive days is available only once in a
15 lifetime, with certain exceptions, and that a break in the consecutive
16 use of the benefit constitutes permanent exhaustion of the
17 temporary benefit.

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

21 (iii) A family shall be eligible for temporary and permanent
22 homeless assistance when homelessness is a direct result of
23 domestic violence by a spouse, partner, or roommate; physical or
24 mental illness that is medically verified that shall not include a
25 diagnosis of alcoholism, drug addiction, or psychological stress;
26 or the uninhabitability of the former residence caused by sudden
27 and unusual circumstances beyond the control of the family
28 including natural catastrophe, fire, or condemnation. These
29 circumstances shall be verified by a third-party governmental or
30 private health and human services agency, except that domestic
31 violence may also be verified by a sworn statement by the victim,
32 as provided under Section 11495.25. Homeless assistance payments
33 based on these specific circumstances may not be received more
34 often than once in any 12-month period. In addition, if the domestic
35 violence is verified by a sworn statement by the victim, the
36 homeless assistance payments shall be limited to two periods of
37 not more than 16 consecutive calendar days of temporary assistance
38 and two payments of permanent assistance. A county may require
39 that a recipient of homeless assistance benefits who qualifies under
40 this paragraph for a second time in a 24-month period participate

1 in a homelessness avoidance case plan as a condition of eligibility
2 for homeless assistance benefits. The county welfare department
3 shall immediately inform recipients who verify domestic violence
4 by a sworn statement pursuant to *this* clause-(iii) of the availability
5 of domestic violence counseling and services, and refer those
6 recipients to services upon request.

7 (iv) If a county requires a recipient who verifies domestic
8 violence by a sworn statement to participate in a homelessness
9 avoidance case plan pursuant to clause (iii), the plan shall include
10 the provision of domestic violence services, if appropriate.

11 (v) If a recipient seeking homeless assistance based on domestic
12 violence pursuant to clause (iii) has previously received homeless
13 avoidance services based on domestic violence, the county shall
14 review whether services were offered to the recipient and consider
15 what additional services would assist the recipient in leaving the
16 domestic violence situation.

17 (vi) The county welfare department shall report to the
18 department, through a statewide homeless assistance payment
19 indicator system, necessary data, as requested by the department,
20 regarding all recipients of aid under this paragraph.

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

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

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

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

39 (g) The department shall establish rules and regulations ensuring
40 the uniform application statewide of this ~~subdivision~~ *section*.

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

5 (i) Except for the purposes of Section 15200, the amounts
6 payable to recipients pursuant to Section 11453.1 shall not
7 constitute part of the payment schedule set forth in ~~subdivision~~
8 ~~(a)~~.

9 ~~The subdivision (a). The amounts payable to recipients pursuant~~
10 ~~to Section 11453.1 shall not constitute income to recipients of aid~~
11 ~~under this section.~~

12 (j) For children receiving Kin-GAP pursuant to Article 4.5
13 (commencing with Section 11360) or Article 4.7 (commencing
14 with Section 11385) there shall be paid, exclusive of any amount
15 considered exempt as income, an amount of aid each month, which,
16 when added to the child's income, is equal to the rate specified in
17 Sections 11364 and 11387.

18 ~~(k) (1) A county shall comply with the quarterly reporting~~
19 ~~provisions of this section until the county certifies to the director~~
20 ~~that semiannual reporting has been implemented in the county.~~

21 ~~(2)~~

22 ~~(k) This section shall become inoperative on October 1, 2013~~
23 ~~the first day of the first month following 90 days after the effective~~
24 ~~date of the act that added this section, or October 1, 2012,~~
25 ~~whichever is later, and, as of January 1, 2014, is repealed, unless~~
26 ~~a later enacted statute that is enacted before January 1, 2014, deletes~~
27 ~~or extends the dates on which it becomes inoperative and is~~
28 ~~repealed.~~

29 *SEC. 29. Section 11450 of the Welfare and Institutions Code,*
30 *as added by Section 14 of Chapter 501 of the Statutes of 2011, is*
31 *amended to read:*

32 11450. (a) (1) Aid shall be paid for each needy family, which
33 shall include all eligible brothers and sisters of each eligible
34 applicant or recipient child and the parents of the children, but
35 shall not include unborn children, or recipients of aid under Chapter
36 3 (commencing with Section 12000), qualified for aid under this
37 chapter. In determining the amount of aid paid, and notwithstanding
38 the minimum basic standards of adequate care specified in Section
39 11452, the family's income, exclusive of any amounts considered
40 exempt as income or paid pursuant to subdivision (e) or Section

1 11453.1, determined for the prospective semiannual period
 2 pursuant to Sections 11265.2 and 11265.3, and then calculated
 3 pursuant to Section 11451.5, shall be deducted from the sum
 4 specified in the following ~~table~~, *tables*, as adjusted for
 5 cost-of-living increases pursuant to Section 11453 and paragraph
 6 (2). In no case shall the amount of aid paid for each month exceed
 7 the sum specified in the following table, as adjusted for
 8 cost-of-living increases pursuant to Section 11453 and paragraph
 9 (2), plus any special needs, as specified in subdivisions (c), (e),
 10 and (f):

11		
12	Number of	
13	eligible needy	
14	persons in	Maximum
15	the same home	aid
16	1.....	\$ 326
17	2.....	535
18	3.....	663
19	4.....	788
20	5.....	899
21	6.....	1,010
22	7.....	1,109
23	8.....	1,209
24	9.....	1,306
25	10 or more.....	1,403

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

36 <i>CalWORKs Basic and CalWORKs Plus Programs</i>					
37	<i>Number of eligible</i>	<i>Maximum</i>	<i>aid</i>	<i>Number of eligible</i>	<i>Maximum</i>
38	<i>needy persons in</i>	<i>payment</i>		<i>needy persons in</i>	<i>payment</i>
39	<i>the same home</i>			<i>the same home</i>	

<i>Region 1 pursuant to Section 11452.018</i>		<i>Region 2 pursuant to Section 11452.018</i>	
1	\$ 317	1	\$ 300
2	516	2	490
3	638	3	608
4	762	4	725
5	866	5	825
6	972	6	926
7	1,069	7	1,016
8	1,164	8	1,109
9	1,258	9	1,198
10 or more	1,351	10 or more	1,286

<i>Child Maintenance Program</i>			
<i>Number of eligible needy persons in the same home Region 1 pursuant to Section 11452.018</i>	<i>Maximum aid payment</i>	<i>Number of eligible needy persons in the same home Region 2 pursuant to Section 11452.018</i>	<i>Maximum aid payment</i>
1	\$ 230	1	\$ 218
2	375	2	356
3	464	3	442
4	554	4	527
5	629	5	600
6	706	6	673
7	777	7	738
8	846	8	806
9	914	9	871
10 or more	982	10 or more	935

(2) The sums specified in paragraph (1) shall not be adjusted for cost of living for the 1990–91, 1991–92, 1992–93, 1993–94, 1994–95, 1995–96, 1996–97, and 1997–98 fiscal years, and through October 31, 1998, nor shall that amount be included in the base for calculating any cost-of-living increases for any fiscal year thereafter. ~~Elimination of the cost-of-living adjustment pursuant~~

1 to this paragraph shall satisfy the requirements of Section 11453.05,
2 and no further reduction shall be made pursuant to that section.

3 (b) When the family does not include a needy child qualified
4 for aid under this chapter, aid shall be paid to a pregnant mother
5 for the month in which the birth is anticipated and for the
6 three-month period immediately prior to the month in which the
7 birth is anticipated in the amount that would otherwise be paid to
8 one person, as specified in subdivision (a), if the mother, and child,
9 if born, would have qualified for aid under this chapter. Verification
10 of pregnancy shall be required as a condition of eligibility for aid
11 under this subdivision.

12 ~~(1) Aid shall also be paid to a pregnant woman with no other~~
13 ~~children in the amount which would otherwise be paid to one~~
14 ~~person under subdivision (a) at any time after verification of~~
15 ~~pregnancy if the pregnant woman is also eligible for the Cal-Learn~~
16 ~~Program described in Article 3.5 (commencing with Section 11331)~~
17 ~~and if the mother, and child, if born, would have qualified for aid~~
18 ~~under this chapter.~~

19 ~~(2) Paragraph (1) shall apply only when the Cal-Learn Program~~
20 ~~is operative.~~

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

35 (d) For children receiving AFDC-FC under this chapter, there
36 shall be paid, exclusive of any amount considered exempt as
37 income, an amount of aid each month which, when added to the
38 child's income, is equal to the rate specified in Section 11460,
39 11461, 11462, 11462.1, or 11463. In addition, the child shall be
40 eligible for special needs, as specified in departmental regulations.

1 (e) In addition to the amounts payable under subdivision (a)
2 and Section 11453.1, a family shall be entitled to receive an
3 allowance for recurring special needs not common to a majority
4 of recipients. These recurring special needs shall include, but not
5 be limited to, special diets upon the recommendation of a physician
6 for circumstances other than pregnancy, and unusual costs of
7 transportation, laundry, housekeeping services, telephone, and
8 utilities. The recurring special needs allowance for each family
9 per month shall not exceed that amount resulting from multiplying
10 the sum of ten dollars (\$10) by the number of recipients in the
11 family who are eligible for assistance.

