

AMENDED IN SENATE AUGUST 4, 2014

AMENDED IN SENATE JUNE 24, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1654**

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**Introduced by Assembly Member Bonilla**

February 11, 2014

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An act to amend, *repeal, and add* Section 17504 of the Family Code, and to amend, *repeal, and add* Section 11475.3 of the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1654, as amended, Bonilla. CalWORKs: assignment of child support.

Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states. Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program for the allocation of federal funds received through the TANF program, under which each county provides cash assistance and other benefits to qualified low-income families. Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program.

Under existing law, a recipient of CalWORKs aid is required to assign to the county any rights to support from any other person that the recipient may have, on his or her behalf, or on behalf of any other family member for whom the recipient is receiving aid, not exceeding the total amount of CalWORKs cash assistance provided to the family. Existing law also requires the first \$50 of any amount of child support collected

in a month in payment of the required support obligation for that month to be paid to a recipient of CalWORKs aid, and prohibits this amount from being considered income or resources of the recipient family or being deducted from the amount of aid to which the family would otherwise be eligible.

This bill would increase that amount, *on and after January 1, 2016*, to \$100 for a family with one child and \$200 for a family with 2 or more children. Because each county is required to pay for a share of CalWORKs aid grant costs, the bill would impose a state-mandated local program. The bill would also provide that no appropriation would be made for purposes of the bill pursuant to the provision that continuously appropriates funds for the CalWORKs 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. It is the intent of the Legislature to increase  
2 payments of child support obligations, improve the health and  
3 well-being of low-income children in single-parent homes, and to  
4 strengthen family unity by authorizing the maximum amount of  
5 child support permitted under federal law to be passed through to  
6 children who receive CalWORKs basic needs assistance.  
7 ~~SEC. 2.—Section 17504 of the Family Code is amended to read:~~  
8 ~~17504. The first one hundred dollars (\$100) of any amount of~~  
9 ~~child support collected in a month for a family with one child, or~~  
10 ~~two hundred dollars (\$200) for a family with two or more children,~~  
11 ~~in payment of the required support obligation for that month shall~~  
12 ~~be paid to a recipient of aid under Article 2 (commencing with~~  
13 ~~Section 11250) of Chapter 2 of Part 3 of Division 9 of the Welfare~~  
14 ~~and Institutions Code. Child support shall not be considered income~~  
15 ~~or resources of the recipient family or be deducted from the amount~~  
16 ~~of aid to which the family would otherwise be eligible. The local~~

1 child support agency in each county shall ensure that payments  
2 are made to recipients as required by this section. This section  
3 does not apply to recipients of foster care payments under Article  
4 5 (commencing with Section 11400) of Chapter 2 of Part 3 of  
5 Division 9 of the Welfare and Institutions Code.

6 ~~SEC. 3. Section 11475.3 of the Welfare and Institutions Code~~  
7 ~~is amended to read:~~

8 ~~11475.3. The first one hundred dollars (\$100) of any amount~~  
9 ~~of child support collected in a month for a family with one child,~~  
10 ~~or two hundred dollars (\$200) for a family with two or more~~  
11 ~~children, in payment of the required support obligation for that~~  
12 ~~month shall be paid to a recipient of aid under this chapter. Child~~  
13 ~~support shall not be considered income or resources of the recipient~~  
14 ~~family or be deducted from the amount of aid to which the family~~  
15 ~~would otherwise be eligible. The local child support agency in~~  
16 ~~each county shall ensure that payments are made to recipients as~~  
17 ~~required by this section. This section does not apply to recipients~~  
18 ~~of foster care payments under Article 5 (commencing with Section~~  
19 ~~11400) of Chapter 2 of Part 3 of Division 9 of the Welfare and~~  
20 ~~Institutions Code.~~

