

AMENDED IN ASSEMBLY JUNE 26, 2008

SENATE BILL

No. 1341

Introduced by Senator Padilla

February 20, 2008

An act to amend Sections 11155.2 and 11450 of the Welfare and Institutions Code, relating to CalWORKs.

LEGISLATIVE COUNSEL'S DIGEST

SB 1341, as amended, Padilla. CalWORKs: personal property retention.

Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states, with California's version of this program being known as the California Work Opportunity and Responsibility to Kids (CalWORKs) program.

Existing law provides for the CalWORKs program, under which each county provides cash assistance and other benefits to qualified low-income families and individuals who meet specified eligibility criteria.

Existing law imposes limits on the amount of income and personal and real property, including savings accounts, that an individual or family may possess in order to be eligible for aid under the CalWORKs program, but authorizes an eligible family to retain savings and interest thereon for specified purposes.

This bill would expand the scope of purposes for which eligible savings may be used to include costs associated with securing permanent rental housing or to make rent payments to overcome an episode of homelessness.

Existing law provides for the payment, under the CalWORKs program, of an allowance for nonrecurring special needs, after a family has used all available liquid resources, both exempt and nonexempt, in excess of \$100.

This bill would exempt from that limitation funds deposited into a *specified* restricted account ~~to cover costs associated with securing permanent rental housing or to make rent payments to overcome an episode of homelessness.~~

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

This bill would declare that no appropriation would be made for purposes of the bill.

By expanding the uses for which funds contained in a restricted account may be used, this bill would expand the responsibilities of counties in the administration of the CalWORKs program, and would result in 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: yes.
State-mandated local program: yes.

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

- 1 SECTION 1. Section 11155.2 of the Welfare and Institutions
- 2 Code is amended to read:
- 3 11155.2. (a) In addition to the personal property permitted by
- 4 this part, recipients of aid under CalWORKs shall be permitted to
- 5 retain savings and interest thereon for specified purposes. Interest
- 6 earned from these savings and deposited into a restricted account
- 7 shall be considered exempt as income for purposes of determining
- 8 eligibility for aid and grant amounts if the interest is retained in
- 9 the account. If the interest is not deposited by the financial
- 10 institution into the account, the interest shall be treated as a
- 11 nonqualifying withdrawal of funds from the account as specified

1 in subdivision (b). This section shall not apply to applicants. Funds
2 may be used by the family for education or job training expenses
3 for the account holder or his or her dependents, for starting a
4 business, for the purchase of a home, or for costs associated with
5 securing permanent rental housing or to make rent payments to
6 overcome an episode of homelessness. Recipients who wish to
7 retain savings for these purposes shall enter into a written
8 agreement with the county to establish a separate account with a
9 financial institution, with the account to be used solely for the
10 purpose of accumulating funds for later withdrawal for a qualifying
11 expenditure. A qualifying expenditure shall be defined by
12 department regulations and shall be verified by the recipient. The
13 recipient shall agree to provide periodic verification of account
14 activity, as required by department regulations. The agreement
15 shall notify the recipient of the penalty for nonqualifying
16 withdrawal of funds.

17 (b) Any nonqualifying withdrawal of funds from the account
18 shall result in a calculation of a period of ineligibility for all persons
19 in the assistance unit, to be determined by dividing the balance in
20 the account immediately prior to the withdrawal by the minimum
21 basic standard of adequate care for the members of the assistance
22 unit, as set forth in Section 11452. The resulting whole number
23 shall be the number of months of ineligibility. The period of
24 ineligibility may be reduced when the minimum basic standard of
25 adequate care of the assistance unit, including special needs,
26 increases.

27 (c) If the California Savings and Asset Project is established
28 pursuant to Chapter 17 (commencing with Section 50897) of Part
29 2 of Division 31 of the Health and Safety Code, then to the extent
30 permitted by federal law, a recipient shall be eligible to receive
31 matching funds derived from federal contributions for the purpose
32 of establishing an individual account in an amount not to exceed
33 three thousand dollars (\$3,000) in addition to the amounts specified
34 in subdivision (a) and a fiduciary organization may provide
35 amounts in excess of the first three thousand dollars (\$3,000)
36 limitation if contributed solely through private sources.

