

AMENDED IN ASSEMBLY MARCH 19, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 309

Introduced by Assembly Member Mitchell
(Coauthors: Assembly Members Ammiano, Chesbro, Eggman, and Ting)
(Coauthor: Senator Beall)

February 12, 2013

An act to amend Sections 18901 and 18904.25 of, and to ~~amend and repeal~~ Section 18914 of, the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 309, as amended, Mitchell. CalFresh: homeless youth.

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. Under existing law, households are eligible to receive CalFresh benefits to the extent permitted by federal law. Further, existing law requires county welfare departments to develop information, and make that information available to homeless shelters, emergency food programs, and other community agencies that provide services to homeless people, on expedited services targeted to the homeless and to provide training to homeless shelter operators on CalFresh application procedures.

This bill would clarify that eligibility for CalFresh benefits, including expedited services, is not dependent on the age of an applicant and that county welfare departments must accept applications from

~~unaccompanied homeless children and youths. applicant and would require county welfare departments, upon receipt of a signed CalFresh application from an unaccompanied child or youth under 18 years of age, to determine without delay his or her eligibility for benefits, as specified, and entitlement to expedited services, as specified. If the application is denied, the county welfare department would be required to notify the child or youth in writing of the reason for the denial.~~ This bill would also require that county welfare departments make information about CalFresh expedited services targeted to the homeless population available to local educational agency liaisons, as defined, and include information regarding CalFresh eligibility for unaccompanied homeless children and youths in the training provided to homeless shelter operators.

By expanding the number of people a county welfare department must make information available to, and requiring county welfare departments to augment the training they provide to homeless shelter operators *and provide notice, as specified, to an unaccompanied child or youth*, this 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 18901 of the Welfare and Institutions
- 2 Code is amended to read:
- 3 18901. (a) The eligibility of households shall be determined
- 4 to the extent permitted by federal law.
- 5 (b) In determining eligibility for CalFresh, no minimum age
- 6 requirement shall be imposed other than those that exist under
- 7 federal law.
- 8 SEC. 2. Section 18904.25 of the Welfare and Institutions Code
- 9 is amended to read:

1 18904.25. (a) Pursuant to the federal Stewart B. McKinney
2 Homeless Assistance Act (Public Law 100-77), the department
3 shall develop CalFresh information on expedited services targeted
4 to the homeless population, including unaccompanied homeless
5 children and youths, as those terms are defined Section ~~1434a~~
6 *11434a* of Title 42 of the United States Code. This information
7 shall be made available to homeless shelters, emergency food
8 programs, local educational agency liaisons for homeless children
9 and youths, designated pursuant to Section 11432(g)(1)(J)(ii) of
10 Title 42 of the United States Code, and other community agencies
11 who provide services to homeless people.

12 (b) Each county welfare department shall annually offer training
13 on CalFresh application procedures to homeless shelter operators.
14 That training shall include eligibility criteria and specific
15 information regarding the eligibility of unaccompanied homeless
16 children and youths. In addition, each county welfare department,
17 upon request, shall provide homeless shelters with a supply of that
18 portion of the CalFresh application used to request CalFresh
19 expedited service.

20 ~~(e) Each county welfare department shall accept CalFresh~~
21 ~~applications from unaccompanied homeless children and youths~~
22 ~~under 18 years of age and shall determine eligibility for benefits~~
23 ~~under CalFresh, including whether those children and youth~~
24 ~~constitute their own household or a part of the household in which~~
25 ~~they are temporarily staying, on an individualized basis.~~

26 *(c) Upon receipt of a signed CalFresh application from an*
27 *unaccompanied child or youth under 18 years of age, the county*
28 *welfare department shall, without unnecessary delay, determine*
29 *eligibility for CalFresh benefits, including making a determination*
30 *of whether the child or youth is eligible to apply as a household*
31 *of one or if he or she must apply with members of a household*
32 *with whom he or she is regularly purchasing and preparing foods,*
33 *and screen the application for entitlement to expedited service*
34 *pursuant to Section 18914. If the application of the child or youth*
35 *for CalFresh benefits is denied, the county welfare department*
36 *shall provide the child or youth a written notice explaining the*
37 *reason for the denial.*

38 ~~SEC. 3. Section 18914 of the Welfare and Institutions Code,~~
39 ~~as amended by Section 1 of Chapter 468 of the Statutes of 2012,~~
40 ~~is amended to read:~~

1 18914. ~~(a) In accordance with, and to the extent provided by,~~
 2 ~~federal law, the county human services agency shall provide~~
 3 ~~CalFresh benefits on an expedited basis as provided in subdivision~~
 4 ~~(b) to households, including households consisting of an~~
 5 ~~unaccompanied homeless child or youth, determined to be in~~
 6 ~~immediate need of food assistance.~~

7 ~~(b) Pursuant to the federal requirements of Section 273.2(i)(2)~~
 8 ~~of Title 7 of the Code of Federal Regulations, the county human~~
 9 ~~services agency shall screen all CalFresh applications for~~
 10 ~~entitlement to expedited service. Applicants who meet the federal~~
 11 ~~criteria for expedited service as defined in Section 273.2(i)(1) of~~
 12 ~~Title 7 of the Code of Federal Regulations shall receive either a~~
 13 ~~manual authorization to participate or automated card or the~~
 14 ~~immediate issuance of CalFresh benefits no later than the third~~
 15 ~~day following the date the application was filed. To the maximum~~
 16 ~~extent permitted by federal law, the amount of income to be~~
 17 ~~received from any source shall be deemed to be uncertain and~~
 18 ~~exempt from consideration in the determination of entitlement for~~
 19 ~~expedited service. For purposes of this subdivision, a weekend~~
 20 ~~shall be considered one calendar day.~~

21 ~~(c) The State Department of Social Services shall develop and~~
 22 ~~implement for expedited issuance a uniform procedure for verifying~~
 23 ~~information required of an applicant.~~

24 ~~SEC. 4.~~

25 *SEC. 3.* Section 18914 of the Welfare and Institutions Code,
 26 as amended by Section 89 of Chapter 227 of the Statutes of 2011,
 27 is repealed.

28 ~~SEC. 5.~~

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