12 (f) After a family has used all available liquid resources, both
13 exempt and nonexempt, in excess of one hundred dollars (\$100),
14 with the exception of funds deposited in a restricted account
15 described in subdivision (a) of Section 11155.2, the family shall
16 also be entitled to receive an allowance for nonrecurring special
17 needs.

18 (1) An allowance for nonrecurring special needs shall be granted
19 for replacement of clothing and household equipment and for
20 emergency housing needs other than those needs addressed by
21 paragraph (2). These needs shall be caused by sudden and unusual
22 circumstances beyond the control of the needy family. The
23 department shall establish the allowance for each of the
24 nonrecurring special need items. The sum of all nonrecurring
25 special needs provided by this subdivision shall not exceed six
26 hundred dollars (\$600) per event.

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

1 A family is considered homeless, for the purpose of this section,
2 when the family lacks a fixed and regular nighttime residence; or
3 the family has a primary nighttime residence that is a supervised
4 publicly or privately operated shelter designed to provide temporary
5 living accommodations; or the family is residing in a public or
6 private place not designed for, or ordinarily used as, a regular
7 sleeping accommodation for human beings. A family is also
8 considered homeless for the purpose of this section if the family
9 has received a notice to pay rent or quit. The family shall
10 demonstrate that the eviction is the result of a verified financial
11 hardship as a result of extraordinary circumstances beyond their
12 control, and not other lease or rental violations, and that the family
13 is experiencing a financial crisis that could result in homelessness
14 if preventative assistance is not provided.

15 (A) (i) A nonrecurring special need of sixty-five dollars (\$65)
16 a day shall be available to families of up to four members for the
17 costs of temporary shelter, subject to the requirements of this
18 paragraph. The fifth and additional members of the family shall
19 each receive fifteen dollars (\$15) per day, up to a daily maximum
20 of one hundred twenty-five dollars (\$125). County welfare
21 departments may increase the daily amount available for temporary
22 shelter as necessary to secure the additional bedspace needed by
23 the family.

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

33 (iii) After homelessness has been verified, the three-day limit
34 shall be extended for a period of time which, when added to the
35 initial benefits provided, does not exceed a total of 16 calendar
36 days. This extension of benefits shall be done in increments of one
37 week and shall be based upon searching for permanent housing
38 which shall be documented on a housing search form; good cause;
39 or other circumstances defined by the department. Documentation
40 of a housing search shall be required for the initial extension of

1 benefits beyond the three-day limit and on a weekly basis thereafter
2 as long as the family is receiving temporary shelter benefits. Good
3 cause shall include, but is not limited to, situations in which the
4 county welfare department has determined that the family, to the
5 extent it is capable, has made a good faith but unsuccessful effort
6 to secure permanent housing while receiving temporary shelter
7 benefits.

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

13 The last month's rent or monthly arrearage portion of the
14 payment (i) shall not exceed 80 percent of the family's total
15 monthly household income without the value of CalFresh benefits
16 or special needs for a family of that size and (ii) shall only be made
17 to families that have found permanent housing costing no more
18 than 80 percent of the family's total monthly household income
19 without the value of CalFresh benefits or special needs for a family
20 of that size.

21 However, if the county welfare department determines that a
22 family intends to reside with individuals who will be sharing
23 housing costs, the county welfare department shall, in appropriate
24 circumstances, set aside the condition specified in clause (ii) of
25 the preceding paragraph.

26 (C) The nonrecurring special need for permanent housing
27 assistance is also available to cover the standard costs of deposits
28 for utilities which are necessary for the health and safety of the
29 family.

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

1 provide all of the verification necessary to establish eligibility for
2 aid under this chapter.

3 (E) (i) Except as provided in clauses (ii) and (iii), eligibility
4 for the temporary shelter assistance and the permanent housing
5 assistance pursuant to this paragraph shall be limited to one period
6 of up to 16 consecutive calendar days of temporary assistance and
7 one payment of permanent assistance. Any family that includes a
8 parent or nonparent caretaker relative living in the home who has
9 previously received temporary or permanent homeless assistance
10 at any time on behalf of an eligible child shall not be eligible for
11 further homeless assistance. Any person who applies for homeless
12 assistance benefits shall be informed that the temporary shelter
13 benefit of up to 16 consecutive days is available only once in a
14 lifetime, with certain exceptions, and that a break in the consecutive
15 use of the benefit constitutes permanent exhaustion of the
16 temporary benefit.

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

20 (iii) A family shall be eligible for temporary and permanent
21 homeless assistance when homelessness is a direct result of
22 domestic violence by a spouse, partner, or roommate; physical or
23 mental illness that is medically verified that shall not include a
24 diagnosis of alcoholism, drug addiction, or psychological stress;
25 or, the uninhabitability of the former residence caused by sudden
26 and unusual circumstances beyond the control of the family
27 including natural catastrophe, fire, or condemnation. These
28 circumstances shall be verified by a third-party governmental or
29 private health and human services agency, except that domestic
30 violence may also be verified by a sworn statement by the victim,
31 as provided under Section 11495.25. Homeless assistance payments
32 based on these specific circumstances may not be received more
33 often than once in any 12-month period. In addition, if the domestic
34 violence is verified by a sworn statement by the victim, the
35 homeless assistance payments shall be limited to two periods of
36 not more than 16 consecutive calendar days of temporary assistance
37 and two payments of permanent assistance. A county may require
38 that a recipient of homeless assistance benefits who qualifies under
39 this paragraph for a second time in a 24-month period participate
40 in a homelessness avoidance case plan as a condition of eligibility

1 for homeless assistance benefits. The county welfare department
2 shall immediately inform recipients who verify domestic violence
3 by a sworn statement pursuant to *this* clause-(iii) of the availability
4 of domestic violence counseling and services, and refer those
5 recipients to services upon request.

6 (iv) If a county requires a recipient who verifies domestic
7 violence by a sworn statement to participate in a homelessness
8 avoidance case plan pursuant to clause (iii), the plan shall include
9 the provision of domestic violence services, if appropriate.

10 (v) If a recipient seeking homeless assistance based on domestic
11 violence pursuant to clause (iii) has previously received homeless
12 avoidance services based on domestic violence, the county shall
13 review whether services were offered to the recipient and consider
14 what additional services would assist the recipient in leaving the
15 domestic violence situation.

16 (vi) The county welfare department shall report to the
17 department, through a statewide homeless assistance payment
18 indicator system, necessary data, as requested by the department,
19 regarding all recipients of aid under this paragraph.

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

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

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

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

38 (g) The department shall establish rules and regulations ensuring
39 the uniform application statewide of this ~~subdivision~~ *section*.

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

5 (i) Except for the purposes of Section 15200, the amounts
 6 payable to recipients pursuant to Section 11453.1 shall not
 7 constitute part of the payment schedule set forth in ~~subdivision~~
 8 ~~(a)~~.

9 ~~The subdivision (a).~~ The amounts payable to recipients pursuant
 10 to Section 11453.1 shall not constitute income to recipients of aid
 11 under this section.

12 (j) For children receiving Kin-GAP pursuant to Article 4.5
 13 (commencing with Section 11360) or Article 4.7 (commencing
 14 with Section 11385) there shall be paid, exclusive of any amount
 15 considered exempt as income, an amount of aid each month, which,
 16 when added to the child’s income, is equal to the rate specified in
 17 Sections 11364 and 11387.

18 (k) (1) This section shall become operative on April 1, 2013.
 19 A county shall implement the semiannual reporting requirements
 20 in accordance with the act that added this section no later than
 21 October 1, 2013.

22 (2) Upon implementation described in paragraph (1), each
 23 county shall provide a certificate to the director certifying that
 24 semiannual reporting has been implemented in the county.

25 (3) Upon filing the certificate described in paragraph (2), a
 26 county shall comply with the semiannual reporting provisions of
 27 this section.

28 *SEC. 30. Section 11450 is added to the Welfare and Institutions*
 29 *Code, to read:*

30 *11450. (a) (1) Aid shall be paid for each needy family, which*
 31 *shall include all eligible brothers and sisters of each eligible*
 32 *applicant or recipient child and the parents of the children, but*
 33 *shall not include unborn children, or recipients of aid under*
 34 *Chapter 3 (commencing with Section 12000), qualified for aid*
 35 *under this chapter. In determining the amount of aid paid, and*
 36 *notwithstanding the minimum basic standards of adequate care*
 37 *specified in Section 11452, the family’s income, exclusive of any*
 38 *amounts considered exempt as income or paid pursuant to*
 39 *subdivision (e) or Section 11453.1, averaged for the prospective*
 40 *quarter pursuant to Sections 11265.2 and 11265.3, and then*

1 *calculated pursuant to Section 11451.5, shall be deducted from*
 2 *the sum specified in the following table, as adjusted for*
 3 *cost-of-living increases pursuant to Section 11453 and paragraph*
 4 *(2). In no case shall the amount of aid paid for each month exceed*
 5 *the sum specified in the following tables, as adjusted for*
 6 *cost-of-living increases pursuant to Section 11453 and paragraph*
 7 *(2), plus any special needs, as specified in subdivisions (c), (e),*
 8 *and (f):*

