

AMENDED IN ASSEMBLY AUGUST 19, 2016

AMENDED IN ASSEMBLY JUNE 13, 2016

AMENDED IN ASSEMBLY JUNE 10, 2016

AMENDED IN ASSEMBLY MAY 25, 2016

**SENATE BILL**

**No. 831**

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**Introduced by Committee on Budget and Fiscal Review**

January 7, 2016

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*An act to amend Section 155 of the Code of Civil Procedure, and to amend Sections 11253.4, 11320.32, 11402, 11450.025, 11461.3, 11465, 12301.02, 15200, 16519.5, 17601.50, and 18910.1 of, to amend and repeal Sections 11322.63 and 11450.04 of, to amend, repeal, and add Sections 11320.15, 11322.64, 11323.25, and 11450 of, to add Sections 11253.45, 11322.83, 11461.4, 12201.06, 16501.9, and 18920 to, to add Article 6 (commencing with Section 16523) to Chapter 5 of Part 4 of Division 9 of, to add Chapter 17 (commencing with Section 18999) to Part 6 of Division 9 of, and to repeal Section 15200.15 of, the Welfare and Institutions Code, relating to public social services, and making an appropriation therefor, to take effect immediately, bill related to the budget. An act to amend Section 51013.1 of, and to add Section 51015.6 to, the Government Code, to amend Section 44273 of the Health and Safety Code, to amend Section 1546.1 of the Penal Code, to amend Sections 3401 and 25751 of the Public Resources Code, and to amend Sections 388 and 399.20 of, to add Section 784.1 to, to add and repeal Section 388.2 of, and to repeal Section 2834 of, the Public Utilities Code, relating to energy, and making an appropriation therefor, to take effect immediately, bill related to the budget.*

## LEGISLATIVE COUNSEL'S DIGEST

SB 831, as amended, Committee on Budget and Fiscal Review. ~~Public social services omnibus.~~ *Public resources: energy.*

*(1) Under existing law, the Public Utilities Commission (PUC) has regulatory authority over public utilities. Existing law authorizes the PUC to fix the rates and charges for every public utility and requires that those rates and charges be just and reasonable. Existing law authorizes certain public utilities, including gas corporations, to propose research and development programs and authorizes the PUC to allow inclusion of expenses for research and development in the public utility's rates. Existing law requires the PUC to consider specified guidelines in evaluating the research, development, and demonstration programs proposed by gas corporations.*

*The California Renewables Portfolio Standard Program requires the PUC to adopt policies and programs that promote the in-state production and distribution of biomethane. Existing law requires the PUC to adopt, by rule or order, standards for biomethane that specify the concentrations of constituents of concern that are reasonably necessary to protect public health and ensure pipeline integrity and safety, as specified, and requirements for monitoring, testing, reporting, and recordkeeping, as specified. Existing law requires a gas corporation to comply with those standards and requirements and requires that gas corporation tariffs condition access to common carrier pipelines on the applicable customer meeting those standards and requirements. Under existing law, a violation of the Public Utilities Act or any order, decision, rule, direction, demand, or requirement of the PUC is a crime.*

*This bill would request the California Council on Science and Technology to undertake and complete a study analyzing the regional and gas corporation specific issues relating to minimum heating value and maximum siloxane specifications adopted by the PUC for biomethane before it can be injected into common carrier gas pipelines. If the California Council on Science and Technology agrees to undertake and complete the study, the bill would require each gas corporation operating common carrier pipelines in California to proportionately contribute to the expenses to undertake the study with the cost recoverable in rates. The bill would authorize the PUC to modify certain available monetary incentives to allocate some of the incentive moneys to pay for the costs of the study so as to not further burden ratepayers with additional expense. If the California Council on Science and*

*Technology agrees to undertake and complete the study, the bill would require the PUC, within 6 months of its completion, to reevaluate requirements and standards adopted for injection of biomethane into common carrier pipelines and, if appropriate, change those requirements and standards or adopt new requirements and standards, giving due deference to the conclusions and recommendations made in the study. Because certain provisions of the bill would be a part of the act and a violation of an order or decision of the PUC implementing its requirements would be a crime, this bill would impose a state-mandated local program by creating a new crime.*

*Existing law requires the PUC to direct the electrical corporations to collectively procure at least 250 megawatts of cumulative rated generating capacity from developers of bioenergy projects that commence operation on or after June 1, 2013. Existing law requires the PUC, for each electrical corporation, to allocate shares of the 250 megawatts based on the ratio of each electrical corporation's peak demand compared to the total statewide peak demand. Existing law requires the PUC to allocate those 250 megawatts to electrical corporations from specified categories of bioenergy project types, with specified portions of that 250 megawatts to be allocated from each category. Existing law requires the PUC to encourage gas and electrical corporations to develop and offer programs and services to facilitate development of in-state biogas for a broad range of purposes. Existing law authorizes the PUC, in consultation with specified state agencies, if it finds that the categorical allocations of those 250 megawatts are not appropriate, to reallocate those 250 megawatts among those categories.*

*This bill would establish interconnection requirements for certain bioenergy projects from which generation capacity is to be procured pursuant to the above requirement. Because the above requirements would be codified in the act, this bill would impose a state-mandated local program by creating a new crime.*

*The Green Tariff Shared Renewables Program requires a participating utility, defined as being an electrical corporation with 100,000 or more customers in California, to file with the PUC an application requesting approval of a tariff to implement a program enabling ratepayers to participate directly in offsite electrical generation facilities that use eligible renewable energy resources, consistent with certain legislative findings and statements of intent. Existing law requires the PUC, by July 1, 2014, to issue a decision concerning the*

*participating utility's application, determining whether to approve or disapprove the application, with or without modifications. Existing law requires the PUC, after notice and opportunity for public comment, to approve the application if the PUC determines that the proposed program is reasonable and consistent with the legislative findings and statements of intent and requires the PUC to require that a participating utility's green tariff shared renewables program be administered in accordance with specified provisions. Existing law repeals the program on January 1, 2019.*

*This bill would extend the operation of the program indefinitely. By extending the requirements of the Green Tariff Shared Renewables Program the bill would impose a state-mandated local program by extending the application of a crime.*

*Decisions of the PUC adopted the California Solar Initiative administered by electrical corporations and subject to the PUC's supervision. Existing law requires the PUC and the State Energy Resources Conservation and Development Commission (Energy Commission) to undertake certain steps in implementing the California Solar Initiative and requires the PUC to ensure that the total cost over the duration of the program does not exceed \$3,550,800,000. Existing law specifies that the financial components of the California Solar Initiative include the New Solar Homes Partnership Program, which is administered by the Energy Commission. Existing law requires the program to be funded by charges in the amount of \$400,000,000 collected from customers of the state's 3 largest electrical corporations. If moneys from the Renewable Resource Trust Fund for the program are exhausted, existing law authorizes the PUC, upon notification by the Energy Commission, to require those electrical corporations to continue the administration of the program pursuant to the guidelines established by the Energy Commission for the program until the \$400,000,000 monetary limit is reached. Existing law authorizes the PUC to determine whether a 3rd party, including the Energy Commission, should administer the electrical corporation's continuation of the program. Existing law establishes the Renewable Resource Trust Fund as a fund that is continuously appropriated, with certain exceptions for administrative expenses, in the State Treasury.*

*This bill would require, if the PUC orders a continuation of the New Solar Homes Partnership Program and determines that the Energy Commission should be the 3rd-party administrator for the program, that any funding made available for the program be deposited into the*

*Emerging Renewable Resources Account of the Renewable Resource Trust Fund and used for the program.*

*(2) The Public Utilities Act requires the PUC to submit various reports to the Legislature relative to the actions of the PUC.*

*This bill would require the PUC to submit 2 reports to the relevant policy and fiscal committees of the Legislature by March 1, 2017. The first report would pertain to the PUC's business process inventory efforts. The 2nd report would concern options to locate operations and staff outside of the PUC's San Francisco headquarters and would explore options to allow the PUC to collaborate with other state entities and provide staff more opportunities for training, career development, and exchange placements with other state entities.*

*Existing law, with exceptions, prohibits a government entity from compelling the production of or access to electronic communication information or electronic device information without a search warrant, wiretap order, order for electronic reader records, or subpoena.*

*This bill would provide that the above provisions do not limit the authority of the PUC or the Energy Commission to obtain energy or water supply and consumption information pursuant to the powers granted to them under the Public Utilities Code or the Public Resources Code and other applicable state laws.*

*(3) Existing law authorizes the Department of General Services or any other state or local agency intending to enter into an energy savings contract to establish a pool of qualified energy service companies, as specified. Existing law authorizes energy service contracts for individual projects undertaken by any state or local agency to be awarded through a competitive selection process to those companies identified in the pool.*

*This bill would authorize the department or another state or local agency intending to enter into contracts for energy retrofit projects, as defined, to establish one of those pools. The bill would, until January 1, 2020, authorize the department and other state agencies to establish one or more pools of qualified energy service companies, as defined, that have provided the department or state agency with a specific enforceable commitment regarding the use of a skilled and trained workforce. The bill would authorize the department or state agency to select a qualified energy service company from that pool for a specific energy retrofit project on a rotational basis. The bill would require those qualified energy service companies working on a contract or project to submit a monthly report to the department or state agency,*

*as appropriate, demonstrating their compliance with the commitment regarding the use of a skilled and trained workforce.*

*Under existing law, a violation of the Public Utilities Act is a crime.*

*Because the above provisions would be codified in the act, a violation of which would be a crime, this bill would impose a state-mandated local program.*

*(4) The Elder California Pipeline Safety Act of 1981, among other things, by January 1, 2018, requires any new or replacement pipeline that is near environmentally or ecologically sensitive areas to use the best technology available to reduce the amount of oil released in a spill, as specified. Existing law requires operators of existing pipelines near these areas to submit plans by January 1, 2018, to retrofit those pipelines for these purposes using the best available technology by January 1, 2020. A violation of these provisions is a crime.*

*This bill would define “oil” for these provisions of the act concerning pipeline safety, by reference to a specified federal regulation, to mean petroleum, petroleum products, anhydrous ammonia, and ethanol. By expanding the scope of a crime, the bill would impose a state-mandated local program.*

*Under the Elder California Pipeline Safety Act of 1981, the State Fire Marshal administers provisions regulating the inspection of intrastate pipelines that transport hazardous liquids.*

*This bill would require the State Fire Marshal, on or before January 31, 2017, and on or before January 31 annually thereafter until January 31, 2021, to submit a report to the Legislature containing specified information regarding the inspection of those pipelines, shutoff systems in those pipelines, and the status of 2 specified pipelines.*

*(5) Existing law imposes, among other things, an annual charge upon each person operating or owning an interest in an oil or gas well, with respect to the production of the well, which charge is payable to the Treasurer for deposit into the Oil, Gas, and Geothermal Administrative Fund. Existing law requires that moneys from charges levied, assessed, and collected upon the properties of every person operating or owning an interest in the production of a well be used exclusively, upon appropriation, for the support and maintenance of the Department of Conservation, which is charged with the supervision of oil and gas operations, and for the support of the State Water Resources Control Board and the regional water quality control boards for their activities related to oil and gas operations that may affect water resources.*

*This bill would additionally authorize the use of those moneys for the support of the State Air Resources Board and the Office of Environmental Health Hazard Assessment for their activities related to oil and gas operations that may affect air quality, public health, or public safety.*

*(6) Existing law establishes the Alternative and Renewable Fuel and Vehicle Technology Program, administered by the Energy Commission, to provide to specified entities, upon appropriation by the Legislature, grants, loans, loan guarantees, revolving loans, or other appropriate measures for the development and deployment of innovative technologies that transform California's fuel and vehicle types to help attain the state's climate change goals. Existing law establishes the Alternative and Renewable Fuel and Vehicle Technology Fund, moneys in which are to be expended by the Energy Commission, upon appropriation, to implement the program. Existing law creates the Public Interest Research, Development, and Demonstration Fund in the State Treasury and required that specified moneys collected by the state's 3 largest electrical corporations, until January 1, 2012, be paid into the Public Interest Research, Development, and Demonstration Fund. Existing law requires \$10,000,000 to be transferred annually from the Public Interest Research, Development, and Demonstration Fund to the Alternative and Renewable Fuel and Vehicle Technology Fund.*

*This bill would repeal the requirement that \$10,000,000 be transferred annually from the Public Interest Research, Development, and Demonstration Fund to the Alternative and Renewable Fuel and Vehicle Technology Fund.*

*(7) Existing law vests with the Energy Commission jurisdiction over specified matters related to energy. Existing law requires the Attorney General, upon the request of the Energy Commission, to petition a court of competent jurisdiction to enjoin violations of law that are within the subject matter of the Energy Commission. Existing law requires the Energy Commission to prescribe, by regulation, building design and construction standards, energy and water efficiency design standards for new residential and nonresidential buildings, and appliance efficiency standards. Existing law authorizes the Energy Commission to establish an administrative enforcement process to enforce the appliance efficiency standards. Existing law establishes the Appliance Efficiency Enforcement Subaccount in the Energy Resources Program Account for the deposition of the penalties collected. Existing law authorizes the moneys subaccount to be expended by the Energy*

*Commission, upon appropriation by the Legislature, for the education of the public regarding appliance energy efficiency and for the enforcement of specified regulations.*

*This bill would appropriate \$275,000 from the Appliance Efficiency Enforcement Subaccount in the Energy Resources Programs Account to the Energy Commission to support the Title 20 Appliance Efficiency Standards Compliance Assistance and Enforcement Program.*

*(8) The bill would incorporate additional changes to Section 399.20 of the Public Utilities Code, proposed by AB 1923, to be operative only if AB 1923 and this bill are both chaptered and become effective on or before January 1, 2017, and this bill is chaptered last.*

*(9) The bill would incorporate additional changes to Section 1546.1 of the Penal Code, proposed by AB 1924, to be operative only if AB 1924 and this bill are both chaptered and become effective on or before January 1, 2017, and this bill is chaptered last.*

*(10) 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 no reimbursement is required by this act for a specified reason.*

*(11) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.*

~~(1) Existing federal law, the Immigration and Nationality Act, establishes a procedure for classification of certain aliens as special immigrants who have been declared dependent on a juvenile court and authorizes those aliens to apply for an adjustment of status to that of a lawful permanent resident within the United States. Under federal regulations, an alien is eligible for special immigrant juvenile status if, among other things, he or she is under 21 years of age. Existing state law provides that the juvenile, probate, and family divisions of the superior court have jurisdiction to make judicial determinations regarding the custody and care of children within the meaning of the federal Immigration and Nationality Act.~~

~~This bill would clarify that the court has jurisdiction to make the factual findings necessary to enable a child to petition the United States Citizenship and Immigration Services for classification as a special immigrant juvenile. The bill would also provide that the factual findings may be made at any point in a proceeding, as specified, if certain requirements are met.~~

~~(2) Existing law requires the court, upon request, to make the necessary findings regarding special immigrant juvenile status if there is evidence to support those findings, which may consist of, but is not limited to, a declaration by the child who is the subject of the petition. Existing law also authorizes the court to make additional findings that are supported by evidence if requested by a party.~~

~~This bill would specify that the evidence to support those findings may consist solely of, but is not limited to, the above declaration. The bill would also authorize the court to make the additional findings only if requested by a party. The bill would provide that the asserted, purported, or perceived motivation of the child seeking classification as a special immigrant juvenile is not admissible in making findings and would prohibit the court from including or referencing the motivation of the child, as specified, in the court's findings.~~

~~(3) Existing law establishes 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 using federal, state, and county funds. Existing law requires a recipient of CalWORKs to participate in welfare-to-work activities as a condition of eligibility. Under existing law, a recipient of CalWORKs aid is required to assign to the county any rights to child support for a family member for whom the recipient is receiving aid, as specified. Existing law also requires the first \$50 of any amount of child support collected in a month to be paid to a recipient of CalWORKs aid.~~

~~Existing law also establishes the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program, under which counties provide payments to foster care providers on behalf of qualified children in foster care. Under existing law, a child who is placed in the home of a relative is eligible for AFDC-FC only if he or she is eligible for federal financial participation in the AFDC-FC payment.~~

~~Existing law establishes the Approved Relative Caregiver Funding Option Program, in counties that choose to participate, for the purpose of making the amount paid to relative caregivers for the in-home care of children placed with them who are ineligible for AFDC-FC payments equal to the amount paid on behalf of children who are eligible for AFDC-FC payments. Under existing law, a child who is eligible for the Approved Relative Caregiver Funding Option Program is not subject to the requirements of CalWORKs, except as specified.~~

~~This bill would specify that the above-described CalWORKs requirements relating to the assignment of child support apply to~~

~~assistance units participating in the Approved Relative Caregiver Funding Option Program. The bill would state that these provisions are intended to clarify existing law.~~

~~(4) Existing law requires a county that has opted into the Approved Relative Caregiver Funding Option Program to pay an approved relative caregiver a per child per month rate that is equal to the basic rate paid to foster care providers and that is funded, in part, through the CalWORKs program.~~

~~This bill, commencing January 1, 2017, would generally require a child who has been placed in the home of a relative who has been approved as a resource family to receive a grant that equals the resource family basic rate at the child's assessed level of care, as specified. By requiring counties to increase grants to children who are placed in the home of a relative who has been approved as a resource family, this bill would impose a state-mandated local program.~~

~~(5) Existing law requires that, in order to be eligible for AFDC-FC, a child be placed in one of several specified placements, including the approved home of a resource family, and provides that a child placed with a resource family is eligible for AFDC-FC payments.~~

~~This bill, commencing January 1, 2017, would instead provide that a child placed in the approved home of a resource family is eligible for AFDC-FC if the caregiver is a nonrelative or the caregiver is a relative and the child or youth is otherwise eligible for federal financial participation in the AFDC-FC payment. The bill would also specify that a child placed with a resource family is eligible for the resource family basic rate.~~

~~(6) Existing law authorizes the Director of Social Services to enter into an agreement with a tribe, consortium of tribes, or tribal organization, regarding the care and custody of Indian children and jurisdiction over Indian child custody proceedings, under specified circumstances. Existing law requires these agreements to provide for the delegation to the tribe, consortium of tribes, or tribal organization, of the responsibility that would otherwise be the responsibility of the county for the provision of child welfare services or assistance payments under the AFDC-FC program, or both. Existing law requires the State Department of Social Services to annually allocate appropriated funds to each federally recognized American Indian tribe with reservation lands or rancherias in the state that administers a federal tribal Temporary Assistance for Needy Families (TANF) program.~~

~~This bill would establish the Tribal Approved Relative Caregiver Funding Option Program and would require participating tribes that opt to participate in the program to pay an approved relative caregiver a per child per month rate, as specified, in return for the care and supervision of an AFDC-FC ineligible child placed with the approved relative caregiver if the participating tribe has notified the department of its decision to participate in the program, as specified, and certain requirements are met, including that the child resides in California. The bill would require the department, in consultation with the participating tribe, to determine the initial base caseload of the tribe and to determine the amount necessary to fund the base caseload.~~

~~(7) Existing law requires, when a child is living with a parent who receives AFDC-FC or Kin-GAP benefits, that the rate paid to the foster care provider on behalf of the parent include an additional amount, known as an infant supplement, for the care and supervision of the child. Existing law requires the State Department of Social Services to adopt a uniform rate for the infant supplement for each category of eligible licensed community care facility.~~

~~This bill, commencing July 1, 2016, would require the infant supplement rate to be increased by \$489 per month, if funding for this purpose is appropriated in the annual Budget Act.~~

~~(8) Existing law requires the State Department of Social Services to administer a voluntary Temporary Assistance Program (TAP) to provide cash assistance and other benefits to specified current and future CalWORKs recipients who meet the exemption criteria for participation in welfare-to-work activities and are not single parents who have a child under one year of age. Existing law requires the TAP to commence no later than October 1, 2016.~~

~~This bill would make that provision inoperative on June 30, 2016.~~

~~(9) Existing law requires, for counties that implement a welfare-to-work plan that includes subsidized private sector or public sector employment activities, the State Department of Social Services to pay the county 50%, less \$113, of the total wage costs of an employee for whom a wage subsidy is paid, subject to specified conditions.~~

~~This bill would make that provision inoperative on July 1, 2016, and would repeal that provision on January 1, 2017. The bill would make related changes.~~

~~(10) Existing law requires the department to develop an allocation methodology to distribute additional funding for expanded subsidized employment programs for CalWORKs recipients.~~

This bill would require, on and after July 1, 2016, a county that accepts additional funding for expanded subsidized employment in accordance with that provision to continue to expend no less than the aggregate amount of specified funding received by the county that the county expended on subsidized employment in the 2012–13 fiscal year, except as specified.

(11) Existing law requires a recipient of CalWORKs to participate for a specified number of hours each week in welfare-to-work activities as a condition of eligibility.

The federal Workforce Innovation and Opportunity Act of 2014 provides for workforce investment activities, including activities in which states may participate. Existing federal law requires the local chief elected officials in a local workforce development area to form, pursuant to specified guidelines, a local workforce development board to, among other things, plan and oversee the workforce development system and lead efforts in the local area to develop and implement career pathways within the local area.

This bill would deem a recipient who is making satisfactory progress in a career pathway program established in accordance with the federal Workforce Innovation and Opportunity Act to be in compliance with the hourly participation requirements of the CalWORKs program under specified conditions. By increasing the duties of counties administering the CalWORKs program, the bill would impose a state-mandated local program.

(12) As part of the CalWORKs program, existing law provides that a homeless family that has used all available liquid resources in excess of \$100 may be eligible for homeless assistance benefits to pay the costs of temporary shelter. The CalWORKs program also provides permanent housing assistance to pay rent or a security deposit, as specified, in order to secure housing for the family or prevent eviction.

Under existing law, eligibility for temporary shelter assistance is limited to one period of up to 16 consecutive days of temporary assistance in a lifetime, and eligibility for permanent housing assistance is limited to one payment of assistance, subject to specified exceptions. Existing law provides that a family that includes a parent or nonparent caretaker relative living in the home who has previously received temporary or permanent homeless assistance at any time on behalf of an eligible child is not eligible for further homeless assistance.

This bill, commencing January 1, 2017, would expand the provision of temporary shelter assistance and permanent housing assistance to be

~~available every 12 months. The bill would make conforming changes regarding an applicant for homeless assistance benefits being informed of the availability of the benefits every 12 months. The bill would delete the above limitation on a family's eligibility for homeless assistance. Because this bill would increase the administrative duties of counties, it would impose a state-mandated local program.~~

~~(13) Existing law, referred to as the maximum family grant rule, prohibits the number of needy persons in the same family from being increased, for purposes of determining a family's maximum aid payment, for any child born into a family that has received aid under the CalWORKs program continuously for the 10 months prior to the birth of the child, with specified exceptions.~~

~~This bill would repeal the maximum family grant rule on January 1, 2017.~~

~~(14) Existing law establishes maximum aid grant amounts to be provided to each family receiving aid under CalWORKs. Existing law increases the maximum aid payments by 5% commencing March 1, 2014, and by an additional 5% commencing April 1, 2015. Existing law specifies a process by which increases may be made to the maximum aid payments depending on projections of revenue and costs by the Department of Finance.~~

~~This bill would, effective October 1, 2016, increase the maximum aid grant amounts by an additional 1.43%. The bill would also, effective January 1, 2017, require households eligible for CalWORKs aid to receive an increased aid payment consistent with the repeal of the maximum family grant rule and would require those costs to be paid from moneys deposited into the Child Poverty and Family Supplemental Support Subaccount. To the extent that this bill affects eligibility under the CalWORKs program, the bill would impose a state-mandated local program.~~

~~(15) Existing law establishes the county-administered In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons are provided with services in order to permit them to remain in their own homes and avoid institutionalization. Existing law provides, as part of the Coordinated Care Initiative, that IHSS is a Medi-Cal benefit available through managed care health plans in specified counties. Existing law provides for a 7% reduction in authorized hours of service to each IHSS recipient, as specified.~~

~~Existing law, commencing July 1, 2016, until July 1, 2019, establishes a managed care organization provider tax, to be administered by the~~

~~State Department of Health Care Services, as specified, subject to approval from the federal Centers for Medicare and Medicaid Services, as specified:~~

~~This bill would suspend the 7% reduction in hours of service to each HSS recipient until July 1, 2019, if the managed care organization provider tax remains operative. The bill would require the reduction to be reinstated by a specified date if the managed care organization provider tax ceases to be operative for any reason. By increasing the administrative duties of counties under the HSS program, this bill would impose a state-mandated local program.~~

~~(16) Existing law requires the State Department of Social Services to implement a single statewide Child Welfare Services Case Management System (CWS/CMS) to administer and evaluate the state's child welfare services and foster care programs.~~

~~This bill would require the State Department of Social Services and the Office of Systems Integration (OSI), in collaboration with the County Welfare Directors Association (CWDA), to seek resources to enable the necessary level of engagement by the counties in the Child Welfare Services New System (CWS-NS), as specified. The bill would require the department and OSI to provide a voting seat on all governance bodies of the CWS-NS for a CWDA representative. The bill would also require the department and OSI to continue to provide monthly updates to the Legislature and to stakeholders, including CWDA, regarding efforts to develop and implement the CWS-NS. The bill would also require CWS/CMS operations and functionality to be maintained at a level at least commensurate with its December 2015 status, as specified. The bill would make related findings and declarations.~~

~~(17) Existing law establishes a system of statewide child welfare services, administered by the State Department of Social Services and county child welfare agencies, with the intent that all children are entitled to be safe and free from abuse and neglect.~~

~~This bill would establish the Bringing Families Home Program, and would, to the extent funds are appropriated in the annual Budget Act, require the State Department of Social Services to award program funds to counties for the purpose of providing housing-related supports to eligible families experiencing homelessness if specified criteria are met. The bill would require the department to award program funds to counties according to criteria developed by the department, in consultation with specified entities, subject to a requirement that a~~

county that receives funds under the program provide matching funds for these purposes, as specified.

