

AMENDED IN ASSEMBLY AUGUST 19, 2008

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 *Section 11155.2 of, and to amend and repeal Section 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.

This bill would also make a technical change.

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 incorporate additional changes in Section 11450 of the Welfare and Institutions Code proposed by AB 2844, that would become operative only if AB 2844 and this bill are both chaptered and become effective on or before January 1, 2009, and this bill is chaptered last.

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

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

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

33 (c) If the California Savings and Asset Project is established
34 pursuant to Chapter 17 (commencing with Section 50897) of Part
35 2 of Division 31 of the Health and Safety Code, then to the extent
36 permitted by federal law, a recipient shall be eligible to receive
37 matching funds derived from federal contributions for the purpose
38 of establishing an individual account in an amount not to exceed
39 three thousand dollars (\$3,000) in addition to the amounts specified
40 in subdivision (a) and a fiduciary organization may provide

1 amounts in excess of the first three thousand dollars (\$3,000)
2 limitation if contributed solely through private sources.

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

6 ~~11450. (a) (1) Aid shall be paid for each needy family, which~~
7 ~~shall include all eligible brothers and sisters of each eligible~~
8 ~~applicant or recipient child and the parents of the children, but~~
9 ~~shall not include unborn children, or recipients of aid under Chapter~~
10 ~~3 (commencing with Section 12000), qualified for aid under this~~
11 ~~chapter. In determining the amount of aid paid, and notwithstanding~~
12 ~~the minimum basic standards of adequate care specified in Section~~
13 ~~11452, the family's income, exclusive of any amounts considered~~
14 ~~exempt as income or paid pursuant to subdivision (e) or Section~~
15 ~~11453.1 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	Maximum
26	the same home	aid
27	— 1.....	\$ 326
28	— 2.....	— 535
29	— 3.....	— 663
30	— 4.....	— 788
31	— 5.....	— 899
32	— 6.....	—1,010
33	— 7.....	—1,109
34	— 8.....	—1,209
35	— 9.....	—1,306
36	—10 or more.....	—1,403

37
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 which would otherwise be paid~~
19 ~~to one person, as specified in subdivision (a), if the mother, and~~
20 ~~child if born, would have qualified for aid under this chapter.~~
21 ~~Verification of pregnancy shall be required as a condition of~~
22 ~~eligibility for aid under this subdivision. Aid shall also be paid to~~
23 ~~a pregnant woman with no other children in the amount which~~
24 ~~would otherwise be paid to one person under subdivision (a) at~~
25 ~~any time after verification of pregnancy if the pregnant woman is~~
26 ~~also eligible for the Cal-Learn Program described in Article 3.5~~
27 ~~(commencing with Section 11331) and if the mother and child, if~~
28 ~~born, would have qualified for aid under this chapter.~~

29 (e) ~~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, the family shall~~
24 ~~also be entitled to receive an allowance for nonrecurring special~~
25 ~~needs.~~

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

35 ~~(2) Homeless assistance is available to a homeless family~~
36 ~~seeking shelter when the family is eligible for aid under this~~
37 ~~chapter. Homeless assistance for temporary shelter is also available~~
38 ~~to homeless families which are apparently eligible for aid under~~
39 ~~this chapter. Apparent eligibility exists when evidence presented~~
40 ~~by the applicant, or which is otherwise available to the county~~

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

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

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

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

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

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

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

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

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

38 (D) A payment for or denial of permanent housing assistance
39 shall be issued no later than one working day from the time that a
40 family presents evidence of the availability of permanent housing.

1 If an applicant family provides evidence of the availability of
2 permanent housing before the county welfare department has
3 established eligibility for aid under this chapter, the county welfare
4 department shall complete the eligibility determination so that the
5 denial of or payment for permanent housing assistance is issued
6 within one working day from the submission of evidence of the
7 availability of permanent housing, unless the family has failed to
8 provide all of the verification necessary to establish eligibility for
9 aid under this chapter.

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

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

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

1 that a recipient of homeless assistance benefits who qualifies under
2 this paragraph for a second time in a 24-month period participate
3 in a homelessness avoidance case plan as a condition of eligibility
4 for homeless assistance benefits.

5 (iv) The county welfare department shall report to the
6 department through a statewide homeless assistance payment
7 indicator system, necessary data, as requested by the department,
8 regarding all recipients of aid under this paragraph.

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

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

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

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

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

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

33 (i) Except for the purposes of Section 15200, the amounts
34 payable to recipients pursuant to Section 11453.1 shall not
35 constitute part of the payment schedule set forth in subdivision
36 (a).

