

AMENDED IN SENATE JUNE 15, 2016

AMENDED IN ASSEMBLY APRIL 6, 2016

AMENDED IN ASSEMBLY MARCH 28, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1809

Introduced by Assembly Member Lopez
(Coauthors: Assembly Members ~~Gipson~~ *Cristina Garcia, Gipson,*
and Mullin)
(Coauthors: Senators Hertzberg and Mitchell)

February 8, 2016

An act to amend Section 95504 of the Government Code, and to amend Sections 11151, 11322.5, 11375, 11450, 11450.5, 14140, and 18923 of, and to repeal Sections 11155, 11155.1, 11155.2, 11155.6, 11157.5, 11257, 11257.5, and 11260 of, the Welfare and Institutions Code, relating to CalWORKs.

LEGISLATIVE COUNSEL'S DIGEST

AB 1809, as amended, Lopez. CalWORKs eligibility: asset limits.

Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states, with California's version of this program being known as the California Work Opportunity and Responsibility to Kids (CalWORKs) program. Under the CalWORKs program, each county provides cash assistance and other benefits to qualified low-income families and individuals who meet specified eligibility criteria, including limitations on income and assets generally applicable to public assistance programs. Existing law continuously appropriates

money from the General Fund to pay for a share of aid grant costs under the CalWORKs program.

This bill would repeal those limitations on assets with regard to eligibility for CalWORKs, thereby eliminating the consideration of an individual’s or family’s assets as a condition of eligibility for CalWORKs. The bill would also make conforming changes. By increasing the duties of counties administering the CalWORKs program, the bill would impose a state-mandated local program. The bill would declare that no appropriation would be made for purposes of the bill pursuant to the provision continuously appropriating 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. The Legislature finds and declares all of the
- 2 following:
- 3 (a) In 1996, the United States Congress passed the Personal
- 4 Responsibility and Work Opportunity Reconciliation Act
- 5 (PRWORA), known as welfare reform, which created the
- 6 Temporary Assistance to Needy Families (TANF) program. TANF
- 7 gives states power to design their own programs, including
- 8 establishing asset limits. The California Work Opportunity and
- 9 Responsibility to Kids (CalWORKs) program is California’s
- 10 program that implements federal welfare reform provisions.
- 11 (b) In California, to qualify for public assistance under
- 12 CalWORKs, impoverished families must demonstrate that they
- 13 are both income- and ~~asset-poor~~. *asset-poor*. Under current law,
- 14 a low-income family will not qualify for assistance if the family
- 15 has savings or other assets, excluding a home and a vehicle of a
- 16 specific value, exceeding the asset limit of \$2,000. The asset test
- 17 has been removed for both CalFresh and Medi-Cal.

1 (c) Research published in 2015 shows that very few families
2 (0.1 percent) applying for or receiving CalWORKs assistance are
3 found to exceed the vehicle and cash asset test.

4 (d) Other states, realizing that very few families had assets over
5 the limit, have removed the limit with the goal of streamlining the
6 eligibility process and cutting down on administrative costs. In
7 Virginia, this decision has saved the state an estimated \$400,000
8 annually, and to date, the State of Virginia has reported no negative
9 impacts. A study published in 2015 has estimated that if California
10 were to repeal the CalWORKs asset limit, there would be minimal
11 to no increase in caseloads and an annual \$6.4 million in
12 administrative savings allowing county case workers to spend less
13 time reviewing the value of vehicles and savings and more time
14 helping people get the resources they need to get back to work.

15 (e) Asset limits were intended to ensure that public assistance
16 programs provide benefits only to those with too few resources to
17 support themselves. But years of research and practitioner
18 experience has proven that personal savings and assets are precisely
19 the kinds of resources that allow people to move off public benefits
20 programs. Without being able to maintain or build up a small
21 savings cushion, these families are highly vulnerable to falling
22 into debt in the event of an emergency or other unexpected expense.

23 (f) It is the intent of the Legislature to repeal the asset test for
24 the CalWORKs program, thereby aligning program rules with
25 Medi-Cal and CalFresh, making the program more efficient, and
26 increasing the capacity of poor families to exit poverty.

