

Assembly Bill No. 428

Passed the Assembly August 27, 2002

Chief Clerk of the Assembly

Passed the Senate August 26, 2002

Secretary of the Senate

This bill was received by the Governor this _____ day of
_____, 2002, at _____ o'clock __M.

Private Secretary of the Governor



CHAPTER _____

An act to add Section 12201.05 to the Welfare and Institutions Code, relating to human services.

LEGISLATIVE COUNSEL'S DIGEST

AB 428, Shelley. State Supplementary Program.

Existing law provides for the State Supplementary Program for the Aged, Blind and Disabled (SSP), which requires the State Department of Social Services to contract with the United States Secretary of Health and Human Services to make payments to SSP recipients to supplement supplemental security income (SSI) payments made available pursuant to the federal Social Security Act.

Under existing law, benefit payments under the SSP program are calculated by establishing the maximum level of nonexempt income and federal (SSI) and state (SSP) benefits for each category of eligible recipient. The state SSP payment is the amount, when added to the nonexempt income and SSI benefits available to the recipient, that would be required to provide the maximum benefit payment.

Existing state law provides for the annual adjustment, on a calendar year basis, of the total level of combined state and federal benefits as established by statutory schedule and adjusted to reflect prior adjustments to reflect changes in the cost of living, as defined. Under existing law, any increase in state funds necessary to defray the cost of a cost-of-living adjustment in SSI/SSP payments is offset to the extent of any cost-of-living increase provided under federal law.

Existing law has provided that with respect to certain calendar years there shall be no cost-of-living adjustment to the payment schedules, but specifies that with respect to those calendar years, there shall be a pass-along of the increase in federal SSI benefits.

This bill would, commencing with the 2004 calendar year, provide, in any calendar year in which no cost-of-living adjustment is made to the combined SSI/SSP benefit, that there shall be a pass-along of any cost-of-living increase in federal SSI payments.



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

SECTION 1. Section 12201.05 is added to the Welfare and Institutions Code, to read:

12201.05. (a) Commencing with the 2004 calendar year, and thereafter, in any calendar year in which no cost-of-living adjustment is made pursuant to Section 12201, the payment schedules set forth in Sections 12200, 13920, and 13921, as adjusted pursuant to Section 12201, shall include the pass-along of any cost-of-living increases in federal benefits under Subchapter 16 (commencing with Section 1381) of Chapter 7 of Title 42 of the United States Code.

(b) Notwithstanding paragraph (2) of subdivision (d) of Section 12201, any adjustments made pursuant to this section to reflect the pass-along of federal cost-of-living adjustments shall be included in the base amounts for purposes of determining cost-of-living adjustments made pursuant to Section 12201.



Approved _____, 2002

Governor

