

Introduced by Senator DuttonFebruary 14, 2012

An act to amend Section 10830 of the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

SB 1074, as introduced, Dutton. CalFresh eligibility: fingerprint imaging requirement.

Existing law requires each county to provide cash assistance and other social services to needy families through the California Work Opportunity and Responsibility to Kids (CalWORKs) program using federal Temporary Assistance to Needy Families (TANF) block grant program, state, and county funds.

Existing federal law provides for the federal Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh, formerly the Food Stamp Program, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county.

Existing law requires the State Department of Social Services and the California Health and Human Services Agency Data Center to design, implement, and maintain a statewide fingerprint imaging system for use in connection with the determination of eligibility for benefits under the CalWORKs program, excluding the Aid to Families with Dependent Children-Foster Care program.

This bill would extend the fingerprint imaging requirement to CalFresh. By increasing the duties of counties administering CalFresh, the bill would impose 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 10830 of the Welfare and Institutions
2 Code, as amended by Chapter 501 of the Statutes of 2011, is
3 amended to read:

4 10830. (a) The department and the Health and Welfare Data
5 Center shall design, implement, and maintain a statewide
6 fingerprint imaging system for use in connection with the
7 determination of eligibility for benefits under the California Work
8 Opportunity and Responsibility to Kids Act (CalWORKs) program
9 under Chapter 2 (commencing with Section 11200) of Part 3
10 excluding Aid to Families with Dependent Children-Foster Care
11 (AFDC-FC), and *CalFresh* under Chapter 10 (commencing with
12 Section 18900), of Part 6.

13 (b) (1) Every applicant for, or recipient of, aid under Chapter
14 2 (commencing with Section 11200) of Part 3; excluding the
15 AFDC-FC program, and Chapter 10 (commencing with Section
16 18900), of Part 6, other than dependent children or persons who
17 are physically unable to be fingerprint imaged, shall, as a condition
18 of eligibility for assistance, be required to be fingerprint imaged.

19 (2) A person subject to paragraph (1) shall not be eligible for
20 the CalWORKs program or *CalFresh* until fingerprint images are
21 provided, except as provided in subdivision (e). Ineligibility may
22 extend to an entire case of a person who refuses to provide
23 fingerprint images.

24 (c) The department may adopt emergency regulations to
25 implement this section specifying the statewide fingerprint imaging
26 requirements and exemptions to the requirements in accordance
27 with the Administrative Procedure Act (Chapter 3.5 (commencing
28 with Section 11340) of Part 1 of Division 3 of Title 2 of the

1 Government Code). The initial adoption of any emergency
2 regulations implementing this section, as added during the 1996
3 portion of the 1995–96 Regular Session, shall be deemed to be an
4 emergency and necessary for the immediate preservation of the
5 public peace, health and safety, or general welfare. Emergency
6 regulations adopted pursuant to this subdivision shall remain in
7 effect for no more than 180 days.

8 (d) Persons required to be fingerprint imaged pursuant to this
9 section shall be informed that fingerprint images obtained pursuant
10 to this section shall be used only for the purpose of verifying
11 eligibility and preventing multiple enrollments in the CalWORKs
12 program *or CalFresh*. The department, county welfare agencies,
13 and all others shall not use or disclose the data collected and
14 maintained for any purpose other than the prevention or prosecution
15 of fraud. Fingerprint imaging information obtained pursuant to
16 this section shall be confidential under Section 10850.

17 (e) (1) Except as provided in paragraph (2), the fingerprint
18 imaging required under this chapter shall be scheduled only during
19 the application appointment or other regularly scheduled
20 appointments. No other special appointment shall be required. No
21 otherwise eligible individual shall be ineligible to receive benefits
22 under this chapter due to a technical problem occurring in the
23 fingerprint imaging system or as long as the person consents to
24 and is available for fingerprint imaging at a mutually agreed-upon
25 time, not later than 60 days from the initial attempt to complete
26 fingerprint imaging.

27 (2) During the first nine months following implementation,
28 recipients may be scheduled for separate appointments to complete
29 the fingerprint imaging required by this section. Notice shall be
30 mailed first class by the department to recipients at least 10 days
31 prior to the appointment, and shall include procedures for the
32 recipient to reschedule the scheduled appointment within 30 days.

33 (f) If the fingerprint image of an applicant or recipient of aid to
34 which this section applies matches another fingerprint image on
35 file, the county shall notify the applicant or recipient. In the event
36 that a match is appealed, the fingerprint image match shall be
37 verified by a trained individual and any matching case files
38 reviewed prior to the denial of benefits. Upon confirmation that
39 the applicant or recipient is receiving or attempting to receive

1 multiple CalWORKs program checks, a county fraud investigator
2 shall be notified.

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