~~(18) Existing federal law provides for the Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county. Existing law requires the State Department of Social Services to redetermine recipient eligibility and grant amounts under CalFresh on a semiannual basis, as specified. Existing law states the intent of the Legislature to assign certification periods for CalFresh households that are the maximum number of months allowed under federal law based on the household's circumstances, subject to a specified exception.~~

~~This bill would instead require the assignment of certification periods in the above-described manner, as specified, and would provide an additional exception, on a case-by-case basis only, for a household's individual circumstances requiring a shorter certification period. Because this bill would increase the administrative duties of counties, it would impose a state-mandated local program.~~

~~(19) Existing law, the State Department of Health Services Cooperative Agreement Act, provides for the establishment of cooperative agreements between the State Department of Public Health and other public and private entities for the purposes of, among other things, simplifying the administration of public health programs by the department. The act requires cooperative agreements to be subject to review and approval by the Department of General Services with certain exceptions.~~

~~This bill would deem an agreement between the State Department of Social Services and a unit of local government, any other unit of state government, or a nonprofit organization that provides for a contract relating to outreach programs related to CalFresh and the Supplemental Nutrition Assistance Program: Nutrition Education and Obesity Prevention Grant Program to be a "cooperative agreement," as defined. The bill would specify that these changes apply retroactively.~~

~~(20) Existing federal law establishes various disability benefits programs, including the Supplemental Security Income (SSI) program, under which cash assistance is provided to qualified low-income aged, blind, and disabled persons, and the Social Security Disability Insurance (SSDI) program, under which benefits are provided to persons with disabilities who have paid social security taxes. Existing federal law~~

also provides for disability compensation for veterans under specified circumstances:

~~Existing state law provides for disability benefits programs, including the State Supplementary Program for the Aged, Blind, and Disabled (SSP), under which state funds are provided in supplementation of federal SSI benefits, and the Cash Assistance Program for Immigrants, which provides benefits to aged, blind, and disabled legal immigrants who meet specified criteria. Existing law also establishes various housing programs directed by the Department of Housing and Community Development, including special housing programs to provide housing assistance for persons with developmental and physical disabilities and persons with mental health disorders.~~

~~This bill would establish the Housing and Disability Income Advocacy Program under the administration of the State Department of Social Services, subject to an appropriation of funds in the annual Budget Act. The program would provide state grant funds to participating counties for the provision of outreach, case management, and advocacy services to assist clients who are homeless or at risk of becoming homeless to obtain disability benefits. The bill would require participating counties to provide housing assistance to these clients during their application periods for disability benefits programs, as specified. The bill would also require participating counties to annually report to the department regarding their funding of advocacy and outreach programs and use of state funding provided under the program, as specified. The bill would require the department to periodically inform the Legislature of the implementation progress of the program, to make related data available on the department's Internet Web site, and to report to the Legislature by October 1, 2018, regarding the implementation of the program, as specified.~~

~~(21) Under existing law, benefit payments under SSP are calculated by establishing the maximum level of nonexempt income and federal SSI and state SSP benefits for each category of eligible recipient. The state SSP payment is the amount required, when added to the nonexempt income and SSI benefits available to the recipient, to provide the maximum benefit payment. Existing law prohibits, for each calendar year, commencing with the 2011 calendar year, any cost-of-living adjustment from being made to the maximum benefit payment unless otherwise specified by statute, except for the pass along of any cost-of-living increase in the federal SSI benefits. Existing law continuously appropriates funds for the implementation of SSP.~~

~~This bill, commencing January 1, 2017, would increase the amount of aid paid under SSP that is in effect on December 31, 2016, less the federal benefit portion received, by 2.76%. The bill would instead provide that the continuous appropriation would not be made for purposes of implementing these provisions:~~

~~(22) Existing law requires the State Department of Social Services and the State Department of Health Care Services to carry out specified duties relating the administration of foster care services:~~

~~The bill would require the State Department of Social Services and the State Department of Health Care Services, during the 2017 and 2018 legislative budget hearings, to update the legislative budget committees on activities taken by the departments to implement specified reform measures relating to foster care. The bill would also require the State Department of Social Services to convene stakeholders, including county placing agencies, providers, foster youth, and legislative staff, commencing no later than July 1, 2016, to discuss the adequacy of the proposed foster care rates and rate structure and the extent to which the rates will achieve the desired outcomes for those reform measures, to report to legislative budget committees, and to provide updated project costs, as specified:~~

~~(23) The bill would authorize the State Department of Social Services to adopt emergency regulations implementing specified provisions of the bill.~~

~~(24) 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 with regard to certain mandates no reimbursement is required by this act for a specified reason:~~

~~With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above:~~

~~(25) Existing federal law provides for the allocation of federal funds through the federal TANF block grant program to eligible states. The state CalWORKs program is funded through a combination of federal funds received through the federal TANF block grant program and state and county funds. Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program:~~

~~By expanding eligibility for, increasing assistance payments to recipients of, and adjusting funding formulas for counties providing benefits under, the CalWORKs program, and by providing funding for the Tribal Approved Relative Caregiver Funding Option Program, which is also funded by TANF, the bill would make an appropriation.~~

~~(26) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.~~

Vote: majority. Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: yes.

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

1     SECTION 1. Section 51013.1 of the Government Code is  
2     amended to read:

3     51013.1. (a) By January 1, 2018, any new or replacement  
4     pipeline near environmentally and ecologically sensitive areas in  
5     the coastal zone shall use best available technology, including, but  
6     not limited to, the installation of leak detection technology,  
7     automatic shutoff systems, or remote controlled sectionalized block  
8     valves, or any combination of these technologies, based on a risk  
9     analysis conducted by the operator, to reduce the amount of oil  
10    released in an oil spill to protect state waters and wildlife.

11    (b) (1) By July 1, 2018, an operator of an existing pipeline near  
12    environmentally and ecologically sensitive areas in the coastal  
13    zone shall submit a plan to retrofit, by January 1, 2020, existing  
14    pipelines near environmentally and ecologically sensitive areas in  
15    the coastal zone with the best available technology, including, but  
16    not limited to, installation of leak detection technologies, automatic  
17    shutoff systems, or remote controlled sectionalized block valves,  
18    or any combination of these technologies, based on a risk analysis  
19    conducted by the operator to reduce the amount of oil released in  
20    an oil spill to protect state waters and wildlife.

21    (2) An operator may request confidential treatment of  
22    information submitted in the plan required by paragraph (1) or  
23    contained in any documents associated with the risk analysis  
24    described in this section, including, but not limited to, information  
25    regarding the proposed location of automatic shutoff valves or  
26    remote controlled sectionalized block valves.

1 (c) The State Fire Marshal shall adopt regulations pursuant to  
2 this section by July 1, 2017. The regulations shall include, but not  
3 be limited to, all of the following:

4 (1) A definition of automatic shutoff systems.

5 (2) A process to assess the adequacy of the operator’s risk  
6 analysis.

7 (3) A process by which an operator may request confidential  
8 treatment of information submitted in the plan required by  
9 paragraph (1) of subdivision (b) or contained in any documents  
10 associated with the risk analysis described in this section.

11 (4) A determination of how near to an environmentally and  
12 ecologically sensitive area a pipeline must be to be subject to the  
13 requirements of this section based on the likelihood of the pipeline  
14 impacting those areas.

15 (d) An operator of a pipeline near environmentally and  
16 ecologically sensitive areas in the coastal zone shall notify the  
17 Office of the State Fire Marshal of any new construction or retrofit  
18 of pipeline in these waters.

19 (e) For purposes of implementing this section, the State Fire  
20 Marshal shall consult with the Office of Spill Prevention and  
21 Response about the potential impacts to state water and wildlife.

22 (f) For purposes of this section, “environmentally and  
23 ecologically sensitive areas” is the same term as described in  
24 subdivision (d) of Section 8574.7.

25 (g) (1) For purposes of this section, “best available technology”  
26 means technology that provides the greatest degree of protection  
27 by limiting the quantity of release in the event of a spill, taking  
28 into consideration whether the processes are currently in use and  
29 could be purchased anywhere in the world.

30 (2) The State Fire Marshal shall determine what is the best  
31 available technology and shall consider the effectiveness and  
32 engineering feasibility of the technology when making this  
33 determination.

34 (h) *For the purposes of this section, “oil” means hazardous*  
35 *liquid as defined in Section 195.2 of Title 49 of the Code of Federal*  
36 *Regulations.*

37 *SEC. 2. Section 51015.6 is added to the Government Code, to*  
38 *read:*

39 *51015.6. (a) On or before January 31, 2017, and on or before*  
40 *January 31 annually thereafter, the State Fire Marshal shall submit*

1 a report to the Legislature containing information, including, but  
2 not limited to, all of the following:

3 (1) The number of annual inspections conducted pursuant to  
4 Section 51015.1.

5 (2) The status of the installation of automatic shutoff systems  
6 pursuant to Section 51013.1, including a summary of the types of  
7 shutoff systems installed, and the number of miles of pipeline  
8 covered by an automatic shutoff system.

9 (3) The status of Line 901 and Line 903 in the County of Santa  
10 Barbara.

11 (b) (1) A report required to be submitted pursuant to subdivision  
12 (a) shall be submitted in compliance with Section 9795.

13 (2) Pursuant to Section 10231.5, this section is inoperative on  
14 January 31, 2021.

15 SEC. 3. Section 44273 of the Health and Safety Code is  
16 amended to read:

17 44273. (a) The Alternative and Renewable Fuel and Vehicle  
18 Technology Fund is hereby created in the State Treasury, to be  
19 administered by the commission. The moneys in the fund, upon  
20 appropriation by the Legislature, shall be expended by the  
21 commission to implement the Alternative and Renewable Fuel and  
22 Vehicle Technology Program in accordance with this chapter.

23 ~~(b) Notwithstanding any other provision of law, the sum of ten~~  
24 ~~million dollars (\$10,000,000) shall be transferred annually from~~  
25 ~~the Public Interest Research, Development, and Demonstration~~  
26 ~~Fund created by Section 384 of the Public Utilities Code to the~~  
27 ~~Alternative and Renewable Fuel and Vehicle Technology Fund.~~  
28 ~~Prior to the award of any funds from this source, the commission~~  
29 ~~shall make a determination that the proposed project will provide~~  
30 ~~benefits to electric or natural gas ratepayers based upon the~~  
31 ~~commission's adopted criteria.~~

32 (e)

33 (b) Beginning with the integrated energy policy report adopted  
34 in 2011, and in the subsequent reports adopted thereafter, pursuant  
35 to Section 25302 of the Public Resources Code, the commission  
36 shall include an evaluation of research, development, and  
37 deployment efforts funded by this chapter. The evaluation shall  
38 include all of the following:

39 (1) A list of projects funded by the Alternative and Renewable  
40 Fuel and Vehicle Technology Fund.

1 (2) The expected benefits of the projects in terms of air quality,  
2 petroleum use reduction, greenhouse gas emissions reduction,  
3 technology advancement, benefit-cost assessment, and progress  
4 towards achieving these benefits.

5 (3) The overall contribution of the funded projects toward  
6 promoting a transition to a diverse portfolio of clean, alternative  
7 transportation fuels and reduced petroleum dependency in  
8 California.

9 (4) Key obstacles and challenges to meeting these goals  
10 identified through funded projects.

11 (5) Recommendations for future actions.

12 *SEC. 4. Section 1546.1 of the Penal Code is amended to read:*

13 1546.1. (a) Except as provided in this section, a government  
14 entity shall not do any of the following:

15 (1) Compel the production of or access to electronic  
16 communication information from a service provider.

17 (2) Compel the production of or access to electronic device  
18 information from any person or entity other than the authorized  
19 possessor of the device.

20 (3) Access electronic device information by means of physical  
21 interaction or electronic communication with the electronic device.  
22 This section does not prohibit the intended recipient of an electronic  
23 communication from voluntarily disclosing electronic  
24 communication information concerning that communication to a  
25 government entity.

26 (b) A government entity may compel the production of or access  
27 to electronic communication information from a service provider,  
28 or compel the production of or access to electronic device  
29 information from any person or entity other than the authorized  
30 possessor of the device only under the following circumstances:

31 (1) Pursuant to a warrant issued pursuant to Chapter 3  
32 (commencing with Section 1523) and subject to subdivision (d).

33 (2) Pursuant to a wiretap order issued pursuant to Chapter 1.4  
34 (commencing with Section 629.50) of Title 15 of Part 1.

35 (3) Pursuant to an order for electronic reader records issued  
36 pursuant to Section 1798.90 of the Civil Code.

37 (4) Pursuant to a subpoena issued pursuant to existing state law,  
38 provided that the information is not sought for the purpose of  
39 investigating or prosecuting a criminal offense, and compelling  
40 the production of or access to the information via the subpoena is

1 not otherwise prohibited by state or federal law. Nothing in this  
2 paragraph shall be construed to expand any authority under state  
3 law to compel the production of or access to electronic information.

4 (c) A government entity may access electronic device  
5 information by means of physical interaction or electronic  
6 communication with the device only as follows:

7 (1) Pursuant to a warrant issued pursuant to Chapter 3  
8 (commencing with Section 1523) and subject to subdivision (d).

9 (2) Pursuant to a wiretap order issued pursuant to Chapter 1.4  
10 (commencing with Section 629.50) of Title 15 of Part 1.

11 (3) With the specific consent of the authorized possessor of the  
12 device.

13 (4) With the specific consent of the owner of the device, only  
14 when the device has been reported as lost or stolen.

15 (5) If the government entity, in good faith, believes that an  
16 emergency involving danger of death or serious physical injury to  
17 any person requires access to the electronic device information.

18 (6) If the government entity, in good faith, believes the device  
19 to be lost, stolen, or abandoned, provided that the entity shall only  
20 access electronic device information in order to attempt to identify,  
21 verify, or contact the owner or authorized possessor of the device.

22 (7) Except where prohibited by state or federal law, if the device  
23 is seized from an inmate's possession or found in an area of a  
24 correctional facility under the jurisdiction of the Department of  
25 Corrections and Rehabilitation where inmates have access and the  
26 device is not in the possession of an individual and the device is  
27 not known or believed to be the possession of an authorized visitor.  
28 Nothing in this paragraph shall be construed to supersede or  
29 override Section 4576.

30 (d) Any warrant for electronic information shall comply with  
31 the following:

32 (1) The warrant shall describe with particularity the information  
33 to be seized by specifying the time periods covered and, as  
34 appropriate and reasonable, the target individuals or accounts, the  
35 applications or services covered, and the types of information  
36 sought.

37 (2) The warrant shall require that any information obtained  
38 through the execution of the warrant that is unrelated to the  
39 objective of the warrant shall be sealed and not subject to further  
40 review, use, or disclosure without a court order. A court shall issue

1 such an order upon a finding that there is probable cause to believe  
2 that the information is relevant to an active investigation, or review,  
3 use, or disclosure is required by state or federal law.

4 (3) The warrant shall comply with all other provisions of  
5 California and federal law, including any provisions prohibiting,  
6 limiting, or imposing additional requirements on the use of search  
7 warrants. If directed to a service provider, the warrant shall be  
8 accompanied by an order requiring the service provider to verify  
9 the authenticity of electronic information that it produces by  
10 providing an affidavit that complies with the requirements set forth  
11 in Section 1561 of the Evidence Code. Admission of that  
12 information into evidence shall be subject to Section 1562 of the  
13 Evidence Code.

14 (e) When issuing any warrant or order for electronic information,  
15 or upon the petition from the target or recipient of the warrant or  
16 order, a court may, at its discretion, do any or all of the following:

17 (1) Appoint a special master, as described in subdivision (d) of  
18 Section 1524, charged with ensuring that only information  
19 necessary to achieve the objective of the warrant or order is  
20 produced or accessed.

21 (2) Require that any information obtained through the execution  
22 of the warrant or order that is unrelated to the objective of the  
23 warrant be destroyed as soon as feasible after the termination of  
24 the current investigation and any related investigations or  
25 proceedings.

26 (f) A service provider may voluntarily disclose electronic  
27 communication information or subscriber information when that  
28 disclosure is not otherwise prohibited by state or federal law.

29 (g) If a government entity receives electronic communication  
30 information voluntarily provided pursuant to subdivision (f), it  
31 shall destroy that information within 90 days unless one or more  
32 of the following circumstances apply:

33 (1) The entity has or obtains the specific consent of the sender  
34 or recipient of the electronic communications about which  
35 information was disclosed.

36 (2) The entity obtains a court order authorizing the retention of  
37 the information. A court shall issue a retention order upon a finding  
38 that the conditions justifying the initial voluntary disclosure persist,  
39 in which case the court shall authorize the retention of the  
40 information only for so long as those conditions persist, or there

1 is probable cause to believe that the information constitutes  
2 evidence that a crime has been committed.

3 (3) The entity reasonably believes that the information relates  
4 to child pornography and the information is retained as part of a  
5 multiagency database used in the investigation of child  
6 pornography and related crimes.

7 (h) If a government entity obtains electronic information  
8 pursuant to an emergency involving danger of death or serious  
9 physical injury to a person, that requires access to the electronic  
10 information without delay, the entity shall, within three days after  
11 obtaining the electronic information, file with the appropriate court  
12 an application for a warrant or order authorizing obtaining the  
13 electronic information or a motion seeking approval of the  
14 emergency disclosures that shall set forth the facts giving rise to  
15 the emergency, and if applicable, a request supported by a sworn  
16 affidavit for an order delaying notification under paragraph (1) of  
17 subdivision (b) of Section 1546.2. The court shall promptly rule  
18 on the application or motion and shall order the immediate  
19 destruction of all information obtained, and immediate notification  
20 pursuant to subdivision (a) of Section 1546.2 if such notice has  
21 not already been given, upon a finding that the facts did not give  
22 rise to an emergency or upon rejecting the warrant or order  
23 application on any other ground.

24 (i) This section does not limit the authority of a government  
25 entity to use an administrative, grand jury, trial, or civil discovery  
26 subpoena to do any of the following:

27 (1) Require an originator, addressee, or intended recipient of  
28 an electronic communication to disclose any electronic  
29 communication information associated with that communication.

30 (2) Require an entity that provides electronic communications  
31 services to its officers, directors, employees, or agents for the  
32 purpose of carrying out their duties, to disclose electronic  
33 communication information associated with an electronic  
34 communication to or from an officer, director, employee, or agent  
35 of the entity.

36 (3) Require a service provider to provide subscriber information.

37 (j) *This section does not limit the authority of the Public Utilities*  
38 *Commission or the State Energy Resources Conservation and*  
39 *Development Commission to obtain energy or water supply and*  
40 *consumption information pursuant to the powers granted to them*

1 *under the Public Utilities Code or the Public Resources Code and*  
2 *other applicable state laws.*

3 *SEC. 4.5. Section 1546.1 of the Penal Code is amended to*  
4 *read:*

5 1546.1. (a) Except as provided in this section, a government  
6 entity shall not do any of the following:

7 (1) Compel the production of or access to electronic  
8 communication information from a service provider.

9 (2) Compel the production of or access to electronic device  
10 information from any person or entity other than the authorized  
11 possessor of the device.

12 (3) Access electronic device information by means of physical  
13 interaction or electronic communication with the electronic device.  
14 This section does not prohibit the intended recipient of an electronic  
15 communication from voluntarily disclosing electronic  
16 communication information concerning that communication to a  
17 government entity.

18 (b) A government entity may compel the production of or access  
19 to electronic communication information from a service provider,  
20 or compel the production of or access to electronic device  
21 information from any person or entity other than the authorized  
22 possessor of the device only under the following circumstances:

23 (1) Pursuant to a warrant issued pursuant to Chapter 3  
24 (commencing with Section 1523) and subject to subdivision (d).

25 (2) Pursuant to a wiretap order issued pursuant to Chapter 1.4  
26 (commencing with Section 629.50) of Title 15 of Part 1.

27 (3) Pursuant to an order for electronic reader records issued  
28 pursuant to Section 1798.90 of the Civil Code.

29 (4) Pursuant to a subpoena issued pursuant to existing state law,  
30 provided that the information is not sought for the purpose of  
31 investigating or prosecuting a criminal offense, and compelling  
32 the production of or access to the information via the subpoena is  
33 not otherwise prohibited by state or federal law. Nothing in this  
34 paragraph shall be construed to expand any authority under state  
35 law to compel the production of or access to electronic information.

36 (5) *Pursuant to an order for a pen register or trap and trace*  
37 *device, or both, issued pursuant to Chapter 1.5 (commencing with*  
38 *Section 630) of Title 15 of Part 1.*

1 (c) A government entity may access electronic device  
2 information by means of physical interaction or electronic  
3 communication with the device only as follows:

4 (1) Pursuant to a warrant issued pursuant to Chapter 3  
5 (commencing with Section 1523) and subject to subdivision (d).

6 (2) Pursuant to a wiretap order issued pursuant to Chapter 1.4  
7 (commencing with Section 629.50) of Title 15 of Part 1.

8 (3) With the specific consent of the authorized possessor of the  
9 device.

10 (4) With the specific consent of the owner of the device, only  
11 when the device has been reported as lost or stolen.

12 (5) If the government entity, in good faith, believes that an  
13 emergency involving danger of death or serious physical injury to  
14 any person requires access to the electronic device information.

15 (6) If the government entity, in good faith, believes the device  
16 to be lost, stolen, or abandoned, provided that the entity shall only  
17 access electronic device information in order to attempt to identify,  
18 verify, or contact the owner or authorized possessor of the device.

19 (7) Except where prohibited by state or federal law, if the device  
20 is seized from an inmate's possession or found in an area of a  
21 correctional facility under the jurisdiction of the Department of  
22 Corrections and Rehabilitation where inmates have access and the  
23 device is not in the possession of an individual and the device is  
24 not known or believed to be the possession of an authorized visitor.  
25 Nothing in this paragraph shall be construed to supersede or  
26 override Section 4576.

27 (8) *Pursuant to an order for a pen register or trap and trace*  
28 *device, or both, issued pursuant to Chapter 1.5 (commencing with*  
29 *Section 630) of Title 15 of Part 1.*

30 (d) Any warrant for electronic information shall comply with  
31 the following:

32 (1) The warrant shall describe with particularity the information  
33 to be seized by specifying the time periods covered and, as  
34 appropriate and reasonable, the target individuals or accounts, the  
35 applications or services covered, and the types of information  
36 sought.

37 (2) The warrant shall require that any information obtained  
38 through the execution of the warrant that is unrelated to the  
39 objective of the warrant shall be sealed and not subject to further  
40 review, use, or disclosure without a court order. A court shall issue

1 such an order upon a finding that there is probable cause to believe  
2 that the information is relevant to an active investigation, or review,  
3 use, or disclosure is required by state or federal law.

4 (3) The warrant shall comply with all other provisions of  
5 California and federal law, including any provisions prohibiting,  
6 limiting, or imposing additional requirements on the use of search  
7 warrants. If directed to a service provider, the warrant shall be  
8 accompanied by an order requiring the service provider to verify  
9 the authenticity of electronic information that it produces by  
10 providing an affidavit that complies with the requirements set forth  
11 in Section 1561 of the Evidence Code. Admission of that  
12 information into evidence shall be subject to Section 1562 of the  
13 Evidence Code.

14 (e) When issuing any warrant or order for electronic information,  
15 or upon the petition from the target or recipient of the warrant or  
16 order, a court may, at its discretion, do any or all of the following:

17 (1) Appoint a special master, as described in subdivision (d) of  
18 Section 1524, charged with ensuring that only information  
19 necessary to achieve the objective of the warrant or order is  
20 produced or accessed.

21 (2) Require that any information obtained through the execution  
22 of the warrant or order that is unrelated to the objective of the  
23 warrant be destroyed as soon as feasible after the termination of  
24 the current investigation and any related investigations or  
25 proceedings.

26 (f) A service provider may voluntarily disclose electronic  
27 communication information or subscriber information when that  
28 disclosure is not otherwise prohibited by state or federal law.

29 (g) If a government entity receives electronic communication  
30 information voluntarily provided pursuant to subdivision (f), it  
31 shall destroy that information within 90 days unless one or more  
32 of the following circumstances apply:

33 (1) The entity has or obtains the specific consent of the sender  
34 or recipient of the electronic communications about which  
35 information was disclosed.

36 (2) The entity obtains a court order authorizing the retention of  
37 the information. A court shall issue a retention order upon a finding  
38 that the conditions justifying the initial voluntary disclosure persist,  
39 in which case the court shall authorize the retention of the  
40 information only for so long as those conditions persist, or there

1 is probable cause to believe that the information constitutes  
2 evidence that a crime has been committed.

3 (3) The entity reasonably believes that the information relates  
4 to child pornography and the information is retained as part of a  
5 multiagency database used in the investigation of child  
6 pornography and related crimes.

7 (h) If a government entity obtains electronic information  
8 pursuant to an emergency involving danger of death or serious  
9 physical injury to a person, that requires access to the electronic  
10 information without delay, the entity shall, within three days after  
11 obtaining the electronic information, file with the appropriate court  
12 an application for a warrant or order authorizing obtaining the  
13 electronic information or a motion seeking approval of the  
14 emergency disclosures that shall set forth the facts giving rise to  
15 the emergency, and if applicable, a request supported by a sworn  
16 affidavit for an order delaying notification under paragraph (1) of  
17 subdivision (b) of Section 1546.2. The court shall promptly rule  
18 on the application or motion and shall order the immediate  
19 destruction of all information obtained, and immediate notification  
20 pursuant to subdivision (a) of Section 1546.2 if such notice has  
21 not already been given, upon a finding that the facts did not give  
22 rise to an emergency or upon rejecting the warrant or order  
23 application on any other ground.

24 (i) This section does not limit the authority of a government  
25 entity to use an administrative, grand jury, trial, or civil discovery  
26 subpoena to do any of the following:

27 (1) Require an originator, addressee, or intended recipient of  
28 an electronic communication to disclose any electronic  
29 communication information associated with that communication.

30 (2) Require an entity that provides electronic communications  
31 services to its officers, directors, employees, or agents for the  
32 purpose of carrying out their duties, to disclose electronic  
33 communication information associated with an electronic  
34 communication to or from an officer, director, employee, or agent  
35 of the entity.

36 (3) Require a service provider to provide subscriber information.

37 (j) *This section does not limit the authority of the Public Utilities*  
38 *Commission or the State Energy Resources Conservation and*  
39 *Development Commission to obtain energy or water supply and*  
40 *consumption information pursuant to the powers granted to them*

1 *under the Public Utilities Code or the Public Resources Code and*  
2 *other applicable state laws.*

3 *SEC. 5. Section 3401 of the Public Resources Code is amended*  
4 *to read:*

5 3401. (a) The proceeds of charges levied, assessed, and  
6 collected pursuant to this article upon the properties of every person  
7 operating or owning an interest in the production of a well shall  
8 be used exclusively for the support and maintenance of the  
9 department charged with the supervision of oil and gas ~~operations~~  
10 ~~and operations~~, for the State Water Resources Control Board and  
11 the regional water quality control boards for their activities related  
12 to oil and gas operations that may affect water ~~resources~~. *resources,*  
13 *and for the support of the State Air Resources Board and the Office*  
14 *of Environmental Health Hazard Assessment for their activities*  
15 *related to oil and gas operations that may affect air quality, public*  
16 *health, or public safety.*

17 (b) Notwithstanding subdivision (a), the proceeds of charges  
18 levied, assessed, and collected pursuant to this article upon the  
19 properties of every person operating or owning an interest in the  
20 production of a well undergoing a well stimulation treatment, may  
21 be used by public entities, subject to appropriation by the  
22 Legislature, for all costs associated with both of the following:

23 (1) Well stimulation treatments, including rulemaking and  
24 scientific studies required to evaluate the treatment, inspections,  
25 any air and water quality sampling, monitoring, and testing  
26 performed by public entities.

27 (2) The costs of the State Water Resources Control Board and  
28 the regional water quality control boards in carrying out their  
29 responsibilities pursuant to Section 3160 and Section 10783 of the  
30 Water Code.

31 *SEC. 6. Section 25751 of the Public Resources Code is*  
32 *amended to read:*

33 25751. (a) The Renewable Resource Trust Fund is hereby  
34 created in the State Treasury.

35 (b) The Emerging Renewable Resources Account is hereby  
36 established within the Renewable Resources Trust Fund.  
37 Notwithstanding Section 13340 of the Government Code, the  
38 moneys in the account are hereby continuously appropriated to  
39 the commission without regard to fiscal years for the following  
40 purposes:

1 (1) To close out the award of incentives for emerging  
2 technologies in accordance with former Section 25744, as this law  
3 existed prior to the enactment of the Budget Act of 2012, for which  
4 applications had been approved before the enactment of the Budget  
5 Act of 2012.