27 SEC. 2. Section 95504 of the Government Code is amended
28 to read:

29 95504. (a) The nonprofit facilitator shall subcontract with
30 service providers to implement the project around the state. The
31 nonprofit facilitator shall make an attempt to select service
32 providers for programs of different size, geographical distribution,
33 and target population to be served. Additionally, the nonprofit
34 facilitator may consider giving special consideration to service
35 providers that demonstrate partnerships with local public agencies.

36 (b) The service providers shall perform all of the following
37 duties in implementing the project:

38 (1) Recruit and select participants who meet the following
39 criteria:

40 (A) The individual is at least 18 years of age.

- 1 (B) The individual is a member of a household with an income
- 2 of not more than 80 percent of the area median income based on
- 3 United States Department of Housing and Urban Development
- 4 guidelines at the time of program enrollment.
- 5 (C) The individual is not a dependent of another person for
- 6 federal income tax purposes.
- 7 (D) The individual is not a debtor for a judgment resulting from
- 8 nonpayment of a court-ordered child support obligation.
- 9 (E) The individual meets eligibility criteria as defined by the
- 10 funding source for the program created under this title.
- 11 (2) Develop and sign contracts with each participant, to include
- 12 all program requirements and policies governing the participant's
- 13 account.
- 14 (3) Assist participants in opening individual development
- 15 accounts. The accounts shall be established using an account
- 16 structure parallel to a restricted account as described in former
- 17 Section 11155.2 of the Welfare and Institutions Code that meets
- 18 both of the following requirements:
- 19 (A) One separate account shall be established for each
- 20 participant in a federally or state insured financial institution,
- 21 community development financial institution, any financial
- 22 institution eligible to hold an individual retirement account, or
- 23 community development credit union, in which each participant's
- 24 savings are deposited and maintained. The program participant
- 25 may withdraw his or her own savings at any time.
- 26 (B) Another separate, parallel account shall be established and
- 27 maintained by service providers in which the matching funds from
- 28 state, federal, and private donations are kept. The parallel account
- 29 may contain all matching funds for a pool of any service provider's
- 30 participants.
- 31 (4) Help individuals receive their matching funds at the
- 32 conclusion of the program.
- 33 (5) Provide participants with a minimum of 12 hours of financial
- 34 education and training. The education and training shall include,
- 35 but need not be limited to, all of the following:
- 36 (A) Household and personal budget management.
- 37 (B) Economic literacy.
- 38 (C) Credit repair.

1 (6) Develop a program dismissal process for participants who
2 do not fulfill program participation requirements, and seek to
3 ensure that matching funds are used for their intended purposes.

4 (7) Collect and maintain information about their programs, in
5 a manner that provides the capacity to report semiannually all of
6 the following information to the department:

7 (A) The number and demographic characteristics of participants
8 enrolled in the program.

9 (B) The number of accounts established.

10 (C) The individual and aggregate savings level of participants.

11 (D) The number of participants who closed accounts and the
12 amount of associated savings.

13 (E) The actual and proposed program budget.

14 (F) The size and origin of matching pool funds received,
15 obligated, and paid to participants.

16 (G) The program achievements and obstacles.

17 (H) Twelve-month program and financial projections.

18 (I) At least one participant profile.

19 SEC. 3. Section 11151 of the Welfare and Institutions Code is
20 amended to read:

21 11151. An applicant or recipient shall be ineligible to receive
22 public assistance unless the property he or she owns is held for the
23 following purposes:

24 (a) The property is used to provide the applicant or recipient
25 with a home and conforms to the provisions of Section 11152.

26 (b) The property is producing income for the support of the
27 applicant or recipient and conforms to the provisions of Section
28 11153.7.

29 (c) The property is held as a reserve to meet a contingent need,
30 not included within the standard of assistance for which an aid
31 payment is made, and conforms to the provisions of Section 11154.