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<i>CalWORKs Basic and CalWORKs Plus Programs</i>			
<i>Number of eligible needy persons in the same home Region 1 pursuant to Section 11452.018</i>	<i>Maximum aid payment</i>	<i>Number of eligible needy persons in the same home Region 2 pursuant to Section 11452.018</i>	<i>Maximum aid payment</i>
<i>1</i>	<i>\$ 317</i>	<i>1</i>	<i>\$ 300</i>
<i>2</i>	<i>516</i>	<i>2</i>	<i>490</i>
<i>3</i>	<i>638</i>	<i>3</i>	<i>608</i>
<i>4</i>	<i>762</i>	<i>4</i>	<i>725</i>
<i>5</i>	<i>866</i>	<i>5</i>	<i>825</i>
<i>6</i>	<i>972</i>	<i>6</i>	<i>926</i>
<i>7</i>	<i>1,069</i>	<i>7</i>	<i>1,016</i>
<i>8</i>	<i>1,164</i>	<i>8</i>	<i>1,109</i>
<i>9</i>	<i>1,258</i>	<i>9</i>	<i>1,198</i>
<i>10 or more</i>	<i>1,351</i>	<i>10 or more</i>	<i>1,286</i>

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<i>Child Maintenance Program</i>			
<i>Number of eligible needy persons in the same home Region 1 pursuant to Section 11452.018</i>	<i>Maximum aid payment</i>	<i>Number of eligible needy persons in the same home Region 2 pursuant to Section 11452.018</i>	<i>Maximum aid payment</i>
<i>1</i>	<i>\$ 230</i>	<i>1</i>	<i>\$ 218</i>
<i>2</i>	<i>375</i>	<i>2</i>	<i>356</i>
<i>3</i>	<i>464</i>	<i>3</i>	<i>442</i>

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1	4	554	4	527
2	5	629	5	600
3	6	706	6	673
4	7	777	7	738
5	8	846	8	806
6	9	914	9	871
7	10 or more	982	10 or more	935

8
9
10 *(2) The sums specified in paragraph (1) shall not be adjusted*
11 *for cost of living for the 1990–91, 1991–92, 1992–93, 1993–94,*
12 *1994–95, 1995–96, 1996–97, and 1997–98 fiscal years, and*
13 *through October 31, 1998, nor shall that amount be included in*
14 *the base for calculating any cost-of-living increases for any fiscal*
15 *year thereafter.*

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 that would otherwise be paid to*
21 *one person, as specified in subdivision (a), if the mother, and child,*
22 *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.*

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

39 *(d) For children receiving AFDC-FC under this chapter, there*
shall be paid, exclusive of any amount considered exempt as

1 *income, an amount of aid each month which, when added to the*
2 *child's income, is equal to the rate specified in Section 11460,*
3 *11461, 11462, 11462.1, or 11463. In addition, the child shall be*
4 *eligible for special needs, as specified in departmental regulations.*

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

16 *(f) After a family has used all available liquid resources, both*
17 *exempt and nonexempt, in excess of one hundred dollars (\$100),*
18 *with the exception of funds deposited in a restricted account*
19 *described in subdivision (a) of Section 11155.2, the family shall*
20 *also be entitled to receive an allowance for nonrecurring special*
21 *needs.*

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

31 *(2) Homeless assistance is available to a homeless family*
32 *seeking shelter when the family is eligible for aid under this*
33 *chapter. Homeless assistance for temporary shelter is also*
34 *available to homeless families which are apparently eligible for*
35 *aid under this chapter. Apparent eligibility exists when evidence*
36 *presented by the applicant, or which is otherwise available to the*
37 *county welfare department, and the information provided on the*
38 *application documents indicate that there would be eligibility for*
39 *aid under this chapter if the evidence and information were*
40 *verified. However, an alien applicant who does not provide*

1 verification of his or her eligible alien status, or a woman with no
2 eligible children who does not provide medical verification of
3 pregnancy, is not apparently eligible for purposes of this section.
4 A family is considered homeless, for the purpose of this section,
5 when the family lacks a fixed and regular nighttime residence; or
6 the family has a primary nighttime residence that is a supervised
7 publicly or privately operated shelter designed to provide
8 temporary living accommodations; or the family is residing in a
9 public or private place not designed for, or ordinarily used as, a
10 regular sleeping accommodation for human beings. A family is
11 also considered homeless for the purpose of this section if the
12 family has received a notice to pay rent or quit. The family shall
13 demonstrate that the eviction is the result of a verified financial
14 hardship as a result of extraordinary circumstances beyond their
15 control, and not other lease or rental violations, and that the family
16 is experiencing a financial crisis that could result in homelessness
17 if preventative assistance is not provided.

18 (A) (i) A nonrecurring special need of sixty-five dollars (\$65)
19 a day shall be available to families of up to four members for the
20 costs of temporary shelter, subject to the requirements of this
21 paragraph. The fifth and additional members of the family shall
22 each receive fifteen dollars (\$15) per day, up to a daily maximum
23 of one hundred twenty-five dollars (\$125). County welfare
24 departments may increase the daily amount available for temporary
25 shelter as necessary to secure the additional bedspace needed by
26 the family.

27 (ii) This special need shall be granted or denied immediately
28 upon the family's application for homeless assistance, and benefits
29 shall be available for up to three working days. The county welfare
30 department shall verify the family's homelessness within the first
31 three working days and if the family meets the criteria of
32 questionable homelessness established by the department, the
33 county welfare department shall refer the family to its early fraud
34 prevention and detection unit, if the county has such a unit, for
35 assistance in the verification of homelessness within this period.

36 (iii) After homelessness has been verified, the three-day limit
37 shall be extended for a period of time which, when added to the
38 initial benefits provided, does not exceed a total of 16 calendar
39 days. This extension of benefits shall be done in increments of one
40 week and shall be based upon searching for permanent housing

1 *which shall be documented on a housing search form, good cause,*
2 *or other circumstances defined by the department. Documentation*
3 *of a housing search shall be required for the initial extension of*
4 *benefits beyond the three-day limit and on a weekly basis thereafter*
5 *as long as the family is receiving temporary shelter benefits. Good*
6 *cause shall include, but is not limited to, situations in which the*
7 *county welfare department has determined that the family, to the*
8 *extent it is capable, has made a good faith but unsuccessful effort*
9 *to secure permanent housing while receiving temporary shelter*
10 *benefits.*

11 *(B) A nonrecurring special need for permanent housing*
12 *assistance is available to pay for last month's rent and security*
13 *deposits when these payments are reasonable conditions of*
14 *securing a residence, or to pay for up to two months of rent*
15 *arrearages, when these payments are a reasonable condition of*
16 *preventing eviction. The last month's rent or monthly arrearage*
17 *portion of the payment (i) shall not exceed 80 percent of the*
18 *family's total monthly household income without the value of*
19 *CalFresh benefits or special needs for a family of that size and*
20 *(ii) shall only be made to families that have found permanent*
21 *housing costing no more than 80 percent of the family's total*
22 *monthly household income without the value of CalFresh benefits*
23 *or special needs for a family of that size. However, if the county*
24 *welfare department determines that a family intends to reside with*
25 *individuals who will be sharing housing costs, the county welfare*
26 *department, in appropriate circumstances, shall set aside the*
27 *condition specified in clause (ii) of the preceding paragraph.*

28 *(C) The nonrecurring special need for permanent housing*
29 *assistance is also available to cover the standard costs of deposits*
30 *for utilities which are necessary for the health and safety of the*
31 *family.*

32 *(D) A payment for or denial of permanent housing assistance*
33 *shall be issued no later than one working day from the time that*
34 *a family presents evidence of the availability of permanent housing.*
35 *If an applicant family provides evidence of the availability of*
36 *permanent housing before the county welfare department has*
37 *established eligibility for aid under this chapter, the county welfare*
38 *department shall complete the eligibility determination so that the*
39 *denial of or payment for permanent housing assistance is issued*
40 *within one working day from the submission of evidence of the*

1 availability of permanent housing, unless the family has failed to
2 provide all of the verification necessary to establish eligibility for
3 aid under this chapter.

4 (E) (i) Except as provided in clauses (ii) and (iii), eligibility
5 for the temporary shelter assistance and the permanent housing
6 assistance pursuant to this paragraph shall be limited to one period
7 of up to 16 consecutive calendar days of temporary assistance and
8 one payment of permanent assistance. Any family that includes a
9 parent or nonparent caretaker relative living in the home who has
10 previously received temporary or permanent homeless assistance
11 at any time on behalf of an eligible child shall not be eligible for
12 further homeless assistance. Any person who applies for homeless
13 assistance benefits shall be informed that the temporary shelter
14 benefit of up to 16 consecutive days is available only once in a
15 lifetime, with certain exceptions, and that a break in the consecutive
16 use of the benefit constitutes permanent exhaustion of the
17 temporary benefit.

