

Introduced by Senator LenoFebruary 22, 2013

An act to add Section 18901.1 to the Welfare and Institutions Code, relating to CalFresh.

LEGISLATIVE COUNSEL'S DIGEST

SB 672, as introduced, Leno. CalFresh: eligibility: guidelines.

Existing federal law provides for the federal Supplemental Nutrition Assistance Program (SNAP), under which nutrition assistance benefits are allocated to each state by the federal government. Under existing state law, the CalFresh program, California's federal allocation is distributed to eligible individuals by each county. Existing law requires that the eligibility of households be determined to the extent permitted by federal law, and requires the State Department of Social Services to establish a program of categorical eligibility for CalFresh in accordance with federal law. Existing law requires each county welfare department to carry out the local administrative responsibilities of this program, subject to the supervision of the department and to rules and regulations adopted by the department.

This bill would require the department to issue guidance to simplify the verification of earned income and dependent care for purposes of verifying deductions necessary to determine eligibility for or the benefit level of CalFresh, to the extent permitted by federal law. The bill would require that the guidance include certain requirements, including that a county that uses an electronic database for earned income verification is required to inform applicants and recipients of their right to request a copy of their electronic employment and wage data maintained in the database and to correct errors in the database, as specified. By requiring the department to issue guidance that would impose new duties on

counties that administer CalFresh, 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. It is the intent of the Legislature to support an
2 increase in CalFresh benefits for low-income working families by
3 using state options, including the option provided in Section 273.2
4 of Title 7 of the Code of Federal Regulations, to increase eligibility
5 for families with earnings and income of up to 200 percent of the
6 federal poverty line and to simplify verification of dependent care
7 and wages.

8 SEC. 2. Section 18901.1 is added to the Welfare and
9 Institutions Code, to read:

10 18901.1. The department shall issue guidance to simplify the
11 verification of earned income and dependent care for purposes of
12 verifying deductions necessary to determine eligibility for, or the
13 benefit level of, CalFresh, to the extent permitted by federal law.
14 The guidance shall require all of the following:

15 (a) Dependent care expenses shall be considered verified upon
16 receipt of a statement of monthly expenses that includes the federal
17 taxpayer identification number of the dependent care provider or
18 other form of verification allowed by federal law.

19 (b) Cash payment of wages shall be considered verified upon
20 receipt of a statement by the employee.

21 (c) If a county uses an electronic database for earned income
22 verification to determine eligibility, the county shall do both of
23 the following:

24 (1) Use the electronic data to verify income instead of requiring
25 paper verification at the time of application or reapplication for
26 benefits.

1 (2) Inform applicants and recipients of their right to request a
2 copy of their electronic employment and wage data maintained in
3 the database and to correct errors in the database. This notice shall
4 be provided when the information in the database is used to
5 determine eligibility or benefit level or to verify income at any
6 time.

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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