6 (2) To close out consumer education activities in accordance  
7 with former Section 25746, as this law existed prior to the  
8 enactment of the Budget Act of 2012.

9 (3) To provide funding for the New Solar Homes Partnership  
10 pursuant to paragraph (3) of subdivision (e) of Section 2851 of the  
11 Public Utilities Code.

12 (c) The Controller shall provide to the commission funds  
13 pursuant to the continuous appropriation in, and for purposes  
14 specified in, subdivision (b).

15 (d) The Controller shall provide to the commission moneys  
16 from the fund sufficient to satisfy all contract and grant awards  
17 that were made by the commission pursuant to former Sections  
18 25744 and 25746, and Chapter 8.8 (commencing with Section  
19 25780), as these laws existed prior to the enactment of the Budget  
20 Act of 2012.

21 *(e) If the Public Utilities Commission determines that the*  
22 *commission should be the third-party administrator for the New*  
23 *Solar Homes Partnership Program pursuant to subparagraph (A)*  
24 *of paragraph (3) of subdivision (e) of Section 2851 of the Public*  
25 *Utilities Code, any moneys made available to fund the New Solar*  
26 *Homes Partnership Program shall be deposited into the Emerging*  
27 *Renewable Resources Account of the Renewable Resource Trust*  
28 *Fund and used for this purpose.*

29 *SEC. 7. Section 388 of the Public Utilities Code is amended*  
30 *to read:*

31 388. (a) ~~Notwithstanding any other provision of law, any law,~~  
32 *a state agency may enter into an energy savings contract with a*  
33 *qualified energy service company for the purchase or exchange of*  
34 *thermal or electrical energy or water, or to acquire energy*  
35 *efficiency and/or or water conservation services, or both energy*  
36 *efficiency and water conservation services, for a term not exceeding*  
37 *35 years, at those rates and upon those terms that are approved by*  
38 *the agency.*

39 (b) The Department of General Services or any other state or  
40 local agency intending to enter into an energy savings contract *or*

1 a contract for an energy retrofit project may establish a pool of  
2 qualified energy service companies based on qualifications,  
3 experience, ~~pricing~~ pricing, or other pertinent factors. Energy  
4 service contracts for individual projects undertaken by any state  
5 or local agency may be awarded through a competitive selection  
6 process to individuals or firms identified in ~~such a~~ the pool. The  
7 pool of qualified energy service companies and contractors shall  
8 be reestablished at least every two years or shall expire.

9 (c) For purposes of this section, the following definitions apply:

10 (1) (A) “Energy retrofit project” means a project for which the  
11 state or local agency works with a qualified energy service  
12 company to identify, develop, design, and implement energy  
13 conservation measures in existing facilities to reduce energy or  
14 water use or make more efficient use of energy or water.

15 (B) “Energy retrofit project” does not include the erection or  
16 installation of a power generation system, a power purchase  
17 agreement, or a project utilizing a site license or lease agreement.

18 ~~(1)~~

19 (2) “Energy savings” means a measured and verified reduction  
20 in fuel, ~~energy~~ energy, or water consumption when compared to  
21 an established baseline of consumption.

22 ~~(2)~~

23 (3) “Qualified energy service company” means a company with  
24 a demonstrated ability to provide or arrange for building or facility  
25 energy auditors, selection and design of appropriate energy savings  
26 measures, project financing, implementation of these measures,  
27 and maintenance and ongoing measurement of these measures as  
28 to ensure and verify energy savings.

29 SEC. 8. Section 388.2 is added to the Public Utilities Code, to  
30 read:

31 388.2. (a) For purposes of this section, the following  
32 definitions apply:

33 (1) “Apprenticeable occupation” means an occupation for  
34 which the chief has approved an apprenticeship program pursuant  
35 to Section 3075 of the Labor Code before January 1, 2014.

36 (2) “Chief” means the Chief of the Division of Apprenticeship  
37 Standards of the Department of Industrial Relations.

38 (3) “Department” means the Department of General Services.

39 (4) (A) “Energy retrofit project” means a project for which the  
40 state works with a qualified energy service company to identify,

1 *develop, design, and implement energy conservation measures in*  
2 *existing facilities to reduce energy or water use or make more*  
3 *efficient use of energy or water.*

4 (B) *“Energy retrofit project” does not include the erection or*  
5 *installation of a power generation system, a power purchase*  
6 *agreement, or a project utilizing a site license or lease agreement.*

7 (5) *“Energy savings” means a measured and verified reduction*  
8 *in fuel, energy, or water consumption when compared to an*  
9 *established baseline of consumption.*

10 (6) *“Enforceable commitment” means an enforceable agreement*  
11 *with the department or state agency that the entity and its*  
12 *subcontractors at every tier will comply with this section.*

13 (7) (A) *“Qualified energy service company” means a company*  
14 *with a demonstrated ability to provide or arrange for building or*  
15 *facility energy auditors, selection and design of appropriate energy*  
16 *savings measures, project financing, implementation of these*  
17 *measures, and maintenance and ongoing measurement of these*  
18 *measures as to ensure and verify energy savings.*

19 (B) *An entity is not a qualified energy service company unless*  
20 *the entity has provided to the agency an enforceable commitment*  
21 *that the entity and its subcontractors at every tier will use a skilled*  
22 *and trained workforce to perform all work on the project or*  
23 *contract that falls within an apprenticeable occupation in the*  
24 *building and construction trades.*

25 (8) *“Skilled and trained workforce” means a workforce that*  
26 *meets all of the following conditions:*

27 (A) *All workers performing work in an apprenticeable*  
28 *occupation in the building and construction trades are either*  
29 *skilled journeypersons or apprentices in an apprenticeship*  
30 *program approved by the chief.*

31 (B) (i) *Except as provided in clause (ii), at least 60 percent of*  
32 *the skilled journeypersons employed to perform work on a contract*  
33 *or project by every contractor and each of its subcontractors at*  
34 *every tier are graduates of an apprenticeship program that was*  
35 *either approved by the chief pursuant to Section 3075 of the Labor*  
36 *Code, or an apprenticeship program located outside the state that*  
37 *is approved pursuant to the apprenticeship regulations adopted*  
38 *by the United States Secretary of Labor, for the applicable*  
39 *occupation.*

1 (ii) For an apprenticeable occupation in which no  
2 apprenticeship program had been approved by the chief before  
3 January 1, 1995, up to one-half of the requirement in clause (i)  
4 may be satisfied by skilled journeypersons who commenced  
5 working in an apprenticeable occupation before the chief's  
6 approval of an apprenticeship program in the county in which the  
7 project is located.

8 (iii) The requirements of this subparagraph are satisfied if, in  
9 a particular calendar month, either of the following is true:

10 (I) The percentage of the skilled journeypersons employed by  
11 the contractor or subcontractor to perform work on the contract  
12 or project is at least equal to 60 percent.

13 (II) For the hours of work performed by skilled journeypersons  
14 employed by the contractor or subcontractor on the contract or  
15 project, the percentage of hours performed by skilled  
16 journeypersons is at least equal to 60 percent.

17 (iv) This subparagraph does not apply to a contractor or  
18 subcontractor if, during the calendar month, the contractor or  
19 subcontractor employs skilled journeypersons to perform fewer  
20 than 10 hours of work on the contract or project.

21 (v) This subparagraph does not apply to a subcontractor if both  
22 of the following are true:

23 (I) The subcontractor is not a listed subcontractor in the  
24 investment grade audit or a substitute for a listed subcontractor.

25 (II) The subcontract does not exceed one-half of 1 percent of  
26 the price of the prime contract.

27 (9) "Skilled journeyperson" means a worker who is being paid  
28 at least the prevailing rate or per diem wages published by the  
29 Department of Industrial Relations for the occupation and  
30 geographic area and who either:

31 (A) Graduated from either an apprenticeship program that was  
32 approved by the chief pursuant to Section 3075 of the Labor Code,  
33 or an apprenticeship program located outside the state that is  
34 approved pursuant to the apprenticeship regulations adopted by  
35 the United States Secretary of Labor, for the applicable occupation.

36 (B) Has at least as many hours of on-the-job training experience  
37 in the applicable occupation as would be required to graduate  
38 from an apprenticeship program for the applicable occupation  
39 that is approved by the chief.

1 (b) (1) The department or any other state agency intending to  
2 enter into an energy savings contract for an energy retrofit project  
3 may establish one or more pools of qualified energy service  
4 companies based on qualification, experience, pricing, or other  
5 pertinent factors. The department or state agency may select a  
6 qualified energy service company identified in the pool for a  
7 contract for a specific energy retrofit project on a rotational basis.

8 (2) The department or state agency has the exclusive authority  
9 to reject the plan or proposal of a qualified energy service company  
10 selected for an energy retrofit project pursuant to paragraph (1)  
11 and may continue the selection process until a satisfactory proposal  
12 is identified.

13 (c) (1) A qualified energy service company working on an  
14 energy retrofit project shall submit to the department or state  
15 agency, as appropriate, on a monthly basis, a report demonstrating  
16 compliance with this section.

17 (2) If the qualified energy service company fails to submit the  
18 monthly report or submits a report that is incomplete, the  
19 department or state agency, as appropriate, shall withhold further  
20 payments until a complete report is submitted.

21 (3) The monthly report is a public record under the California  
22 Public Records Act (Chapter 3.5 (commencing with Section 6250)  
23 of Division 7 of Title 1 of the Government Code) and shall be  
24 available for public inspection.

25 (d) Prior to performing an investment grade audit, the  
26 department or other state agency shall provide a public notification  
27 that includes the project location, assigned energy service  
28 company, and the appropriate contact information on the  
29 department's Internet Web site.

30 (e) Subparagraph (B) of paragraph (7) of subdivision (a) and  
31 subdivision (c) do not apply if either of the following applies:

32 (1) The department or state agency, as appropriate, has entered  
33 into a project labor agreement, as defined in paragraph (1) of  
34 subdivision (b) of Section 2500 of the Public Contract Code, that  
35 will bind all contractors and subcontractors performing work on  
36 the project or contract and the entity agrees to be bound by that  
37 project labor agreement.

38 (2) The entity has entered into a project labor agreement, as  
39 defined in paragraph (1) of subdivision (b) of Section 2500 of the

1 *Public Contract Code, that will bind the entity and all contractors*  
2 *and subcontractors at every tier performing the project or contract.*

3 *(f) Subparagraph (B) of paragraph (7) of subdivision (a) and*  
4 *subdivision (c) do not apply to work performed by the California*  
5 *Conservation Corps that is nontrades and nonconstruction related.*

6 *(g) This section is not intended to waive other terms and*  
7 *conditions applicable to a state contract for an energy retrofit*  
8 *project.*

9 *(h) This section shall remain in effect only until January 1, 2020,*  
10 *and as of that date is repealed, unless a later enacted statute, that*  
11 *is enacted before January 1, 2020, deletes or extends that date.*

12 *SEC. 9. Section 399.20 of the Public Utilities Code is amended*  
13 *to read:*

14 399.20. (a) It is the policy of this state and the intent of the  
15 Legislature to encourage electrical generation from eligible  
16 renewable energy resources.

17 (b) As used in this section, “electric generation facility” means  
18 an electric generation facility located within the service territory  
19 of, and developed to sell electricity to, an electrical corporation  
20 that meets all of the following criteria:

21 (1) Has an effective capacity of not more than three megawatts.

22 (2) Is interconnected and operates in parallel with the electrical  
23 transmission and distribution grid.

24 (3) Is strategically located and interconnected to the electrical  
25 transmission and distribution grid in a manner that optimizes the  
26 deliverability of electricity generated at the facility to load centers.

27 (4) Is an eligible renewable energy resource.

28 (c) Every electrical corporation shall file with the commission  
29 a standard tariff for electricity purchased from an electric  
30 generation facility. The commission may modify or adjust the  
31 requirements of this section for any electrical corporation with less  
32 than 100,000 service connections, as individual circumstances  
33 merit.

34 (d) (1) The tariff shall provide for payment for every  
35 kilowatthour of electricity purchased from an electric generation  
36 facility for a period of 10, 15, or 20 years, as authorized by the  
37 commission. The payment shall be the market price determined  
38 by the commission pursuant to paragraph (2) and shall include all  
39 current and anticipated environmental compliance costs, including,  
40 but not limited to, mitigation of emissions of greenhouse gases

1 and air pollution offsets associated with the operation of new  
2 generating facilities in the local air pollution control or air quality  
3 management district where the electric generation facility is  
4 located.

5 (2) The commission shall establish a methodology to determine  
6 the market price of electricity for terms corresponding to the length  
7 of contracts with an electric generation facility, in consideration  
8 of the following:

9 (A) The long-term market price of electricity for fixed price  
10 contracts, determined pursuant to an electrical corporation's general  
11 procurement activities as authorized by the commission.

12 (B) The long-term ownership, operating, and fixed-price fuel  
13 costs associated with fixed-price electricity from new generating  
14 facilities.

15 (C) The value of different electricity products including  
16 baseload, peaking, and as-available electricity.

17 (3) The commission may adjust the payment rate to reflect the  
18 value of every kilowatthour of electricity generated on a  
19 time-of-delivery basis.

20 (4) The commission shall ensure, with respect to rates and  
21 charges, that ratepayers that do not receive service pursuant to the  
22 tariff are indifferent to whether a ratepayer with an electric  
23 generation facility receives service pursuant to the tariff.

24 (e) An electrical corporation shall provide expedited  
25 interconnection procedures to an electric generation facility located  
26 on a distribution circuit that generates electricity at a time and in  
27 a manner so as to offset the peak demand on the distribution circuit,  
28 if the electrical corporation determines that the electric generation  
29 facility will not adversely affect the distribution grid. The  
30 commission shall consider and may establish a value for an electric  
31 generation facility located on a distribution circuit that generates  
32 electricity at a time and in a manner so as to offset the peak demand  
33 on the distribution circuit.

34 (f) (1) An electrical corporation shall make the tariff available  
35 to the owner or operator of an electric generation facility within  
36 the service territory of the electrical corporation, upon request, on  
37 a first-come-first-served basis, until the electrical corporation meets  
38 its proportionate share of a statewide cap of 750 megawatts  
39 cumulative rated generation capacity served under this section and  
40 Section 387.6. The proportionate share shall be calculated based

1 on the ratio of the electrical corporation's peak demand compared  
2 to the total statewide peak demand.

3 (2) By June 1, 2013, the commission shall, in addition to the  
4 750 megawatts identified in paragraph (1), direct the electrical  
5 corporations to collectively procure at least 250 megawatts of  
6 cumulative rated generating capacity from developers of bioenergy  
7 projects that commence operation on or after June 1, 2013. The  
8 commission shall, for each electrical corporation, allocate shares  
9 of the additional 250 megawatts based on the ratio of each electrical  
10 corporation's peak demand compared to the total statewide peak  
11 demand. In implementing this paragraph, the commission shall do  
12 all of the following:

13 (A) Allocate the 250 megawatts identified in this paragraph  
14 among the electrical corporations based on the following  
15 categories:

16 (i) For biogas from wastewater treatment, municipal organic  
17 waste diversion, food processing, and codigestion, 110 megawatts.

18 (ii) For dairy and other agricultural bioenergy, 90 megawatts.

19 (iii) For bioenergy using byproducts of sustainable forest  
20 management, 50 megawatts. Allocations under this category shall  
21 be determined based on the proportion of bioenergy that sustainable  
22 forest management providers derive from sustainable forest  
23 management in fire threat treatment areas, as designated by the  
24 Department of Forestry and Fire Protection.

25 (B) Direct the electrical corporations to develop standard  
26 contract terms and conditions that reflect the operational  
27 characteristics of the projects, and to provide a streamlined  
28 contracting process.

29 (C) Coordinate, to the maximum extent feasible, any incentive  
30 or subsidy programs for bioenergy with the agencies listed in  
31 subparagraph (A) of paragraph (3) in order to provide maximum  
32 benefits to ratepayers and to ensure that incentives are used to  
33 reduce contract prices.

34 (D) The commission shall encourage gas and electrical  
35 corporations to develop and offer programs and services to facilitate  
36 development of in-state biogas for a broad range of purposes.

37 (3) (A) The commission, in consultation with the State Energy  
38 Resources Conservation and Development Commission, the State  
39 Air Resources Board, the Department of Forestry and Fire  
40 Protection, the Department of Food and Agriculture, and the

1 Department of Resources Recycling and Recovery, may review  
2 the allocations of the 250 additional megawatts identified in  
3 paragraph (2) to determine if those allocations are appropriate.

4 (B) If the commission finds that the allocations of the 250  
5 additional megawatts identified in paragraph (2) are not  
6 appropriate, the commission may reallocate the 250 megawatts  
7 among the categories established in subparagraph (A) of paragraph  
8 (2).

9 (4) (A) *A project identified in clause (iii) of subparagraph (A)*  
10 *of paragraph (2) is eligible, in regards to interconnection, for the*  
11 *tariff established to implement paragraph (2) or to participate in*  
12 *any program or auction established to implement paragraph (2),*  
13 *if it meets at least one of the following requirements:*

14 (i) *The project is already interconnected.*

15 (ii) *The project has been found to be eligible for interconnection*  
16 *pursuant to the fast track process under the relevant tariff.*

17 (iii) *A system impact study or other interconnection study has*  
18 *been completed for the project under the relevant tariff, and there*  
19 *was no determination in the study that, with the identified*  
20 *interconnection upgrades, if any, a condition specified in*  
21 *paragraph (2), (3), or (4) of subdivision (n) would exist. Such a*  
22 *project is not required to have a pending, active interconnection*  
23 *application to be eligible.*

24 (B) *For a project meeting the eligibility requirements pursuant*  
25 *to clause (iii) of subparagraph (A) of this paragraph, both of the*  
26 *following apply:*

27 (i) *The project is hereby deemed to be able to interconnect*  
28 *within the required time limits for the purpose of determining*  
29 *eligibility for the tariff.*

30 (ii) *The project shall submit a new application for*  
31 *interconnection within 30 days of execution of a standard contract*  
32 *pursuant to the tariff if it does not have a pending, active*  
33 *interconnection application or a completed interconnection. For*  
34 *those projects, the time to achieve commercial operation shall*  
35 *begin to run from the date when the new system impact study or*  
36 *other interconnection study is completed rather than from the date*  
37 *of execution of the standard contract.*

38 (4)

39 (5) For the purposes of this subdivision, “bioenergy” means  
40 biogas and biomass.

1 (g) The electrical corporation may make the terms of the tariff  
2 available to owners and operators of an electric generation facility  
3 in the form of a standard contract subject to commission approval.

4 (h) Every kilowatthour of electricity purchased from an electric  
5 generation facility shall count toward meeting the electrical  
6 corporation's renewables portfolio standard annual procurement  
7 targets for purposes of paragraph (1) of subdivision (b) of Section  
8 399.15.

9 (i) The physical generating capacity of an electric generation  
10 facility shall count toward the electrical corporation's resource  
11 adequacy requirement for purposes of Section 380.

12 (j) (1) The commission shall establish performance standards  
13 for any electric generation facility that has a capacity greater than  
14 one megawatt to ensure that those facilities are constructed,  
15 operated, and maintained to generate the expected annual net  
16 production of electricity and do not impact system reliability.

17 (2) The commission may reduce the three megawatt capacity  
18 limitation of paragraph (1) of subdivision (b) if the commission  
19 finds that a reduced capacity limitation is necessary to maintain  
20 system reliability within that electrical corporation's service  
21 territory.

22 (k) (1) Any owner or operator of an electric generation facility  
23 that received ratepayer-funded incentives in accordance with  
24 Section 379.6 of this code, or with Section 25782 of the Public  
25 Resources Code, and participated in a net metering program  
26 pursuant to Sections 2827, 2827.9, and 2827.10 of this code prior  
27 to January 1, 2010, shall be eligible for a tariff or standard contract  
28 filed by an electrical corporation pursuant to this section.

29 (2) In establishing the tariffs or standard contracts pursuant to  
30 this section, the commission shall consider ratepayer-funded  
31 incentive payments previously received by the generation facility  
32 pursuant to Section 379.6 of this code or Section 25782 of the  
33 Public Resources Code. The commission shall require  
34 reimbursement of any funds received from these incentive  
35 programs to an electric generation facility, in order for that facility  
36 to be eligible for a tariff or standard contract filed by an electrical  
37 corporation pursuant to this section, unless the commission  
38 determines ratepayers have received sufficient value from the  
39 incentives provided to the facility based on how long the project

1 has been in operation and the amount of renewable electricity  
2 previously generated by the facility.

3 (3) A customer that receives service under a tariff or contract  
4 approved by the commission pursuant to this section is not eligible  
5 to participate in any net metering program.

6 (l) An owner or operator of an electric generation facility  
7 electing to receive service under a tariff or contract approved by  
8 the commission shall continue to receive service under the tariff  
9 or contract until either of the following occurs:

10 (1) The owner or operator of an electric generation facility no  
11 longer meets the eligibility requirements for receiving service  
12 pursuant to the tariff or contract.

13 (2) The period of service established by the commission pursuant  
14 to subdivision (d) is completed.

15 (m) Within 10 days of receipt of a request for a tariff pursuant  
16 to this section from an owner or operator of an electric generation  
17 facility, the electrical corporation that receives the request shall  
18 post a copy of the request on its Internet Web site. The information  
19 posted on the Internet Web site shall include the name of the city  
20 in which the facility is located, but information that is proprietary  
21 and confidential, including, but not limited to, address information  
22 beyond the name of the city in which the facility is located, shall  
23 be redacted.

24 (n) An electrical corporation may deny a tariff request pursuant  
25 to this section if the electrical corporation makes any of the  
26 following findings:

27 (1) The electric generation facility does not meet the  
28 requirements of this section.

29 (2) The transmission or distribution grid that would serve as the  
30 point of interconnection is inadequate.

31 (3) The electric generation facility does not meet all applicable  
32 state and local laws and building standards and utility  
33 interconnection requirements.

34 (4) The aggregate of all electric generating facilities on a  
35 distribution circuit would adversely impact utility operation and  
36 load restoration efforts of the distribution system.

37 (o) Upon receiving a notice of denial from an electrical  
38 corporation, the owner or operator of the electric generation facility  
39 denied a tariff pursuant to this section shall have the right to appeal  
40 that decision to the commission.

1 (p) In order to ensure the safety and reliability of electric  
2 generation facilities, the owner of an electric generation facility  
3 receiving a tariff pursuant to this section shall provide an inspection  
4 and maintenance report to the electrical corporation at least once  
5 every other year. The inspection and maintenance report shall be  
6 prepared at the owner's or operator's expense by a  
7 California-licensed contractor who is not the owner or operator of  
8 the electric generation facility. A California-licensed electrician  
9 shall perform the inspection of the electrical portion of the  
10 generation facility.

11 (q) The contract between the electric generation facility  
12 receiving the tariff and the electrical corporation shall contain  
13 provisions that ensure that construction of the electric generating  
14 facility complies with all applicable state and local laws and  
15 building standards, and utility interconnection requirements.

16 (r) (1) All construction and installation of facilities of the  
17 electrical corporation, including at the point of the output meter  
18 or at the transmission or distribution grid, shall be performed only  
19 by that electrical corporation.

20 (2) All interconnection facilities installed on the electrical  
21 corporation's side of the transfer point for electricity between the  
22 electrical corporation and the electrical conductors of the electric  
23 generation facility shall be owned, operated, and maintained only  
24 by the electrical corporation. The ownership, installation, operation,  
25 reading, and testing of revenue metering equipment for electric  
26 generating facilities shall only be performed by the electrical  
27 corporation.

28 *SEC. 9.5. Section 399.20 of the Public Utilities Code is*  
29 *amended to read:*

30 399.20. (a) It is the policy of this state and the intent of the  
31 Legislature to encourage electrical generation from eligible  
32 renewable energy resources.

33 (b) As used in this section, "electric generation facility" means  
34 an electric generation facility located within the service territory  
35 of, and developed to sell electricity to, an electrical corporation  
36 that meets all of the following criteria:

37 (1) Has an effective capacity of not more than three ~~megawatts.~~  
38 *megawatts, with the exception of those facilities participating in*  
39 *a tariff made available pursuant to paragraph (2) of subdivision*  
40 *(f).*

1 (2) Is interconnected and operates in parallel with the electrical  
2 transmission and distribution grid.

3 (3) Is strategically located and interconnected to the electrical  
4 transmission and distribution grid in a manner that optimizes the  
5 deliverability of electricity generated at the facility to load centers.

6 (4) Is an eligible renewable energy resource.

7 (c) Every electrical corporation shall file with the commission  
8 a standard tariff for electricity purchased from an electric  
9 generation facility. The commission may modify or adjust the  
10 requirements of this section for any electrical corporation with less  
11 than 100,000 service connections, as individual circumstances  
12 merit.

13 (d) (1) The tariff shall provide for payment for every  
14 kilowatthour of electricity purchased from an electric generation  
15 facility for a period of 10, 15, or 20 years, as authorized by the  
16 commission. The payment shall be the market price determined  
17 by the commission pursuant to paragraph (2) and shall include all  
18 current and anticipated environmental compliance costs, including,  
19 but not limited to, mitigation of emissions of greenhouse gases  
20 and air pollution offsets associated with the operation of new  
21 generating facilities in the local air pollution control or air quality  
22 management district where the electric generation facility is  
23 located.

24 (2) The commission shall establish a methodology to determine  
25 the market price of electricity for terms corresponding to the length  
26 of contracts with an electric generation facility, in consideration  
27 of the following:

28 (A) The long-term market price of electricity for fixed price  
29 contracts, determined pursuant to an electrical corporation's general  
30 procurement activities as authorized by the commission.

31 (B) The long-term ownership, operating, and fixed-price fuel  
32 costs associated with fixed-price electricity from new generating  
33 facilities.

34 (C) The value of different electricity products including  
35 baseload, peaking, and as-available electricity.

36 (3) The commission may adjust the payment rate to reflect the  
37 value of every kilowatthour of electricity generated on a  
38 time-of-delivery basis.

39 (4) The commission shall ensure, with respect to rates and  
40 charges, that ratepayers that do not receive service pursuant to the

1 tariff are indifferent to whether a ratepayer with an electric  
2 generation facility receives service pursuant to the tariff.

3 (e) An electrical corporation shall provide expedited  
4 interconnection procedures to an electric generation facility located  
5 on a distribution circuit that generates electricity at a time and in  
6 a manner so as to offset the peak demand on the distribution circuit,  
7 if the electrical corporation determines that the electric generation  
8 facility will not adversely affect the distribution grid. The  
9 commission shall consider and may establish a value for an electric  
10 generation facility located on a distribution circuit that generates  
11 electricity at a time and in a manner so as to offset the peak demand  
12 on the distribution circuit.

13 (f) (1) An electrical corporation shall make the tariff available  
14 to the owner or operator of an electric generation facility within  
15 the service territory of the electrical corporation, upon request, on  
16 a first-come-first-served basis, until the electrical corporation meets  
17 its proportionate share of a statewide cap of 750 megawatts  
18 cumulative rated generation capacity served under this section and  
19 Section 387.6. The proportionate share shall be calculated based  
20 on the ratio of the electrical corporation's peak demand compared  
21 to the total statewide peak demand.