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

39 (j) For children receiving Kin-GAP pursuant to Article 4.5
40 (commencing with Section 11360) of Chapter 2, there shall be

1 paid, exclusive of any amount considered exempt as income, an
2 amount of aid each month, which, when added to the child's
3 income, is equal to the rate specified in Section 11364.

4 *SEC. 2. Section 11450 of the Welfare and Institutions Code,*
5 *as amended by Section 1 of Chapter 726 of the Statutes of 2007,*
6 *is repealed.*

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

—Number of eligible needy persons in the same home	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
39 If, when, and during those times that the United States
40 government increases or decreases its contributions in assistance

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

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

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

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

1 ~~three-month period immediately prior to the month in which~~
2 ~~delivery is anticipated, if the mother, and the child if born, would~~
3 ~~have qualified for aid under this chapter.~~

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

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

21 ~~(f) After a family has used all available liquid resources, both~~
22 ~~exempt and nonexempt, in excess of one hundred dollars (\$100),~~
23 ~~the family shall also be entitled to receive an allowance for~~
24 ~~nonrecurring special needs.~~

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

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

1 application documents indicate that there would be eligibility for
2 aid under this chapter if the evidence and information were verified.
3 However, an alien applicant who does not provide verification of
4 his or her eligible alien status, or a woman with no eligible children
5 who does not provide medical verification of pregnancy, is not
6 apparently eligible for purposes of this section.

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

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

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

39 (iii) After homelessness has been verified, the three-day limit
40 shall be extended for a period of time which, when added to the

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

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

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

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

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

36 (D) A payment for or denial of permanent housing assistance
37 shall be issued no later than one working day from the time that a
38 family presents evidence of the availability of permanent housing.
39 If an applicant family provides evidence of the availability of
40 permanent housing before the county welfare department has

1 established eligibility for aid under this chapter, the county welfare
2 department shall complete the eligibility determination so that the
3 denial of or payment for permanent housing assistance is issued
4 within one working day from the submission of evidence of the
5 availability of permanent housing, unless the family has failed to
6 provide all of the verification necessary to establish eligibility for
7 aid under this chapter.

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

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

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

3 ~~(iv) The county welfare department shall report to the~~
4 ~~department through a statewide homeless assistance payment~~
5 ~~indicator system, necessary data, as requested by the department,~~
6 ~~regarding all recipients of aid under this paragraph.~~

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

14 ~~(G) Payments to providers for temporary shelter and permanent~~
15 ~~housing and utilities shall be made on behalf of families requesting~~
16 ~~these payments.~~

17 ~~(H) The daily amount for the temporary shelter special need for~~
18 ~~homeless assistance may be increased if authorized by the current~~
19 ~~year's Budget Act by specifying a different daily allowance and~~
20 ~~appropriating the funds therefor.~~

21 ~~(I) No payment shall be made pursuant to this paragraph unless~~
22 ~~the provider of housing is a commercial establishment, shelter, or~~
23 ~~person in the business of renting properties who has a history of~~
24 ~~renting properties.~~

25 ~~(g) The department shall establish rules and regulations ensuring~~
26 ~~the uniform application statewide of this subdivision.~~

27 ~~(h) The department shall notify all applicants and recipients of~~
28 ~~aid through the standardized application form that these benefits~~
29 ~~are available and shall provide an opportunity for recipients to~~
30 ~~apply for the funds quickly and efficiently.~~

31 ~~(i) Except for the purposes of Section 15200, the amounts~~
32 ~~payable to recipients pursuant to Section 11453.1 shall not~~
33 ~~constitute part of the payment schedule set forth in subdivision~~
34 ~~(a).~~

35 ~~The amounts payable to recipients pursuant to Section 11453.1~~
36 ~~shall not constitute income to recipients of aid under this section.~~

37 ~~(j) For children receiving Kin-GAP pursuant to Article 4.5~~
38 ~~(commencing with Section 11360) of Chapter 2, there shall be~~
39 ~~paid, exclusive of any amount considered exempt as income, an~~

1 If, when, and during those times that the United States
2 government increases or decreases its contributions in assistance
3 of needy children in this state above or below the amount paid on
4 July 1, 1972, the amounts specified in the above table shall be
5 increased or decreased by an amount equal to that increase or
6 decrease by the United States government, provided that no
7 increase or decrease shall be subject to subsequent adjustment
8 pursuant to Section 11453.

