

Senate Bill No. 134

Passed the Senate August 22, 2013

Secretary of the Senate

Passed the Assembly August 8, 2013

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2013, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 18926.5 of, and to add Section 18926.6 to, the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

SB 134, Hueso. CalFresh eligibility.

Existing federal law provides for the federal Supplemental Nutrition Assistance Program (SNAP), formerly the Food Stamp Program, under which nutrition assistance benefits, formerly referred to as food stamps, are allocated to each state by the federal government. That program, as administered in California, is known as CalFresh. Under existing state law, pursuant to CalFresh, California's federal allocation is distributed to eligible individuals by each county. Existing law establishes eligibility and benefit level requirements for receipt of CalFresh benefits.

Existing law authorizes counties to participate in the CalFresh Employment and Training (CalFresh E&T) program, established by federal law with the purpose of assisting members of CalFresh households to obtain regular employment, and requires participating counties to screen CalFresh work registrants to determine whether they will participate in, or be deferred from, the CalFresh E&T program. Existing law requires deferral for specified groups, including people under 16 years of age or over 60 years of age.

This bill would require participating counties to defer from the CalFresh E&T program a person who is a veteran who has been honorably discharged from the United States Armed Forces. The bill would require, in a county that elects to participate in the program, that a veteran applying for CalFresh benefits who is required to register to work, but who is exempt from mandatory placement in the CalFresh E&T program, be provided with a referral to the local county veterans service office and a referral to local veterans' assistance and job training agencies, if those agencies are known to the county, and given the opportunity to participate as a volunteer in the CalFresh E&T program.

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

SECTION 1. It is the intent of the Legislature in enacting this act to limit barriers to food assistance for low-income veterans and their families and to increase referrals to veteran-oriented job training programs. It is further the intent of the Legislature to work with the federal government to remove barriers to food assistance for military families.

SEC. 2. Section 18926.5 of the Welfare and Institutions Code is amended to read:

18926.5. (a) For the purposes of this chapter, “CalFresh Employment and Training program” or “CalFresh E&T” means the program established under Section 6(d)(4)(B) of the federal Food and Nutrition Act of 2008 (7 U.S.C. Sec. 2015), Section 273.7 of Title 7 of the Code of Federal Regulations, and associated administrative notices published by the United States Department of Agriculture with the purpose of assisting members of CalFresh households in gaining skills, training, work, or experience that will increase their ability to obtain regular employment.

(b) (1) A county that elects to participate in the CalFresh Employment and Training (CalFresh E&T) program, as authorized by the federal Food and Nutrition Act of 2008 (7 U.S.C. Sec. 2015), shall screen CalFresh work registrants to determine whether they will participate in, or be deferred from, the CalFresh E&T program. If deferred, a CalFresh work registrant may request to enroll in the CalFresh E&T program as a voluntary participant. An individual shall be deferred from a mandatory placement in the CalFresh E&T program if he or she satisfies any of the criteria in Sections 273.7 and 273.24 of Title 7 of the Code of Federal Regulations, if he or she resides in a federally determined work surplus area, or if he or she is a veteran who has been honorably discharged from the United States Armed Forces.

(2) For purposes of this section, “deferred” has the same meaning as exempt.

(c) (1) A county that elects to participate in the CalFresh E&T program shall be required to demonstrate in its CalFresh E&T plan how it is effectively using CalFresh E&T funds for each of the components that the county offers, including, but not limited to, any of the following:

(A) Self-initiated workfare.

(B) Work experience or training.

(C) Education.

(D) Job search.

(E) The support services or client reimbursements needed to participate in subparagraphs (A) to (D), inclusive, as allowed by federal law and guidance.

(2) Nothing in this section shall be construed to require a county to offer a particular component as a part of its CalFresh E&T plan.

(d) Nothing in this section shall limit a county's ability to condition the receipt of nonmedical benefits under Section 17000 on an individual's participation in an employment and training or workfare program of the county's choice, even if that program is financed in whole or in part with CalFresh E&T funds or match funds.

(e) Nothing in this section shall restrict the use of federal funds for the financing of CalFresh E&T programs.

(f) Nothing in this section shall be construed to require a county to provide for workers' compensation coverage for a CalFresh E&T participant. Notwithstanding Division 4 (commencing with Section 3200) of the Labor Code, a CalFresh E&T participant shall not be an employee for the purposes of workers' compensation coverage and a county shall have no duty to provide workers' compensation coverage for a CalFresh E&T participant.

(g) 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), the department may implement this section by all-county letters or similar instructions. Thereafter, the department shall adopt regulations to implement this section by October 1, 2013.

SEC. 3. Section 18926.6 is added to the Welfare and Institutions Code, to read:

18926.6. In a county that elects to participate in the CalFresh E&T program, a veteran applying for CalFresh benefits who is required to register to work, but who is exempt from mandatory placement in the CalFresh E&T program pursuant to Section 18926.5, shall be given the opportunity to participate as a volunteer in the CalFresh E&T program, and shall be provided with a referral to the local county veterans service office and a referral to veterans' assistance and job training agencies, if those veterans' assistance and job training agencies are known to the county.

Approved _____, 2013

Governor