22 (2) By June 1, 2013, the commission shall, in addition to the  
23 750 megawatts identified in paragraph (1), direct the electrical  
24 corporations to collectively procure at least 250 megawatts of  
25 cumulative rated generating capacity from developers of bioenergy  
26 projects that commence operation on or after June 1, 2013. The  
27 commission shall, for each electrical corporation, allocate shares  
28 of the additional 250 megawatts based on the ratio of each electrical  
29 corporation's peak demand compared to the total statewide peak  
30 demand. In implementing this paragraph, the commission shall do  
31 all of the following:

32 (A) Allocate the 250 megawatts identified in this paragraph  
33 among the electrical corporations based on the following  
34 categories:

35 (i) For biogas from wastewater treatment, municipal organic  
36 waste diversion, food processing, and codigestion, 110 megawatts.

37 (ii) For dairy and other agricultural bioenergy, 90 megawatts.

38 (iii) For bioenergy using byproducts of sustainable forest  
39 management, 50 megawatts. Allocations under this category shall  
40 be determined based on the proportion of bioenergy that sustainable

1 forest management providers derive from sustainable forest  
2 management in fire threat treatment areas, as designated by the  
3 Department of Forestry and Fire Protection.

4 (B) Direct the electrical corporations to develop standard  
5 contract terms and conditions that reflect the operational  
6 characteristics of the projects, and to provide a streamlined  
7 contracting process.

8 (C) Coordinate, to the maximum extent feasible, any incentive  
9 or subsidy programs for bioenergy with the agencies listed in  
10 subparagraph (A) of paragraph (3) in order to provide maximum  
11 benefits to ratepayers and to ensure that incentives are used to  
12 reduce contract prices.

13 (D) The commission shall encourage gas and electrical  
14 corporations to develop and offer programs and services to facilitate  
15 development of in-state biogas for a broad range of purposes.

16 (E) *Direct the electrical corporations to authorize a bioenergy  
17 electric generation facility with a nameplate generating capacity  
18 of up to five megawatts to participate in the tariff made available  
19 pursuant to this paragraph, if it meets the following conditions:*

20 (i) *It delivers no more than three megawatts to the grid at any  
21 time.*

22 (ii) *It complies with the electrical corporation's Electric Rule  
23 21 tariff or other distribution access tariff.*

24 (iii) *Payment is made pursuant to paragraph (1) of subdivision  
25 (d) and no payment is made for any electricity delivered to the  
26 grid in excess of three megawatts at any time.*

27 (3) (A) The commission, in consultation with the State Energy  
28 Resources Conservation and Development Commission, the State  
29 Air Resources Board, the Department of Forestry and Fire  
30 Protection, the Department of Food and Agriculture, and the  
31 Department of Resources Recycling and Recovery, may review  
32 the allocations of the 250 additional megawatts identified in  
33 paragraph (2) to determine if those allocations are appropriate.

34 (B) If the commission finds that the allocations of the 250  
35 additional megawatts identified in paragraph (2) are not  
36 appropriate, the commission may reallocate the 250 megawatts  
37 among the categories established in subparagraph (A) of paragraph  
38 (2).

39 (4) (A) *A project identified in clause (iii) of subparagraph (A)  
40 of paragraph (2) is eligible, in regards to interconnection, for the*

1 *tariff established to implement paragraph (2) or to participate in*  
2 *any program or auction established to implement paragraph (2),*  
3 *if it meets at least one of the following requirements:*

- 4 (i) *The project is already interconnected.*
- 5 (ii) *The project has been found to be eligible for interconnection*  
6 *pursuant to the fast track process under the relevant tariff.*
- 7 (iii) *A system impact study or other interconnection study has*  
8 *been completed for the project under the relevant tariff, and there*  
9 *was no determination in the study that, with the identified*  
10 *interconnection upgrades, if any, a condition specified in*  
11 *paragraph (2), (3), or (4) of subdivision (n) would exist. Such a*  
12 *project is not required to have a pending, active interconnection*  
13 *application to be eligible.*

14 (B) *For a project meeting the eligibility requirements pursuant*  
15 *to clause (iii) of subparagraph (A) of this paragraph, both of the*  
16 *following apply:*

- 17 (i) *The project is hereby deemed to be able to interconnect*  
18 *within the required time limits for the purpose of determining*  
19 *eligibility for the tariff.*
- 20 (ii) *The project shall submit a new application for*  
21 *interconnection within 30 days of execution of a standard contract*  
22 *pursuant to the tariff if it does not have a pending, active*  
23 *interconnection application or a completed interconnection. For*  
24 *those projects, the time to achieve commercial operation shall*  
25 *begin to run from the date when the new system impact study or*  
26 *other interconnection study is completed rather than from the date*  
27 *of execution of the standard contract.*

28 ~~(4)~~

29 (5) *For the purposes of this subdivision, “bioenergy” means*  
30 *biogas and biomass.*

31 (g) *The electrical corporation may make the terms of the tariff*  
32 *available to owners and operators of an electric generation facility*  
33 *in the form of a standard contract subject to commission approval.*

34 (h) *Every kilowatthour of electricity purchased from an electric*  
35 *generation facility shall count toward meeting the electrical*  
36 *corporation’s renewables portfolio standard annual procurement*  
37 *targets for purposes of paragraph (1) of subdivision (b) of Section*  
38 *399.15.*

1 (i) The physical generating capacity of an electric generation  
2 facility shall count toward the electrical corporation's resource  
3 adequacy requirement for purposes of Section 380.

4 (j) (1) The commission shall establish performance standards  
5 for any electric generation facility that has a capacity greater than  
6 one megawatt to ensure that those facilities are constructed,  
7 operated, and maintained to generate the expected annual net  
8 production of electricity and do not impact system reliability.

9 (2) The commission may reduce the three megawatt capacity  
10 limitation of paragraph (1) of subdivision (b) if the commission  
11 finds that a reduced capacity limitation is necessary to maintain  
12 system reliability within that electrical corporation's service  
13 territory.

14 (k) (1) Any owner or operator of an electric generation facility  
15 that received ratepayer-funded incentives in accordance with  
16 Section 379.6 of this code, or with Section 25782 of the Public  
17 Resources Code, and participated in a net metering program  
18 pursuant to Sections 2827, 2827.9, and 2827.10 of this code prior  
19 to January 1, 2010, shall be eligible for a tariff or standard contract  
20 filed by an electrical corporation pursuant to this section.

21 (2) In establishing the tariffs or standard contracts pursuant to  
22 this section, the commission shall consider ratepayer-funded  
23 incentive payments previously received by the generation facility  
24 pursuant to Section 379.6 of this code or Section 25782 of the  
25 Public Resources Code. The commission shall require  
26 reimbursement of any funds received from these incentive  
27 programs to an electric generation facility, in order for that facility  
28 to be eligible for a tariff or standard contract filed by an electrical  
29 corporation pursuant to this section, unless the commission  
30 determines ratepayers have received sufficient value from the  
31 incentives provided to the facility based on how long the project  
32 has been in operation and the amount of renewable electricity  
33 previously generated by the facility.

34 (3) A customer that receives service under a tariff or contract  
35 approved by the commission pursuant to this section is not eligible  
36 to participate in any net metering program.

37 (l) An owner or operator of an electric generation facility  
38 electing to receive service under a tariff or contract approved by  
39 the commission shall continue to receive service under the tariff  
40 or contract until either of the following occurs:

1 (1) The owner or operator of an electric generation facility no  
2 longer meets the eligibility requirements for receiving service  
3 pursuant to the tariff or contract.

4 (2) The period of service established by the commission pursuant  
5 to subdivision (d) is completed.

6 (m) Within 10 days of receipt of a request for a tariff pursuant  
7 to this section from an owner or operator of an electric generation  
8 facility, the electrical corporation that receives the request shall  
9 post a copy of the request on its Internet Web site. The information  
10 posted on the Internet Web site shall include the name of the city  
11 in which the facility is located, but information that is proprietary  
12 and confidential, including, but not limited to, address information  
13 beyond the name of the city in which the facility is located, shall  
14 be redacted.

15 (n) An electrical corporation may deny a tariff request pursuant  
16 to this section if the electrical corporation makes any of the  
17 following findings:

18 (1) The electric generation facility does not meet the  
19 requirements of this section.

20 (2) The transmission or distribution grid that would serve as the  
21 point of interconnection is inadequate.

22 (3) The electric generation facility does not meet all applicable  
23 state and local laws and building standards and utility  
24 interconnection requirements.

25 (4) The aggregate of all electric generating facilities on a  
26 distribution circuit would adversely impact utility operation and  
27 load restoration efforts of the distribution system.

28 (o) Upon receiving a notice of denial from an electrical  
29 corporation, the owner or operator of the electric generation facility  
30 denied a tariff pursuant to this section shall have the right to appeal  
31 that decision to the commission.

32 (p) In order to ensure the safety and reliability of electric  
33 generation facilities, the owner of an electric generation facility  
34 receiving a tariff pursuant to this section shall provide an inspection  
35 and maintenance report to the electrical corporation at least once  
36 every other year. The inspection and maintenance report shall be  
37 prepared at the owner's or operator's expense by a  
38 California-licensed contractor who is not the owner or operator of  
39 the electric generation facility. A California-licensed electrician

1 shall perform the inspection of the electrical portion of the  
2 generation facility.

3 (q) The contract between the electric generation facility  
4 receiving the tariff and the electrical corporation shall contain  
5 provisions that ensure that construction of the electric generating  
6 facility complies with all applicable state and local laws and  
7 building standards, and utility interconnection requirements.

8 (r) (1) All construction and installation of facilities of the  
9 electrical corporation, including at the point of the output meter  
10 or at the transmission or distribution grid, shall be performed only  
11 by that electrical corporation.

12 (2) All interconnection facilities installed on the electrical  
13 corporation's side of the transfer point for electricity between the  
14 electrical corporation and the electrical conductors of the electric  
15 generation facility shall be owned, operated, and maintained only  
16 by the electrical corporation. The ownership, installation, operation,  
17 reading, and testing of revenue metering equipment for electric  
18 generating facilities shall only be performed by the electrical  
19 corporation.

20 *SEC. 10. The Legislature finds and declares all of the*  
21 *following:*

22 (a) *California imports 91 percent of its natural gas, which is*  
23 *responsible for 25 percent of the state's emissions of greenhouse*  
24 *gases.*

25 (b) *California made a commitment to address climate change*  
26 *with the California Global Warming Solutions Act of 2006*  
27 *(Division 25.5 (commencing with Section 38500) of the Health*  
28 *and Safety Code) and the adoption of a comprehensive strategy*  
29 *to reduce emissions of short-lived climate pollutants (Chapter 4.2*  
30 *(commencing with Section 39730) of Part 2 of Division 26 of the*  
31 *Health and Safety Code). For California to meet its goals for*  
32 *reducing emissions of greenhouse gases and short-lived climate*  
33 *pollutants, the state must reduce emissions from the natural gas*  
34 *sector and increase the production and distribution of renewable*  
35 *and low-carbon gas supplies.*

36 (c) *Biomethane is gas generated from organic waste through*  
37 *anaerobic digestion, gasification, pyrolysis, or other conversion*  
38 *technology that converts organic matter to gas. Biomethane may*  
39 *be produced from multiple sources, including agricultural waste,*

1 forest waste, landfill gas, wastewater treatment byproducts, and  
2 diverted organic waste.

3 (d) Biomethane provides a sustainable and clean alternative to  
4 natural gas. If 10 percent of California's natural gas use were to  
5 be replaced with biomethane use, emissions of greenhouse gases  
6 would be reduced by tens of millions of metric tons of carbon  
7 dioxide equivalent every year.

8 (e) Investing in biomethane would create cobenefits, including  
9 flexible generation of electricity from a renewable source that is  
10 available 24 hours a day, reduction of fossil fuel use, reduction of  
11 air and water pollution, and new jobs.

12 (f) Biomethane can also be used as transportation fuel or  
13 injected into natural gas pipelines for other uses. The most  
14 appropriate use of biomethane varies depending on the source,  
15 proximity to existing natural gas pipeline injection points or large  
16 vehicle fleets, and the circumstances of existing facilities.

17 (g) The biomethane market has been slow to develop in  
18 California because the collection, purification, and pipeline  
19 injection of biomethane can be costly.

20 (h) Biomethane is poised to play a key role in future natural  
21 gas and hydrogen fuel markets as a blendstock that can  
22 significantly reduce the carbon footprint of these two fossil-based  
23 alternative fuels.

24 (i) Biomethane is one of the most promising alternative vehicle  
25 fuels because it generates the least net emissions of greenhouse  
26 gases. According to the low-carbon fuel standard regulations  
27 (Subarticle 7 (commencing with Section 95480) of Article 4 of  
28 Subchapter 10 of Chapter 1 of Division 3 of Title 17 of the  
29 California Code of Regulations) adopted by the State Air Resources  
30 Board, vehicles running on biomethane generate significantly  
31 lower emissions of greenhouse gases than vehicles running on  
32 electricity or fossil fuel-derived hydrogen.

33 (j) The California Council on Science and Technology was  
34 established by California academic research institutions, including  
35 the University of California, the University of Southern California,  
36 the California Institute of Technology, Stanford University, and  
37 the California State University, and was organized as a nonprofit  
38 corporation pursuant to Section 501(c)(3) of the Internal Revenue  
39 Code, in response to Assembly Concurrent Resolution No. 162  
40 (Resolution Chapter 148 of the Statutes of 1988).

1     (k) *The California Council on Science and Technology was*  
2 *uniquely established at the request of the Legislature for the*  
3 *specific purpose of offering expert advice to state government on*  
4 *public policy issues significantly related to science and technology.*

5     (l) *It is in the public's interests, and in the interest of ratepayers*  
6 *of the state's gas corporations, that the policies and programs*  
7 *adopted by the Public Utilities Commission be guided by the best*  
8 *science reasonably available.*

9     SEC. 11. *Section 784.1 is added to the Public Utilities Code,*  
10 *to read:*

11     784.1. (a) *The Legislature requests that the California Council*  
12 *on Science and Technology undertake and complete a study*  
13 *analyzing the regional and gas corporation specific issues relating*  
14 *to minimum heating value and maximum siloxane specifications*  
15 *for biomethane before it can be injected into common carrier gas*  
16 *pipelines, including those specifications adopted in Sections 4.4.3.3*  
17 *and 4.4.4 of commission Decision 14-01-034 (January 16, 2014),*  
18 *Decision Regarding the Biomethane Implementation Tasks in*  
19 *Assembly Bill 1900. The study shall consider and evaluate other*  
20 *states' standards, the source of biomethane, the dilution of*  
21 *biomethane after it is injected into the pipeline, the equipment and*  
22 *technology upgrades required to meet the minimum heating value*  
23 *specifications, including the impacts of those specifications on the*  
24 *cost, volume of biomethane sold, equipment operation, and safety.*  
25 *The study shall also consider whether different sources of biogas*  
26 *should have different standards or if all sources should adhere to*  
27 *one standard for the minimum heating value and maximum*  
28 *permissible level of siloxanes. The study shall develop the best*  
29 *science reasonably available and not merely be a literature review.*  
30 *In order to meet the state's goals for reducing emissions of*  
31 *greenhouse gases and short-lived climate pollutants and the state's*  
32 *goals for promoting the use of renewable energy resources in place*  
33 *of burning fossil fuels, the California Council on Science and*  
34 *Technology, if it agrees to undertake and complete the study, shall*  
35 *complete the study within nine months of entering into a contract*  
36 *to undertake and complete the study.*

37     (b) (1) *If the California Council on Science and Technology*  
38 *agrees to undertake and complete the study pursuant to subdivision*  
39 *(a), the commission shall require each gas corporation operating*  
40 *common carrier pipelines in California to proportionately*

1 contribute to the expenses to undertake the study pursuant to  
2 Sections 740 and 740.1. The commission may modify the monetary  
3 incentives made available pursuant to commission Decision  
4 15-06-029 (June 11, 2015), Decision Regarding the Costs of  
5 Compliance with Decision 14-01-034 and Adoption of Biomethane  
6 Promotion Policies and Program, to allocate some of the moneys  
7 that would be made available for incentives to instead be made  
8 available to pay for the costs of the study so as to not further  
9 burden ratepayers with additional expense.

10 (2) The commission's authority pursuant to paragraph (1) shall  
11 apply notwithstanding whether the gas corporation has proposed  
12 the program pursuant to Section 740.1.

13 (c) If the California Council on Science and Technology agrees  
14 to undertake and complete the study pursuant to subdivision (a),  
15 within six months of its completion, the commission shall reevaluate  
16 its requirements and standards adopted pursuant to Section 25421  
17 of the Health and Safety Code relative to the requirements and  
18 standards for biomethane to be injected into common carrier  
19 pipelines and, if appropriate, change those requirements and  
20 standards or adopt new requirements and standards, giving due  
21 deference to the conclusions and recommendations made in the  
22 study by the California Council on Science and Technology.

23 SEC. 12. Section 2834 of the Public Utilities Code is repealed.

24 ~~2834. This chapter shall remain in effect only until January 1,~~  
25 ~~2019, and as of that date is repealed, unless a later enacted statute,~~  
26 ~~that is enacted before January 1, 2019, deletes or extends that date.~~

27 SEC. 13. (a) By March 31, 2017, the Public Utilities  
28 Commission shall report to the relevant policy and fiscal  
29 committees of the Legislature on its business process inventory  
30 efforts. The report shall include documentation and measurement  
31 of commission processes, including administrative and monitoring  
32 processes shaped by law and judicial review, program performance  
33 and communications pursuant to the commission's rules and  
34 procedures, and internal processes related to administration and  
35 managing human resources.

36 (b) The report shall be submitted in compliance with Section  
37 9795 of the Government Code.

38 (c) Pursuant to Section 10231.5 of the Government Code, this  
39 section is repealed on April 1, 2021.

1 SEC. 14. (a) By March 31, 2017, the Public Utilities  
2 Commission shall report to the relevant policy and fiscal  
3 committees of the Legislature on options to locate operations and  
4 staff outside of the commission's San Francisco headquarters. The  
5 report shall explore options for leveraging additional facilities in  
6 areas of the state, including Sacramento, that would allow the  
7 commission to collaborate with other state entities and provide  
8 staff more opportunities for training, career development, and  
9 exchange placements with other state entities. The report shall do  
10 both of the following:

11 (1) Consider categories of operations in different offices.

12 (2) Analyze recruitment and retention, salary disparities by  
13 location based on duty statements, and costs associated with using  
14 locations outside of San Francisco with no, or minimal, disruption  
15 of current commission employees.

16 (b) The commission shall conduct one or more public workshops  
17 to obtain suggestions, concerns, ideas, and comments from  
18 stakeholders and interested members of the public in furtherance  
19 of the purpose of the report.

20 (c) (1) The report shall be submitted in compliance with Section  
21 9795 of the Government Code.

22 (2) Pursuant to Section 10231.5 of the Government Code, this  
23 section is repealed on April 1, 2021.

24 SEC. 15. Section 4.5 of this bill incorporates amendments to  
25 Section 1546.1 of the Penal Code proposed by both this bill and  
26 Assembly Bill 1924. It shall only become operative if (1) both bills  
27 are enacted and become effective on or before January 1, 2017,  
28 (2) each bill amends Section 1546.1 of the Penal Code, and (3)  
29 this bill is enacted after Assembly Bill 1924, in which case Section  
30 4 of this bill shall not become operative.

31 SEC. 16. Section 9.5 of this bill incorporates amendments to  
32 Section 399.20 of the Public Utilities Code proposed by both this  
33 bill and Assembly Bill 1923. It shall only become operative if (1)  
34 both bills are enacted and become effective on or before January  
35 1, 2017, (2) each bill amends Section 399.20 of the Public Utilities  
36 Code, and (3) this bill is enacted after Assembly Bill 1923, in which  
37 case Section 9 of this bill shall not become operative.

38 SEC. 17. The sum of two hundred seventy-five thousand dollars  
39 (\$275,000) is hereby appropriated from the Appliance Efficiency  
40 Enforcement Subaccount in the Energy Resources Programs

1 *Account to the State Energy Resources Conservation and*  
2 *Development Commission to support the Title 20 Appliance*  
3 *Efficiency Standards Compliance Assistance and Enforcement*  
4 *Program.*

5 *SEC. 18. No reimbursement is required by this act pursuant*  
6 *to Section 6 of Article XIII B of the California Constitution because*  
7 *the only costs that may be incurred by a local agency or school*  
8 *district will be incurred because this act creates a new crime or*  
9 *infraction, eliminates a crime or infraction, or changes the penalty*  
10 *for a crime or infraction, within the meaning of Section 17556 of*  
11 *the Government Code, or changes the definition of a crime within*  
12 *the meaning of Section 6 of Article XIII B of the California*  
13 *Constitution.*

14 *SEC. 19. This act is a bill providing for appropriations related*  
15 *to the Budget Bill within the meaning of subdivision (e) of Section*  
16 *12 of Article IV of the California Constitution, has been identified*  
17 *as related to the budget in the Budget Bill, and shall take effect*  
18 *immediately.*

19 ~~SECTION 1. Section 155 of the Code of Civil Procedure is~~  
20 ~~amended to read:~~

21 ~~155. (a) (1) A superior court has jurisdiction under California~~  
22 ~~law to make judicial determinations regarding the custody and~~  
23 ~~care of children within the meaning of the federal Immigration~~  
24 ~~and Nationality Act (8 U.S.C. Sec. 1101 et seq. and 8 C.F.R. Sec.~~  
25 ~~204.11), which includes, but is not limited to, the juvenile, probate,~~  
26 ~~and family court divisions of the superior court. These courts have~~  
27 ~~jurisdiction to make the factual findings necessary to enable a child~~  
28 ~~to petition the United States Citizenship and Immigration Services~~  
29 ~~for classification as a special immigrant juvenile pursuant to~~  
30 ~~Section 1101(a)(27)(J) of Title 8 of the United States Code.~~

31 ~~(2) The factual findings set forth in paragraph (1) of subdivision~~  
32 ~~(b) may be made at any point in a proceeding regardless of the~~  
33 ~~division of the superior court or type of proceeding if the~~  
34 ~~prerequisites of that subdivision are met.~~

35 ~~(b) (1) If an order is requested from the superior court making~~  
36 ~~the necessary findings regarding special immigrant juvenile status~~  
37 ~~pursuant to Section 1101(a)(27)(J) of Title 8 of the United States~~  
38 ~~Code, and there is evidence to support those findings, which may~~  
39 ~~consist solely of, but is not limited to, a declaration by the child~~

1 who is the subject of the petition, the court shall issue the order,  
2 which shall include all of the following findings:

3 (A) The child was either of the following:

4 (i) Declared a dependent of the court.

5 (ii) Legally committed to, or placed under the custody of, a state  
6 agency or department, or an individual or entity appointed by the  
7 court. The court shall indicate the date on which the dependency,  
8 commitment, or custody was ordered.

9 (B) That reunification of the child with one or both of the child's  
10 parents was determined not to be viable because of abuse, neglect,  
11 abandonment, or a similar basis pursuant to California law. The  
12 court shall indicate the date on which reunification was determined  
13 not to be viable.

14 (C) That it is not in the best interest of the child to be returned  
15 to the child's, or his or her parent's, previous country of nationality  
16 or country of last habitual residence.

17 (2) The superior court may make additional findings under this  
18 section that are supported by evidence only if requested by a party.  
19 The asserted, purported, or perceived motivation of the child  
20 seeking classification as a special immigrant juvenile shall not be  
21 admissible in making the findings under this section. The court  
22 shall not include nor reference the asserted, purported, or perceived  
23 motivation of the child seeking classification as a special immigrant  
24 juvenile in the court's findings under this section.

25 (e) In any judicial proceedings in response to a request that the  
26 superior court make the findings necessary to support a petition  
27 for classification as a special immigrant juvenile, information  
28 regarding the child's immigration status that is not otherwise  
29 protected by state confidentiality laws shall remain confidential  
30 and shall be available for inspection only by the court, the child  
31 who is the subject of the proceeding, the parties, the attorneys for  
32 the parties, the child's counsel, and the child's guardian.

33 (d) In any judicial proceedings in response to a request that the  
34 superior court make the findings necessary to support a petition  
35 for classification as a special immigrant juvenile, records of the  
36 proceedings that are not otherwise protected by state confidentiality  
37 laws may be sealed using the procedure set forth in California  
38 Rules of Court 2.550 and 2.551.

39 (e) The Judicial Council shall adopt any rules and forms needed  
40 to implement this section.