32 (d) The property is personal in nature, or meets a special need
33 of the applicant or recipient, or is part of a self-care or rehabilitation
34 plan, or is not available for expenditure or disposition by the
35 applicant or recipient.

36 SEC. 4. Section 11155 of the Welfare and Institutions Code is
37 repealed.

38 SEC. 5. Section 11155.1 of the Welfare and Institutions Code
39 is repealed.

1 SEC. 6. Section 11155.2 of the Welfare and Institutions Code
2 is repealed.

3 SEC. 7. Section 11155.6 of the Welfare and Institutions Code
4 is repealed.

5 SEC. 8. Section 11157.5 of the Welfare and Institutions Code
6 is repealed.

7 SEC. 9. Section 11257 of the Welfare and Institutions Code is
8 repealed.

9 SEC. 10. Section 11257.5 of the Welfare and Institutions Code
10 is repealed.

11 SEC. 11. Section 11260 of the Welfare and Institutions Code
12 is repealed.

13 SEC. 12. Section 11322.5 of the Welfare and Institutions Code
14 is amended to read:

15 11322.5. (a) It is the intent of the Legislature to do each of the
16 following:

17 (1) Maximize the ability of CalWORKs recipients to benefit
18 from the federal Earned Income Tax Credit (EITC), including
19 retroactive EITC credits and the Advance EITC, take advantage
20 of the earned-income disregard to increase their CalFresh Program
21 benefits, and accumulate credit toward future social security
22 income.

23 (2) Educate and empower all CalWORKs participants who
24 receive the federal EITC to save or invest part or all of their credits
25 in instruments such as individual development accounts, 401(k)
26 plans, 403(b) plans, IRAs, 457 plans, Coverdell ESA plans, or 529
27 plans, and to take advantage of the federal Assets for Independence
28 program and other matching funds, tools, and training available
29 from public or private sources, in order to build their assets.

30 (b) It is the intent of the Legislature that counties encourage
31 CalWORKs recipients to participate in activities that will maximize
32 their receipt of the EITC. To this end, counties may do all of the
33 following:

34 (1) Structure welfare-to-work activities pursuant to subdivisions
35 (a) to (j), inclusive, of Section 11322.6 to give recipients the option
36 of maximizing the portion of their CalWORKs benefits that meets
37 the definition of “earned income” in Section 32(c)(2) of the Internal
38 Revenue Code.

39 (2) Inform CalWORKs recipients of each of the following:

1 (A) That earned income, either previous or future, may make
2 them eligible for the federal EITC, including retroactive EITC
3 credits and the Advance EITC, increase their CalFresh Program
4 benefits, and accumulate credit toward future social security
5 income.

6 (B) That recipients, as part of their welfare-to-work plans, have
7 the option of engaging in subsidized employment and grant-based
8 on-the-job training, as specified in Section 11322.6, and that
9 participating in these activities will increase their earned income
10 to the extent that they meet the requirements of federal law.

11 (C) That receipt of the federal EITC does not affect their
12 CalWORKs grant and is additional tax-free income for them.

13 (D) That a CalWORKs recipient who receives the federal EITC
14 may invest these funds in an individual development account,
15 401(k) plan, 403(b) plan, IRA, 457 plan, 529 college savings plan,
16 or Coverdell ESA, and that investments in these accounts will not
17 make the recipient ineligible for CalWORKs benefits or reduce
18 the recipient's CalWORKs benefits.

19 (3) At each regular eligibility redetermination, the county shall
20 ask a recipient whether the recipient is eligible for and takes
21 advantage of the EITC. If the recipient may be eligible and does
22 not participate, the county shall give the recipient the federal EITC
23 form and encourage and assist the recipient to take advantage of
24 it.

25 SEC. 13. Section 11375 of the Welfare and Institutions Code
26 is amended to read:

27 11375. The following shall apply to any child or nonminor in
28 receipt of state-funded Kin-GAP benefits:

29 (a) He or she is eligible to request and receive independent living
30 services pursuant to Section 10609.3.

