

AMENDED IN SENATE JUNE 20, 2016

AMENDED IN ASSEMBLY JANUARY 25, 2016

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 492

Introduced by Assembly Members Gonzalez and Gomez

(Principal coauthor: Senator Anderson)

(Coauthor: Assembly Member Gipson)

February 23, 2015

An act to amend Section 11323.2 of, and to add Section 11323.22 to, the Welfare and Institutions Code, relating to CalWORKs.

LEGISLATIVE COUNSEL'S DIGEST

AB 492, as amended, Gonzalez. CalWORKs: welfare-to-work: supportive services.

Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program, under which each county provides cash assistance and other benefits to qualified low-income families and individuals. Existing law generally requires a recipient of CalWORKs benefits to participate in welfare-to-work activities as a condition of eligibility for aid. Existing law requires that necessary supportive services be available to participants in welfare-to-work activities, including child care.

This bill would provide that necessary supportive services also include a ~~diaper-needs~~ *diaper* benefit in the amount of \$50 per month for diapers for every child 2 years of age or younger enrolled in child care pursuant to the above-mentioned provisions. The bill would require that the ~~diaper-needs~~ *diaper* benefit be issued to participants through the

electronic benefits transfer system, and would direct the department to make the benefit available at the earliest time possible. The bill would specify that the ~~diaper-needs~~ *diaper* benefit is not income for purposes of determining CalWORKs eligibility or ~~benefits~~ *benefits*, and that it may be used by a participant only to purchase diapers. By increasing the duties of counties administering these services, the 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 11323.2 of the Welfare and Institutions
- 2 Code is amended to read:
- 3 11323.2. (a) Necessary supportive services shall be available
- 4 to every participant in order to participate in the program activity
- 5 to which he or she is assigned or to accept employment or the
- 6 participant shall have good cause for not participating under
- 7 subdivision (f) of Section 11320.3. As provided in the
- 8 welfare-to-work plan entered into between the county and
- 9 participant pursuant to this article, supportive services shall include
- 10 all of the following:
- 11 (1) Child care.
- 12 (A) Paid child care shall be available to every participant with
- 13 a dependent child in the assistance unit who needs paid child care
- 14 if the child is 10 years of age or under, or requires child care or
- 15 supervision due to a physical, mental, or developmental disability
- 16 or other similar condition as verified by the county welfare
- 17 department, or who is under court supervision.
- 18 (B) To the extent funds are available, paid child care shall be
- 19 available to a participant with a dependent child in the assistance
- 20 unit who needs paid child care if the child is 11 or 12 years of age.

1 (C) Necessary child care services shall be available to every
2 former recipient for up to two years, pursuant to Article 15.5
3 (commencing with Section 8350) of Chapter 2 of Part 6 of Division
4 1 of Title 1 of the Education Code.

5 (D) A child in foster care receiving benefits under Title IV-E
6 of the federal Social Security Act (42 U.S.C. Sec. 670 et seq.) or
7 a child who would become a dependent child except for the receipt
8 of federal Supplemental Security Income benefits pursuant to Title
9 XVI of the federal Social Security Act (42 U.S.C. Sec. 1381 et
10 seq.) shall be deemed to be a dependent child for the purposes of
11 this paragraph.

12 (E) The provision of care and payment rates under this paragraph
13 shall be governed by Article 15.5 (commencing with Section 8350)
14 of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education
15 Code. Parent fees shall be governed by subdivisions (g) and (h)
16 of Section 8263 of the Education Code.

17 (2) A ~~diaper-needs~~ *diaper* benefit in the amount of fifty dollars
18 (\$50) per month for diapers for every child two years of age or
19 younger enrolled in child care pursuant to paragraph (1). *The diaper*
20 *benefit may be used by the participant only to purchase diapers.*

21 (A) The ~~diaper-needs~~ *diaper* benefit shall be issued to
22 participants through the electronic benefits transfer system
23 established pursuant to Article 3 (commencing with Section 10072)
24 of Chapter 3 of Part 1.

25 (B) The ~~diaper-needs~~ *diaper* benefit shall not be considered
26 income for purposes of determining eligibility or benefits under
27 this chapter.

28 (3) Transportation costs, which shall be governed by regional
29 market rates as determined in accordance with regulations
30 established by the department.

31 (4) Ancillary expenses, which shall include the cost of books,
32 tools, clothing specifically required for the job, fees, and other
33 necessary costs.

34 (5) Personal counseling. A participant who has personal or
35 family problems that would affect the outcome of the
36 welfare-to-work plan entered into pursuant to this article shall, to
37 the extent available, receive necessary counseling or therapy to
38 help him or her and his or her family adjust to his or her job or
39 training assignment.

1 (b) If provided in a county plan, the county may continue to
 2 provide case management and supportive services under this
 3 section to former participants who become employed. The county
 4 may provide these services for up to the first 12 months of
 5 employment to the extent they are not available from other sources
 6 and are needed for the individual to retain the employment.

7 SEC. 2. Section 11323.22 is added to the Welfare and
 8 Institutions Code, to read:

9 11323.22. In order for the ~~diaper-needs~~ *diaper* benefit provided
 10 by paragraph (2) of subdivision (a) of Section 11323.2 to be
 11 available to support low-income working parents and their children
 12 as soon as possible, the department shall facilitate the orderly
 13 administration of state government to make the ~~diaper-needs~~ *diaper*
 14 benefit available at the earliest possible time. The benefit may be
 15 implemented through a contract or subcontract, including
 16 extensions of that contract or subcontract, that results from a
 17 request for proposal or bid that occurred prior to the effective date
 18 of the act that adds this section, but not if implementation would
 19 violate the specific terms of the contract or the Agreement on
 20 Government Procurement of the World Trade Organization.

21 SEC. 3. If the Commission on State Mandates determines that
 22 this act contains costs mandated by the state, reimbursement to
 23 local agencies and school districts for those costs shall be made
 24 pursuant to Part 7 (commencing with Section 17500) of Division
 25 4 of Title 2 of the Government Code.