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

21 (iii) A family shall be eligible for temporary and permanent
22 homeless assistance when homelessness is a direct result of
23 domestic violence by a spouse, partner, or roommate; physical or
24 mental illness that is medically verified that shall not include a
25 diagnosis of alcoholism, drug addiction, or psychological stress;
26 or the uninhabitability of the former residence caused by sudden
27 and unusual circumstances beyond the control of the family
28 including natural catastrophe, fire, or condemnation. These
29 circumstances shall be verified by a third-party governmental or
30 private health and human services agency, except that domestic
31 violence may also be verified by a sworn statement by the victim,
32 as provided under Section 11495.25. Homeless assistance payments
33 based on these specific circumstances may not be received more
34 often than once in any 12-month period. In addition, if the domestic
35 violence is verified by a sworn statement by the victim, the homeless
36 assistance payments shall be limited to two periods of not more
37 than 16 consecutive calendar days of temporary assistance and
38 two payments of permanent assistance. A county may require that
39 a recipient of homeless assistance benefits who qualifies under
40 this paragraph for a second time in a 24-month period participate

1 *in a homelessness avoidance case plan as a condition of eligibility*
2 *for homeless assistance benefits. The county welfare department*
3 *shall immediately inform recipients who verify domestic violence*
4 *by a sworn statement pursuant to this clause of the availability of*
5 *domestic violence counseling and services, and refer those*
6 *recipients to services upon request.*

7 *(iv) If a county requires a recipient who verifies domestic*
8 *violence by a sworn statement to participate in a homelessness*
9 *avoidance case plan pursuant to clause (iii), the plan shall include*
10 *the provision of domestic violence services, if appropriate.*

11 *(v) If a recipient seeking homeless assistance based on domestic*
12 *violence pursuant to clause (iii) has previously received homeless*
13 *avoidance services based on domestic violence, the county shall*
14 *review whether services were offered to the recipient and consider*
15 *what additional services would assist the recipient in leaving the*
16 *domestic violence situation.*

17 *(vi) The county welfare department shall report to the*
18 *department through a statewide homeless assistance payment*
19 *indicator system necessary data, as requested by the department,*
20 *regarding all recipients of aid under this paragraph.*

21 *(F) The county welfare departments, and all other entities*
22 *participating in the costs of the AFDC program, have the right in*
23 *their share to any refunds resulting from payment of the permanent*
24 *housing. However, if an emergency requires the family to move*
25 *within the 12-month period specified in subparagraph (E), the*
26 *family shall be allowed to use any refunds received from its*
27 *deposits to meet the costs of moving to another residence.*

28 *(G) Payments to providers for temporary shelter and permanent*
29 *housing and utilities shall be made on behalf of families requesting*
30 *these payments.*

31 *(H) The daily amount for the temporary shelter special need*
32 *for homeless assistance may be increased if authorized by the*
33 *current year's Budget Act by specifying a different daily allowance*
34 *and appropriating the funds therefor.*

35 *(I) No payment shall be made pursuant to this paragraph unless*
36 *the provider of housing is a commercial establishment, shelter, or*
37 *person in the business of renting properties who has a history of*
38 *renting properties.*

39 *(g) The department shall establish rules and regulations*
40 *ensuring the uniform application statewide of this section.*

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

5 (i) Except for the purposes of Section 15200, the amounts
6 payable to recipients pursuant to Section 11453.1 shall not
7 constitute part of the payment schedule set forth in subdivision
8 (a).

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

11 (j) For children receiving Kin-GAP pursuant to Article 4.5
12 (commencing with Section 11360) or Article 4.7 (commencing with
13 Section 11385) there shall be paid, exclusive of any amount
14 considered exempt as income, an amount of aid each month, which,
15 when added to the child's income, is equal to the rate specified in
16 Sections 11364 and 11387.

17 (k) This section shall become operative on the first day of the
18 first month following 90 days after the effective date of the act that
19 added this section, or October 1, 2012, whichever is later.

20 (l) (1) A county shall comply with the quarterly reporting
21 provisions of this section until the county certifies to the director
22 that semiannual reporting has been implemented in the county.

23 (2) This section shall become inoperative on April 1, 2013, and,
24 as of January 1, 2014, is repealed, unless a later enacted statute
25 that is enacted before January 1, 2014, deletes or extends the dates
26 on which it becomes inoperative and is repealed.

27 SEC. 31. Section 11450.01 of the Welfare and Institutions Code
28 is amended to read:

29 11450.01. (a) Notwithstanding any other provision of law,
30 commencing October 1, 1992, the maximum aid payments
31 specified in paragraph (1) of subdivision (a) of Section 11450 in
32 effect on July 1, 1992, shall be reduced by 4.5 percent.

33 (b) (1) The department shall seek the approval from the United
34 States Department of Health and Human Services that is necessary
35 to reduce the maximum aid payments specified in subdivision (a)
36 by an additional amount equal to 1.3 percent of the maximum aid
37 payments specified in paragraph (1) of subdivision (a) of Section
38 11450 in effect on July 1, 1992.

39 (2) The reduction provided by this subdivision shall be made
40 on the first day of the month following 30 days after the date of

1 approval by the United States Department of Health and Human
2 Services.

3 *(c) This section shall become inoperative on the first day of the*
4 *first month following 90 days after the effective date of the act that*
5 *added this section, or October 1, 2012, whichever is later, and as*
6 *of January 1, 2014, is repealed, unless a later enacted statute, that*
7 *is enacted before January 1, 2014, deletes or extends that date.*

8 *SEC. 32. Section 11450.015 of the Welfare and Institutions*
9 *Code is amended to read:*

10 11450.015. *(a) Notwithstanding any other provision of law,*
11 *the maximum aid payments in effect on June 30, 1993, in*
12 *accordance with paragraph (1) of subdivision (a) of Section 11450*
13 *as reduced by subdivisions (a) and (b) of Section 11450.01, shall*
14 *be reduced by 2.7 percent beginning the first of the month*
15 *following 60 days after the enactment of this section.*

16 *(b) This section shall become inoperative on the first day of the*
17 *first month following 90 days after the effective date of the act that*
18 *added this section, or October 1, 2012, whichever is later, and as*
19 *of January 1, 2014, is repealed, unless a later enacted statute, that*
20 *is enacted before January 1, 2014, deletes or extends that date.*

21 *SEC. 33. Section 11450.017 of the Welfare and Institutions*
22 *Code is amended to read:*

23 11450.017. *(a) Notwithstanding any other provision of law,*
24 *the maximum aid payment in effect on June 30, 1994, in*
25 *accordance with paragraph (1) of subdivision (a) of Section 11450*
26 *as reduced by subdivisions (a) and (b) of Section 11450.01 and*
27 *Section 11450.015, shall be reduced by 2.3 percent beginning the*
28 *first of the month following 50 days after the effective date of this*
29 *section.*

30 *(b) This section shall become inoperative on the first day of the*
31 *first month following 90 days after the effective date of the act that*
32 *added this section, or October 1, 2012, whichever is later, and as*
33 *of January 1, 2014, is repealed, unless a later enacted statute, that*
34 *is enacted before January 1, 2014, deletes or extends that date.*

35 *SEC. 34. Section 11450.018 of the Welfare and Institutions*
36 *Code is amended to read:*

37 11450.018. *(a) Notwithstanding any other provision of law,*
38 *the maximum aid payment in accordance with paragraph (1) of*
39 *subdivision (a) of Section 11450 as reduced by subdivisions (a)*
40 *and (b) of Section 11450.01, Section 11450.015, and Section*

1 11450.017, shall be reduced by 4.9 percent for counties in Region
2 2, as specified in Section 11452.018.

3 (b) Notwithstanding any other provision of law, through October
4 31, 1998, the maximum aid payment in accordance with paragraph
5 (1) of subdivision (a) of Section 11450, as reduced by subdivision
6 (a) and (b) of Section 11450.01, Section 11450.015, Section
7 11450.017, and subdivision (a) shall be reduced by 4.9 percent.

8 (c) Prior to implementing the reductions specified in
9 subdivisions (a) and (b), the director shall apply for and obtain a
10 waiver from the United States Department of Health and Human
11 Services of Section 1396a(c)(1) of Title 42 of the United States
12 Code. The reduction shall be implemented to the extent the waiver
13 is granted and only so long as the waiver is effective. This
14 subdivision shall not apply if either the federal waiver process set
15 forth at Section 1315 of Title 42 of the United States Code or
16 Section 1396a(c) is repealed or modified such that a waiver is not
17 necessary to implement subdivision (a) or (b).

18 (d) This section shall become operative and the reductions
19 specified in subdivisions (a) and (b) shall commence on the first
20 day of the month following 30 days after the receipt of federal
21 approval or on the first day of the month following 30 days after
22 a change in federal law that allows states to reduce aid payments
23 without any risk to federal funding under Title XIX of the Social
24 Security Act, whichever is earlier, but no earlier than October 1,
25 1995.

26 (e) *This section shall become inoperative on the first day of the*
27 *first month following 90 days after the effective date of the act that*
28 *added this section, or October 1, 2012, whichever is later, and as*
29 *of January 1, 2014, is repealed, unless a later enacted statute, that*
30 *is enacted before January 1, 2014, deletes or extends that date.*

31 *SEC. 35. Section 11450.019 of the Welfare and Institutions*
32 *Code is amended to read:*

33 11450.019. (a) Effective the first day of the month following
34 90 days after a change in federal law that allows states to reduce
35 aid payments without any risk to federal funding under Title XIX
36 of the Social Security Act contained in Subchapter XIX
37 (commencing with Section 1396) of Chapter 7 of Title 42 of the
38 United States Code, the reductions in maximum aid payments
39 specified in Sections 11450.01, 11450.015, and 11450.017 shall
40 not be applied when all of the parents or caretaker relatives of the

1 aided child living in the home of the aided child meet one of the
2 following conditions:

3 ~~(a)~~

4 (1) The individual is disabled and receiving benefits under
5 Section 12200 or 12300.

