

Assembly Bill No. 1914

Passed the Assembly August 25, 2010

Chief Clerk of the Assembly

Passed the Senate August 23, 2010

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2010, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 18914.1 to the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1914, Davis. Public social services: food stamp benefits.

Existing law provides for the federal Supplemental Nutrition Assistance Program (SNAP), under which food stamps are allocated to the state by the federal government and are distributed to eligible households by each county.

Existing law provides for the payment of unemployment compensation benefits to eligible individuals who are unemployed through no fault of their own.

This bill would require a county to take into consideration unemployment compensation benefits of an applicant or recipient of food stamp benefits for the purposes of determining eligibility and the benefit amount only if the county obtains a report from the applicant income and eligibility verification system, containing specified information relating to the applicant's unemployment compensation benefits.

Existing law requires that county welfare departments have access to computer information maintained by the Employment Development Department relating to unemployment.

This bill would require the county to provide a copy of the applicant income and eligibility verification system report to the applicant or recipient if the county takes any action based on that report. The bill would specify that its requirements would not preclude a county from obtaining official Employment Development Department documentation from the applicant or recipient, if the applicant or recipient already has possession of that verification, as specified.

This bill would require the department to implement the bill by all-county letters issued by the department, and thereafter to adopt implementing regulations, as specified.

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

SECTION 1. Section 18914.1 is added to the Welfare and Institutions Code, to read:

18914.1. (a) (1) A county shall be required to take into consideration any unemployment compensation benefit income of an applicant or recipient under this chapter for the purposes of determining eligibility and the amount of benefits only if the county obtains a written or electronic report from the applicant income and eligibility verification system, pursuant to Section 1320b-7 of Title 42 of the United States Code, showing the exact amount of the unemployment compensation benefits and the date that the applicant or recipient will receive the unemployment compensation benefits. If the county takes action based upon this documentation, the county shall provide the applicant or recipient with a copy of the applicant income and eligibility verification system report.

(2) Notwithstanding paragraph (1), nothing in this section shall preclude a county from obtaining official Employment Development Department documentation from the applicant or recipient, if the applicant or recipient already has possession of that verification showing the exact amount and date of receipt of unemployment compensation benefit income.

(b) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), commencing January 1, 2011, the State Department of Social Services shall initially implement this section through all-county letters issued by the department. Thereafter, by January 1, 2012, the department shall adopt regulations to implement this section, in accordance with the rulemaking provisions of the act.

Approved _____, 2010

Governor