31 (b) He or she may retain cash savings, not to exceed ten
32 thousand dollars (\$10,000), including interest, in addition to any
33 other property accumulated pursuant to former Section 11257 or
34 Section 11257.5.

35 (c) He or she shall have earned income disregarded pursuant to
36 Section 11008.15.

37 SEC. 14. Section 11450 of the Welfare and Institutions Code,
38 as added by Section 4 of Chapter 632 of the Statutes of 2014, is
39 amended to read:

1 11450. (a) (1) (A) Aid shall be paid for each needy family,
 2 which shall include all eligible brothers and sisters of each eligible
 3 applicant or recipient child and the parents of the children, but
 4 shall not include unborn children, or recipients of aid under Chapter
 5 3 (commencing with Section 12000), qualified for aid under this
 6 chapter. In determining the amount of aid paid, and notwithstanding
 7 the minimum basic standards of adequate care specified in Section
 8 11452, the family’s income, exclusive of any amounts considered
 9 exempt as income or paid pursuant to subdivision (e) or Section
 10 11453.1, determined for the prospective semiannual period
 11 pursuant to Sections 11265.1, 11265.2, and 11265.3, and then
 12 calculated pursuant to Section 11451.5, shall be deducted from
 13 the sum specified in the following table, as adjusted for
 14 cost-of-living increases pursuant to Section 11453 and paragraph
 15 (2). In no case shall the amount of aid paid for each month exceed
 16 the sum specified in the following table, as adjusted for
 17 cost-of-living increases pursuant to Section 11453 and paragraph
 18 (2), plus any special needs, as specified in subdivisions (c), (e),
 19 and (f):

Number of eligible needy persons in the same home	Maximum aid
1.....	\$ 326
2.....	535
3.....	663
4.....	788
5.....	899
6.....	1,010
7.....	1,109
8.....	1,209
9.....	1,306
10 or more.....	1,403

35
 36 (B) If, when, and during those times that the United States
 37 government increases or decreases its contributions in assistance
 38 of needy children in this state above or below the amount paid on
 39 July 1, 1972, the amounts specified in the above table shall be
 40 increased or decreased by an amount equal to that increase or

1 decrease by the United States government, provided that no
2 increase or decrease shall be subject to subsequent adjustment
3 pursuant to Section 11453.

4 (2) The sums specified in paragraph (1) shall not be adjusted
5 for cost of living for the 1990–91, 1991–92, 1992–93, 1993–94,
6 1994–95, 1995–96, 1996–97, and 1997–98 fiscal years, and through
7 October 31, 1998, nor shall that amount be included in the base
8 for calculating any cost-of-living increases for any fiscal year
9 thereafter. Elimination of the cost-of-living adjustment pursuant
10 to this paragraph shall satisfy the requirements of former Section
11 11453.05, and no further reduction shall be made pursuant to that
12 section.

13 (b) (1) When the family does not include a needy child qualified
14 for aid under this chapter, aid shall be paid to a pregnant child who
15 is 18 years of age or younger at any time after verification of
16 pregnancy, in the amount that would otherwise be paid to one
17 person, as specified in subdivision (a), if the child and her child,
18 if born, would have qualified for aid under this chapter. Verification
19 of pregnancy shall be required as a condition of eligibility for aid
20 under this subdivision.

21 (2) Notwithstanding paragraph (1), when the family does not
22 include a needy child qualified for aid under this chapter, aid shall
23 be paid to a pregnant woman for the month in which the birth is
24 anticipated and for the six-month period immediately prior to the
25 month in which the birth is anticipated, in the amount that would
26 otherwise be paid to one person, as specified in subdivision (a), if
27 the woman and child, if born, would have qualified for aid under
28 this chapter. Verification of pregnancy shall be required as a
29 condition of eligibility for aid under this subdivision.

30 (3) Paragraph (1) shall apply only when the Cal-Learn Program
31 is operative.