6 ~~(b)~~

7 (2) The individual is a nonparent caretaker who is not included
8 in the assistance unit with the child.

9 ~~(c)~~

10 (3) The individual is disabled and is receiving State Disability
11 Insurance benefits or Worker's Compensation Temporary
12 Disability benefits.

13 *(b) This section shall become inoperative on the first day of the*
14 *first month following 90 days after the effective date of the act that*
15 *added this section, or October 1, 2012, whichever is later, and as*
16 *of January 1, 2014, is repealed, unless a later enacted statute, that*
17 *is enacted before January 1, 2014, deletes or extends that date.*

18 *SEC. 36. Section 11450.02 of the Welfare and Institutions Code*
19 *is amended to read:*

20 11450.02. (a) Notwithstanding any other provision of law,
21 commencing July 1, 2009, the maximum aid payments in effect
22 September 1, 2007, as specified in paragraph (1) of subdivision
23 (a) of Section 11450, shall be reduced by 4 percent.

24 (b) Notwithstanding any other law, the maximum aid payments
25 in effect on July 1, 2009, as specified in subdivision (a), shall be
26 reduced by 8 percent, effective on June 1, 2011, or on the first day
27 of the first month following 90 days after the effective date of the
28 act that added this subdivision, whichever is later.

29 *(c) This section shall become inoperative on the first day of the*
30 *first month following 90 days after the effective date of the act that*
31 *added this section, or October 1, 2012, whichever is later, and as*
32 *of January 1, 2014, is repealed, unless a later enacted statute, that*
33 *is enacted before January 1, 2014, deletes or extends that date.*

34 *SEC. 37. Section 11450.03 of the Welfare and Institutions Code*
35 *is amended to read:*

36 11450.03. (a) Notwithstanding the maximum aid payments
37 specified in paragraph (1) of subdivision (a) of Section 11450,
38 families that have resided in this state for less than 12 months shall
39 be paid an amount calculated in accordance with paragraph (1) of
40 subdivision (a) of Section 11450, not to exceed the maximum aid

1 payment that would have been received by that family from the
2 state of prior residence.

3 (b) This section shall not become operative until the date of
4 approval by the United States Secretary of Health and Human
5 Services necessary to implement the provisions of this section so
6 as to ensure the continued compliance of the state plan for the
7 following:

8 (1) Title IV of the federal Social Security Act (Subchapter 4
9 (commencing with Section 601) of Chapter 7 of Title 42 of the
10 United States Code).

11 (2) Title IX of the federal Social Security Act (Subchapter 19
12 (commencing with Section 1396) of Chapter 7 of Title 42 of the
13 United States Code).

14 (c) *This section shall become inoperative on the first day of the*
15 *first month following 90 days after the effective date of the act that*
16 *added this section, or October 1, 2012, whichever is later, and as*
17 *of January 1, 2014, is repealed, unless a later enacted statute, that*
18 *is enacted before January 1, 2014, deletes or extends that date.*

19 SEC. 38. *Section 11451.5 of the Welfare and Institutions Code,*
20 *as amended by Section 19 of Chapter 501 of the Statutes of 2011,*
21 *is amended to read:*

22 11451.5. (a) Except as provided by subdivision (f) of Section
23 11322.6, the following income, averaged over the quarter pursuant
24 to Sections 11265.2 and 11265.3, shall be exempt from the
25 calculation of the income of the family for purposes of subdivision
26 (a) of Section 11450:

27 (1) If disability-based unearned income does not exceed two
28 hundred twenty-five dollars (\$225), both of the following amounts:

29 (A) All disability-based unearned income, plus any amount of
30 not otherwise exempt earned income not in excess of the lesser of
31 the following:

32 (i) One hundred twelve dollars (\$112).

33 (ii) The amount of the difference between the amount of
34 disability-based unearned income and two hundred twenty-five
35 dollars (\$225).

36 (B) Fifty percent of all not otherwise exempt earned income in
37 excess of the amount applied to meet the differential applied in
38 subparagraph (A).

39 (2) If disability-based unearned income exceeds two hundred
40 twenty-five dollars (\$225), both of the following amounts:

1 (A) All of the first two hundred twenty-five dollars (\$225) in
2 disability-based unearned income.

3 (B) Fifty percent of all earned income.

4 (b) For purposes of this section:

5 (1) Earned income means gross income received as wages,
6 salary, employer-provided sick leave benefits, commissions, or
7 profits from activities such as a business enterprise or farming in
8 which the recipient is engaged as a self-employed individual or as
9 an employee.

10 (2) Disability-based unearned income means state disability
11 insurance benefits, private disability insurance benefits, temporary
12 workers' compensation benefits, and social security disability
13 benefits.

14 (3) Unearned income means any income not described in
15 paragraph (1) or (2).

16 ~~(e) This section shall become operative on the first day of the~~
17 ~~first month following 90 days after the effective date of the act~~
18 ~~that added this section, or June 1, 2011, whichever is later.~~

19 ~~(d) (1) A county shall comply with the quarterly reporting~~
20 ~~provisions of this section until the county certifies to the director~~
21 ~~that semiannual reporting has been implemented in the county.~~

22 ~~(2)~~

23 ~~(c) This section shall become inoperative on October 1, 2013,~~
24 ~~and the first day of the first month following 90 days after the~~
25 ~~effective date of the act that added this section, or October 1, 2012,~~
26 ~~whichever is later, as of January 1, 2014, is repealed, unless a later~~
27 ~~enacted statute that is enacted before January 1, 2014, deletes or~~
28 ~~extends the dates on which it becomes inoperative and is repealed.~~

29 *SEC. 39. Section 11451.5 of the Welfare and Institutions Code,*
30 *as added by Section 20 of Chapter 501 of the Statutes of 2011, is*
31 *amended to read:*

32 11451.5. (a) ~~Except as provided by subdivision (f) of Section~~
33 ~~11322.6 For grants provided to recipients of the CalWORKs Basic~~
34 ~~Program in accordance with Article 3 (commencing with Section~~
35 ~~11300), the following income, determined for the semiannual~~
36 ~~period pursuant to Sections 11265.2 and 11265.3, shall be exempt~~
37 ~~from the calculation of the income of the family for purposes of~~
38 ~~subdivision (a) of Section 11450:~~

39 (1) If disability-based unearned income does not exceed two
40 hundred twenty-five dollars (\$225), both of the following amounts:

1 (A) All disability-based unearned income, plus any amount of
2 not otherwise exempt earned income not in excess of the lesser of
3 the following:

4 (i) One hundred twelve dollars (\$112).

5 (ii) The amount of the difference between the amount of
6 disability-based unearned income and two hundred twenty-five
7 dollars (\$225).

8 (B) Fifty percent of all not otherwise exempt earned income in
9 excess of the amount applied to meet the differential applied in
10 subparagraph (A).

11 (2) If disability-based unearned income exceeds two hundred
12 twenty-five dollars (\$225), both of the following amounts:

13 (A) All of the first two hundred twenty-five dollars (\$225) in
14 disability-based unearned income.

15 (B) Fifty percent of all earned income.

16 (b) *For grants provided to recipients of the CalWORKs Plus*
17 *Program in accordance with Article 3.5 (commencing with Section*
18 *11330), the following income, determined for the semiannual*
19 *period pursuant to Sections 11265.2 and 11265.3, shall be exempt*
20 *from the calculation of the income of the family for purposes of*
21 *subdivision (a) of Section 11450:*

22 (1) *If disability-based unearned income does not exceed two*
23 *hundred twenty-five dollars (\$225), both of the following amounts:*

24 (A) *All disability-based unearned income, plus any amount of*
25 *not otherwise exempt earned income not in excess of the lesser of*
26 *the following:*

27 (i) *Two hundred dollars (\$200).*

28 (ii) *The amount of the difference between the amount of*
29 *disability-based unearned income and two hundred twenty-five*
30 *dollars (\$225).*

31 (B) *Fifty percent of all not otherwise exempt earned income in*
32 *excess of the amount applied to meet the differential applied in*
33 *subparagraph (A).*

34 (2) *If disability-based unearned income exceeds two hundred*
35 *twenty-five dollars (\$225), both of the following amounts:*

36 (A) *All of the first two hundred twenty-five dollars (\$225) in*
37 *disability-based unearned income.*

38 (B) *Fifty percent of all earned income.*

39 (c) *For grants provided to recipients of the Child Maintenance*
40 *Program in accordance with Article 4 (commencing with Section*

1 11340), the following income shall be exempt from the calculation
2 of the income of the family for purposes of subdivision (a) of
3 Section 11450:

4 (1) If disability-based unearned income does not exceed two
5 hundred twenty-five dollars (\$225), both of the following amounts:

6 (A) All disability-based unearned income.

7 (B) Fifty percent of all not otherwise exempt earned income.

8 (2) If disability-based unearned income exceeds two hundred
9 twenty-five dollars (\$225), both of the following amounts:

10 (A) All of the first two hundred twenty-five dollars (\$225) in
11 disability-based unearned income.

12 (B) Fifty percent of all earned income.

13 ~~(b)~~

14 (d) For purposes of this section, the following definitions shall
15 apply:

16 (1) ~~Earned income~~—“*Earned income*” means gross income
17 received as wages, salary, employer-provided sick leave benefits,
18 commissions, or profits from activities such as a business enterprise
19 or farming in which the recipient is engaged as a self-employed
20 individual or as an employee.