21 *SEC. 2. Section 17504 of the Family Code is amended to read:*

22 17504. (a) The first fifty dollars (\$50) of any amount of child  
23 support collected in a month in payment of the required support  
24 obligation for that month shall be paid to a recipient of aid under  
25 Article 2 (commencing with Section 11250) of Chapter 2 of Part  
26 3 of Division 9 of the Welfare and Institutions Code, except  
27 recipients of foster care payments under Article 5 (commencing  
28 with Section 11400) of Chapter 2 of Part 3 of Division 9 of the  
29 Welfare and Institutions Code shall not be considered income or  
30 resources of the recipient family, and shall not be deducted from  
31 the amount of aid to which the family would otherwise be eligible.  
32 The local child support agency in each county shall ensure that  
33 payments are made to recipients as required by this section.

34 (b) *This section shall remain in effect only until January 1, 2016,*  
35 *and as of that date is repealed, unless a later enacted statute, that*  
36 *is enacted before January 1, 2016, deletes or extends that date.*

37 *SEC. 3. Section 17504 is added to the Family Code, to read:*

38 17504. (a) *The first one hundred dollars (\$100) of any amount*  
39 *of child support collected in a month for a family with one child,*  
40 *or two hundred dollars (\$200) for a family with two or more*

1 children, in payment of the required support obligation for that  
2 month shall be paid to a recipient of aid under Article 2  
3 (commencing with Section 11250) of Chapter 2 of Part 3 of  
4 Division 9 of the Welfare and Institutions Code, and shall not be  
5 considered income or resources of the recipient family or be  
6 deducted from the amount of aid to which the family would  
7 otherwise be eligible. The local child support agency in each  
8 county shall ensure that payments are made to recipients as  
9 required by this section. This section does not apply to recipients  
10 of foster care payments under Article 5 (commencing with Section  
11 11400) of Chapter 2 of Part 3 of Division 9 of the Welfare and  
12 Institutions Code.

13 (b) This section shall become operative on January 1, 2016.

14 SEC. 4. Section 11475.3 of the Welfare and Institutions Code  
15 is amended to read:

16 11475.3. (a) The first fifty dollars (\$50) of any amount of  
17 child support collected in a month in payment of the required  
18 support obligation for that month shall be paid to a recipient of aid  
19 under this chapter, except recipients of foster care payments under  
20 Article 5 (commencing with Section 11400) shall not be considered  
21 income or resources of the recipient family, and shall not be  
22 deducted from the amount of aid to which the family would  
23 otherwise be eligible. The local child support agency in each county  
24 shall ensure that payments are made to recipients as required by  
25 this section.

26 (b) This section shall remain in effect only until January 1, 2016,  
27 and as of that date is repealed, unless a later enacted statute, that  
28 is enacted before January 1, 2016, deletes or extends that date.

29 SEC. 5. Section 11475.3 is added to the Welfare and Institutions  
30 Code, to read:

31 11475.3. (a) The first one hundred dollars (\$100) of any  
32 amount of child support collected in a month for a family with one  
33 child, or two hundred dollars (\$200) for a family with two or more  
34 children, in payment of the required support obligation for that  
35 month shall be paid to a recipient of aid under this chapter, and  
36 shall not be considered income or resources of the recipient family  
37 or be deducted from the amount of aid to which the family would  
38 otherwise be eligible. The local child support agency in each  
39 county shall ensure that payments are made to recipients as  
40 required by this section. This section does not apply to recipients

1 *of foster care payments under Article 5 (commencing with Section*  
2 *11400).*

3 *(b) This section shall become operative on January 1, 2016.*

4 ~~SEC. 4.~~

5 *SEC. 6.* No appropriation pursuant to Section 15200 of the  
6 Welfare and Institutions Code shall be made for purposes of  
7 implementing this act.

8 ~~SEC. 5.~~

9 *SEC. 7.* If the Commission on State Mandates determines that  
10 this act contains costs mandated by the state, reimbursement to  
11 local agencies and school districts for those costs shall be made  
12 pursuant to Part 7 (commencing with Section 17500) of Division  
13 4 of Title 2 of the Government Code.