32 (c) The amount of forty-seven dollars (\$47) per month shall be
33 paid to pregnant women qualified for aid under subdivision (a) or
34 (b) to meet special needs resulting from pregnancy if the woman
35 and child, if born, would have qualified for aid under this chapter.
36 County welfare departments shall refer all recipients of aid under
37 this subdivision to a local provider of the Women, Infants, and
38 Children program. If that payment to pregnant women qualified
39 for aid under subdivision (a) is considered income under federal
40 law in the first five months of pregnancy, payments under this

1 subdivision shall not apply to persons eligible under subdivision
 2 (a), except for the month in which birth is anticipated and for the
 3 three-month period immediately prior to the month in which
 4 delivery is anticipated, if the woman and child, if born, would have
 5 qualified for aid under this chapter.

6 (d) For children receiving AFDC-FC under this chapter, there
 7 shall be paid, exclusive of any amount considered exempt as
 8 income, an amount of aid each month that, when added to the
 9 child’s income, is equal to the rate specified in Section 11460,
 10 11461, 11462, 11462.1, or 11463. In addition, the child shall be
 11 eligible for special needs, as specified in departmental regulations.

12 (e) In addition to the amounts payable under subdivision (a)
 13 and Section 11453.1, a family shall be entitled to receive an
 14 allowance for recurring special needs not common to a majority
 15 of recipients. These recurring special needs shall include, but not
 16 be limited to, special diets upon the recommendation of a physician
 17 for circumstances other than pregnancy, and unusual costs of
 18 transportation, laundry, housekeeping services, telephone, and
 19 utilities. The recurring special needs allowance for each family
 20 per month shall not exceed that amount resulting from multiplying
 21 the sum of ten dollars (\$10) by the number of recipients in the
 22 family who are eligible for assistance.

23 (f) After a family has used all available liquid resources, both
 24 exempt and nonexempt, in excess of one hundred dollars (\$100),
 25 the family shall also be entitled to receive an allowance for
 26 nonrecurring special needs.

27 (1) An allowance for nonrecurring special needs shall be granted
 28 for replacement of clothing and household equipment and for
 29 emergency housing needs other than those needs addressed by
 30 paragraph (2). These needs shall be caused by sudden and unusual
 31 circumstances beyond the control of the needy family. The
 32 department shall establish the allowance for each of the
 33 nonrecurring special needs items. The sum of all nonrecurring
 34 special needs provided by this subdivision shall not exceed six
 35 hundred dollars (\$600) per event.

36 (2) (A) Homeless assistance is available to a homeless family
 37 seeking shelter when the family is eligible for aid under this
 38 chapter. Homeless assistance for temporary shelter is also available
 39 to homeless families that are apparently eligible for aid under this
 40 chapter. Apparent eligibility exists when evidence presented by

1 the applicant, or that is otherwise available to the county welfare
2 department, and the information provided on the application
3 documents indicate that there would be eligibility for aid under
4 this chapter if the evidence and information were verified.
5 However, an alien applicant who does not provide verification of
6 his or her eligible alien status, or a woman with no eligible children
7 who does not provide medical verification of pregnancy, is not
8 apparently eligible for purposes of this section.

9 (B) A family is considered homeless, for the purpose of this
10 section, when the family lacks a fixed and regular nighttime
11 residence; or the family has a primary nighttime residence that is
12 a supervised publicly or privately operated shelter designed to
13 provide temporary living accommodations; or the family is residing
14 in a public or private place not designed for, or ordinarily used as,
15 a regular sleeping accommodation for human beings. A family is
16 also considered homeless for the purpose of this section if the
17 family has received a notice to pay rent or quit. The family shall
18 demonstrate that the eviction is the result of a verified financial
19 hardship as a result of extraordinary circumstances beyond their
20 control, and not other lease or rental violations, and that the family
21 is experiencing a financial crisis that could result in homelessness
22 if preventative assistance is not provided.

23 (C) (i) A nonrecurring special needs benefit of sixty-five dollars
24 (\$65) a day shall be available to families of up to four members
25 for the costs of temporary shelter, subject to the requirements of
26 this paragraph. The fifth and additional members of the family
27 shall each receive fifteen dollars (\$15) per day, up to a daily
28 maximum of one hundred twenty-five dollars (\$125). County
29 welfare departments may increase the daily amount available for
30 temporary shelter as necessary to secure the additional bedspace
31 needed by the family.