37 SEC. 2. Section 11450 of the Welfare and Institutions Code,
38 as amended by Section 1 of Chapter 726 of the Statutes of 2007,
39 is amended to read:

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

| 17 18 Number of 19 eligible needy 20 persons in 21 the same home | Maximum aid |
|--|----------------|
| 22 1..... | \$ 326 |
| 23 2..... | 535 |
| 24 3..... | 663 |
| 25 4..... | 788 |
| 26 5..... | 899 |
| 27 6..... | 1,010 |
| 28 7..... | 1,109 |
| 29 8..... | 1,209 |
| 30 9..... | 1,306 |
| 31 10 or more..... | 1,403 |

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

1 (2) The sums specified in paragraph (1) shall not be adjusted
2 for cost of living for the 1990–91, 1991–92, 1992–93, 1993–94,
3 1994–95, 1995–96, 1996–97, and 1997–98 fiscal years, and through
4 October 31, 1998, nor shall that amount be included in the base
5 for calculating any cost-of-living increases for any fiscal year
6 thereafter. Elimination of the cost-of-living adjustment pursuant
7 to this paragraph shall satisfy the requirements of Section 11453.05,
8 and no further reduction shall be made pursuant to that section.

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

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 ~~to cover costs~~
19 ~~associated with securing permanent rental housing or to make rent~~
20 ~~payments to overcome an episode of homelessness, the family,~~
21 *the family* shall also be entitled to receive an allowance for
22 nonrecurring special needs.

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

32 (2) Homeless assistance is available to a homeless family
33 seeking shelter when the family is eligible for aid under this
34 chapter. Homeless assistance for temporary shelter is also available
35 to homeless families which are apparently eligible for aid under
36 this chapter. Apparent eligibility exists when evidence presented
37 by the applicant, or which is otherwise available to the county
38 welfare department, and the information provided on the
39 application documents indicate that there would be eligibility for
40 aid under this chapter if the evidence and information were verified.

1 However, an alien applicant who does not provide verification of
2 his or her eligible alien status, or a woman with no eligible children
3 who does not provide medical verification of pregnancy, is not
4 apparently eligible for purposes of this section.

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

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

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

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

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

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

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

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

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

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

1 denial of or payment for permanent housing assistance is issued
2 within one working day from the submission of evidence of the
3 availability of permanent housing, unless the family has failed to
4 provide all of the verification necessary to establish eligibility for
5 aid under this chapter.

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

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

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

- 1 (iv) The county welfare department shall report to the
2 department through a statewide homeless assistance payment
3 indicator system, necessary data, as requested by the department,
4 regarding all recipients of aid under this paragraph.
- 5 (F) The county welfare departments, and all other entities
6 participating in the costs of the AFDC program, have the right in
7 their share to any refunds resulting from payment of the permanent
8 housing. However, if an emergency requires the family to move
9 within the 12-month period specified in subparagraph (E), the
10 family shall be allowed to use any refunds received from its
11 deposits to meet the costs of moving to another residence.
- 12 (G) Payments to providers for temporary shelter and permanent
13 housing and utilities shall be made on behalf of families requesting
14 these payments.
- 15 (H) The daily amount for the temporary shelter special need for
16 homeless assistance may be increased if authorized by the current
17 year’s Budget Act by specifying a different daily allowance and
18 appropriating the funds therefor.
- 19 (I) No payment shall be made pursuant to this paragraph unless
20 the provider of housing is a commercial establishment, shelter, or
21 person in the business of renting properties who has a history of
22 renting properties.
- 23 (g) The department shall establish rules and regulations ensuring
24 the uniform application statewide of this subdivision.
- 25 (h) The department shall notify all applicants and recipients of
26 aid through the standardized application form that these benefits
27 are available and shall provide an opportunity for recipients to
28 apply for the funds quickly and efficiently.
- 29 (i) Except for the purposes of Section 15200, the amounts
30 payable to recipients pursuant to Section 11453.1 shall not
31 constitute part of the payment schedule set forth in subdivision
32 (a).
- 33 The amounts payable to recipients pursuant to Section 11453.1
34 shall not constitute income to recipients of aid under this section.
- 35 (j) For children receiving Kin-GAP pursuant to Article 4.5
36 (commencing with Section 11360) of Chapter 2, there shall be
37 paid, exclusive of any amount considered exempt as income, an
38 amount of aid each month, which, when added to the child’s
39 income, is equal to the rate specified in Section 11364.