1 SEC. 2. ~~Section 11253.4 of the Welfare and Institutions Code~~  
2 ~~is amended to read:~~

3 ~~11253.4. (a) (1) On and after January 1, 2015, a child eligible~~  
4 ~~for the Approved Relative Caregiver Funding Option Program in~~  
5 ~~accordance with Section 11461.3 is not subject to the provisions~~  
6 ~~of this chapter relating to CalWORKs, including, but not limited~~  
7 ~~to, the provisions that relate to CalWORKs eligibility,~~  
8 ~~welfare-to-work, time limits, or grant computation.~~

9 ~~(2) All of the following shall apply to a child specified in~~  
10 ~~paragraph (1):~~

11 ~~(A) He or she shall receive the applicable regional CalWORKs~~  
12 ~~grant for recipient in an assistance unit of one, pursuant to the~~  
13 ~~exempt maximum aid payment set forth in Section 11450, and any~~  
14 ~~changes to the CalWORKs grant amount shall apply to the grant~~  
15 ~~described in this subparagraph.~~

16 ~~(B) Notwithstanding any other law, the CalWORKs grant of~~  
17 ~~the child shall be paid by the county with payment responsibility~~  
18 ~~as described in subdivision (b) of Section 11461.3, rather than the~~  
19 ~~county of residence of the child, unless the child resides in the~~  
20 ~~county with payment responsibility.~~

21 ~~(C) For an assistance unit described in subparagraph (A),~~  
22 ~~eligibility shall be determined in accordance with paragraph (3)~~  
23 ~~of subdivision (a) of Section 672 of Title 42 of the United States~~  
24 ~~Code and state law implementing those requirements for the~~  
25 ~~purposes of Article 5 (commencing with Section 11400).~~

26 ~~(D) (i) Article 7 (commencing with Section 11475.2), as~~  
27 ~~modified by subdivisions (j) and (k) of Section 11461.3, shall apply~~  
28 ~~to an assistance unit described in subparagraph (A).~~

29 ~~(ii) This subparagraph is intended by the Legislature to clarify~~  
30 ~~existing law.~~

31 ~~(b) (1) Except as provided in paragraph (2), a person who is an~~  
32 ~~approved relative caregiver with whom a child eligible in~~  
33 ~~accordance with Section 11461.3 is placed shall be exempt from~~  
34 ~~Chapter 4.6 (commencing with Section 10830) of Part 2 governing~~  
35 ~~the statewide fingerprint imaging system.~~

36 ~~(2) An approved relative caregiver who is also an applicant for~~  
37 ~~or a recipient of benefits under this chapter shall comply with the~~  
38 ~~statewide fingerprint imaging system requirements.~~

39 ~~(e) Notwithstanding Sections 11004 and 11004.1 or any other~~  
40 ~~law, overpayments to an assistance unit described in subparagraph~~

1 ~~(A) of paragraph (2) of subdivision (a) shall be collected in~~  
2 ~~accordance with subdivision (d) of Section 11461.3.~~

3 ~~(d) If an approved relative caregiver with whom a child eligible~~  
4 ~~in accordance with Section 11461.3 is placed is also an applicant~~  
5 ~~for or a recipient of benefits under this chapter, all of the following~~  
6 ~~shall apply:~~

7 ~~(1) The applicant or recipient and each eligible child, excluding~~  
8 ~~any child eligible in accordance with Section 11461.3, shall receive~~  
9 ~~aid in an assistance unit separate from the assistance unit described~~  
10 ~~in subparagraph (A) of paragraph (2) of subdivision (a), and the~~  
11 ~~CalWORKs grant of the assistance unit shall be paid by the county~~  
12 ~~of residence of the assistance unit.~~

13 ~~(2) For purposes of calculating the grant of the assistance unit,~~  
14 ~~the number of eligible needy persons on which the grant is based~~  
15 ~~pursuant to paragraph (1) of subdivision (a) of Section 11450 shall~~  
16 ~~not include any child eligible in accordance with Section 11461.3.~~

17 ~~(3) For purposes of calculating minimum basic standards of~~  
18 ~~adequate care for the assistance unit, any child eligible in~~  
19 ~~accordance with Section 11461.3 shall be included as an eligible~~  
20 ~~needy person in the same family pursuant to paragraph (2) of~~  
21 ~~subdivision (a) of Section 11452.~~

22 ~~(e) This section shall apply retroactively to a child eligible for~~  
23 ~~the Approved Relative Caregiver Funding Option Program and~~  
24 ~~his or her approved relative caregiver as of January 1, 2015.~~

25 ~~SEC. 3. Section 11253.45 is added to the Welfare and~~  
26 ~~Institutions Code, immediately following Section 11253.4, to read:~~

27 ~~11253.45. (a) (1) A child to whom Section 309, 361.45, or~~  
28 ~~16519.5 applies, and who is placed in the home of a relative who~~  
29 ~~has been approved as a resource family pursuant to Section~~  
30 ~~16519.5, shall receive a grant that equals the resource family basic~~  
31 ~~rate at the child's assessed level of care, as set forth in subdivision~~  
32 ~~(g) of Section 11461 and Section 11463. If the child is determined~~  
33 ~~eligible for aid, the total grant shall be comprised of the~~  
34 ~~CalWORKs grant plus an amount that, when combined with the~~  
35 ~~CalWORKs grant, equals the resource family basic rate at the~~  
36 ~~child's assessed level of care.~~

37 ~~(2) The non-CalWORKs portion of the grant provided in~~  
38 ~~paragraph (1) shall be paid from funds separate from funds~~  
39 ~~appropriated in the annual Budget Act and counties' share of costs~~  
40 ~~for the CalWORKs program.~~

1 ~~(3) A child specified in paragraph (1) is not subject to the~~  
2 ~~provisions of this chapter relating to CalWORKs, including, but~~  
3 ~~not limited to, the provisions that relate to CalWORKs eligibility,~~  
4 ~~welfare to work, child support enforcement, time limits, or grant~~  
5 ~~computation.~~

6 ~~(4) All of the following shall apply to a child specified in~~  
7 ~~paragraph (1):~~

8 ~~(A) He or she shall receive the applicable regional CalWORKs~~  
9 ~~grant for a recipient in an assistance unit of one, pursuant to the~~  
10 ~~exempt maximum aid payment set forth in Section 11450, and any~~  
11 ~~changes to the CalWORKs grant amount shall apply to the grant~~  
12 ~~described in this subparagraph.~~

13 ~~(B) Notwithstanding any other law, the CalWORKs grant for~~  
14 ~~the child shall be paid by the county with payment responsibility~~  
15 ~~in accordance with paragraph (1) regardless of the county of~~  
16 ~~residence of the child.~~

17 ~~(C) For an assistance unit described in subparagraph (A),~~  
18 ~~eligibility shall be determined in accordance with paragraph (3)~~  
19 ~~of subdivision (a) of Section 672 of Title 42 of the United States~~  
20 ~~Code and state law implementing those requirements for the~~  
21 ~~purposes of Article 5 (commencing with Section 11400).~~

22 ~~(b) (1) Except as provided in paragraph (2), a person applying~~  
23 ~~for aid on behalf of a child described in paragraph (1) of~~  
24 ~~subdivision (a), shall be exempt from Chapter 4.6 (commencing~~  
25 ~~with Section 10830) of Part 2 governing the statewide fingerprint~~  
26 ~~imaging system.~~

27 ~~(2) A relative who is also an applicant for or a recipient of~~  
28 ~~benefits under this chapter shall comply with the statewide~~  
29 ~~fingerprint imaging system requirements.~~

30 ~~(e) Notwithstanding Sections 11004 and 11004.1 or any other~~  
31 ~~law, overpayments to an assistance unit described in subparagraph~~  
32 ~~(A) of paragraph (4) of subdivision (a) shall be collected using the~~  
33 ~~standards and processes for overpayment recoupment as specified~~  
34 ~~in Section 11466.24, and recouped overpayments shall not be~~  
35 ~~subject to remittance to the federal government.~~

36 ~~(d) If a relative with whom a child eligible in accordance with~~  
37 ~~this section is placed is also an applicant for, or a recipient of,~~  
38 ~~benefits under this chapter, all of the following shall apply:~~

39 ~~(1) The applicant or recipient and each eligible child, excluding~~  
40 ~~any child eligible in accordance with this section, shall receive aid~~

1 in an assistance unit separate from the assistance unit described in  
2 subparagraph (A) of paragraph (4) of subdivision (a), and the  
3 CalWORKs grant of the assistance unit shall be paid by the county  
4 of residence of the assistance unit.

5 (2) For purposes of calculating the grant of the assistance unit,  
6 the number of eligible needy persons on which the grant is based  
7 pursuant to paragraph (1) of subdivision (a) of Section 11450 shall  
8 not include any child eligible in accordance with this section.

9 (3) For purposes of calculating minimum basic standards of  
10 adequate care for the assistance unit, any child eligible in  
11 accordance with this section shall be included as an eligible needy  
12 person in the same family pursuant to paragraph (2) of subdivision  
13 (a) of Section 11452.

14 (e) This section shall apply only to a child under the jurisdiction  
15 of a county that has not opted into the Approved Relative Caregiver  
16 Funding Option pursuant to Section 11461.3.

17 (f) This section shall become operative on January 1, 2017.

18 SEC. 4. Section 11320.15 of the Welfare and Institutions Code  
19 is amended to read:

20 11320.15. (a) After a participant has been removed from the  
21 assistance unit under subdivision (a) of Section 11454, additional  
22 welfare-to-work services may be provided to the recipient, at the  
23 option of the county. If the county provides services to the recipient  
24 after the 48-month limit has been reached, the recipient shall  
25 participate in community service or subsidized employment, as  
26 described in Section 11322.63.

27 (b) This section shall become inoperative on July 1, 2016, and,  
28 as of January 1, 2017, is repealed, unless a later enacted statute,  
29 that becomes operative on or before January 1, 2017, deletes or  
30 extends the dates on which it becomes inoperative and is repealed.

31 SEC. 5. Section 11320.15 is added to the Welfare and  
32 Institutions Code, to read:

33 11320.15. (a) After a participant has been removed from the  
34 assistance unit under subdivision (a) of Section 11454, additional  
35 welfare-to-work services may be provided to the recipient, at the  
36 option of the county. If the county provides services to the recipient  
37 after the 48-month limit has been reached, the recipient shall  
38 participate in community service or subsidized employment, as  
39 described in Section 11322.64.

40 (b) This section shall become operative on July 1, 2016.

1     ~~SEC. 6. Section 11320.32 of the Welfare and Institutions Code~~  
2 ~~is amended to read:~~

3     ~~11320.32. (a) The department shall administer a voluntary~~  
4 ~~Temporary Assistance Program (TAP) for current and future~~  
5 ~~CalWORKs recipients who meet the exemption criteria for work~~  
6 ~~participation activities set forth in Section 11320.3 and are not~~  
7 ~~single parents who have a child under the age of one year.~~  
8 ~~Temporary Assistance Program recipients shall be entitled to the~~  
9 ~~same assistance payments and other benefits as recipients under~~  
10 ~~the CalWORKs program. The purpose of this program is to provide~~  
11 ~~cash assistance and other benefits to eligible families without any~~  
12 ~~federal restrictions or requirements and without any adverse impact~~  
13 ~~on recipients. The Temporary Assistance Program shall commence~~  
14 ~~no later than October 1, 2016.~~

15     ~~(b) CalWORKs recipients who meet the exemption criteria for~~  
16 ~~work participation activities set forth in subdivision (b) of Section~~  
17 ~~11320.3, and are not single parents with a child under one year of~~  
18 ~~age, shall have the option of receiving grant payments, child care,~~  
19 ~~and transportation services from the Temporary Assistance~~  
20 ~~Program. The department shall notify all CalWORKs recipients~~  
21 ~~and applicants meeting the exemption criteria specified in~~  
22 ~~subdivision (b) of Section 11320.3, except for single parents with~~  
23 ~~a child under the age of one year, of their option to receive benefits~~  
24 ~~under the Temporary Assistance Program. Absent written~~  
25 ~~indication that these recipients or applicants choose not to receive~~  
26 ~~assistance from the Temporary Assistance Program, the department~~  
27 ~~shall enroll CalWORKs recipients and applicants into the program.~~  
28 ~~However, exempt volunteers shall remain in the CalWORKs~~  
29 ~~program unless they affirmatively indicate, in writing, their interest~~  
30 ~~in enrolling in the Temporary Assistance Program. A Temporary~~  
31 ~~Assistance Program recipient who no longer meets the exemption~~  
32 ~~criteria set forth in Section 11320.3 shall be enrolled in the~~  
33 ~~CalWORKs program.~~

34     ~~(c) Funding for grant payments, child care, transportation, and~~  
35 ~~eligibility determination activities for families receiving benefits~~  
36 ~~under the Temporary Assistance Program shall be funded with~~  
37 ~~General Fund resources that do not count toward the state's~~  
38 ~~maintenance of effort requirements under clause (i) of subparagraph~~  
39 ~~(B) of paragraph (7) of subdivision (a) of Section 609 of Title 42~~  
40 ~~of the United States Code, up to the caseload level equivalent to~~

1 the amount of funding provided for this purpose in the annual  
2 Budget Act.

3 (d) It is the intent of the Legislature that recipients shall have  
4 and maintain access to the hardship exemption and the services  
5 necessary to begin and increase participation in welfare-to-work  
6 activities, regardless of their county of origin, and that the number  
7 of recipients exempt under subdivision (b) of Section 11320.3 not  
8 significantly increase due to factors other than changes in caseload  
9 characteristics. All relevant state law applicable to CalWORKs  
10 recipients shall also apply to families funded under this section.  
11 This section does not modify the criteria for exemption in Section  
12 11320.3.

13 (e) To the extent that this section is inconsistent with federal  
14 regulations regarding implementation of the Deficit Reduction Act  
15 of 2005, the department may amend the funding structure for  
16 exempt families to ensure consistency with these regulations, not  
17 later than 30 days after providing written notification to the chair  
18 of the Joint Legislative Budget Committee and the chairs of the  
19 appropriate policy and fiscal committees of the Legislature.

20 (f) This section shall become inoperative on June 30, 2016.

21 SEC. 7. Section 11322.63 of the Welfare and Institutions Code  
22 is amended to read:

23 11322.63. (a) For counties that implement a welfare-to-work  
24 plan that includes subsidized private sector or public sector  
25 employment activities, the State Department of Social Services  
26 shall pay the county 50 percent, less one hundred thirteen dollars  
27 (\$113), of the total wage costs of an employee for whom a wage  
28 subsidy is paid, subject to all of the following conditions:

29 (1) (A) For participants receiving CalWORKs aid, the maximum  
30 state contribution of the total wage cost shall not exceed 100  
31 percent of the computed grant for the assistance unit in the month  
32 prior to participation in subsidized employment.

33 (B) For participants who have received aid in excess of the time  
34 limits provided in subdivision (a) of Section 11454, the maximum  
35 state contribution of the total wage cost shall not exceed 100  
36 percent of the computed grant for the assistance unit in the month  
37 prior to participation in subsidized employment.

38 (C) In the case of an individual who participates in subsidized  
39 employment as a service provided by a county pursuant to Section  
40 11323.25, the maximum state contribution of the total wage cost

1 shall not exceed 100 percent of the computed grant that the  
2 assistance unit received in the month prior to participation in the  
3 subsidized employment.

4 (D) The maximum state contribution, as defined in this  
5 paragraph, shall remain in effect until the end of the subsidy period  
6 as specified in paragraph (2), including with respect to subsidized  
7 employment participants whose wage results in the assistance unit  
8 no longer receiving a CalWORKs grant.

9 (E) State funding provided for total wage costs shall only be  
10 used to fund wage and nonwage costs of the county's subsidized  
11 employment program.

12 (2) State participation in the total wage costs pursuant to this  
13 section shall be limited to a maximum of six months of wage  
14 subsidies for each participant. If the county finds that a longer  
15 subsidy period is necessary in order to mutually benefit the  
16 employer and the participant, state participation in a subsidized  
17 wage may be offered for up to 12 months.

18 (3) Eligibility for entry into subsidized employment funded  
19 under this section shall be limited to individuals who are not  
20 otherwise employed at the time of entry into the subsidized job,  
21 and who are current CalWORKs recipients, sanctioned individuals,  
22 or individuals described in Section 11320.15 who have exceeded  
23 the time limits specified in subdivision (a) of Section 11454. A  
24 county may continue to provide subsidized employment funded  
25 under this section to individuals who become ineligible for  
26 CalWORKs benefits in accordance with Section 11323.25.

27 (b) Upon application for CalWORKs after a participant's  
28 subsidized employment ends, if an assistance unit is otherwise  
29 eligible within three calendar months of the date that subsidized  
30 employment ended, the income exemption requirements contained  
31 in Section 11451.5 and the work requirements contained in  
32 subdivision (c) of Section 11201 shall apply. If aid is restored after  
33 the expiration of that three-month period, the income exemption  
34 requirements contained in Section 11450.12 and the work  
35 requirements contained in subdivision (b) of Section 11201 shall  
36 apply.

37 (e) The department, in conjunction with representatives of  
38 county welfare offices and their directors and the Legislative  
39 Analyst's Office, shall assess the cost neutrality of the subsidized  
40 employment program pursuant to this section and make

1 recommendations to the Legislature, if necessary, to ensure cost  
2 neutrality. The department shall testify regarding the cost neutrality  
3 of the subsidized employment program during the 2012–13 fiscal  
4 year legislative budget hearings.

5 (d) No later than January 10, 2013, the State Department of  
6 Social Services shall submit a report to the Legislature on the  
7 outcomes of implementing this section that shall include, but need  
8 not be limited to, all of the following:

9 (1) The number of CalWORKs recipients that entered subsidized  
10 employment.

11 (2) The number of CalWORKs recipients who found  
12 nonsubsidized employment after the subsidy ends.

13 (3) The earnings of the program participants before and after  
14 the subsidy.

15 (4) The impact of this program on the state's work participation  
16 rate.

17 (e) Payment of the state's share in total wage costs required by  
18 this section shall be made in addition to, and independent of, the  
19 county allocations made pursuant to Section 15204.2.

20 (f) (1) A county that accepts additional funding for expanded  
21 subsidized employment for CalWORKs recipients in accordance  
22 with Section 11322.64 shall continue to expend no less than the  
23 aggregate amount of funding received by the county pursuant to  
24 Section 15204.2 that the county expended on subsidized  
25 employment pursuant to this section in the 2012–13 fiscal year.

26 (2) This subdivision shall not apply for any fiscal year in which  
27 the total CalWORKs caseload is projected by the department to  
28 increase more than 5 percent of the total actual CalWORKs  
29 caseload in the 2012–13 fiscal year.

30 (g) For purposes of this section, "total wage costs" include the  
31 actual wage paid directly to the participant that is allowable under  
32 the Temporary Assistance for Needy Families program.

33 (h) This section shall become inoperative on July 1, 2016, and,  
34 as of January 1, 2017, is repealed, unless a later enacted statute,  
35 that becomes operative on or before January 1, 2017, deletes or  
36 extends the dates on which it becomes inoperative and is repealed.

37 SEC. 8. Section 11322.64 of the Welfare and Institutions Code  
38 is amended to read:

39 11322.64. (a) (1) The department, in consultation with the  
40 County Welfare Directors Association of California, shall develop

1 ~~an allocation methodology to distribute additional funding for~~  
2 ~~expanded subsidized employment programs for CalWORKs~~  
3 ~~recipients.~~

4 ~~(2) Funds allocated pursuant to this section may be utilized to~~  
5 ~~cover all expenditures related to the operational costs of the~~  
6 ~~expanded subsidized employment program, including the cost of~~  
7 ~~overseeing the program, developing work sites, and providing~~  
8 ~~training to participants, as well as wage and nonwage costs.~~

9 ~~(3) The department, in consultation with the County Welfare~~  
10 ~~Directors Association of California, shall determine the amount~~  
11 ~~or proportion of funding allocated pursuant to this section that may~~  
12 ~~be utilized for operational costs, consistent with the number of~~  
13 ~~employment slots anticipated to be created and the funding~~  
14 ~~provided.~~

15 ~~(b) Funds allocated for expanded subsidized employment shall~~  
16 ~~be in addition to, and independent of, the county allocations made~~  
17 ~~pursuant to Section 15204.2 and shall not be used by a county to~~  
18 ~~fund subsidized employment pursuant to Section 11322.63.~~

19 ~~(e) Each county shall submit to the department a plan regarding~~  
20 ~~how it intends to utilize the funds allocated pursuant to this section.~~

21 ~~(d) (1) Participation in subsidized employment pursuant to this~~  
22 ~~section shall be limited to a maximum of six months for each~~  
23 ~~participant.~~

24 ~~(2) Notwithstanding paragraph (1), a county may extend~~  
25 ~~participation beyond the six-month limitation described in~~  
26 ~~paragraph (1) for up to an additional three months at a time, to a~~  
27 ~~maximum of no more than 12 total months. Extensions may be~~  
28 ~~granted pursuant to this paragraph if the county determines that~~  
29 ~~the additional time will increase the likelihood of either of the~~  
30 ~~following:~~

31 ~~(A) The participant obtaining unsubsidized employment with~~  
32 ~~the participating employer.~~

33 ~~(B) The participant obtaining specific skills and experiences~~  
34 ~~relevant for unsubsidized employment in a particular field.~~

35 ~~(e) A county may continue to provide subsidized employment~~  
36 ~~funded under this section to individuals who become ineligible for~~  
37 ~~CalWORKs benefits in accordance with Section 11323.25.~~

38 ~~(f) Upon application for CalWORKs assistance after a~~  
39 ~~participant's subsidized employment ends, if an assistance unit is~~  
40 ~~otherwise eligible within three calendar months of the date that~~

1 subsidized employment ended, the income exemption requirements  
2 contained in Section 11451.5 and the work requirements contained  
3 in subdivision (c) of Section 11201 shall apply. If aid is restored  
4 after the expiration of that three-month period, the income  
5 exemption requirements contained in Section 11450.12 and the  
6 work requirements contained in subdivision (b) of Section 11201  
7 shall apply.

8 (g) No later than April 1, 2015, the State Department of Social  
9 Services shall submit at least the following information regarding  
10 implementation of this section to the Legislature:

11 (1) The number of CalWORKs recipients that entered subsidized  
12 employment.

13 (2) The number of CalWORKs recipients who found  
14 nonsubsidized employment after the subsidy ends.

15 (3) The earnings of the program participants before and after  
16 the subsidy.

17 (4) The impact of this program on the state's work participation  
18 rate.

19 (h) This section shall become inoperative on July 1 2016, and,  
20 as of January 1, 2017, is repealed, unless a later enacted statute,  
21 that becomes operative on or before January 1, 2017, deletes or  
22 extends the dates on which it becomes inoperative and is repealed.

23 SEC. 9. Section 11322.64 is added to the Welfare and  
24 Institutions Code, to read:

25 11322.64. (a) (1) The department, in consultation with the  
26 County Welfare Directors Association of California, shall develop  
27 an allocation methodology to distribute additional funding for  
28 expanded subsidized employment programs for CalWORKs  
29 recipients, or individuals described in Section 11320.15 who have  
30 exceeded the time limits specified in subdivision (a) of Section  
31 11454.

32 (2) Funds allocated pursuant to this section may be utilized to  
33 cover all expenditures related to the operational costs of the  
34 expanded subsidized employment program, including the cost of  
35 overseeing the program, developing work sites, and providing  
36 training to participants, as well as wage and nonwage costs.

37 (3) The department, in consultation with the County Welfare  
38 Directors Association of California, shall determine the amount  
39 or proportion of funding allocated pursuant to this section that may  
40 be utilized for operational costs, consistent with the number of

1 ~~employment slots anticipated to be created and the funding~~  
2 ~~provided.~~

3 ~~(b) Funds allocated for expanded subsidized employment shall~~  
4 ~~be in addition to, and independent of, the county allocations made~~  
5 ~~pursuant to Section 15204.2.~~

6 ~~(e) (1) A county that accepts additional funding for expanded~~  
7 ~~subsidized employment in accordance with this section shall~~  
8 ~~continue to expend no less than the aggregate amount of funding~~  
9 ~~received by the county pursuant to Section 15204.2 that the county~~  
10 ~~expended on subsidized employment in the 2012–13 fiscal year~~  
11 ~~pursuant to Section 11322.63, as that section read on June 30,~~  
12 ~~2016.~~

13 ~~(2) This subdivision shall not apply for any fiscal year in which~~  
14 ~~the total CalWORKs caseload is projected by the department to~~  
15 ~~increase by more than 5 percent of the total actual CalWORKs~~  
16 ~~caseload in the 2012–13 fiscal year.~~

17 ~~(d) Each county shall submit to the department a plan regarding~~  
18 ~~how it intends to utilize the funds allocated pursuant to this section.~~

19 ~~(e) (1) Participation in subsidized employment pursuant to this~~  
20 ~~section shall be limited to a maximum of six months for each~~  
21 ~~participant.~~

22 ~~(2) Notwithstanding paragraph (1), a county may extend~~  
23 ~~participation beyond the six-month limitation described in~~  
24 ~~paragraph (1) for up to an additional three months at a time, to a~~  
25 ~~maximum of no more than 12 total months. Extensions may be~~  
26 ~~granted pursuant to this paragraph if the county determines that~~  
27 ~~the additional time will increase the likelihood of either of the~~  
28 ~~following:~~

29 ~~(A) The participant obtaining unsubsidized employment with~~  
30 ~~the participating employer.~~

31 ~~(B) The participant obtaining specific skills and experiences~~  
32 ~~relevant for unsubsidized employment in a particular field.~~

33 ~~(f) A county may continue to provide subsidized employment~~  
34 ~~funded under this section to individuals who become ineligible for~~  
35 ~~CalWORKs benefits in accordance with Section 11323.25.~~

36 ~~(g) Upon application for CalWORKs assistance after a~~  
37 ~~participant's subsidized employment ends, if an assistance unit is~~  
38 ~~otherwise eligible within three calendar months of the date that~~  
39 ~~subsidized employment ended, the income exemption requirements~~  
40 ~~contained in Section 11451.5 and the work requirements contained~~

1 in subdivision (c) of Section 11201 shall apply. If aid is restored  
2 after the expiration of that three-month period, the income  
3 exemption requirements contained in Section 11450.12 and the  
4 work requirements contained in subdivision (b) of Section 11201  
5 shall apply.

6 (h) ~~No later than April 1, 2015, the State Department of Social  
7 Services shall submit at least the following information regarding  
8 implementation of this section to the Legislature:~~

9 ~~(1) The number of CalWORKs recipients that entered subsidized  
10 employment.~~

11 ~~(2) The number of CalWORKs recipients who found  
12 nonsubsidized employment after the subsidy ends.~~

13 ~~(3) The earnings of the program participants before and after  
14 the subsidy.~~

15 ~~(4) The impact of this program on the state's work participation  
16 rate.~~

17 ~~(i) This section shall become operative on July 1, 2016.~~

18 ~~SEC. 10. Section 11322.83 is added to the Welfare and  
19 Institutions Code, immediately following Section 11322.8, to read:~~

20 ~~11322.83. (a) A recipient who is making satisfactory progress  
21 in a career pathway program established in accordance with the  
22 federal Workforce Innovation and Opportunity Act (Public Law  
23 113-128) shall be deemed to be in compliance with the hourly  
24 participation requirements described in subdivision (a) of Section  
25 11322.8.~~

26 ~~(b) Subdivision (a) applies only if a local workforce  
27 development board established under Section 3122 of Title 29 of  
28 the United States Code provides its approval that the career  
29 pathway program meets the requirements of Section 3102(7) of  
30 Title 29 of the United States Code and the county verifies that the  
31 recipient is making satisfactory progress in that program.~~

32 ~~SEC. 11. Section 11323.25 of the Welfare and Institutions  
33 Code is amended to read:~~

34 ~~11323.25. (a) In addition to its authority under subdivision (b)  
35 of Section 11323.2, if provided in a county plan, the county may  
36 continue to provide welfare-to-work services to former participants  
37 who became ineligible for CalWORKs benefits because they  
38 became employed under Section 11322.63 or 11322.64. The county  
39 may provide these services for up to the first 12 months of  
40 employment, to the extent they are not available from other sources~~

1 and are needed for the individual to retain the subsidized  
2 employment.

3 (b) This section shall become inoperative on July 1 2016, and,  
4 as of January 1, 2017, is repealed, unless a later enacted statute,  
5 that becomes operative on or before January 1, 2017, deletes or  
6 extends the dates on which it becomes inoperative and is repealed.

7 SEC. 12. Section 11323.25 is added to the Welfare and  
8 Institutions Code, to read:

9 11323.25. (a) In addition to its authority under subdivision (b)  
10 of Section 11323.2, if provided in a county plan, the county may  
11 continue to provide welfare-to-work services to former participants  
12 who became ineligible for CalWORKs benefits because they  
13 became employed under Section 11322.64. The county may  
14 provide these services for up to the first 12 months of employment,  
15 to the extent they are not available from other sources and are  
16 needed for the individual to retain the subsidized employment.

17 (b) This section shall become operative on July 1, 2016.

18 SEC. 13. Section 11402 of the Welfare and Institutions Code,  
19 as amended by Section 65 of Chapter 773 of the Statutes of 2015,  
20 is amended to read:

21 11402. In order to be eligible for AFDC-FC, a child or  
22 nonminor dependent shall be placed in one of the following:

23 (a) Prior to January 1, 2019, the approved home of a relative,  
24 provided the child or youth is otherwise eligible for federal  
25 financial participation in the AFDC-FC payment.

26 (b) (1) Prior to January 1, 2019, the licensed family home of a  
27 nonrelative.

28 (2) Prior to January 1, 2019, the approved home of a nonrelative  
29 extended family member as described in Section 362.7.