32 (ii) This special needs benefit shall be granted or denied
33 immediately upon the family's application for homeless assistance,
34 and benefits shall be available for up to three working days. The
35 county welfare department shall verify the family's homelessness
36 within the first three working days and if the family meets the
37 criteria of questionable homelessness established by the
38 department, the county welfare department shall refer the family
39 to its early fraud prevention and detection unit, if the county has

1 such a unit, for assistance in the verification of homelessness within
2 this period.

3 (iii) After homelessness has been verified, the three-day limit
4 shall be extended for a period of time, which when added to the
5 initial benefits ~~provided~~, *provided* does not exceed a total of 16
6 calendar days. This extension of benefits shall be done in
7 increments of one week and shall be based upon searching for
8 permanent housing, which shall be documented on a housing search
9 form, good cause, or other circumstances defined by the
10 department. Documentation of a housing search shall be required
11 for the initial extension of benefits beyond the three-day limit and
12 on a weekly basis thereafter as long as the family is receiving
13 temporary shelter benefits. Good cause shall include, but is not
14 limited to, situations in which the county welfare department has
15 determined that the family, to the extent it is capable, has made a
16 good faith but unsuccessful effort to secure permanent housing
17 while receiving temporary shelter benefits.

18 (D) (i) A nonrecurring special needs benefit for permanent
19 housing assistance is available to pay for last month's rent and
20 security deposits when these payments are reasonable conditions
21 of securing a residence, or to pay for up to two months of rent
22 arrearages, when these payments are a reasonable condition of
23 preventing eviction.

24 (ii) The last month's rent or monthly arrearage portion of the
25 payment (I) shall not exceed 80 percent of the family's total
26 monthly household income without the value of CalFresh benefits
27 or special needs benefit for a family of that size and (II) shall only
28 be made to families that have found permanent housing costing
29 no more than 80 percent of the family's total monthly household
30 income without the value of CalFresh benefits or special needs
31 benefit for a family of that size.

32 (iii) However, if the county welfare department determines that
33 a family intends to reside with individuals who will be sharing
34 housing costs, the county welfare department shall, in appropriate
35 circumstances, set aside the condition specified in subclause (II)
36 of clause (ii).

37 (E) The nonrecurring special needs benefit for permanent
38 housing assistance is also available to cover the standard costs of
39 deposits for utilities that are necessary for the health and safety of
40 the family.

1 (F) A payment for or denial of permanent housing assistance
2 shall be issued no later than one working day from the time that a
3 family presents evidence of the availability of permanent housing.
4 If an applicant family provides evidence of the availability of
5 permanent housing before the county welfare department has
6 established eligibility for aid under this chapter, the county welfare
7 department shall complete the eligibility determination so that the
8 denial of or payment for permanent housing assistance is issued
9 within one working day from the submission of evidence of the
10 availability of permanent housing, unless the family has failed to
11 provide all of the verification necessary to establish eligibility for
12 aid under this chapter.

13 (G) (i) Except as provided in clauses (ii) and (iii), eligibility
14 for the temporary shelter assistance and the permanent housing
15 assistance pursuant to this paragraph shall be limited to one period
16 of up to 16 consecutive calendar days of temporary assistance and
17 one payment of permanent assistance. Any family that includes a
18 parent or nonparent caretaker relative living in the home who has
19 previously received temporary or permanent homeless assistance
20 at any time on behalf of an eligible child shall not be eligible for
21 further homeless assistance. Any person who applies for homeless
22 assistance benefits shall be informed that the temporary shelter
23 benefit of up to 16 consecutive days is available only once in a
24 lifetime, with certain exceptions, and that a break in the consecutive
25 use of the benefit constitutes permanent exhaustion of the
26 temporary benefit.

27 (ii) A family that becomes homeless as a direct and primary
28 result of a state or federally declared natural disaster shall be
29 eligible for temporary and permanent homeless assistance.