21 (2) ~~Disability-based unearned income~~ ~~◆◆~~“*Disability-based*
22 *unearned income*” means state disability insurance benefits, private
23 disability insurance benefits, temporary workers’ compensation
24 benefits, and social security disability benefits.

25 (3) ~~Unearned income~~—“*Unearned income*” means any income
26 not described in paragraph (1) or (2).

27 ~~(e) This section shall become operative on the first day of the~~
28 ~~first month following 90 days after the effective date of the act~~
29 ~~that added this section, or June 1, 2011, whichever is later.~~

30 ~~(e)~~

31 (e) (1) This section shall become operative on April 1, 2013.
32 A county shall implement the semiannual reporting requirements
33 in accordance with the act that added this section no later than
34 October 1, 2013.

35 (2) Upon implementation described in paragraph (1), each
36 county shall provide a certificate to the director certifying that
37 semiannual reporting has been implemented in the county.

38 (3) Upon filing the certificate described in paragraph (2), a
39 county shall comply with the semiannual reporting provisions of
40 this section.

1 SEC. 40. Section 11451.5 is added to the Welfare and
2 Institutions Code, to read:

3 11451.5. (a) For grants provided to recipients of the
4 CalWORKs Basic Program in accordance with Article 3
5 (commencing with Section 11300), the following income averaged
6 over the quarter pursuant to Sections 11265.2 and 11265.3 shall
7 be exempt from the calculation of the income of the family for
8 purposes of subdivision (a) of Section 11450:

9 (1) If disability-based unearned income does not exceed two
10 hundred twenty-five dollars (\$225), both of the following amounts:

11 (A) All disability-based unearned income, plus any amount of
12 not otherwise exempt earned income not in excess of the lesser of
13 the following:

14 (i) One hundred twelve dollars (\$112).

15 (ii) The amount of the difference between the amount of
16 disability-based unearned income and two hundred twenty-five
17 dollars (\$225).

18 (B) Fifty percent of all not otherwise exempt earned income in
19 excess of the amount applied to meet the differential applied in
20 subparagraph (A).

21 (2) If disability-based unearned income exceeds two hundred
22 twenty-five dollars (\$225), both of the following amounts:

23 (A) All of the first two hundred twenty-five dollars (\$225) in
24 disability-based unearned income.

25 (B) Fifty percent of all earned income.

26 (b) For grants provided to recipients of the CalWORKs Plus
27 Program in accordance with Article 3.5 (commencing with Section
28 11330), the following income averaged over the quarter pursuant
29 to Sections 11265.2 and 11265.3 shall be exempt from the
30 calculation of the income of the family for purposes of subdivision
31 (a) of Section 11450:

32 (1) If disability-based unearned income does not exceed two
33 hundred twenty-five dollars (\$225), both of the following amounts:

34 (A) All disability-based unearned income, plus any amount of
35 not otherwise exempt earned income not in excess of the lesser of
36 the following:

37 (i) Two hundred dollars (\$200).

38 (ii) The amount of the difference between the amount of
39 disability-based unearned income and two hundred twenty-five
40 dollars (\$225).

1 (B) Fifty percent of all not otherwise exempt earned income in
2 excess of the amount applied to meet the differential applied in
3 subparagraph (A).

4 (2) If disability-based unearned income exceeds two hundred
5 twenty-five dollars (\$225), both of the following amounts:

6 (A) All of the first two hundred twenty-five dollars (\$225) in
7 disability-based unearned income.

8 (B) Fifty percent of all earned income.

9 (c) For grants provided to recipients of the Child Maintenance
10 Program in accordance with Article 4 (commencing with Section
11 11340), the following income shall be exempt from the calculation
12 of the income of the family for purposes of subdivision (a) of
13 Section 11450:

14 (1) If disability-based unearned income does not exceed two
15 hundred twenty-five dollars (\$225), both of the following amounts:

16 (A) All disability-based unearned income.

17 (B) Fifty percent of all not otherwise exempt earned income.

18 (2) If disability-based unearned income exceeds two hundred
19 twenty-five dollars (\$225), both of the following amounts:

20 (A) All of the first two hundred twenty-five dollars (\$225) in
21 disability-based unearned income.

22 (B) Fifty percent of all earned income.

23 (d) For purposes of this section, the following definitions shall
24 apply:

25 (1) “Earned income” means gross income received as wages,
26 salary, employer-provided sick leave benefits, commissions, or
27 profits from activities such as a business enterprise or farming in
28 which the recipient is engaged as a self-employed individual or
29 as an employee.

30 (2) “Disability-based unearned income” means state disability
31 insurance benefits, private disability insurance benefits, temporary
32 workers’ compensation benefits, and social security disability
33 benefits.

34 (3) “Unearned income” means any income not described in
35 paragraph (1) or (2).

36 (e) This section shall become operative on the first day of the
37 first month following 90 days after the effective date of the act that
38 added this section, or October 1, 2012, whichever is later.

1 (f) (1) A county shall comply with the quarterly reporting
2 provisions of this section until the county certifies to the director
3 that semiannual reporting has been implemented in the county.

4 (2) This section shall become inoperative on April 1, 2013, and,
5 as of January 1, 2014, is repealed, unless a later enacted statute
6 that is enacted before January 1, 2014, deletes or extends the dates
7 on which it becomes inoperative and is repealed.

8 SEC. 41. Section 11453.3 is added to the Welfare and
9 Institutions Code, to read:

10 11453.3. (a) Any participant required to participate pursuant
11 to subdivision (d) of Section 11320.3 who maintains satisfactory
12 progress in school shall, not more than four times in a calendar
13 year, receive a one hundred dollar (\$100) supplement to the
14 amount of aid paid pursuant to Section 11450. The supplement
15 shall be paid to the assistance unit of which the teenage parent is
16 a member, in the month following submission of the report card,
17 if received by the county no later than the 11th calendar day of
18 the month, or in the second month following submission of the
19 report card, if received by the county after the 11th calendar day
20 of the month.

21 (b) Any participant required to participate pursuant to
22 subdivision (d) of Section 11320.3 who successfully completes
23 high school or a California high school equivalency examination
24 shall receive a five-hundred-dollar (\$500) supplement. No
25 assistance unit shall receive a one-hundred-dollar (\$100)
26 supplement when a five-hundred-dollar (\$500) supplement for the
27 same report card or progress report is paid. The
28 five-hundred-dollar (\$500) supplement shall be paid to the teenage
29 parent in the month following submission of the record of
30 completion, if received by the county no later than the 11th
31 calendar day of the month, or in the second month following
32 submission of the record of completion, if received by the county
33 after the 11th calendar day of the month.

34 (c) (1) For purposes of this section, in schools that provide
35 periodic report cards with letter grades, satisfactory progress
36 means maintaining a grade point average of at least 2.0 on a scale
37 where an A equals 4.0 points and an F equals 0 points, and
38 adequate progress means maintaining a grade point average of
39 at least 1.0 on the same scale.

1 (2) For the purposes of this section, in schools or other
2 educational programs that do not provide letter grades indicating
3 student performance, satisfactory progress or inadequate progress
4 shall be determined by the school's regular assessment of periodic
5 progress.

6 (d) This section shall become operative on July 1, 2012.

7 SEC. 42. Section 11454 of the Welfare and Institutions Code
8 is amended to read:

9 11454. (a) A parent or caretaker relative shall not be eligible
10 for aid under this chapter when he or she has received aid under
11 this chapter or from any state under the Temporary Assistance for
12 Needy Families program (Part A (commencing with Section 401)
13 of Title IV of the federal Social Security Act (42 U.S.C. Sec. 601
14 et seq.)) for a cumulative total of 48 months.

15 (b) (1) Except as otherwise specified in subdivision (c), Section
16 11454.5, or any other provisions of law, all months of aid received
17 under this chapter from January 1, 1998, to the operative date of
18 this section, inclusive, shall be applied to the 48-month time limit
19 described in subdivision (a).

20 (2) All months of aid received from January 1, 1998, to the
21 operative date of this section, inclusive, in any state pursuant to
22 the Temporary Assistance for Needy Families program (Part A
23 (commencing with Section 401) of Title IV of the federal Social
24 Security Act (42 U.S.C. Sec. 601 et seq.)), shall be applied to the
25 48-month time limit described in subdivision (a).

26 (c) Subdivision (a) and paragraph (1) of subdivision (b) shall
27 not be applicable when all parents or caretaker relatives of the
28 aided child who are living in the home of the child meet any of
29 the following requirements:

30 (1) They are 60 years of age or older.

31 (2) They meet one of the conditions specified in paragraph (4)
32 or (5) of subdivision (b) of Section 11320.3.

33 (3) They are not included in the assistance unit.

34 (4) They are receiving benefits under Section 12200 or Section
35 12300, State Disability Insurance benefits or Workers'
36 Compensation Temporary Disability Insurance, if the disability
37 significantly impairs the recipient's ability to be regularly employed
38 or participate in welfare-to-work activities.

39 (5) They are incapable of maintaining employment or
40 participating in welfare-to-work activities, as determined by the

1 county, based on the assessment of the individual and the individual
2 has a history of participation and full cooperation in
3 welfare-to-work activities.

