

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 492

Introduced by Assembly Member Gonzalez

February 23, 2015

An act to amend Section ~~H250~~ 11323.2 of the Welfare and Institutions Code, relating to CalWORKs.

LEGISLATIVE COUNSEL'S DIGEST

AB 492, as amended, Gonzalez. CalWORKs: ~~eligibility.~~
welfare-to-work: supportive services.

Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program, under which each county provides cash assistance and other benefits to qualified low-income families and individuals. ~~Existing law requires that aid, services, or both, be granted, subject to certain requirements, to families with related children under 18 years of age, except as provided, in need of aid or services because they have been deprived of parental support or care due to specified circumstances, including the unemployment of a parent or parents. Existing law generally requires a recipient of CalWORKs benefits to participate in welfare-to-work activities as a condition of eligibility for aid. Existing law requires that necessary supportive services be available to participants in welfare-to-work activities, including child care.~~

~~This bill would make technical, nonsubstantive changes to those provisions.~~

This bill would provide that necessary supportive services also include vouchers in the amount of \$50 per month for diaper products for every child two years of age or younger enrolled in child care pursuant to

the above-mentioned provisions. By increasing the duties of counties administering these services, 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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

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

1 SECTION 1. Section 11323.2 of the Welfare and Institutions
 2 Code is amended to read:
 3 11323.2. (a) Necessary supportive services shall be available
 4 to every participant in order to participate in the program activity
 5 to which he or she is assigned or to accept employment or the
 6 participant shall have good cause for not participating under
 7 subdivision (f) of Section 11320.3. As provided in the
 8 welfare-to-work plan entered into between the county and
 9 participant pursuant to this article, supportive services shall include
 10 all of the following:
 11 (1) Child care.
 12 (A) Paid child care shall be available to every participant with
 13 a dependent child in the assistance unit who needs paid child care
 14 if the child is 10 years of age or under, or requires child care or
 15 supervision due to a physical, mental, or developmental disability
 16 or other similar condition as verified by the county welfare
 17 department, or who is under court supervision.
 18 (B) To the extent funds are ~~available~~ available, paid child care
 19 shall be available to a participant with a dependent child in the
 20 assistance unit who needs paid child care if the child is 11 or 12
 21 years of age.
 22 (C) Necessary child care services shall be available to every
 23 former recipient for up to two years, pursuant to Article 15.5

1 (commencing with Section 8350) of Chapter 2 of Part 6 of Division
2 1 of Title 1 of the Education Code.

3 (D) A child in foster care receiving benefits under Title IV-E
4 of the federal Social Security Act (42 U.S.C. Sec. 670 et seq.) or
5 a child who would become a dependent child except for the receipt
6 of federal Supplemental Security Income benefits pursuant to Title
7 XVI of the federal Social Security Act (42 U.S.C. Sec. 1381 et
8 seq.) shall be deemed to be a dependent child for the purposes of
9 this paragraph.

10 (E) The provision of care and payment rates under this paragraph
11 shall be governed by Article 15.5 (commencing with Section 8350)
12 of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education
13 Code. Parent fees shall be governed by subdivisions (g) and (h)
14 of Section 8263 of the Education Code.

15 (2) *Vouchers in the amount of fifty dollars (\$50) per month for*
16 *diaper products for every child two years of age or younger*
17 *enrolled in child care pursuant to paragraph (1).*

18 ~~(2)~~

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

22 ~~(3)~~

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

26 ~~(4)~~

27 (5) 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, to
30 the extent available, receive necessary counseling or therapy to
31 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 supportive services under this
35 section to former participants who become employed. The county
36 may provide these services for up to the first 12 months of
37 employment to the extent they are not available from other sources
38 and are needed for the individual to retain the employment.

39 *SEC. 2. If the Commission on State Mandates determines that*
40 *this act contains costs mandated by the state, reimbursement to*

1 *local agencies and school districts for those costs shall be made*
2 *pursuant to Part 7 (commencing with Section 17500) of Division*
3 *4 of Title 2 of the Government Code.*

4 ~~SECTION 1. Section 11250 of the Welfare and Institutions~~
5 ~~Code is amended to read:~~

6 ~~11250. Aid, services, or both shall be granted under this~~
7 ~~chapter, and subject to the regulations of the department, to families~~
8 ~~with related children under 18 years of age, except as provided in~~
9 ~~Section 11253, in need thereof because they have been deprived~~
10 ~~of parental support or care due to any of the following~~
11 ~~circumstances:~~

12 ~~(a) The death, physical or mental incapacity, or incarceration~~
13 ~~of a parent.~~

14 ~~(b) The unemployment of a parent or parents.~~

15 ~~(c) Continued absence of a parent from the home due to divorce,~~
16 ~~separation, desertion, or any other reason, except absence~~
17 ~~occasioned solely by reason of the performance of active duty in~~
18 ~~the uniformed services of the United States. "Continued absence"~~
19 ~~exists when the nature of the absence is such as either to interrupt~~
20 ~~or to terminate the parent's functioning as a provider of~~
21 ~~maintenance, physical care, or guidance for the child, and the~~
22 ~~known or indefinite duration of the absence precludes counting~~
23 ~~on the parent's performance of the function of planning for the~~
24 ~~present support or care of the child. If these conditions exist, the~~
25 ~~parent may be absent for any reason, and may have left only~~
26 ~~recently or some time previously.~~