30 (iii) A family shall be eligible for temporary and permanent
31 homeless assistance when homelessness is a direct result of
32 domestic violence by a spouse, partner, or roommate; physical or
33 mental illness that is medically verified that shall not include a
34 diagnosis of alcoholism, drug addiction, or psychological stress;
35 or, the uninhabitability of the former residence caused by sudden
36 and unusual circumstances beyond the control of the family
37 including natural catastrophe, fire, or condemnation. These
38 circumstances shall be verified by a third-party governmental or
39 private health and human services agency, except that domestic
40 violence may also be verified by a sworn statement by the victim,

1 as provided under Section 11495.25. Homeless assistance payments
2 based on these specific circumstances may not be received more
3 often than once in any 12-month period. In addition, if the domestic
4 violence is verified by a sworn statement by the victim, the
5 homeless assistance payments shall be limited to two periods of
6 not more than 16 consecutive calendar days of temporary assistance
7 and two payments of permanent assistance. A county may require
8 that a recipient of homeless assistance benefits who qualifies under
9 this paragraph for a second time in a 24-month period participate
10 in a homelessness avoidance case plan as a condition of eligibility
11 for homeless assistance benefits. The county welfare department
12 shall immediately inform recipients who verify domestic violence
13 by a sworn statement of the availability of domestic violence
14 counseling and services, and refer those recipients to services upon
15 request.

16 (iv) If a county requires a recipient who verifies domestic
17 violence by a sworn statement to participate in a homelessness
18 avoidance case plan pursuant to clause (iii), the plan shall include
19 the provision of domestic violence services, if appropriate.

20 (v) If a recipient seeking homeless assistance based on domestic
21 violence pursuant to clause (iii) has previously received homeless
22 avoidance services based on domestic violence, the county shall
23 review whether services were offered to the recipient and consider
24 what additional services would assist the recipient in leaving the
25 domestic violence situation.

26 (vi) The county welfare department shall report necessary data
27 to the department through a statewide homeless assistance payment
28 indicator system, as requested by the department, regarding all
29 recipients of aid under this paragraph.

30 (H) The county welfare departments, and all other entities
31 participating in the costs of the CalWORKs program, have the
32 right in their share to any refunds resulting from payment of the
33 permanent housing. However, if an emergency requires the family
34 to move within the 12-month period specified in subparagraph
35 (G), the family shall be allowed to use any refunds received from
36 its deposits to meet the costs of moving to another residence.

37 (I) Payments to providers for temporary shelter and permanent
38 housing and utilities shall be made on behalf of families requesting
39 these payments.

1 (J) The daily amount for the temporary shelter special needs
2 benefit for homeless assistance may be increased if authorized by
3 the current year's Budget Act by specifying a different daily
4 allowance and appropriating the funds therefor.

5 (K) No payment shall be made pursuant to this paragraph unless
6 the provider of housing is a commercial establishment, shelter, or
7 person in the business of renting properties who has a history of
8 renting properties.

9 (g) The department shall establish rules and regulations ensuring
10 the uniform statewide application of this section.

11 (h) The department shall notify all applicants and recipients of
12 aid through the standardized application form that these benefits
13 are available and shall provide an opportunity for recipients to
14 apply for the funds quickly and efficiently.

15 (i) (1) Except for the purposes of Section 15200, the amounts
16 payable to recipients pursuant to Section 11453.1 shall not
17 constitute part of the payment schedule set forth in subdivision
18 (a).

19 (2) The amounts payable to recipients pursuant to Section
20 11453.1 shall not constitute income to recipients of aid under this
21 section.

22 (j) For children receiving Kin-GAP pursuant to Article 4.5
23 (commencing with Section 11360) or Article 4.7 (commencing
24 with Section 11385) there shall be paid, exclusive of any amount
25 considered exempt as income, an amount of aid each month, which,
26 when added to the child's income, is equal to the rate specified in
27 Sections 11364 and 11387.