4 *(d) This section shall become inoperative on the first day of the*
5 *first month following 90 days after the effective date of the act that*
6 *added this section, or October 1, 2012, whichever is later and, as*
7 *of January 1, 2014, is repealed, unless a later enacted statute that*
8 *is enacted before January 1, 2014, deletes or extends the dates on*
9 *which it becomes inoperative and is repealed.*

10 SEC. 43. Section 11454 is added to the Welfare and Institutions
11 Code, to read:

12 11454. (a) A parent or caretaker relative shall not be eligible
13 for aid under this chapter when he or she has received aid under
14 this chapter or from any state under the Temporary Assistance for
15 Needy Families program (Part A (commencing with Section 401)
16 of Title IV of the federal Social Security Act (42 U.S.C. Sec. 601
17 et seq.)) for a cumulative total of 48 months.

18 (b) (1) Except as otherwise specified in Section 11454.5 or any
19 other law, all months of aid received under this chapter from
20 January 1, 1998, to the operative date of this section, inclusive,
21 shall be applied to the 48-month time limit described in subdivision
22 (a).

23 (2) All months of aid received from January 1, 1998, to the
24 operative date of this section, inclusive, in any state pursuant to
25 the Temporary Assistance for Needy Families program (Part A
26 (commencing with Section 401) of Title IV of the federal Social
27 Security Act (42 U.S.C. Sec. 601 et seq.)), shall be applied to the
28 48-month time limit described in subdivision (a).

29 (c) Commencing the first day of the first month following 90
30 days after the effective date of the act that added this section, or
31 October 1, 2012, whichever is later, a month in which a parent or
32 caretaker relative is under sanction in accordance with Section
33 11327.5 shall be applied towards the time limitations described
34 in subdivision (a).

35 (d) This section shall become operative on the first day of the
36 first month following 90 days after the effective date of the act that
37 added this section, or October 1, 2012, whichever is later.

38 SEC. 44. Section 11454.2 of the Welfare and Institutions Code
39 is repealed.

1 ~~11454.2. For purposes of making the transition to the~~
2 ~~requirements of the act that added this section, county welfare~~
3 ~~departments shall provide any assistance unit that includes a~~
4 ~~member who will reach the 48-month time limit described in~~
5 ~~subdivision (a) of Section 11454 before January 1, 2012, a notice~~
6 ~~of action 30 days prior to the date upon which the grant of the~~
7 ~~assistance unit will be reduced. This notice shall include a~~
8 ~~statement of the rights granted pursuant to Chapter 7 (commencing~~
9 ~~with Section 10950) of Part 2.~~

10 *SEC. 45. Section 11454.5 of the Welfare and Institutions Code*
11 *is amended to read:*

12 11454.5. (a) Any month in which the following conditions
13 exist shall not be counted as a month of receipt of aid for the
14 purposes of subdivision (a) of, and paragraph (1) of subdivision
15 (b) of, Section 11454:

16 (1) The recipient is exempt from participation under Article 3.2
17 (commencing with Section 11320) due to disability, or advanced
18 age in accordance with paragraph (3) of subdivision (b) of Section
19 11320.3, or due to caretaking responsibilities that impair the
20 recipient's ability to be regularly employed, in accordance with
21 paragraph (4) or (5) of subdivision (b) of Section 11320.3.

22 (2) The recipient is eligible for, participating in, or exempt from,
23 the Cal-Learn Program provided for pursuant to Article 3.5
24 (commencing with Section 11331), for any period during which
25 the Cal-Learn Program is operative, is participating in another teen
26 parent program approved by the department, or, on or after January
27 1, 2012, is a nonminor dependent under the supervision of the
28 county welfare or probation department who is placed in an
29 approved relative's home and is eligible for aid under this section
30 because he or she satisfies the conditions described in Section
31 11403.

32 (3) The cost of the cash aid provided to the recipient for the
33 month is fully reimbursed by child support, whether collected in
34 that month or any subsequent month.

35 (4) The family is a former recipient of cash aid under this chapter
36 and currently receives only child care, case management, or
37 supportive services pursuant to Section 11323.2 or Article 15.5
38 (commencing with Section 8350) of Chapter 2 of Part 6 of Division
39 1 of Title 1 of the Education Code.

1 (5) To the extent provided by federal law, the recipient lived in
2 Indian country, as defined by federal law, or an Alaskan native
3 village in which at least 50 percent of the adults living in the Indian
4 country or in the village are not employed.

5 (6) The recipient has been excused from participation for good
6 cause pursuant to paragraph (1) of subdivision (f) of Section
7 11320.3. This paragraph shall become inoperative on July 1, 2012.

8 (7) The recipient is exempt from participation due to caretaking
9 responsibilities that impair the recipient's ability to be regularly
10 employed, or is otherwise exempt, in accordance with paragraph
11 (7) of subdivision (b) of Section 11320.3. This paragraph shall
12 become inoperative on July 1, 2012.

13 (b) In cases where a lump-sum diversion payment is provided
14 in lieu of cash aid under Section 11266.5, the month in which the
15 payment is made or the months calculated pursuant to subdivision
16 (f) of Section 11266.5 shall count against the limits specified in
17 Section 11454.

18 (c) *This section shall become inoperative on the first day of the*
19 *first month following 90 days after the effective date of the act that*
20 *added this section, or October 1, 2012, whichever is later, and, as*
21 *of January 1, 2014, is repealed, unless a later enacted statute that*
22 *is enacted before January 1, 2014, deletes or extends the dates on*
23 *which it becomes inoperative and is repealed.*

24 SEC. 46. Section 11454.5 is added to the Welfare and
25 Institutions Code, to read:

26 11454.5. (a) Any month in which any of the following
27 conditions exists shall not be counted as a month of receipt of aid
28 for the purposes of subdivision (a) of, and paragraph (1) of
29 subdivision (b) of, Section 11454:

30 (1) Any month the recipient is a nonminor dependent under the
31 supervision of the county welfare or probation department who is
32 placed in an approved relative's home and is eligible for aid under
33 this chapter because he or she satisfies the conditions described
34 in Section 11403.

35 (2) Any month of receipt of assistance by an adult while living
36 in Indian country, as defined in Section 1151 of Title 18 of the
37 United States Code, or a Native Alaskan Village where at least 50
38 percent of the adults were not employed.

1 (3) Any month the recipient is a custodial parent who is under
2 20 years of age and attending high school in accordance with
3 subdivision (d) of Section 11320.3.

4 (b) In cases where a lump-sum diversion payment is provided
5 in lieu of cash aid under Section 11266.5, the month in which the
6 payment is made or the months calculated pursuant to subdivision
7 (f) of Section 11266.5 shall count against the limits specified in
8 Section 11454.

9 (c) This section shall become operative on the first day of the
10 first month following 90 days after the effective date of the act that
11 added this section, or October 1, 2012, whichever is later.

12 SEC. 47. Section 11454.6 of the Welfare and Institutions Code
13 is amended to read:

14 11454.6. (a) Notwithstanding Section 15200, to the extent that
15 the exemptions from the time limits on aid specified in paragraphs
16 (1), (2), (4), and (5) of subdivision (c) of Section 11454 and
17 subdivision (a) of Section 11454.5 exceed 20 percent of the number
18 of families aided in a county, for a period as determined by the
19 United States Department of Health and Human Services, for
20 purposes of measuring the hardship exemption for time limits, the
21 county shall be responsible for the amount of aid that would
22 otherwise have been paid through federal Temporary Assistance
23 for Needy Families block grant funds pursuant to Section 11450,
24 with respect to those persons exempt under either paragraphs (1),
25 (2), (4), and (5) of subdivision (c) of Section 11454 or subdivision
26 (a) of Section 11454.5 that exceed the 20 percent hardship
27 exemption during the period determined by the United States
28 Department of Health and Human Services and provided for in
29 federal law.

30 (b) Subdivision (a) shall not apply if the statewide percentage
31 of families aided during that period is 20 percent or less.

32 (c) The department may determine that a county has good cause
33 for exceeding the 20-percent limitation provided for in subdivision
34 (a). Under this determination, the county share may be reduced or
35 waived by the department.

36 (d) It is the intent of the Legislature that the steering committee
37 as specified in Section 10544.317 review this provision to ensure
38 that:

39 (1) The state does not exceed the limit on hardship exemptions
40 as provided in federal law.

1 (2) Counties are not penalized for circumstances beyond their
2 control and that statewide flexibility for allocation of the
3 percentages is assured.

4 (3) Recipients will have access to the hardship exemption,
5 regardless of their county of origin.