30 (c) The approved home of a resource family, as defined in  
31 Section 16519.5, if either of the following is true:

32 (1) The caregiver is a nonrelative.

33 (2) The caregiver is a relative, and the child or youth is otherwise  
34 eligible for federal financial participation in the AFDC-FC  
35 payment.

36 (d) A licensed group home, as defined in subdivision (h) of  
37 Section 11400, excluding a runaway and homeless youth shelter  
38 as defined in subdivision (ab) of Section 11400, provided that the  
39 placement worker has documented that the placement is necessary

1 to meet the treatment needs of the child or youth and that the  
2 facility offers those treatment services.

3 (e) ~~The home of a nonrelated legal guardian or the home of a~~  
4 ~~former nonrelated legal guardian when the guardianship of a child~~  
5 ~~or youth who is otherwise eligible for AFDC-FC has been~~  
6 ~~dismissed due to the child or youth attaining 18 years of age.~~

7 (f) ~~An exclusive-use home.~~

8 (g) ~~A housing model certified by a licensed transitional housing~~  
9 ~~placement provider as described in Section 1559.110 of the Health~~  
10 ~~and Safety Code and as defined in subdivision (r) of Section 11400.~~

11 (h) ~~An out-of-state group home, provided that the placement~~  
12 ~~worker, in addition to complying with all other statutory~~  
13 ~~requirements for placing a child or youth in an out-of-state group~~  
14 ~~home, documents that the requirements of Section 7911.1 of the~~  
15 ~~Family Code have been met.~~

16 (i) ~~An approved supervised independent living setting for~~  
17 ~~nonminor dependents, as defined in subdivision (w) of Section~~  
18 ~~11400.~~

19 (j) ~~This section shall remain in effect only until January 1, 2017,~~  
20 ~~and as of that date is repealed, unless a later enacted statute, that~~  
21 ~~is enacted before January 1, 2017, deletes or extends that date.~~

22 SEC. 14. ~~Section 11402 of the Welfare and Institutions Code,~~  
23 ~~as added by Section 66 of Chapter 773 of the Statutes of 2015, is~~  
24 ~~amended to read:~~

25 11402. ~~In order to be eligible for AFDC-FC, a child or~~  
26 ~~nonminor dependent shall be placed in one of the following:~~

27 (a) ~~Prior to January 1, 2019, the approved home of a relative,~~  
28 ~~provided the child or youth is otherwise eligible for federal~~  
29 ~~financial participation in the AFDC-FC payment.~~

30 (b) (1) ~~Prior to January 1, 2019, the home of a nonrelated legal~~  
31 ~~guardian or the home of a former nonrelated legal guardian when~~  
32 ~~the guardianship of a child or youth who is otherwise eligible for~~  
33 ~~AFDC-FC has been dismissed due to the child or youth attaining~~  
34 ~~18 years of age.~~

35 (2) ~~Prior to January 1, 2019, the approved home of a nonrelative~~  
36 ~~extended family member, as described in Section 362.7.~~

37 (c) (1) ~~Prior to January 1, 2019, the licensed family home of a~~  
38 ~~nonrelative.~~

39 (2) ~~The approved home of a resource family, as defined in~~  
40 ~~Section 16519.5, if either of the following is true:~~

1 ~~(A) The caregiver is a nonrelative.~~

2 ~~(B) The caregiver is a relative, and the child or youth is~~  
3 ~~otherwise eligible for federal financial participation in the~~  
4 ~~AFDC-FC payment.~~

5 ~~(d) (1) A housing model certified by a licensed transitional~~  
6 ~~housing placement provider, as described in Section 1559.110 of~~  
7 ~~the Health and Safety Code, and as defined in subdivision (r) of~~  
8 ~~Section 11400.~~

9 ~~(2) An approved supervised independent living setting for~~  
10 ~~nonminor dependents, as defined in subdivision (w) of Section~~  
11 ~~11400.~~

12 ~~(e) A licensed foster family agency, as defined in subdivision~~  
13 ~~(g) of Section 11400 and paragraph (4) of subdivision (a) of Section~~  
14 ~~1502 of the Health and Safety Code, for placement into a certified~~  
15 ~~or approved home.~~

16 ~~(f) A short-term residential treatment center licensed as a~~  
17 ~~community care facility, as defined in subdivision (ad) of Section~~  
18 ~~11400 and paragraph (18) of subdivision (a) of Section 1502 of~~  
19 ~~the Health and Safety Code.~~

20 ~~(g) An out-of-state group home that meets the requirements of~~  
21 ~~paragraph (2) of subdivision (c) of Section 11460, provided that~~  
22 ~~the placement worker, in addition to complying with all other~~  
23 ~~statutory requirements for placing a child or youth in an out-of-state~~  
24 ~~group home, documents that the requirements of Section 7911.1~~  
25 ~~of the Family Code have been met.~~

26 ~~(h) A community treatment facility set forth in Article 5~~  
27 ~~(commencing with Section 4094) of Chapter 3 of Part 1 of Division~~  
28 ~~4.~~

29 ~~(i) This section shall become operative on January 1, 2017.~~

30 ~~SEC. 15.— Section 11450 of the Welfare and Institutions Code~~  
31 ~~is amended to read:~~

32 ~~11450. (a) (1) (A) Aid shall be paid for each needy family,~~  
33 ~~which shall include all eligible brothers and sisters of each eligible~~  
34 ~~applicant or recipient child and the parents of the children, but~~  
35 ~~shall not include unborn children, or recipients of aid under Chapter~~  
36 ~~3 (commencing with Section 12000), qualified for aid under this~~  
37 ~~chapter. In determining the amount of aid paid, and notwithstanding~~  
38 ~~the minimum basic standards of adequate care specified in Section~~  
39 ~~11452, the family's income, exclusive of any amounts considered~~  
40 ~~exempt as income or paid pursuant to subdivision (e) or Section~~

1 ~~11453.1, determined for the prospective semiannual period~~  
 2 ~~pursuant to Sections 11265.1, 11265.2, and 11265.3, and then~~  
 3 ~~calculated pursuant to Section 11451.5, shall be deducted from~~  
 4 ~~the sum specified in the following table, as adjusted for~~  
 5 ~~cost-of-living increases pursuant to Section 11453 and paragraph~~  
 6 ~~(2). In no case shall the amount of aid paid for each month exceed~~  
 7 ~~the sum specified in the following table, as adjusted for~~  
 8 ~~cost-of-living increases pursuant to Section 11453 and paragraph~~  
 9 ~~(2), plus any special needs, as specified in subdivisions (c), (c),~~  
 10 ~~and (f):~~

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

27 ~~(B) If, when, and during those times that the United States~~  
 28 ~~government increases or decreases its contributions in assistance~~  
 29 ~~of needy children in this state above or below the amount paid on~~  
 30 ~~July 1, 1972, the amounts specified in the above table shall be~~  
 31 ~~increased or decreased by an amount equal to that increase or~~  
 32 ~~decrease by the United States government, provided that no~~  
 33 ~~increase or decrease shall be subject to subsequent adjustment~~  
 34 ~~pursuant to Section 11453.~~

35 ~~(2) The sums specified in paragraph (1) shall not be adjusted~~  
 36 ~~for cost of living for the 1990-91, 1991-92, 1992-93, 1993-94,~~  
 37 ~~1994-95, 1995-96, 1996-97, and 1997-98 fiscal years, and through~~  
 38 ~~October 31, 1998, nor shall that amount be included in the base~~  
 39 ~~for calculating any cost-of-living increases for any fiscal year~~  
 40 ~~thereafter. Elimination of the cost-of-living adjustment pursuant~~

1 to this paragraph shall satisfy the requirements of Section 11453.05,  
2 and no further reduction shall be made pursuant to that section.

3 ~~(b) (1) When the family does not include a needy child qualified  
4 for aid under this chapter, aid shall be paid to a pregnant child who  
5 is 18 years of age or younger at any time after verification of  
6 pregnancy, in the amount that would otherwise be paid to one  
7 person, as specified in subdivision (a), if the child and her child,  
8 if born, would have qualified for aid under this chapter. Verification  
9 of pregnancy shall be required as a condition of eligibility for aid  
10 under this subdivision.~~

11 ~~(2) Notwithstanding paragraph (1), when the family does not  
12 include a needy child qualified for aid under this chapter, aid shall  
13 be paid to a pregnant woman for the month in which the birth is  
14 anticipated and for the six-month period immediately prior to the  
15 month in which the birth is anticipated, in the amount that would  
16 otherwise be paid to one person, as specified in subdivision (a), if  
17 the woman and child, if born, would have qualified for aid under  
18 this chapter. Verification of pregnancy shall be required as a  
19 condition of eligibility for aid under this subdivision.~~

20 ~~(3) Paragraph (1) shall apply only when the Cal-Learn Program  
21 is operative.~~

22 ~~(e) The amount of forty-seven dollars (\$47) per month shall be  
23 paid to pregnant women qualified for aid under subdivision (a) or  
24 (b) to meet special needs resulting from pregnancy if the woman  
25 and child, if born, would have qualified for aid under this chapter.  
26 County welfare departments shall refer all recipients of aid under  
27 this subdivision to a local provider of the Women, Infants, and  
28 Children program. If that payment to pregnant women qualified  
29 for aid under subdivision (a) is considered income under federal  
30 law in the first five months of pregnancy, payments under this  
31 subdivision shall not apply to persons eligible under subdivision  
32 (a), except for the month in which birth is anticipated and for the  
33 three-month period immediately prior to the month in which  
34 delivery is anticipated, if the woman and child, if born, would have  
35 qualified for aid under this chapter.~~

36 ~~(d) For children receiving AFDC-FC under this chapter, there  
37 shall be paid, exclusive of any amount considered exempt as  
38 income, an amount of aid each month that, when added to the  
39 child's income, is equal to the rate specified in Section 11460;~~

1 11461, 11462, 11462.1, or 11463. In addition, the child shall be  
2 eligible for special needs, as specified in departmental regulations.

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

14 ~~(f) After a family has used all available liquid resources, both  
15 exempt and nonexempt, in excess of one hundred dollars (\$100),  
16 with the exception of funds deposited in a restricted account  
17 described in subdivision (a) of Section 11155.2, the family shall  
18 also be entitled to receive an allowance for nonrecurring special  
19 needs.~~

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

29 ~~(2) (A) Homeless assistance is available to a homeless family  
30 seeking shelter when the family is eligible for aid under this  
31 chapter. Homeless assistance for temporary shelter is also available  
32 to homeless families that are apparently eligible for aid under this  
33 chapter. Apparent eligibility exists when evidence presented by  
34 the applicant, or that is otherwise available to the county welfare  
35 department, and the information provided on the application  
36 documents indicate that there would be eligibility for aid under  
37 this chapter if the evidence and information were verified.  
38 However, an alien applicant who does not provide verification of  
39 his or her eligible alien status, or a woman with no eligible children~~

1 who does not provide medical verification of pregnancy, is not  
2 apparently eligible for purposes of this section.

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

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

26 (ii) This special needs benefit shall be granted or denied  
27 immediately upon the family's application for homeless assistance,  
28 and benefits shall be available for up to three working days. The  
29 county welfare department shall verify the family's homelessness  
30 within the first three working days and if the family meets the  
31 criteria of questionable homelessness established by the  
32 department, the county welfare department shall refer the family  
33 to its early fraud prevention and detection unit, if the county has  
34 such a unit, for assistance in the verification of homelessness within  
35 this period.

36 (iii) After homelessness has been verified, the three-day limit  
37 shall be extended for a period of time which, when added to the  
38 initial benefits provided, does not exceed a total of 16 calendar  
39 days. This extension of benefits shall be done in increments of one  
40 week and shall be based upon searching for permanent housing

1 which shall be documented on a housing search form, good cause,  
2 or other circumstances defined by the department. Documentation  
3 of a housing search shall be required for the initial extension of  
4 benefits beyond the three-day limit and on a weekly basis thereafter  
5 as long as the family is receiving temporary shelter benefits. Good  
6 cause shall include, but is not limited to, situations in which the  
7 county welfare department has determined that the family, to the  
8 extent it is capable, has made a good faith but unsuccessful effort  
9 to secure permanent housing while receiving temporary shelter  
10 benefits.

11 ~~(B) (i) A nonrecurring special needs benefit for permanent~~  
12 ~~housing assistance is available to pay for last month's rent and~~  
13 ~~security deposits when these payments are reasonable conditions~~  
14 ~~of securing a residence, or to pay for up to two months of rent~~  
15 ~~arreages, when these payments are a reasonable condition of~~  
16 ~~preventing eviction.~~

17 ~~(ii) The last month's rent or monthly arrearage portion of the~~  
18 ~~payment (I) shall not exceed 80 percent of the family's total~~  
19 ~~monthly household income without the value of CalFresh benefits~~  
20 ~~or special needs benefit for a family of that size and (II) shall only~~  
21 ~~be made to families that have found permanent housing costing~~  
22 ~~no more than 80 percent of the family's total monthly household~~  
23 ~~income without the value of CalFresh benefits or special needs~~  
24 ~~benefit for a family of that size.~~

25 ~~(iii) However, if the county welfare department determines that~~  
26 ~~a family intends to reside with individuals who will be sharing~~  
27 ~~housing costs, the county welfare department shall, in appropriate~~  
28 ~~circumstances, set aside the condition specified in subclause (II)~~  
29 ~~of clause (ii).~~

30 ~~(C) The nonrecurring special needs benefit for permanent~~  
31 ~~housing assistance is also available to cover the standard costs of~~  
32 ~~deposits for utilities which are necessary for the health and safety~~  
33 ~~of the family.~~

34 ~~(D) A payment for or denial of permanent housing assistance~~  
35 ~~shall be issued no later than one working day from the time that a~~  
36 ~~family presents evidence of the availability of permanent housing.~~  
37 ~~If an applicant family provides evidence of the availability of~~  
38 ~~permanent housing before the county welfare department has~~  
39 ~~established eligibility for aid under this chapter, the county welfare~~  
40 ~~department shall complete the eligibility determination so that the~~

1 denial of or payment for permanent housing assistance is issued  
2 within one working day from the submission of evidence of the  
3 availability of permanent housing, unless the family has failed to  
4 provide all of the verification necessary to establish eligibility for  
5 aid under this chapter.

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

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

23 ~~(iii) A family shall be eligible for temporary and permanent~~  
24 ~~homeless assistance when homelessness is a direct result of~~  
25 ~~domestic violence by a spouse, partner, or roommate; physical or~~  
26 ~~mental illness that is medically verified that shall not include a~~  
27 ~~diagnosis of alcoholism, drug addiction, or psychological stress;~~  
28 ~~or the uninhabitability of the former residence caused by sudden~~  
29 ~~and unusual circumstances beyond the control of the family~~  
30 ~~including natural catastrophe, fire, or condemnation. These~~  
31 ~~circumstances shall be verified by a third-party governmental or~~  
32 ~~private health and human services agency, except that domestic~~  
33 ~~violence may also be verified by a sworn statement by the victim;~~  
34 ~~as provided under Section 11495.25. Homeless assistance payments~~  
35 ~~based on these specific circumstances may not be received more~~  
36 ~~often than once in any 12-month period. In addition, if the domestic~~  
37 ~~violence is verified by a sworn statement by the victim, the~~  
38 ~~homeless assistance payments shall be limited to two periods of~~  
39 ~~not more than 16 consecutive calendar days of temporary assistance~~  
40 ~~and two payments of permanent assistance. A county may require~~

1 that a recipient of homeless assistance benefits who qualifies under  
2 this paragraph for a second time in a 24-month period participate  
3 in a homelessness avoidance case plan as a condition of eligibility  
4 for homeless assistance benefits. The county welfare department  
5 shall immediately inform recipients who verify domestic violence  
6 by a sworn statement of the availability of domestic violence  
7 counseling and services, and refer those recipients to services upon  
8 request.

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

13 (v) If a recipient seeking homeless assistance based on domestic  
14 violence pursuant to clause (iii) has previously received homeless  
15 avoidance services based on domestic violence, the county shall  
16 review whether services were offered to the recipient and consider  
17 what additional services would assist the recipient in leaving the  
18 domestic violence situation.

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

23 (F) The county welfare departments, and all other entities  
24 participating in the costs of the CalWORKs program, have the  
25 right in their share to any refunds resulting from payment of the  
26 permanent housing. However, if an emergency requires the family  
27 to move within the 12-month period specified in subparagraph  
28 (E), the family shall be allowed to use any refunds received from  
29 its deposits to meet the costs of moving to another residence.

30 (G) Payments to providers for temporary shelter and permanent  
31 housing and utilities shall be made on behalf of families requesting  
32 these payments.

33 (H) The daily amount for the temporary shelter special needs  
34 benefit for homeless assistance may be increased if authorized by  
35 the current year's Budget Act by specifying a different daily  
36 allowance and appropriating the funds therefor.

37 (I) No payment shall be made pursuant to this paragraph unless  
38 the provider of housing is a commercial establishment, shelter, or  
39 person in the business of renting properties who has a history of  
40 renting properties.

- 1 ~~(g) The department shall establish rules and regulations ensuring~~  
2 ~~the uniform statewide application of this section.~~
- 3 ~~(h) The department shall notify all applicants and recipients of~~  
4 ~~aid through the standardized application form that these benefits~~  
5 ~~are available and shall provide an opportunity for recipients to~~  
6 ~~apply for the funds quickly and efficiently.~~
- 7 ~~(i) (A) Except for the purposes of Section 15200, the amounts~~  
8 ~~payable to recipients pursuant to Section 11453.1 shall not~~  
9 ~~constitute part of the payment schedule set forth in subdivision~~  
10 ~~(a):~~
- 11 ~~(B) The amounts payable to recipients pursuant to Section~~  
12 ~~11453.1 shall not constitute income to recipients of aid under this~~  
13 ~~section.~~
- 14 ~~(j) For children receiving Kin-GAP pursuant to Article 4.5~~  
15 ~~(commencing with Section 11360) or Article 4.7 (commencing~~  
16 ~~with Section 11385) there shall be paid, exclusive of any amount~~  
17 ~~considered exempt as income, an amount of aid each month, which,~~  
18 ~~when added to the child's income, is equal to the rate specified in~~  
19 ~~Sections 11364 and 11387.~~
- 20 ~~(k) (1) A county shall implement the semiannual reporting~~  
21 ~~requirements in accordance with Chapter 501 of the Statutes of~~  
22 ~~2011 no later than October 1, 2013.~~
- 23 ~~(2) Upon completion of the implementation described in~~  
24 ~~paragraph (1), each county shall provide a certificate to the director~~  
25 ~~certifying that semiannual reporting has been implemented in the~~  
26 ~~county.~~
- 27 ~~(3) Upon filing the certificate described in paragraph (2), a~~  
28 ~~county shall comply with the semiannual reporting provisions of~~  
29 ~~this section.~~
- 30 ~~(l) This section shall become operative on July 1, 2015.~~
- 31 ~~(m) This section shall remain in effect only until January 1,~~  
32 ~~2017, and as of that date is repealed, unless a later enacted statute,~~  
33 ~~that is enacted before January 1, 2017, deletes or extends that date.~~
- 34 ~~SEC. 16. Section 11450 is added to the Welfare and Institutions~~  
35 ~~Code, to read:~~
- 36 ~~11450. (a) (1) (A) Aid shall be paid for each needy family,~~  
37 ~~which shall include all eligible brothers and sisters of each eligible~~  
38 ~~applicant or recipient child and the parents of the children, but~~  
39 ~~shall not include unborn children, or recipients of aid under Chapter~~  
40 ~~3 (commencing with Section 12000), qualified for aid under this~~

1 chapter. In determining the amount of aid paid, and notwithstanding  
 2 the minimum basic standards of adequate care specified in Section  
 3 11452, the family's income, exclusive of any amounts considered  
 4 exempt as income or paid pursuant to subdivision (e) or Section  
 5 11453.1, determined for the prospective semiannual period  
 6 pursuant to Sections 11265.1, 11265.2, and 11265.3, and then  
 7 calculated pursuant to Section 11451.5, shall be deducted from  
 8 the sum specified in the following table, as adjusted for  
 9 cost-of-living increases pursuant to Section 11453 and paragraph  
 10 (2). In no case shall the amount of aid paid for each month exceed  
 11 the sum specified in the following table, as adjusted for  
 12 cost-of-living increases pursuant to Section 11453 and paragraph  
 13 (2), plus any special needs, as specified in subdivisions (c), (e),  
 14 and (f):

16 <del>—Number of</del> 17 <del>eligible needy</del> 18 <del>—persons in</del> 19 <del>the same home</del>	Maximum aid
20 <del>— 1.....</del>	<del>\$ 326</del>
21 <del>— 2.....</del>	<del>— 535</del>
22 <del>— 3.....</del>	<del>— 663</del>
23 <del>— 4.....</del>	<del>— 788</del>
24 <del>— 5.....</del>	<del>— 899</del>
25 <del>— 6.....</del>	<del>—1,010</del>
26 <del>— 7.....</del>	<del>—1,109</del>
27 <del>— 8.....</del>	<del>—1,209</del>
28 <del>— 9.....</del>	<del>—1,306</del>
29 <del>— 10 or more.....</del>	<del>—1,403</del>

31 ~~(B) If, when, and during those times that the United States~~  
 32 ~~government increases or decreases its contributions in assistance~~  
 33 ~~of needy children in this state above or below the amount paid on~~  
 34 ~~July 1, 1972, the amounts specified in the above table shall be~~  
 35 ~~increased or decreased by an amount equal to that increase or~~  
 36 ~~decrease by the United States government, provided that no~~  
 37 ~~increase or decrease shall be subject to subsequent adjustment~~  
 38 ~~pursuant to Section 11453.~~

39 ~~(2) The sums specified in paragraph (1) shall not be adjusted~~  
 40 ~~for cost of living for the 1990-91, 1991-92, 1992-93, 1993-94,~~

1 1994–95, 1995–96, 1996–97, and 1997–98 fiscal years, and through  
2 October 31, 1998, nor shall that amount be included in the base  
3 for calculating any cost-of-living increases for any fiscal year  
4 thereafter. Elimination of the cost-of-living adjustment pursuant  
5 to this paragraph shall satisfy the requirements of Section 11453.05,  
6 and no further reduction shall be made pursuant to that section.

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

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

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

26 (e) The amount of forty-seven dollars (\$47) per month shall be  
27 paid to pregnant women qualified for aid under subdivision (a) or  
28 (b) to meet special needs resulting from pregnancy if the woman  
29 and child, if born, would have qualified for aid under this chapter.  
30 County welfare departments shall refer all recipients of aid under  
31 this subdivision to a local provider of the Women, Infants, and  
32 Children program. If that payment to pregnant women qualified  
33 for aid under subdivision (a) is considered income under federal  
34 law in the first five months of pregnancy, payments under this  
35 subdivision shall not apply to persons eligible under subdivision  
36 (a), except for the month in which birth is anticipated and for the  
37 three-month period immediately prior to the month in which  
38 delivery is anticipated, if the woman and child, if born, would have  
39 qualified for aid under this chapter.

1 ~~(d) For children receiving AFDC-FC under this chapter, there~~  
2 ~~shall be paid, exclusive of any amount considered exempt as~~  
3 ~~income, an amount of aid each month that, when added to the~~  
4 ~~child's income, is equal to the rate specified in Section 11460,~~  
5 ~~11461, 11462, 11462.1, or 11463. In addition, the child shall be~~  
6 ~~eligible for special needs, as specified in departmental regulations.~~

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

18 ~~(f) After a family has used all available liquid resources, both~~  
19 ~~exempt and nonexempt, in excess of one hundred dollars (\$100),~~  
20 ~~with the exception of funds deposited in a restricted account~~  
21 ~~described in subdivision (a) of Section 11155.2, the family shall~~  
22 ~~also be entitled to receive an allowance for nonrecurring special~~  
23 ~~needs.~~

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

33 ~~(2) (A) Homeless assistance is available to a homeless family~~  
34 ~~seeking shelter when the family is eligible for aid under this~~  
35 ~~chapter. Homeless assistance for temporary shelter is also available~~  
36 ~~to homeless families that are apparently eligible for aid under this~~  
37 ~~chapter. Apparent eligibility exists when evidence presented by~~  
38 ~~the applicant, or that is otherwise available to the county welfare~~  
39 ~~department, and the information provided on the application~~  
40 ~~documents indicate that there would be eligibility for aid under~~

1 ~~this chapter if the evidence and information were verified.~~  
2 However, an alien applicant who does not provide verification of  
3 his or her eligible alien status, or a woman with no eligible children  
4 who does not provide medical verification of pregnancy, is not  
5 apparently eligible for purposes of this section.

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

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

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

39 ~~(iii) After homelessness has been verified, the three-day limit~~  
40 ~~shall be extended for a period of time which, when added to the~~

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

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

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

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

33 (C) The nonrecurring special needs benefit for permanent  
34 housing assistance is also available to cover the standard costs of  
35 deposits for utilities which are necessary for the health and safety  
36 of the family.

37 (D) A payment for or denial of permanent housing assistance  
38 shall be issued no later than one working day from the time that a  
39 family presents evidence of the availability of permanent housing.  
40 If an applicant family provides evidence of the availability of

1 permanent housing before the county welfare department has  
2 established eligibility for aid under this chapter, the county welfare  
3 department shall complete the eligibility determination so that the  
4 denial of or payment for permanent housing assistance is issued  
5 within one working day from the submission of evidence of the  
6 availability of permanent housing, unless the family has failed to  
7 provide all of the verification necessary to establish eligibility for  
8 aid under this chapter.

9 (E) (i) Except as provided in clauses (ii) and (iii), eligibility  
10 for the temporary shelter assistance and the permanent housing  
11 assistance pursuant to this paragraph shall be limited to one period  
12 of up to 16 consecutive calendar days of temporary assistance and  
13 one payment of permanent assistance every 12 months. A person  
14 who applies for homeless assistance benefits shall be informed  
15 that the temporary shelter benefit of up to 16 consecutive days is  
16 available only once every 12 months, with certain exceptions, and  
17 that a break in the consecutive use of the benefit constitutes  
18 exhaustion of the temporary benefit for that 12-month period.

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

22 (iii) A family shall be eligible for temporary and permanent  
23 homeless assistance when homelessness is a direct result of  
24 domestic violence by a spouse, partner, or roommate; physical or  
25 mental illness that is medically verified that shall not include a  
26 diagnosis of alcoholism, drug addiction, or psychological stress;  
27 or, the uninhabitability of the former residence caused by sudden  
28 and unusual circumstances beyond the control of the family  
29 including natural catastrophe, fire, or condemnation. These  
30 circumstances shall be verified by a third-party governmental or  
31 private health and human services agency, except that domestic  
32 violence may also be verified by a sworn statement by the victim;  
33 as provided under Section 11495.25. Homeless assistance payments  
34 based on these specific circumstances may not be received more  
35 often than once in any 12-month period. In addition, if the domestic  
36 violence is verified by a sworn statement by the victim, the  
37 homeless assistance payments shall be limited to two periods of  
38 not more than 16 consecutive calendar days of temporary assistance  
39 and two payments of permanent assistance. A county may require  
40 that a recipient of homeless assistance benefits who qualifies under

1 this paragraph for a second time in a 24-month period participate  
2 in a homelessness avoidance case plan as a condition of eligibility  
3 for homeless assistance benefits. The county welfare department  
4 shall immediately inform recipients who verify domestic violence  
5 by a sworn statement of the availability of domestic violence  
6 counseling and services, and refer those recipients to services upon  
7 request.