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

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

32 (c) The amount of forty-seven dollars (\$47) per month shall be
33 paid to pregnant mothers qualified for aid under subdivision (a)
34 or (b) to meet special needs resulting from pregnancy if the mother,
35 and child, if born, would have qualified for aid under this chapter.
36 County welfare departments shall refer all recipients of aid under
37 this subdivision to a local provider of the Women, Infants and
38 Children program. If that payment to pregnant mothers qualified
39 for aid under subdivision (a) is considered income under federal
40 law in the first five months of pregnancy, payments under this

1 subdivision shall not apply to persons eligible under subdivision
2 (a), except for the month in which birth is anticipated and for the
3 three-month period immediately prior to the month in which
4 delivery is anticipated, if the mother, and the child, if born, would
5 have qualified for aid under this chapter.

6 (d) For children receiving AFDC-FC under this chapter, there
7 shall be paid, exclusive of any amount considered exempt as
8 income, an amount of aid each month which, when added to the
9 child's income, is equal to the rate specified in Section 11460,
10 11461, 11462, 11462.1, or 11463. In addition, the child shall be
11 eligible for special needs, as specified in departmental regulations.

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

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

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

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

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

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

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

34 (ii) This special need shall be granted or denied immediately
35 upon the family's application for homeless assistance, and benefits
36 shall be available for up to three working days. The county welfare
37 department shall verify the family's homelessness within the first
38 three working days and if the family meets the criteria of
39 questionable homelessness established by the department, the
40 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 (iv) If a county requires a recipient who verifies domestic
17 violence by a sworn statement to participate in a homelessness
18 avoidance case plan pursuant to clause (iii), the plan shall include
19 the provision of domestic violence services, if appropriate.

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

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

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

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

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

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

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

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

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

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

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

26 *SEC. 3.5. Section 11450 of the Welfare and Institutions Code,*
27 *as amended by Section 2 of Chapter 726 of the Statutes of 2007,*
28 *is amended to read:*

29 11450. (a) (1) Aid shall be paid for each needy family, which
30 shall include all eligible brothers and sisters of each eligible
31 applicant or recipient child and the parents of the children, but
32 shall not include unborn children, or recipients of aid under Chapter
33 3 (commencing with Section 12000), qualified for aid under this
34 chapter. In determining the amount of aid paid, and notwithstanding
35 the minimum basic standards of adequate care specified in Section
36 11452, the family’s income, exclusive of any amounts considered
37 exempt as income or paid pursuant to subdivision (e) or Section
38 11453.1, ~~averaged~~ *determined* for the prospective ~~quarter~~
39 *semiannual period* pursuant to Sections 11265.2 and 11265.3, and
40 then calculated pursuant to Section 11451.5, shall be deducted

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

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

23
 24 If, when, and during those times that the United States
 25 government increases or decreases its contributions in assistance
 26 of needy children in this state above or below the amount paid on
 27 July 1, 1972, the amounts specified in the above table shall be
 28 increased or decreased by an amount equal to that increase or
 29 decrease by the United States government, provided that no
 30 increase or decrease shall be subject to subsequent adjustment
 31 pursuant to Section 11453.

32 (2) The sums specified in paragraph (1) shall not be adjusted
 33 for cost of living for the 1990–91, 1991–92, 1992–93, 1993–94,
 34 1994–95, 1995–96, 1996–97, and 1997–98 fiscal years, and through
 35 October 31, 1998, nor shall that amount be included in the base
 36 for calculating any cost-of-living increases for any fiscal year
 37 thereafter. Elimination of the cost-of-living adjustment pursuant
 38 to this paragraph shall satisfy the requirements of Section 11453.05,
 39 and no further reduction shall be made pursuant to that section.

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

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

30 (d) For children receiving AFDC-FC under this chapter, there
31 shall be paid, exclusive of any amount considered exempt as
32 income, an amount of aid each month which, when added to the
33 child's income, is equal to the rate specified in Section 11460,
34 11461, 11462, 11462.1, or 11463. In addition, the child shall be
35 eligible for special needs, as specified in departmental regulations.

36 (e) In addition to the amounts payable under subdivision (a)
37 and Section 11453.1, a family shall be entitled to receive an
38 allowance for recurring special needs not common to a majority
39 of recipients. These recurring special needs shall include, but not
40 be limited to, special diets upon the recommendation of a physician

1 for circumstances other than pregnancy, and unusual costs of
2 transportation, laundry, housekeeping services, telephone, and
3 utilities. The recurring special needs allowance for each family
4 per month shall not exceed that amount resulting from multiplying
5 the sum of ten dollars (\$10) by the number of recipients in the
6 family who are eligible for assistance.