6 *(e) This section shall become inoperative on the first day of the*
7 *first month following 90 days after the effective date of the act that*
8 *added this section, or October 1, 2012, whichever is later, and as*
9 *of January 1, 2014, is repealed, unless a later enacted statute that*
10 *is enacted before January 1, 2014, deletes or extends the dates on*
11 *which it becomes inoperative and is repealed.*

12 *SEC. 48. Section 11475.3 of the Welfare and Institutions Code*
13 *is amended to read:*

14 11475.3. *(a) The first fifty dollars (\$50) of any amount of*
15 *child support collected in a month in payment of the required*
16 *support obligation for that month shall be paid to a recipient of aid*
17 *under this chapter, except recipients of foster care payments under*
18 *Article 5 (commencing with Section 11400) shall not be considered*
19 *income or resources of the recipient family, and shall not be*
20 *deducted from the amount of aid to which the family would*
21 *otherwise be eligible. The local child support agency in each county*
22 *shall ensure that payments are made to recipients as required by*
23 *this section.*

24 *(b) This section shall become inoperative on the first day of the*
25 *first month following 90 days after the effective date of the act that*
26 *added this section, or October 1, 2012, whichever is later, and as*
27 *of January 1, 2014, is repealed, unless a later enacted statute that*
28 *is enacted before January 1, 2014, deletes or extends the dates on*
29 *which it becomes inoperative and is repealed.*

30 *SEC. 49. Section 11475.3 is added to the Welfare and*
31 *Institutions Code, to read:*

32 11475.3. *(a) For assistance units that are eligible for the*
33 *CalWORKs Basic Program or the CalWORKs Plus Program*
34 *described in Article 3 (commencing with Section 11300) and Article*
35 *3.5 (commencing with Section 11330), respectively, the first fifty*
36 *dollars (\$50) of any amount of child support collected in a month*
37 *in payment of the required support obligation for that month shall*
38 *be paid to a recipient of aid under this chapter, except recipients*
39 *of foster care payments under Article 5 (commencing with Section*
40 *11400) shall not be considered income or resources of the recipient*

1 family, and shall not be deducted from the amount of aid to which
2 the family would otherwise be eligible. The local child support
3 agency in each county shall ensure that payments are made to
4 recipients as required by this section.

5 (b) Subdivision (a) shall not apply to an assistance unit receiving
6 aid in the Child Maintenance Program described in Article 4
7 (commencing with Section 11340).

8 (c) This section shall become operative on the first day of the
9 first month following 90 days after the effective date of the act that
10 added this section, or October 1, 2012, whichever is later.

11 SEC. 50. Section 11496 is added to the Welfare and Institutions
12 Code, to read:

13 11496. Commencing on the first day of the first month following
14 90 days after the effective date of the act that added this section,
15 or October 1, 2012, whichever is later, and notwithstanding the
16 provisions of this article, a waiver granted or previously granted
17 in accordance with this article shall not include a waiver of the
18 time limitations described in Sections 11302 and 11454.

19 SEC. 51. Article 8 (commencing with Section 11500) of Chapter
20 2 of Part 3 of Division 9 of the Welfare and Institutions Code is
21 repealed.

22 SEC. 52. Article 9 (commencing with Section 11520) of Chapter
23 2 of Part 3 of Division 9 of the Welfare and Institutions Code is
24 repealed.

25 SEC. 53. Article 8 (commencing with Section 11520) is added
26 to Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions
27 Code, to read:

28

29 *Article 8. CalWORKs Evaluation and Research*

30

31 11520. The department shall ensure that county demonstration
32 projects and other innovative county approaches to CalWORKs
33 program implementation are independently and rigorously
34 evaluated and that findings are reported to the Legislature in a
35 timely fashion. The evaluation of a county-specific program shall
36 be developed in conjunction with the county and other appropriate
37 agencies responsible for the local program.

38 11521. The department shall have access to, and authority to
39 obtain for tracking, monitoring, research, and evaluation purposes,

1 data collected by counties on recipients receiving cash aid, in-kind
2 payments, or supportive services.

3 11522. The department, in conjunction with participating
4 representatives of counties and the Legislature, shall develop
5 approaches to improving data collection and management
6 information reporting in the CalWORKs program.

7 11523. (a) The department shall establish procedures to
8 provide timely access to information on CalWORKs families to
9 counties and researchers in a manner that maintains confidentiality
10 of data while making it possible to undertake ongoing monitoring,
11 research, and evaluation.

12 (b) The State Department of Health Care Services, the
13 Employment Development Department, the Franchise Tax Board,
14 the State Department of Education, and any other state or local
15 governmental agency that collects information on aided families
16 shall provide the department with the necessary data, if legally
17 available.

18 11526. (a) The Legislature hereby requests the Regents of the
19 University of California to establish and administer a program or
20 programs to support welfare research and evaluation of the
21 CalWORKs program.

22 (b) It is the intent of the Legislature that the program or
23 programs established by the University of California do all of the
24 following:

25 (1) Establish a sponsored grants program to provide funding
26 for interested researchers to undertake studies on important
27 welfare-related issues. These grants shall be applied only to
28 research projects requested by representatives of state and local
29 government entities.

30 (2) Establish one or more federal Bureau of the Census secure
31 data sites to link census and administrative data bases for ongoing
32 research purposes.

33 (3) Use existing data archives to develop data sets appropriate
34 for monitoring and evaluating the impacts of CalWORKs program
35 implementation in California.

36 (4) Create and maintain public use data sets and make data
37 available to researchers and members of the public to support
38 welfare research and related human services research.

39 (5) Provide an ongoing capacity for supporting, conducting,
40 and disseminating welfare policy research.

1 (6) Produce and maintain lists of researchers working with
2 California welfare data or conducting research on public
3 assistance in California.

4 (7) Review, edit, publish, and disseminate research and
5 evaluation reports to state and local policymakers.

6 (8) Provide forums for the presentation of research findings
7 and the discussion of research on welfare.

8 (9) Provide a location for welfare data archives and monitor
9 ongoing funding for their upkeep.

10 11526.5. The department shall enter into an interagency
11 agreement with the University of California for the purpose of
12 implementing Section 11526, subject to the appropriation by the
13 Legislature of funds for purposes of the interagency agreement.

14 SEC. 54. Article 9.5 (commencing with Section 11525) of
15 Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions
16 Code is repealed.

17 SEC. 55. Article 9.7 (commencing with Section 11526) of
18 Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions
19 Code is repealed.

20 SEC. 56. (a) Notwithstanding the rulemaking provisions of
21 the Administrative Procedure Act (Chapter 3.5 (commencing with
22 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
23 Code), the department may implement and administer this act
24 through all-county letters or similar instructions from the director
25 until regulations are adopted. The department shall adopt
26 emergency regulations implementing these provisions no later
27 than July 1, 2014. The department may readopt any emergency
28 regulation authorized by this section that is the same as, or
29 substantially equivalent to, any emergency regulation previously
30 adopted under this section.

31 (b) The initial adoption of regulations pursuant to this section
32 and one readoption of emergency regulations shall be deemed to
33 be an emergency and necessary for the immediate preservation of
34 the public peace, health, safety, or general welfare. Initial
35 emergency regulations and the one readoption of emergency
36 regulations authorized by this section shall be exempt from review
37 by the Office of Administrative Law. The initial emergency
38 regulations and the one readoption of emergency regulations
39 authorized by this section shall be submitted to the Office of
40 Administrative Law for filing with the Secretary of State and each

1 shall remain in effect for no more than 180 days, by which time
2 final regulations shall be adopted.

3 SEC. 57. Sections 4 to 19, inclusive, Sections 24, 26, and 27,
4 and Sections 51 to 55, inclusive, of this act provide for the
5 reorganization of provisions of Chapter 2 (commencing with
6 Section 11200) of Part 3 of Division 9 of the Welfare and
7 Institutions Code. The Legislature finds and declares that these
8 sections are technical, nonsubstantive changes to existing law.

9 SEC. 58. The provisions of this act are severable. If any
10 provision of this act or its application is held invalid, that invalidity
11 shall not affect other provisions or applications that can be given
12 effect without the invalid provision or application.

13 SEC. 59. No reimbursement is required by this act pursuant
14 to Section 6 of Article XIII B of the California Constitution for
15 certain costs that may be incurred by a local agency or school
16 district because, in that regard, this act creates a new crime or
17 infraction, eliminates a crime or infraction, or changes the penalty
18 for a crime or infraction, within the meaning of Section 17556 of
19 the Government Code, or changes the definition of a crime within
20 the meaning of Section 6 of Article XIII B of the California
21 Constitution.

22 However, if the Commission on State Mandates determines that
23 this act contains other costs mandated by the state, reimbursement
24 to local agencies and school districts for those costs shall be made
25 pursuant to Part 7 (commencing with Section 17500) of Division
26 4 of Title 2 of the Government Code.

27 SEC. 60. This act is an urgency statute necessary for the
28 immediate preservation of the public peace, health, or safety within
29 the meaning of Article IV of the Constitution and shall go into
30 immediate effect. The facts constituting the necessity are:

31 In order to maximize the impact of the reforms and efficiencies
32 contained in this act, it is necessary for this act to take effect
33 immediately.

34 SECTION 1. ~~Section 110673.1 is added to the Health and~~
35 ~~Safety Code, to read:~~

36 ~~110673.1. Notwithstanding Section 110673, and to the extent~~
37 ~~permitted by federal law, the department shall adopt standards that~~
38 ~~authorize the use of the terms “gluten free” and “wheat free” on~~
39 ~~food labeling only when the food contains less than 20 parts per~~
40 ~~million of gluten.~~

1 ~~SEC. 2. No reimbursement is required by this act pursuant to~~
2 ~~Section 6 of Article XIII B of the California Constitution because~~
3 ~~the only costs that may be incurred by a local agency or school~~
4 ~~district will be incurred because this act creates a new crime or~~
5 ~~infraction, eliminates a crime or infraction, or changes the penalty~~
6 ~~for a crime or infraction, within the meaning of Section 17556 of~~
7 ~~the Government Code, or changes the definition of a crime within~~
8 ~~the meaning of Section 6 of Article XIII B of the California~~
9 ~~Constitution.~~

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