1 SEC. 3. Section 11450 of the Welfare and Institutions Code,
2 as amended by Section 2 of Chapter 726 of the Statutes of 2007,
3 is amended to read:

4 11450. (a) (1) Aid shall be paid for each needy family, which
5 shall include all eligible brothers and sisters of each eligible
6 applicant or recipient child and the parents of the children, but
7 shall not include unborn children, or recipients of aid under Chapter
8 3 (commencing with Section 12000), qualified for aid under this
9 chapter. In determining the amount of aid paid, and notwithstanding
10 the minimum basic standards of adequate care specified in Section
11 11452, the family’s income, exclusive of any amounts considered
12 exempt as income or paid pursuant to subdivision (e) or Section
13 11453.1, averaged for the prospective quarter pursuant to Sections
14 11265.2 and 11265.3, and then calculated pursuant to Section
15 11451.5, shall be deducted from the sum specified in the following
16 table, as adjusted for cost-of-living increases pursuant to Section
17 11453 and paragraph (2). In no case shall the amount of aid paid
18 for each month exceed the sum specified in the following table,
19 as adjusted for cost-of-living increases pursuant to Section 11453
20 and paragraph (2), plus any special needs, as specified in
21 subdivisions (c), (e), and (f):

| 22 23 Number of 24 eligible needy 25 persons in 26 the same home | 27 28 29 30 31 32 33 34 35 36 37 38 39 40 | Maximum aid |
|--|--|----------------|
| 1..... | | \$ 326 |
| 2..... | | 535 |
| 3..... | | 663 |
| 4..... | | 788 |
| 5..... | | 899 |
| 6..... | | 1,010 |
| 7..... | | 1,109 |
| 8..... | | 1,209 |
| 9..... | | 1,306 |
| 10 or more..... | | 1,403 |

38 If, when, and during those times that the United States
39 government increases or decreases its contributions in assistance
40 of needy children in this state above or below the amount paid on

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

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

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

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

1 delivery is anticipated, if the mother, and the child, if born, would
2 have qualified for aid under this chapter.

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

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

20 (f) After a family has used all available liquid resources, both
21 exempt and nonexempt, in excess of one hundred dollars (\$100),
22 with the exception of funds deposited in a restricted account
23 described in subdivision (a) of Section 11155.2 ~~to cover costs~~
24 ~~associated with securing permanent rental housing or to make rent~~
25 ~~payments to overcome an episode of homelessness, the family,~~
26 *the family* shall also be entitled to receive an allowance for
27 nonrecurring special needs.

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

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

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

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

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

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

1 prevention and detection unit, if the county has such a unit, for
2 assistance in the verification of homelessness within this period.

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

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

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

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

36 (C) The nonrecurring special need for permanent housing
37 assistance is also available to cover the standard costs of deposits
38 for utilities which are necessary for the health and safety of the
39 family.

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

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

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

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

1 as provided under Section 11495.25. Homeless assistance payments
2 based on these specific circumstances may not be received more
3 often than once in any 12-month period. In addition, if the domestic
4 violence is verified by a sworn statement by the victim, the
5 homeless assistance payments shall be limited to two periods of
6 not more than 16 consecutive calendar days of temporary assistance
7 and two payments of permanent assistance. A county may require
8 that a recipient of homeless assistance benefits who qualifies under
9 this paragraph for a second time in a 24-month period participate
10 in a homelessness avoidance case plan as a condition of eligibility
11 for homeless assistance benefits. The county welfare department
12 shall immediately inform recipients who verify domestic violence
13 by a sworn statement pursuant to clause (iii) of the availability of
14 domestic violence counseling and services, and refer those
15 recipients to services upon request.

16 ~~(v)~~

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

21 ~~(vi)~~

22 (v) If a recipient seeking homeless assistance based on domestic
23 violence pursuant to clause (iii) has previously received homeless
24 avoidance services based on domestic violence, the county shall
25 review whether services were offered to the recipient and consider
26 what additional services would assist the recipient in leaving the
27 domestic violence situation.

28 ~~(vii)~~

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

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

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

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

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

12 (g) The department shall establish rules and regulations ensuring
13 the uniform application statewide of this subdivision.

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

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

21 (a).
22 The amounts payable to recipients pursuant to Section 11453.1
23 shall not constitute income to recipients of aid under this section.

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

29 SEC. 4. No appropriation pursuant to Section 15200 of the
30 Welfare and Institutions Code shall be made for the purposes of
31 this act.

32 SEC. 5. If the Commission on State Mandates determines that
33 this act contains costs mandated by the state, reimbursement to
34 local agencies and school districts for those costs shall be made
35 pursuant to Part 7 (commencing with Section 17500) of Division
36 4 of Title 2 of the Government Code.

O