

Assembly Bill No. 144

Passed the Assembly September 6, 2001

Chief Clerk of the Assembly

Passed the Senate August 30, 2001

Secretary of the Senate

This bill was received by the Governor this _____ day of
_____, 2001, at _____ o'clock __M.

Private Secretary of the Governor

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CHAPTER _____

An act to amend Section 11155 of, and to add Section 18901.8 to, the Welfare and Institutions Code, relating to human services.

LEGISLATIVE COUNSEL'S DIGEST

AB 144, Cedillo. Public social services: eligibility: vehicles.

Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program and other social services programs, under which each county provides cash assistance and other benefits to qualified low-income families and individuals.

This bill would add to resource exemptions applicable to the CalWORKs program a specified motor vehicle exemption if the applicant or recipient is employed or engaged in work-related activities, or is subject to abuse or at risk of abuse.

By increasing amounts of income and resources that will not be considered in determining CalWORKs recipient eligibility, the bill would increase the class of persons eligible for the CalWORKs program, and so would impose a state-mandated local program.

Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program.

This bill would, instead, provide that the continuous appropriation would not be made for the purpose of funding the resource exemption.

Existing federal law provides for the Food Stamp Program, under which food stamps are distributed to eligible households. Under existing state law, food stamps allocated to California are distributed by each county.

This bill would apply rules governing the resource value of motor vehicles under the CalWORKs program to the Food Stamp 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, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000



statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

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.

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

SECTION 1. Section 11155 of the Welfare and Institutions Code is amended to read:

11155. (a) Notwithstanding the provisions of Section 11257, and except as provided in subdivisions (b) and (c), in addition to the personal property or resources permitted by other provisions of this part, and to the extent permitted by federal law, an applicant or recipient for aid under this chapter, including an applicant or recipient under Chapter 2 (commencing with Section 11200) may retain countable resources in an amount equal to the amount permitted under federal law for qualification for food stamps. The county shall determine the value of personal property and motor vehicles in conformance with methods established under the Food Stamp Program. Food Stamp Program motor vehicle exclusion rules shall apply.

(b) An applicant or recipient may retain a motor vehicle with a fair market value not to exceed fifteen thousand dollars (\$15,000) if the applicant or recipient is employed or engaged in work related activities, or will be expected to satisfactorily participate in work related activities in preparation for employment.

(c) An applicant or recipient who is a victim of abuse, as defined in Section 11495.12, and as determined by the process set forth in Section 11495.25 may retain a vehicle regardless of the value until the applicant or recipient is no longer subject to abuse or risk of abuse in accordance with standards developed by the department by regulation, in consultation with interested stakeholders.

(d) The department shall adopt regulations to implement subdivisions (b) and (c) in a manner that, to the extent reasonably possible, minimizes the administrative burden on counties.



(e) No appropriation pursuant to Section 15200 shall be made for the purpose of funding the resource exemptions provided for in this section.

SEC. 2. Section 18901.8 is added to the Welfare and Institutions Code, to read:

18901.8. To the extent permitted by federal law, for the purpose of eligibility under this chapter, the rules governing the resource value of motor vehicles shall be the same as those applied in the CalWORKs program, pursuant to Section 11155.

SEC. 3. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.



Approved _____, 2001

Governor