28 (k) (1) A county shall implement the semiannual reporting
29 requirements in accordance with Chapter 501 of the Statutes of
30 2011.

31 (2) Upon completion of the implementation described in
32 paragraph (1), each county shall provide a certificate to the director
33 certifying that semiannual reporting has been implemented in the
34 county.

35 (3) Upon filing the certificate described in paragraph (2), a
36 county shall comply with the semiannual reporting provisions of
37 this section.

38 SEC. 15. Section 11450.5 of the Welfare and Institutions Code
39 is amended to read:

1 11450.5. For purposes of computing and paying aid grants
2 under this chapter, the director shall adopt regulations establishing
3 a budgeting system consistent with Sections 11265.1, 11265.2,
4 and 11265.3. This section, Sections 11004 and 11450, or any other
5 provision of this code, shall not be interpreted to prohibit the
6 establishment of, or otherwise ~~restricting~~ *restrict* the operation of,
7 any budgeting system adopted by the director.

8 SEC. 16. Section 14140 of the Welfare and Institutions Code
9 is amended to read:

10 14140. The following definitions shall apply to the provisions
11 of this article:

12 (a) "Net worth" means:

13 (1) Personal property, which consists of cash, savings accounts,
14 securities, and similar items; notes, mortgages, and deeds of trust;
15 the cash surrender value of life insurance on the life of the applicant
16 or beneficiary, on the life of the spouse or any member of the
17 family, except as provided in Section 11158; motor vehicles, except
18 one that meets the transportation needs of the person or family;
19 and any other property or equity other than real estate.

20 (2) Real property, including any interest in land of more than
21 nominal interest that does not constitute the home of the applicant
22 for aid under this chapter. The home of the applicant shall be
23 exempt from consideration as net worth under this section to the
24 extent of ten thousand dollars (\$10,000) in assessed valuation, as
25 assessed by the county assessor.

26 (3) "Income" that consists of the sum of adjusted gross income
27 as used for purposes of the Federal Income Tax Law.

28 (b) "Family unit" means:

29 (1) In the case of an unmarried patient under 21 years of age
30 living with his *or her* parent or parents, the patient and his *or her*
31 parents.

32 (2) In the case of a married patient under 21 years of age, the
33 patient and his *or her* spouse.

34 (3) In the case of a patient ~~over 21~~, *21 years of age*, the patient,
35 and if married, ~~the patient's wife~~. *his or her spouse*.

36 SEC. 17. Section 18923 of the Welfare and Institutions Code
37 is amended to read:

38 18923. (a) The State Department of Social Services shall
39 submit a request to the United States Department of Agriculture
40 for a waiver to permit a CalFresh household to retain funds in the

1 restricted savings account as specified in subdivision (a) of former
2 Section 11155.2 and as accumulated while participating in the Aid
3 to Families with Dependent Children program. The participation
4 requirements for this specific savings account as specified in
5 subdivision (a) of former Section 11155.2 shall apply to CalFresh.
6 Penalties for nonqualifying withdrawal of these funds shall result
7 in a calculation of a period of ineligibility for all persons in the
8 CalFresh household, to be determined by dividing the balance in
9 the account immediately prior to the withdrawal by the CalFresh
10 allotment to which the household is entitled. The resulting whole
11 number shall be the number of months of ineligibility. The period
12 of ineligibility may be reduced when the divisor, which is the
13 CalFresh allotment, increases as a result of a cost-of-living
14 adjustment.

15 (b) The director may waive, with federal approval, the
16 enforcement of specific federal Supplemental Nutrition Assistance
17 Program requirements, regulations, and standards necessary to
18 implement this provision.

19 SEC. 18. No appropriation pursuant to Section 15200 of
20 Welfare and Institutions Code shall be made for the purposes of
21 this act.

22 SEC. 19. If the Commission on State Mandates determines
23 that this act contains costs mandated by the state, reimbursement
24 to local agencies and school districts for those costs shall be made
25 pursuant to Part 7 (commencing with Section 17500) of Division
26 4 of Title 2 of the Government Code.