

AMENDED IN ASSEMBLY MAY 13, 2014

AMENDED IN ASSEMBLY MAY 6, 2014

AMENDED IN ASSEMBLY APRIL 21, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1930

Introduced by Assembly Member Skinner

February 19, 2014

An act to add Section 18901.11 to the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1930, as amended, Skinner. CalFresh: student eligibility.

Existing federal law, the Food Stamp Act, provides for the Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh. The act allocates supplemental nutrition assistance benefits to the state to be distributed to eligible individuals by each county. The act generally requires each household member, as a condition of SNAP eligibility, to comply with specified work requirements, including participation in a Food Stamp Employment and Training (E&T) program administered by a state agency, as specified, unless an exemption applies. The act further provides that students who are enrolled in college or other institutions of higher education at least half time are not eligible for SNAP benefits unless they meet one of several exemptions, including working at least 20 hours a week or participating in specified employment training programs, including an E&T program described above.

Existing law establishes the Community College Extended Opportunity Programs and Services (EOPS) to encourage local

community colleges to establish and implement programs directed to identifying those students affected by language, social, and economic handicaps, and to assist those students to achieve their educational objectives and goals, including, but not limited to, obtaining job skills, occupational certificates, or associate degrees, and transferring to 4-year institutions.

This bill would require county human services agencies in determining the eligibility and benefit level of a student subject to the student work requirement described above, to screen for all potential exemptions to that rule using a specified protocol. The bill would require that students who participate in the EOPS program be considered exempt from the student work requirement as specified, unless prohibited by federal law. The bill would also require the State Department of Social Services, in consultation with representatives from other specified organizations, to establish a protocol to screen for all potential exemptions to the rule and to identify and verify participation in the EOPS program, criteria for self-initiated placement, and other educational programs that would exempt a student from the student work requirement. *The bill would require the department to implement these provisions by all-county letters or similar instructions beginning no later than October 1, 2015, until regulations are adopted, and would require the department to adopt regulations on or before October 1, 2017.* By imposing new duties on county welfare departments, this bill would create 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. It is the intent of the Legislature to increase
- 2 college graduation rates of low-income Californians and to reduce
- 3 the incidence of economic hardship and hunger among low-income
- 4 college students.

1 SEC. 2. Section 18901.11 is added to the Welfare and
2 Institutions Code, to read:

3 18901.11. (a) In determining the eligibility and benefit level
4 of a student subject to the student work requirement described in
5 subdivision (a) of Section 273.5 of Subpart C of Part 273 of Title
6 7 of the Code of Federal Regulations, county human services
7 agencies shall screen for all potential exemptions to the requirement
8 using the protocol established in subdivision (c).

9 (b) Students participating in the Community College Extended
10 Opportunity Programs and Services established pursuant to Article
11 8 (commencing with Section 69640) of Chapter 2 of Part 42 of
12 Division 5 of Title 3 of the Education Code shall be considered
13 exempt from the student work requirement pursuant to paragraph
14 (11) of subdivision (b) of Section 273.5 of, and paragraph (1) of
15 subdivision (e) of Section 273.7 of, Subpart C of Part 273 of Title
16 7 of the Code of Federal Regulations, unless prohibited by federal
17 law.

18 (c) The department shall, in consultation with representatives
19 of the office of the Chancellor of the California Community
20 Colleges, offices of the Chancellor of the California State
21 University, University of California Chancellors' offices, the
22 California Workforce Investment Board, county human services
23 agencies, and advocates for students and clients, establish a
24 protocol to screen for all potential exemptions to the requirement
25 described in subdivision (a) of Section 273.5 of Subpart C of Part
26 273 of Title 7 of the Code of Federal Regulations, and to identify
27 and verify participation in the Community College Extended
28 Opportunity Programs and Services, criteria for self-initiated
29 placement, and other educational programs that would exempt a
30 student from the student work requirement. *To the extent possible,*
31 *this consultation shall take place through existing workgroups*
32 *convened by the department.*

33 (d) This section shall not require a county human services
34 agency to offer a particular component, support services, or
35 worker's compensation to a student found eligible for an exemption
36 pursuant to subdivision (a).

37 (e) This section shall not restrict or require the use of federal
38 funds for the financing of CalFresh E&T programs.

39 (f) *Notwithstanding the rulemaking provisions of the*
40 *Administrative Procedure Act (Chapter 3.5 (commencing with*

1 *Section 11340) of Part 1 of Division 3 of Title 2 of the Government*
2 *Code), the department shall implement this section by all-county*
3 *letters or similar instructions beginning no later than October 1,*
4 *2015, until regulations are adopted. The department shall adopt*
5 *regulations implementing this section on or before October 1,*
6 *2017.*

7 SEC. 3. If the Commission on State Mandates determines that
8 this act contains costs mandated by the state, reimbursement to
9 local agencies and school districts for those costs shall be made
10 pursuant to Part 7 (commencing with Section 17500) of Division
11 4 of Title 2 of the Government Code.

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