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

12 (v) If a recipient seeking homeless assistance based on domestic  
13 violence pursuant to clause (iii) has previously received homeless  
14 avoidance services based on domestic violence, the county shall  
15 review whether services were offered to the recipient and consider  
16 what additional services would assist the recipient in leaving the  
17 domestic violence situation.

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

22 (F) The county welfare departments, and all other entities  
23 participating in the costs of the CalWORKs program, have the  
24 right in their share to any refunds resulting from payment of the  
25 permanent housing. However, if an emergency requires the family  
26 to move within the 12-month period specified in subparagraph  
27 (E), the family shall be allowed to use any refunds received from  
28 its deposits to meet the costs of moving to another residence.

29 (G) Payments to providers for temporary shelter and permanent  
30 housing and utilities shall be made on behalf of families requesting  
31 these payments.

32 (H) The daily amount for the temporary shelter special needs  
33 benefit for homeless assistance may be increased if authorized by  
34 the current year's Budget Act by specifying a different daily  
35 allowance and appropriating the funds therefor.

36 (I) No payment shall be made pursuant to this paragraph unless  
37 the provider of housing is a commercial establishment, shelter, or  
38 person in the business of renting properties who has a history of  
39 renting properties.

1 ~~(g) The department shall establish rules and regulations ensuring~~  
2 ~~the uniform statewide application of this section.~~

3 ~~(h) The department shall notify all applicants and recipients of~~  
4 ~~aid through the standardized application form that these benefits~~  
5 ~~are available and shall provide an opportunity for recipients to~~  
6 ~~apply for the funds quickly and efficiently.~~

7 ~~(i) (A) Except for the purposes of Section 15200, the amounts~~  
8 ~~payable to recipients pursuant to Section 11453.1 shall not~~  
9 ~~constitute part of the payment schedule set forth in subdivision~~  
10 ~~(a).~~

11 ~~(B) The amounts payable to recipients pursuant to Section~~  
12 ~~11453.1 shall not constitute income to recipients of aid under this~~  
13 ~~section.~~

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

20 ~~(k) (1) A county shall implement the semiannual reporting~~  
21 ~~requirements in accordance with Chapter 501 of the Statutes of~~  
22 ~~2011 no later than October 1, 2013.~~

23 ~~(2) Upon completion of the implementation described in~~  
24 ~~paragraph (1), each county shall provide a certificate to the director~~  
25 ~~certifying that semiannual reporting has been implemented in the~~  
26 ~~county.~~

27 ~~(3) Upon filing the certificate described in paragraph (2), a~~  
28 ~~county shall comply with the semiannual reporting provisions of~~  
29 ~~this section.~~

30 ~~(l) This section shall become operative on January 1, 2017.~~

31 ~~SEC. 17. Section 11450.025 of the Welfare and Institutions~~  
32 ~~Code is amended to read:~~

33 ~~11450.025. (a) (1) Notwithstanding any other law, effective~~  
34 ~~on March 1, 2014, the maximum aid payments in effect on July~~  
35 ~~1, 2012, as specified in subdivision (b) of Section 11450.02, shall~~  
36 ~~be increased by 5 percent.~~

37 ~~(2) Effective April 1, 2015, the maximum aid payments in effect~~  
38 ~~on July 1, 2014, as specified in paragraph (1), shall be increased~~  
39 ~~by 5 percent.~~

1 ~~(3) Effective October 1, 2016, the maximum aid payments in~~  
2 ~~effect on July 1, 2016, as specified in paragraph (2), shall be~~  
3 ~~increased by 1.43 percent.~~

4 ~~(4) (A) Effective January 1, 2017, households eligible for aid~~  
5 ~~under this chapter shall receive an increased aid payment consistent~~  
6 ~~with the repeal of former Section 11450.04, as it read on January~~  
7 ~~1, 2016, known as the “maximum family grant rule.”~~

8 ~~(B) In recognition of the increased cost of aid payments resulting~~  
9 ~~from that repeal, moneys deposited into the Child Poverty and~~  
10 ~~Family Supplemental Support Subaccount shall be allocated to~~  
11 ~~counties pursuant to Section 17601.50 as follows:~~

12 ~~(i) One hundred seven million forty-seven thousand dollars~~  
13 ~~(\$107,047,000) for January 1, 2017, to June 30, 2017, inclusive.~~

14 ~~(ii) Two hundred twenty-three million four hundred fifty-four~~  
15 ~~thousand dollars (\$223,454,000) for the 2017–18 fiscal year and~~  
16 ~~for every fiscal year thereafter.~~

17 ~~(b) Commencing in 2014 and annually thereafter, on or before~~  
18 ~~January 10 and on or before May 14, the Director of Finance shall~~  
19 ~~do all of the following:~~

20 ~~(1) Estimate the amount of growth revenues pursuant to~~  
21 ~~subdivision (f) of Section 17606.10 that will be deposited in the~~  
22 ~~Child Poverty and Family Supplemental Support Subaccount of~~  
23 ~~the Local Revenue Fund for the current fiscal year and the~~  
24 ~~following fiscal year and the amounts in the subaccount carried~~  
25 ~~over from prior fiscal years.~~

26 ~~(2) For the current fiscal year and the following fiscal year,~~  
27 ~~determine the total cost of providing the increases described in~~  
28 ~~subdivision (a), as well as any other increase in the maximum aid~~  
29 ~~payments subsequently provided only under this section, after~~  
30 ~~adjusting for updated projections of CalWORKs costs associated~~  
31 ~~with caseload changes, as reflected in the local assistance~~  
32 ~~subvention estimates prepared by the State Department of Social~~  
33 ~~Services and released with the annual Governor’s Budget and~~  
34 ~~subsequent May Revision update.~~

35 ~~(3) If the amount estimated in paragraph (1) plus the amount~~  
36 ~~projected to be deposited for the current fiscal year into the Child~~  
37 ~~Poverty and Family Supplemental Support Subaccount pursuant~~  
38 ~~to subparagraph (3) of subdivision (e) of Section 17600.15 is~~  
39 ~~greater than the amount determined in paragraph (2), the difference~~  
40 ~~shall be used to calculate the percentage increase to the CalWORKs~~

1 maximum aid payment standards that could be fully funded on an  
2 ongoing basis beginning the following fiscal year.

3 ~~(4) If the amount estimated in paragraph (1) plus the amount  
4 projected to be deposited for the current fiscal year into the Child  
5 Poverty and Family Supplemental Support Subaccount pursuant  
6 to subparagraph (3) of subdivision (e) of Section 17600.15 is equal  
7 to or less than the amount determined in paragraph (2), no  
8 additional increase to the CalWORKs maximum aid payment  
9 standards shall be provided in the following fiscal year in  
10 accordance with this section.~~

11 ~~(5) (A) Commencing with the 2014–15 fiscal year and for all  
12 fiscal years thereafter, if changes to the estimated amounts  
13 determined in paragraphs (1) or (2), or both, as of the May  
14 Revision, are enacted as part of the final budget, the Director of  
15 Finance shall repeat, using the same methodology used in the May  
16 Revision, the calculations described in paragraphs (3) and (4) using  
17 the revenue projections and grant costs assumed in the enacted  
18 budget.~~

19 ~~(B) If a calculation is required pursuant to subparagraph (A),  
20 the Department of Finance shall report the result of this calculation  
21 to the appropriate policy and fiscal committees of the Legislature  
22 upon enactment of the Budget Act.~~

23 ~~(c) An increase in maximum aid payments calculated pursuant  
24 to paragraph (3) of subdivision (b), or pursuant to paragraph (5)  
25 of subdivision (b) if applicable, shall become effective on October  
26 1 of the following fiscal year.~~

27 ~~(d) (1) An increase in maximum aid payments provided in  
28 accordance with this section shall be funded with growth revenues  
29 from the Child Poverty and Family Supplemental Support  
30 Subaccount in accordance with paragraph (3) of subdivision (c)  
31 of Section 17600.15 and subdivision (f) of Section 17606.10, to  
32 the extent funds are available in that subaccount.~~

33 ~~(2) If funds received by the Child Poverty and Family  
34 Supplemental Support Subaccount in a particular fiscal year are  
35 insufficient to fully fund any increases to maximum aid payments  
36 made pursuant to this section, the remaining cost for that fiscal  
37 year will be addressed through existing provisional authority  
38 included in the annual Budget Act. Additional increases to the  
39 maximum aid payments shall not be provided until and unless the  
40 ongoing cumulative costs of all prior increases provided pursuant~~

1 to this section are fully funded by the Child Poverty and Family  
2 Supplemental Support Subaccount.

3 ~~(e) Notwithstanding Section 15200, counties shall not be~~  
4 ~~required to contribute a share of the costs to cover the increases~~  
5 ~~to maximum aid payments made pursuant to this section.~~

6 ~~SEC. 18. Section 11450.04 of the Welfare and Institutions~~  
7 ~~Code is amended to read:~~

8 ~~11450.04. (a) For purposes of determining the maximum aid~~  
9 ~~payment specified in subdivision (a) of Section 11450 and for no~~  
10 ~~other purpose, the number of needy persons in the same family~~  
11 ~~shall not be increased for any child born into a family that has~~  
12 ~~received aid under this chapter continuously for the 10 months~~  
13 ~~prior to the birth of the child. For purposes of this section, aid shall~~  
14 ~~be considered continuous unless the family does not receive aid~~  
15 ~~during two consecutive months. This subdivision shall not apply~~  
16 ~~to applicants for, or recipients of, aid unless notification is provided~~  
17 ~~pursuant to this section.~~

18 ~~(b) This section shall not apply with respect to any of the~~  
19 ~~following children:~~

20 ~~(1) Any child who was conceived as a result of an act of rape,~~  
21 ~~as defined in Sections 261 and 262 of the Penal Code, if the rape~~  
22 ~~was reported to a law enforcement agency, medical or mental~~  
23 ~~health professional or social services agency prior to, or within~~  
24 ~~three months after, the birth of the child.~~

25 ~~(2) Any child who was conceived as a result of an incestuous~~  
26 ~~relationship if the relationship was reported to a medical or mental~~  
27 ~~health professional or a law enforcement agency or social services~~  
28 ~~agency prior to, or within three months after, the birth of the child,~~  
29 ~~or if paternity has been established.~~

30 ~~(3) Any child who was conceived as a result of contraceptive~~  
31 ~~failure if the parent was using an intrauterine device, a Norplant,~~  
32 ~~or the sterilization of either parent.~~

33 ~~(c) This section shall not apply to any child born on or before~~  
34 ~~November 1, 1995.~~

35 ~~(d) (1) This section shall not apply to any child to whom it~~  
36 ~~would otherwise apply if the family has not received aid for 24~~  
37 ~~consecutive months while the child was living with the family.~~

38 ~~(2) This section shall not apply to any child conceived when~~  
39 ~~either parent was a nonneedy caretaker relative.~~

1 ~~(3) This section shall not apply to any child who is no longer~~  
2 ~~living in the same home with either parent.~~

3 ~~(e) One hundred percent of any child support payment received~~  
4 ~~for a child born into the family, but for whom the maximum aid~~  
5 ~~payment is not increased pursuant to this section, shall be paid to~~  
6 ~~the assistance unit. Any such child support payment shall not be~~  
7 ~~considered as income to the family for the purpose of calculating~~  
8 ~~the amount of aid for which the family is eligible under this article.~~

9 ~~(f) Commencing January 1, 1995, each county welfare~~  
10 ~~department shall notify applicants for assistance under this chapter,~~  
11 ~~in writing, of the provisions of this section. The notification shall~~  
12 ~~also be provided to recipients of aid under this chapter, in writing,~~  
13 ~~at the time of recertification, or sooner. The notification required~~  
14 ~~by this section shall set forth the provisions of this section and~~  
15 ~~shall state explicitly the impact these provisions would have on~~  
16 ~~the future aid to the assistance unit. This section shall not apply~~  
17 ~~to any recipient's child earlier than 12 months after the mailing of~~  
18 ~~an informational notice as required by this subdivision.~~

19 ~~(g) (1) The department shall seek all appropriate federal waivers~~  
20 ~~for the implementation of this section.~~

21 ~~(2) The department shall implement this section commencing~~  
22 ~~on the date the Director of Social Services executes a declaration,~~  
23 ~~that shall be retained by the director, stating that the administrative~~  
24 ~~actions required by paragraph (1) as a condition of implementation~~  
25 ~~of this section have been taken by the United States Secretary of~~  
26 ~~Health and Human Services.~~

27 ~~(h) Subdivisions (a) to (g), inclusive, shall become operative~~  
28 ~~on January 1, 1995.~~

29 ~~(i) This section shall remain in effect only until January 1, 2017,~~  
30 ~~and as of that date is repealed, unless a later enacted statute, that~~  
31 ~~is enacted before January 1, 2017, deletes or extends that date.~~

32 ~~SEC. 19. Section 11461.3 of the Welfare and Institutions Code~~  
33 ~~is amended to read:~~

34 ~~11461.3. (a) The Approved Relative Caregiver Funding Option~~  
35 ~~Program is hereby established for the purpose of making the~~  
36 ~~amount paid to approved relative caregivers for the in-home care~~  
37 ~~of children placed with them who are ineligible for AFDC-FC~~  
38 ~~payments equal to the amount paid on behalf of children who are~~  
39 ~~eligible for AFDC-FC payments. This is an optional program for~~  
40 ~~counties choosing to participate, and in so doing, participating~~

1 counties agree to the terms of this section as a condition of their  
2 participation. It is the intent of the Legislature that the funding  
3 described in paragraph (1) of subdivision (g) for the Approved  
4 Relative Caregiver Funding Option Program be appropriated, and  
5 available for use from January through December of each year,  
6 unless otherwise specified.

7 (b) Subject to subdivision (c), effective January 1, 2015,  
8 participating counties shall pay an approved relative caregiver a  
9 per child per month rate in return for the care and supervision, as  
10 defined in subdivision (b) of Section 11460, of a child that is placed  
11 with the relative caregiver that is equal to the basic rate paid to  
12 foster care providers pursuant to subdivision (g) of Section 11461,  
13 if both of the following conditions are met:

14 (1) The county with payment responsibility has notified the  
15 department in writing by October 1 of the year before participation  
16 begins of its decision to participate in the Approved Relative  
17 Caregiver Funding Option Program.

18 (2) The related child placed in the home meets all of the  
19 following requirements:

20 (A) The child resides in California.

21 (B) The child is described by subdivision (b), (c), or (e) of  
22 Section 11401 and the county welfare department or the county  
23 probation department is responsible for the placement and care of  
24 the child.

25 (C) The child is not eligible for AFDC-FC while placed with  
26 the approved relative caregiver because the child is not eligible  
27 for federal financial participation in the AFDC-FC payment.

28 (e) Any income or benefits received by an eligible child or the  
29 approved relative caregiver on behalf of the eligible child that  
30 would be offset against the basic rate paid to a foster care provider  
31 pursuant to subdivision (g) of Section 11461, shall be offset from  
32 any funds that are not CalWORKs funds paid to the approved  
33 relative caregiver pursuant to this section.

34 (d) Participating counties shall recoup an overpayment in the  
35 Approved Relative Caregiver Funding Option Program received  
36 by an approved relative caregiver using the standards and processes  
37 for overpayment recoupment that are applicable to overpayments  
38 to an approved home of a relative, as specified in Section 11466.24.  
39 Recouped overpayments shall not be subject to remittance to the  
40 federal government. Any overpaid funds that are collected by the

1 participating counties shall be remitted to the state after subtracting  
2 both of the following:

3 (1) ~~An amount not to exceed the county share of the CalWORKs~~  
4 ~~portion of the Approved Relative Caregiver Funding Option~~  
5 ~~Program payment, if any.~~

6 (2) ~~Any other county funds that were included in the Approved~~  
7 ~~Relative Caregiver Funding Option Program payment.~~

8 (e) ~~A county's election to participate in the Approved Relative~~  
9 ~~Caregiver Funding Option Program shall affirmatively indicate~~  
10 ~~that the county understands and agrees to all of the following~~  
11 ~~conditions:~~

12 (1) ~~Commencing October 1, 2014, the county shall notify the~~  
13 ~~department in writing of its decision to participate in the Approved~~  
14 ~~Relative Caregiver Funding Option Program. Failure to make~~  
15 ~~timely notification, without good cause as determined by the~~  
16 ~~department, shall preclude the county from participating in the~~  
17 ~~program for the upcoming calendar year. Annually thereafter, any~~  
18 ~~county not already participating who elects to do so shall notify~~  
19 ~~the department in writing no later than October 1 of its decision~~  
20 ~~to participate for the upcoming calendar year.~~

21 (2) ~~The county shall confirm that it will make per child per~~  
22 ~~month payments to all approved relative caregivers on behalf of~~  
23 ~~eligible children in the amount specified in subdivision (b) for the~~  
24 ~~duration of the participation of the county in this program.~~

25 (3) ~~The county shall confirm that it will be solely responsible~~  
26 ~~to pay any additional costs needed to make all payments pursuant~~  
27 ~~to subdivision (b) if the state and federal funds allocated to the~~  
28 ~~Approved Relative Caregiver Funding Option Program pursuant~~  
29 ~~to paragraph (1) of subdivision (g) are insufficient to make all~~  
30 ~~eligible payments.~~

31 (f) (1) ~~A county deciding to opt out of the Approved Relative~~  
32 ~~Caregiver Funding Option Program shall provide at least 120 days'~~  
33 ~~prior written notice of that decision to the department. Additionally,~~  
34 ~~the county shall provide at least 90 days' prior written notice to~~  
35 ~~the approved relative caregiver or caregivers informing them that~~  
36 ~~his or her per child per month payment will be reduced and the~~  
37 ~~date that the reduction will occur.~~

38 (2) ~~The department shall presume that all counties have opted~~  
39 ~~out of the Approved Relative Caregiver Funding Option Program~~  
40 ~~if the funding appropriated for the current 12-month period is~~

1 reduced below the amount specified in subparagraph (B);  
2 subparagraph (C), or subparagraph (D) of paragraph(2) of  
3 subdivision (g) for that 12-month period, unless a county notifies  
4 the department in writing of its intent to opt in within 60 days of  
5 enactment of the State Budget. The counties shall provide at least  
6 90 days' prior written notice to the approved relative caregiver or  
7 caregivers informing them that his or her per child per month  
8 payment will be reduced, and the date that reduction will occur.

9 (3) Any reduction in payments received by an approved relative  
10 caregiver on behalf of a child under this section that results from  
11 a decision by a county, including the presumed opt-out pursuant  
12 to paragraph (2), to not participate in the Approved Relative  
13 Caregiver Funding Option Program shall be exempt from state  
14 hearing jurisdiction under Section 10950.

15 (g) (1) The following funding shall be used for the Approved  
16 Relative Caregiver Funding Option Program:

17 (A) The applicable regional per-child CalWORKs grant, in  
18 accordance with subdivision (a) of Section 11253.4.

19 (B) General Fund resources, as appropriated in paragraph (2).

20 (C) County funds only to the extent required under paragraph  
21 (3) of subdivision (e).

22 (D) Funding described in subparagraphs (A) and (B) is intended  
23 to fully fund the base caseload of approved relative caregivers,  
24 which is defined as the number of approved relative caregivers  
25 caring for a child who is not eligible to receive AFDC-FC  
26 payments, as of July 1, 2014.

27 (2) The following amount is hereby appropriated from the  
28 General Fund as follows:

29 (A) The sum of fifteen million dollars (\$15,000,000), for the  
30 period of January 1, 2015, to June 30, 2015, inclusive.

31 (B) For the period of July 1, 2015, to June 30, 2016, inclusive,  
32 there shall be appropriated an amount equal to the sum of all of  
33 the following:

34 (i) Two times the amount appropriated pursuant to subparagraph  
35 (A), inclusive of any increase pursuant to paragraph (3).

36 (ii) The amount necessary to increase or decrease the  
37 CalWORKs funding associated with the base caseload described  
38 in subparagraph (D) of paragraph (1) to reflect any change from  
39 the prior fiscal year in the applicable regional per-child CalWORKs  
40 grant described in subparagraph (A) of paragraph (1).

1 ~~(iii) The additional amount necessary to fully fund the base~~  
2 ~~caseload described in subparagraph (D) of paragraph (1), reflective~~  
3 ~~of the annual California Necessities Index increase to the basic~~  
4 ~~rate paid to foster care providers.~~

5 ~~(C) For every 12-month period thereafter, commencing with~~  
6 ~~the period of July 1, 2016, to June 30, 2017, inclusive, the sum of~~  
7 ~~all of the following shall be appropriated for purposes of this~~  
8 ~~section:~~

9 ~~(i) The total General Fund amount provided pursuant to this~~  
10 ~~paragraph for the previous 12-month period.~~

11 ~~(ii) The amount necessary to increase or decrease the~~  
12 ~~CalWORKs funding associated with the base caseload described~~  
13 ~~in subparagraph (D) of paragraph (1) to reflect any change from~~  
14 ~~the prior fiscal year in the applicable regional per-child CalWORKs~~  
15 ~~grant described in subparagraph (A) of paragraph (1).~~

16 ~~(iii) The additional amount necessary to fully fund the base~~  
17 ~~caseload described in subparagraph (D) of paragraph (1), reflective~~  
18 ~~of the annual California Necessities Index increase to the basic~~  
19 ~~rate paid to foster care providers.~~

20 ~~(D) Notwithstanding clauses (ii) and (iii) of subparagraph (B)~~  
21 ~~and clauses (ii) and (iii) of subparagraph (C), the total General~~  
22 ~~Fund appropriation made pursuant to subparagraph (B) shall not~~  
23 ~~be less than the greater of the following amounts:~~

24 ~~(i) Thirty million dollars (\$30,000,000).~~

25 ~~(ii) Two times the amount appropriated pursuant to subparagraph~~  
26 ~~(A), inclusive of any increase pursuant to paragraph (3).~~

27 ~~(3) To the extent that the appropriation made by subparagraph~~  
28 ~~(A) of paragraph (2) is insufficient to fully fund the base caseload~~  
29 ~~of approved relative caregivers as of July 1, 2014, as described in~~  
30 ~~subparagraph (D) of paragraph (1), for the period of January 1,~~  
31 ~~2015, to June 30, 2015, inclusive, as jointly determined by the~~  
32 ~~department and the County Welfare Directors' Association and~~  
33 ~~approved by the Department of Finance on or before October 1,~~  
34 ~~2015, the amount specified in subparagraph (A) of paragraph (2)~~  
35 ~~shall be increased by the amount necessary to fully fund that base~~  
36 ~~caseload.~~

37 ~~(4) Funds available pursuant to paragraph (2) shall be allocated~~  
38 ~~to participating counties proportionate to the number of their~~  
39 ~~approved relative caregiver placements, using a methodology and~~

1 timing developed by the department, following consultation with  
2 county human services agencies and their representatives.

3 ~~(5) Notwithstanding subdivision (c), if in any calendar year the~~  
4 ~~entire amount of funding appropriated by the state for the Approved~~  
5 ~~Relative Caregiver Funding Option Program has not been fully~~  
6 ~~allocated to or utilized by participating counties, a participating~~  
7 ~~county that has paid any funds pursuant to subparagraph (C) of~~  
8 ~~paragraph (1) of subdivision (g) may request reimbursement for~~  
9 ~~those funds from the department. The authority of the department~~  
10 ~~to approve the requests shall be limited by the amount of available~~  
11 ~~unallocated funds.~~

12 ~~(h) An approved relative caregiver receiving payments on behalf~~  
13 ~~of a child pursuant to this section shall not be eligible to receive~~  
14 ~~additional CalWORKs payments on behalf of the same child under~~  
15 ~~Section 11450.~~

16 ~~(i) To the extent permitted by federal law, payments received~~  
17 ~~by the approved relative caregiver from the Approved Relative~~  
18 ~~Caregiver Funding Option Program shall not be considered income~~  
19 ~~for the purpose of determining other public benefits.~~

20 ~~(j) Prior to referral of any individual or recipient, or that person's~~  
21 ~~case, to the local child support agency for child support services~~  
22 ~~pursuant to Section 17415 of the Family Code, the county human~~  
23 ~~services agency shall determine if an applicant or recipient has~~  
24 ~~good cause for noncooperation, as set forth in Section 11477.04.~~  
25 ~~If the applicant or recipient claims good cause exception at any~~  
26 ~~subsequent time to the county human services agency or the local~~  
27 ~~child support agency, the local child support agency shall suspend~~  
28 ~~child support services until the county social services agency~~  
29 ~~determines the good cause claim, as set forth in Section 11477.04.~~  
30 ~~If good cause is determined to exist, the local child support agency~~  
31 ~~shall suspend child support services until the applicant or recipient~~  
32 ~~requests their resumption, and shall take other measures that are~~  
33 ~~necessary to protect the applicant or recipient and the children. If~~  
34 ~~the applicant or recipient is the parent of the child for whom aid~~  
35 ~~is sought and the parent is found to have not cooperated without~~  
36 ~~good cause as provided in Section 11477.04, the applicant's or~~  
37 ~~recipient's family grant shall be reduced by 25 percent for the time~~  
38 ~~the failure to cooperate lasts.~~

39 ~~(k) Consistent with Section 17552 of the Family Code, if aid is~~  
40 ~~paid under this chapter on behalf of a child who is under the~~

1 jurisdiction of the juvenile court and whose parent or guardian is  
2 receiving reunification services, the county human services agency  
3 shall determine, prior to referral of the case to the local child  
4 support agency for child support services, whether the referral is  
5 in the best interest of the child, taking into account both of the  
6 following:

7 (1) Whether the payment of support by the parent will pose a  
8 barrier to the proposed reunification in that the payment of support  
9 will compromise the parent's ability to meet the requirements of  
10 the parent's reunification plan.

11 (2) Whether the payment of support by the parent will pose a  
12 barrier to the proposed reunification in that the payment of support  
13 will compromise the parent's current or future ability to meet the  
14 financial needs of the child.

15 (f) Effective January 1, 2017, if a relative has been approved as  
16 a resource family pursuant to Section 16519.5, the approved  
17 relative shall be paid an amount equal to the resource family basic  
18 rate at the child's assessed level of care as set forth in subdivision  
19 (g) of Section 11461 and Section 11463.

20 SEC. 20. Section 11461.4 is added to the Welfare and  
21 Institutions Code, to read:

22 11461.4. (a) Notwithstanding any other law, a tribe that has  
23 entered into an agreement pursuant to Section 10553.1 may, subject  
24 to the provisions of this section, elect to participate in the Tribal  
25 Approved Relative Caregiver Funding Option Program.

26 (b) (1) In return for the care and supervision of a child placed  
27 with an approved relative caregiver, a participating tribe shall pay  
28 the approved relative caregiver a per child per month rate that,  
29 when added to the tribal Temporary Aid to Needy Families (tribal  
30 TANF) benefit received by the approved relative caregiver on  
31 behalf of the child, shall equal the basic rate paid to a foster care  
32 provider pursuant to subdivision (g) of Section 11461.