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

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

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

35 A family is considered homeless, for the purpose of this section,
36 when the family lacks a fixed and regular nighttime residence; or
37 the family has a primary nighttime residence that is a supervised
38 publicly or privately operated shelter designed to provide temporary
39 living accommodations; or the family is residing in a public or
40 private place not designed for, or ordinarily used as, a regular

1 sleeping accommodation for human beings. A family is also
2 considered homeless for the purpose of this section if the family
3 has received a notice to pay rent or quit. The family shall
4 demonstrate that the eviction is the result of a verified financial
5 hardship as a result of extraordinary circumstances beyond their
6 control, and not other lease or rental violations, and that the family
7 is experiencing a financial crisis that could result in homelessness
8 if preventative assistance is not provided.

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

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

27 (iii) After homelessness has been verified, the three-day limit
28 shall be extended for a period of time which, when added to the
29 initial benefits provided, does not exceed a total of 16 calendar
30 days. This extension of benefits shall be done in increments of one
31 week and shall be based upon searching for permanent housing
32 which shall be documented on a housing search form; good cause;
33 or other circumstances defined by the department. Documentation
34 of a housing search shall be required for the initial extension of
35 benefits beyond the three-day limit and on a weekly basis thereafter
36 as long as the family is receiving temporary shelter benefits. Good
37 cause shall include, but is not limited to, situations in which the
38 county welfare department has determined that the family, to the
39 extent it is capable, has made a good faith but unsuccessful effort

1 to secure permanent housing while receiving temporary shelter
2 benefits.

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

8 The last month's rent or monthly arrearage portion of the
9 payment (i) shall not exceed 80 percent of the family's total
10 monthly household income without the value of food stamps or
11 special needs for a family of that size and (ii) shall only be made
12 to families that have found permanent housing costing no more
13 than 80 percent of the family's total monthly household income
14 without the value of food stamps or special needs for a family of
15 that size.

16 However, if the county welfare department determines that a
17 family intends to reside with individuals who will be sharing
18 housing costs, the county welfare department shall, in appropriate
19 circumstances, set aside the condition specified in clause (ii) of
20 the preceding paragraph.

21 (C) The nonrecurring special need for permanent housing
22 assistance is also available to cover the standard costs of deposits
23 for utilities which are necessary for the health and safety of the
24 family.

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

37 (E) (i) Except as provided in clauses (ii) and (iii), eligibility
38 for the temporary shelter assistance and the permanent housing
39 assistance pursuant to this paragraph shall be limited to one period
40 of up to 16 consecutive calendar days of temporary assistance and

1 one payment of permanent assistance. Any family that includes a
2 parent or nonparent caretaker relative living in the home who has
3 previously received temporary or permanent homeless assistance
4 at any time on behalf of an eligible child shall not be eligible for
5 further homeless assistance. Any person who applies for homeless
6 assistance benefits shall be informed that the temporary shelter
7 benefit of up to 16 consecutive days is available only once in a
8 lifetime, with certain exceptions, and that a break in the consecutive
9 use of the benefit constitutes permanent exhaustion of the
10 temporary benefit.

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

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

40 (v)

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

5 ~~(vi)~~

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

12 ~~(vii)~~

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

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

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

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

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

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

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

1 (i) Except for the purposes of Section 15200, the amounts
2 payable to recipients pursuant to Section 11453.1 shall not
3 constitute part of the payment schedule set forth in subdivision
4 (a).

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

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

12 *SEC. 4. If Section 3.5 of this act becomes operative, the*
13 *amendments made to subdivision (a) of Section 11450 of the*
14 *Welfare and Institutions Code by that section shall become*
15 *operative in a county on the date that the county implements the*
16 *semiannual reporting provisions referred to in that section. A*
17 *county may implement the semiannual reporting provisions as*
18 *early as July 1, 2010, but in no event later than January 1, 2011.*

19 *SEC. 5. Section 3.5 of this bill incorporates amendments to*
20 *Section 11450 of the Welfare and Institutions Code proposed by*
21 *both this bill and AB 2844. It shall only become operative if (1)*
22 *both bills are enacted and become effective on or before January*
23 *1, 2009, (2) each bill amends Section 11450 of the Welfare and*
24 *Institutions Code, and (3) this bill is enacted after AB 2844, in*
25 *which case Section 3 of this bill shall not become operative.*

26 ~~SEC. 4.~~

27 *SEC. 6. No appropriation pursuant to Section 15200 of the*
28 *Welfare and Institutions Code shall be made for the purposes of*
29 *this act.*

30 ~~SEC. 5.~~

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

O