33 (2) Payments made pursuant to paragraph (1) shall be made  
34 only if all of the following conditions exist:

35 (A) The tribe has notified the department in writing of its  
36 decision to participate in the program, consistent with subdivision  
37 (c).

38 (B) The child has been removed from the parent or guardian  
39 and has been placed into the placement and care responsibility of  
40 the tribal child welfare agency pursuant to a voluntary placement

1 agreement or by the tribal court, consistent with the tribe’s Title  
2 IV-E agreement.

3 ~~(C) The child resides within California.~~

4 ~~(D) The caregiver is receiving tribal TANF payments, or an  
5 application for tribal TANF has been made, on behalf of the child.~~

6 ~~(E) The child is not eligible for AFDC-FC while placed with  
7 the approved relative caregiver because the child is not eligible  
8 for federal financial participation in the AFDC-FC payment.~~

9 ~~(3) Any income or benefits received by an eligible child, or by  
10 the approved relative caregiver on behalf of an eligible child, which  
11 would be offset against a payment made to a foster care provider,  
12 shall be offset from the amount paid by the tribe under the program.  
13 This paragraph shall not apply to any tribal TANF payments  
14 received on behalf of an eligible child.~~

15 ~~(4) An approved relative caregiver receiving payments on behalf  
16 of a child pursuant to this section shall not be eligible to receive  
17 CalWORKs payments on behalf of the same child under Section  
18 11450.~~

19 ~~(5) To the extent permitted by federal law, payments received  
20 by the approved relative caregiver from the program shall not be  
21 considered income for the purpose of determining other public  
22 benefits.~~

23 ~~(e) (1) (A) A tribe electing to participate in the program in the  
24 2016–17 fiscal year shall notify the department on or before  
25 October 1, 2016, that it intends to begin participation. Failure to  
26 make timely notification, without good cause as determined by  
27 the department, shall preclude the tribe from participating in the  
28 program for the 2016–17 fiscal year.~~

29 ~~(B) In any fiscal year after the 2016–17 fiscal year, a tribe  
30 electing to participate in the program shall notify the department  
31 on or before January 1 that it intends to begin participation on or  
32 after the following July 1. Failure to make timely notification,  
33 without good cause as determined by the department, shall preclude  
34 the tribe from participating in the program for the upcoming fiscal  
35 year.~~

36 ~~(2) As a condition of opting into the program, the tribe shall do  
37 all of the following:~~

38 ~~(A) Provide to the department the tribal TANF maximum aid  
39 payment (MAP) rate in effect at the time that the tribe elects to~~

1 participate in the program, consistent with the tribe's approved  
2 tribal TANF plan.

3 (B) Provide data necessary, as determined by the department  
4 in consultation with the tribe, to determine the base caseload for  
5 the tribe as of July 1, 2016, consistent with subdivision (d).

6 (C) Agree to recoup overpayments to an approved relative  
7 caregiver utilizing the standards for determining whether an  
8 overpayment is recoupable, and the processes for overpayment  
9 recoupment, that are applicable to overpayments as described in  
10 the tribe's Title IV-E agreement entered into pursuant to Section  
11 10553.1.

12 (D) Agree that the tribe shall be solely responsible for any  
13 additional costs incurred in making payments under this section  
14 in the event that the funds allocated to a tribe from the  
15 appropriation made by the Legislature for the tribe's participation  
16 in the program are not sufficient to fully fund all payments  
17 specified in paragraph (1) of subdivision (b).

18 (E) Agree to make child support referrals for program cases,  
19 consistent with processes applied by the tribe to Title IV-E program  
20 cases.

21 (3) The participating tribe shall provide the information specified  
22 in subparagraphs (A) and (B) of paragraph (2) at least 60 days  
23 prior to the date the tribe will begin participating in the program.

24 (d) (1) In consultation with the participating tribe, the  
25 department shall determine the initial base caseload of the  
26 participating tribe, using the most recent available data provided  
27 by the tribe.

28 (2) The department shall determine the amount necessary to  
29 fund the base caseload of the participating tribe. The allocation  
30 methodology shall consider the tribal TANF rate of the  
31 participating tribe in effect on July 1, 2016.

32 (e) (1) A tribe electing to opt out of the program shall provide  
33 at least 120 days' prior written notice of that election to the  
34 department and at least 90 days' prior written notice to all approved  
35 relative caregivers to whom the tribe is making payments under  
36 the program. The notice to caregivers shall specify the date on  
37 which the per child per month payment will be reduced and the  
38 date the tribe's participation in the program will cease.

39 (2) If the Legislature, for any given fiscal year, appropriates an  
40 amount less than that specified in paragraph (2) of subdivision (f),

1 the department shall presume that all participating tribes have  
2 opted out of the program for that fiscal year unless a tribe notifies  
3 the department in writing of its intent to opt in within 60 days of  
4 the enactment of the annual Budget Act. A tribe that does not elect  
5 to continue participating in the program shall provide the notice  
6 to caregivers specified in paragraph (1).

7 (3) A tribe that has opted out of the program for any reason may  
8 resume participating in the program on July 1 of any year, upon  
9 providing the department with written notice on or before the  
10 preceding March 1 of its intent to resume participation.

11 (f) (1) (A) The following funding shall be used for the program:

12 (i) The tribe's applicable per-child tribal TANF grant at the  
13 MAP rate in effect on July 1, 2016.

14 (ii) General Fund resources, as specified in paragraph (2).

15 (iii) Tribal funds only to the extent required under subparagraph  
16 (D) of paragraph (2) of subdivision (e).

17 (B) Funding described in clauses (i) and (ii) of subparagraph  
18 (A) is intended to fully fund the base caseload of approved relative  
19 caregivers, which is defined as the number of approved relative  
20 caregivers caring for a child who is not eligible to receive  
21 AFDC-FC payments as of July 1, 2016.

22 (2) The following amounts are hereby appropriated from the  
23 General Fund:

24 (A) For the 2016–17 fiscal year, the sum sufficient to fund the  
25 initial base caseload, as determined in subdivision (d), for tribes  
26 eligible for participation as of July 1, 2016.

27 (B) For the 2017–18 fiscal year, and every fiscal year thereafter,  
28 the sum of the following:

29 (i) The total General Fund amount appropriated for the purposes  
30 of this section for the previous fiscal year.

31 (ii) The additional amount necessary to fully fund the base  
32 caseload described in subparagraph (B) of paragraph (1), reflective  
33 of the annual California Necessities Index increase to the basic  
34 rate paid to foster care providers pursuant to subdivision (g) of  
35 Section 11461.

36 (3) Funds specified in paragraph (2) shall be allocated to  
37 participating tribes proportionate to their number of approved  
38 relative caregiver placements, using a methodology and timing  
39 developed by the department, following consultation with  
40 participating tribes.

1 ~~(4) Notwithstanding subdivision (c), if in any fiscal year the~~  
2 ~~entire amount of funding appropriated by the Legislature for the~~  
3 ~~program has not been fully allocated to, or utilized by, participating~~  
4 ~~tribes, a participating tribe that has paid any funds pursuant to~~  
5 ~~subparagraph (D) of paragraph (2) of subdivision (c) may request~~  
6 ~~reimbursement for those funds from the department. The authority~~  
7 ~~of the department to approve the requests shall be limited by the~~  
8 ~~amount of available unallocated funds.~~

9 ~~(g) If more than two eligible tribes elect to participate in the~~  
10 ~~program and, as a result, the appropriation made pursuant to~~  
11 ~~subdivision (f) is insufficient to fully fund the base caseload of~~  
12 ~~approved relative caregivers, as jointly determined by the~~  
13 ~~department and the participating tribes and approved by the~~  
14 ~~Department of Finance, the amount specified in subdivision (f)~~  
15 ~~shall be increased by the amount necessary to fully fund that base~~  
16 ~~caseload.~~

17 ~~(h) For the purposes of this section, the following definitions~~  
18 ~~apply:~~

19 ~~(1) “Basic foster care rate” means the monthly rate paid to foster~~  
20 ~~care providers pursuant to subdivision (g) of Section 11461.~~

21 ~~(2) “Program” means the Tribal Approved Relative Caregiver~~  
22 ~~Funding Option Program established in this section.~~

23 ~~(3) “Relative” means an adult who is related to the child by~~  
24 ~~blood, adoption, or affinity within the fifth degree of kinship,~~  
25 ~~including stepparents, stepsiblings, and all relatives whose status~~  
26 ~~is preceded by the words “great,” “great-great,” or “grand,” or the~~  
27 ~~spouse of any of these persons even if the marriage was terminated~~  
28 ~~by death or dissolution, or as otherwise established consistent with~~  
29 ~~the tribe’s Title IV-E agreement.~~

30 ~~(4) “Tribe” means a federally-recognized Indian tribe,~~  
31 ~~consortium of tribes, or tribal organization with an agreement~~  
32 ~~pursuant to Section 10553.1.~~

33 ~~SEC. 21. Section 11465 of the Welfare and Institutions Code~~  
34 ~~is amended to read:~~

35 ~~11465. (a) When a child is living with a parent who receives~~  
36 ~~AFDC-FC or Kin-GAP benefits, the rate paid to the provider on~~  
37 ~~behalf of the parent shall include an amount for care and~~  
38 ~~supervision of the child.~~

39 ~~(b) For each category of eligible licensed community care~~  
40 ~~facility, as defined in Section 1502 of the Health and Safety Code,~~

1 the department shall adopt regulations setting forth a uniform rate  
2 to cover the cost of care and supervision of the child in each  
3 category of eligible licensed community care facility.

4 ~~(e) (1) On and after July 1, 1998, the uniform rate to cover the~~  
5 ~~cost of care and supervision of a child pursuant to this section shall~~  
6 ~~be increased by 6 percent, rounded to the nearest dollar. The~~  
7 ~~resultant amounts shall constitute the new uniform rate.~~

8 ~~(2) (A) On and after July 1, 1999, the uniform rate to cover the~~  
9 ~~cost of care and supervision of a child pursuant to this section shall~~  
10 ~~be adjusted by an amount equal to the California Necessities Index~~  
11 ~~computed pursuant to Section 11453, rounded to the nearest dollar.~~  
12 ~~The resultant amounts shall constitute the new uniform rate, subject~~  
13 ~~to further adjustment pursuant to subparagraph (B).~~

14 ~~(B) In addition to the adjustment specified in subparagraph (A),~~  
15 ~~on and after January 1, 2000, the uniform rate to cover the cost of~~  
16 ~~care and supervision of a child pursuant to this section shall be~~  
17 ~~increased by 2.36 percent, rounded to the nearest dollar. The~~  
18 ~~resultant amounts shall constitute the new uniform rate.~~

19 ~~(3) Subject to the availability of funds, for the 2000-01 fiscal~~  
20 ~~year and annually thereafter, these rates shall be adjusted for cost~~  
21 ~~of living pursuant to procedures in Section 11453.~~

22 ~~(4) On and after January 1, 2008, the uniform rate to cover the~~  
23 ~~cost of care and supervision of a child pursuant to this section shall~~  
24 ~~be increased by 5 percent, rounded to the nearest dollar. The~~  
25 ~~resulting amount shall constitute the new uniform rate.~~

26 ~~(5) Commencing July 1, 2016, the uniform rate to cover the~~  
27 ~~cost of care and supervision of a child pursuant to this section shall~~  
28 ~~be supplemented by an additional monthly amount of four hundred~~  
29 ~~eighty-nine dollars (\$489). This monthly supplement shall only~~  
30 ~~be provided if funding for this purpose is appropriated in the annual~~  
31 ~~Budget Act.~~

32 ~~(d) (1) Notwithstanding subdivisions (a) to (c), inclusive, the~~  
33 ~~payment made pursuant to this section for care and supervision of~~  
34 ~~a child who is living with a teen parent in a whole family foster~~  
35 ~~home, as defined in Section 11400, shall equal the basic rate for~~  
36 ~~children placed in a licensed or approved home as specified in~~  
37 ~~subdivisions (a) to (d), inclusive, and subdivision (g), of Section~~  
38 ~~11461.~~

39 ~~(2) (A) The amount paid for care and supervision of a dependent~~  
40 ~~infant living with a dependent teen parent receiving AFDC-FC~~

1 ~~benefits in a group home placement shall equal the infant~~  
2 ~~supplement rate for group home placements.~~

3 ~~(B) Commencing January 1, 2017, the amount paid for care and~~  
4 ~~supervision of a dependent infant living with a dependent teenage~~  
5 ~~parent receiving AFDC-FC benefits in a short-term residential~~  
6 ~~treatment center shall equal the infant supplement rate for~~  
7 ~~short-term residential treatment centers established by the~~  
8 ~~department.~~

9 ~~(3) (A) The caregiver shall provide the county child welfare~~  
10 ~~agency or probation department with a copy of the shared~~  
11 ~~responsibility plan developed pursuant to Section 16501.25 and~~  
12 ~~shall advise the county child welfare agency or probation~~  
13 ~~department of any subsequent changes to the plan. Once the plan~~  
14 ~~has been completed and provided to the appropriate agencies, the~~  
15 ~~payment made pursuant to this section shall be increased by an~~  
16 ~~additional two hundred dollars (\$200) per month to reflect the~~  
17 ~~increased care and supervision while he or she is placed in the~~  
18 ~~whole family foster home.~~

19 ~~(B) A nonminor dependent parent residing in a supervised~~  
20 ~~independent living placement, as defined in subdivision (w) of~~  
21 ~~Section 11400, who develops a written parenting support plan~~  
22 ~~pursuant to Section 16501.26 shall provide the county child welfare~~  
23 ~~agency or probation department with a copy of the plan and shall~~  
24 ~~advise the county child welfare agency or probation department~~  
25 ~~of any subsequent changes to the plan. The payment made pursuant~~  
26 ~~to this section shall be increased by an additional two hundred~~  
27 ~~dollars (\$200) per month after all of the following have been~~  
28 ~~satisfied:~~

29 ~~(i) The plan has been completed and provided to the appropriate~~  
30 ~~county agency.~~

31 ~~(ii) The plan has been approved by the appropriate county~~  
32 ~~agency.~~

33 ~~(iii) The county agency has determined that the identified~~  
34 ~~responsible adult meets the criteria specified in Section 16501.27.~~

35 ~~(4) In a year in which the payment provided pursuant to this~~  
36 ~~section is adjusted for the cost of living as provided in paragraph~~  
37 ~~(1) of subdivision (c), the payments provided for in this subdivision~~  
38 ~~shall also be increased by the same procedures.~~

39 ~~(5) A Kin-GAP relative who, immediately prior to entering the~~  
40 ~~Kin-GAP program, was designated as a whole family foster home~~

1 shall receive the same payment amounts for the care and  
2 supervision of a child who is living with a teen parent they received  
3 in foster care as a whole family foster home.

4 (6) On and after January 1, 2012, the rate paid for a child living  
5 with a teen parent in a whole family foster home as defined in  
6 Section 11400 shall also be paid for a child living with a nonminor  
7 dependent parent who is eligible to receive AFDC-FC or Kin-GAP  
8 pursuant to Section 11403.

9 SEC. 22. Section 12201.06 is added to the Welfare and  
10 Institutions Code, immediately following Section 12201.05, to  
11 read:

12 12201.06. Commencing January 1, 2017, the amount of aid  
13 paid pursuant to this article, in effect on December 31, 2016, less  
14 the federal benefit portion received under Part A of Title XVI of  
15 the federal Social Security Act, shall be increased by 2.76 percent.

16 SEC. 23. Section 12301.02 of the Welfare and Institutions  
17 Code is amended to read:

18 12301.02. (a) (1) Notwithstanding any other law, except as  
19 provided in subdivisions (c) and (e), the department shall  
20 implement a 7-percent reduction in hours of service to each  
21 recipient of services under this article, which shall be applied to  
22 the recipient's hours as authorized pursuant to the most recent  
23 assessment. This reduction shall become effective 12 months after  
24 the implementation of the reduction set forth in Section 12301.01.  
25 The reduction required by this section shall not preclude any  
26 reassessment to which a recipient would otherwise be entitled.  
27 However, hours authorized pursuant to a reassessment shall be  
28 subject to the 7-percent reduction required by this section.

29 (2) A request for reassessment based only on the reduction  
30 required in paragraph (1) may be administratively denied by the  
31 county.

32 (3) A recipient of services under this article may direct the  
33 manner in which the reduction of hours is applied to the recipient's  
34 previously authorized services.

35 (4) For those individuals who have a documented unmet need,  
36 excluding protective supervision because of the limitations on  
37 authorized hours under Section 12303.4, the reduction shall be  
38 taken first from the documented unmet need.

39 (b) The notice of action informing the recipient of the reduction  
40 pursuant to subdivision (a) shall be mailed at least 20 days prior

1 to the reduction going into effect. The notice of action shall be  
2 understandable to the recipient and translated into all languages  
3 spoken by a substantial number of the public served by the  
4 In-Home Supportive Services program, in accordance with Section  
5 7295.2 of the Government Code. The notice shall not contain any  
6 recipient financial or confidential identifying information other  
7 than the recipient's name, address, and Case Management  
8 Information and Payroll System (CMIPS) client identification  
9 number, and shall include, but not be limited to, all of the following  
10 information:

11 (1) The aggregate number of authorized hours before the  
12 reduction pursuant to subdivision (a) and the aggregate number of  
13 authorized hours after the reduction.

14 (2) That the recipient may direct the manner in which the  
15 reduction of authorized hours is applied to the recipient's  
16 previously authorized services.

17 (3) A county shall assess a recipient's need for supportive  
18 services any time that the recipient notifies the county of a need  
19 to adjust the supportive services hours authorized, or when there  
20 are other indications or expectations of a change in circumstances  
21 affecting the recipient's need for supportive services. Counties  
22 shall not require recipients to submit a medical certification form  
23 or a doctor's note to show evidence of a change in the recipient's  
24 circumstances.

25 (e) A recipient shall have all appeal rights otherwise provided  
26 for under Chapter 7 (commencing with Section 10950) of Part 2.

27 (d) The reduction specified in paragraph (1) of subdivision (a)  
28 shall be ongoing and may be adjusted pursuant to Section 12301.03.

29 (e) (1) The reduction specified in paragraph (1) of subdivision  
30 (a) shall be suspended until July 1, 2019, if the managed care  
31 organization provider tax imposed pursuant to Article 6.7  
32 (commencing with Section 14199.50) of Chapter 7 remains  
33 operative.

34 (2) Notwithstanding paragraph (1), if the managed care  
35 organization provider tax imposed pursuant to Article 6.7  
36 (commencing with Section 14199.50) of Chapter 7 ceases to be  
37 operative for any reason, the reduction specified in paragraph (1)  
38 of subdivision (a) shall be reinstated effective no later than the  
39 first day of the first full month occurring 90 days after the date on

1 which the managed care organization provider tax ceases to be  
2 operative.

3 ~~(3) Notwithstanding the Administrative Procedure Act (Chapter~~  
4 ~~3.5 (commencing with Section 11340) of Part 1 of Division 3 of~~  
5 ~~Title 2 of the Government Code), the department may implement~~  
6 ~~this subdivision through an all-county letter or similar instructions~~  
7 ~~from the director until January 1, 2020.~~

8 SEC. 24. ~~Section 15200 of the Welfare and Institutions Code~~  
9 ~~is amended to read:~~

10 15200. ~~There is hereby appropriated out of any money in the~~  
11 ~~State Treasury not otherwise appropriated the following sums:~~

12 ~~(a) To each county for the support and maintenance of needy~~  
13 ~~children, the sums specified in subdivisions (a), (c), and (f) of~~  
14 ~~Section 11450, after subtracting all the following amounts:~~

15 ~~(1) (A) Except as described in subparagraph (B), a 2.5-percent~~  
16 ~~county share of cost.~~

17 ~~(B) If Section 1613 of Title 8 of the United States Code applies,~~  
18 ~~a 5-percent county share of cost.~~

19 ~~(C) The county share described in this paragraph shall not apply~~  
20 ~~to increases in maximum aid payments made in accordance with~~  
21 ~~Section 11450.025.~~

22 ~~(2) Federal funds utilized for this purpose.~~

23 ~~(3) The amount allocated to each county from the Family~~  
24 ~~Support Subaccount pursuant to Section 17601.75.~~

25 ~~(4) The amount allocated to each county from the Child Poverty~~  
26 ~~and Family Supplemental Support Subaccount pursuant to Section~~  
27 ~~17601.50.~~

28 ~~(5) The amount allocated to each county from the CalWORKs~~  
29 ~~Maintenance of Effort Subaccount pursuant to Section 17601.25.~~

30 ~~(b) To each county for the support and maintenance of pregnant~~  
31 ~~mothers, the sums specified in subdivisions (b) and (c) of Section~~  
32 ~~11450 after subtracting all of the following amounts:~~

33 ~~(1) (A) Except as described in subparagraph (B), a 2.5-percent~~  
34 ~~county share of cost.~~

35 ~~(B) If Section 1613 of Title 8 of the United States Code applies,~~  
36 ~~a 5-percent county share of cost.~~

37 ~~(C) The county share described in this paragraph shall not apply~~  
38 ~~to increases in maximum aid payments made in accordance with~~  
39 ~~Section 11450.025.~~

40 ~~(2) Federal funds utilized for this purpose.~~

1 ~~(3) The amount allocated to each county from the Family~~  
2 ~~Support Subaccount pursuant to Section 17601.75.~~

3 ~~(4) The amount allocated to each county from the Child Poverty~~  
4 ~~and Family Supplemental Support Subaccount pursuant to Section~~  
5 ~~17601.50.~~

6 ~~(5) The amount allocated to each county from the CalWORKs~~  
7 ~~Maintenance of Effort Subaccount pursuant to Section 17601.25.~~

8 ~~(e) After deducting federal funds available for the adequate care~~  
9 ~~of each child pursuant to subdivision (d) of Section 11450, as~~  
10 ~~follows:~~

11 ~~(1) Prior to the 2011–12 fiscal year, an amount equal to 40~~  
12 ~~percent of the sum necessary for the adequate care of each child.~~

13 ~~(2) Notwithstanding paragraph (1), beginning in the 2011–12~~  
14 ~~fiscal year, and for each fiscal year thereafter, funding and~~  
15 ~~expenditures for programs and activities under this subdivision~~  
16 ~~shall be in accordance with the requirements provided in Sections~~  
17 ~~30025 and 30026.5 of the Government Code.~~

18 ~~(d) (1) Prior to the 2011–12 fiscal year for each county for the~~  
19 ~~support and care of hard-to-place adoptive children, and after~~  
20 ~~deducting federal funds available, 75 percent of the nonfederal~~  
21 ~~share of the amount specified in Section 16121.~~

22 ~~(2) Notwithstanding paragraph (1), beginning in the 2011–12~~  
23 ~~fiscal year, and for each fiscal year thereafter, funding and~~  
24 ~~expenditures for programs and activities under this subdivision~~  
25 ~~shall be in accordance with the requirements provided in Sections~~  
26 ~~30025 and 30026.5 of the Government Code.~~

27 ~~SEC. 25. Section 15200.15 of the Welfare and Institutions~~  
28 ~~Code is repealed.~~

29 ~~SEC. 26. Section 16501.9 is added to the Welfare and~~  
30 ~~Institutions Code, to read:~~

31 ~~16501.9. (a) (1) The Legislature hereby finds and declares~~  
32 ~~the Child Welfare Services-New System (CWS-NS) is the most~~  
33 ~~important system in the state for child welfare services staff to~~  
34 ~~ensure the safety and well-being of California’s children. The State~~  
35 ~~of California has embarked upon on an agile procurement of the~~  
36 ~~CWS-NS.~~

37 ~~(2) The Legislature further finds and declares that this approach~~  
38 ~~requires significant engagement with the end user throughout the~~  
39 ~~life of the system, including the county human services agencies~~  
40 ~~and child welfare services and probation staff.~~

1     ~~(b) (1) The State Department of Social Services and the Office~~  
2     ~~of Systems Integration (OSI), in collaboration with the County~~  
3     ~~Welfare Directors Association (CWDA), shall seek resources to~~  
4     ~~enable the necessary level of engagement by the counties in the~~  
5     ~~CWS-NS agile development and maintenance process to prevent~~  
6     ~~the disruption of services to families and children at risk. This shall~~  
7     ~~include, but not be limited to, timely and expeditious execution of~~  
8     ~~contracts and contract amendments for participation in this effort,~~  
9     ~~effective monitoring and evaluation of the CWS-NS effort, and~~  
10    ~~implementation of mitigation strategies for risks and issues arising~~  
11    ~~in the procurement, development, implementation, or operation~~  
12    ~~of digital services pursuant to this section.~~

13    ~~(2) The department and OSI shall provide a voting seat on all~~  
14    ~~governance bodies of the CWS-NS for a CWDA representative~~  
15    ~~and shall support and provide necessary accommodation for the~~  
16    ~~stationing of county representatives at the project site.~~

17    ~~(3) The department and OSI shall continue to provide monthly~~  
18    ~~updates to the Legislature and to stakeholders, including CWDA,~~  
19    ~~regarding efforts to develop and implement the CWS-NS. The~~  
20    ~~updates shall include, but not be limited to, (A) the vacancy rate,~~  
21    ~~the duration of each vacant position and its classification, and the~~  
22    ~~status of efforts to fill the position, (B) challenges with recruiting~~  
23    ~~and retaining qualified staff and a description of efforts to resolve~~  
24    ~~the issues, (C) challenges with procurement, including any delays,~~  
25    ~~and a description of efforts to resolve the issues, (D) any issues or~~  
26    ~~risks, including, but not limited to, pending state and federal~~  
27    ~~approvals and impacts on county child welfare programs that may~~  
28    ~~jeopardize the project's completion or result in delays relative to~~  
29    ~~the approved project schedule, budget, and scope, and (E) progress~~  
30    ~~on the project, by digital service (module) along with a description~~  
31    ~~of each digital service, and projected completion dates for any~~  
32    ~~significant upcoming project milestones. Following the effective~~  
33    ~~date of this section, a list of newly executed contracts, their~~  
34    ~~purpose, and amounts shall be added to the monthly update.~~

35    ~~(4) The department and OSI, in coordination with CWDA and~~  
36    ~~the Department of Technology, shall convene a regularly scheduled~~  
37    ~~quarterly forum to provide project updates to stakeholders and~~  
38    ~~legislative staff. These forums shall include updates on (A) the~~  
39    ~~progress of the CWS-NS development and implementation, (B)~~  
40    ~~expenditures incurred to date, (C) significant issues and risks~~

1 overcome in the last quarter and significant issues and risks  
2 presently being addressed, (D) upcoming project milestones and  
3 significant events, (E) how the agile approach has affected the  
4 project's overall cost and schedule, (F) how the Department of  
5 Technology's approval and oversight processes are being applied  
6 to the agile implementation approach, and (G) how lessons learned  
7 from the agile implementation of the CWS-NS project can be  
8 leveraged by other state IT projects.

9 (e) The existing Child Welfare Services Case Management  
10 System (CWS/CMS) operations and functionality shall be  
11 maintained at a level at least commensurate with its December  
12 2015 status and shall not be decommissioned prior to the full  
13 statewide implementation of the CWS-NS in all counties. Full  
14 statewide implementation is defined as after all existing CWS/CMS  
15 functionality has been replaced in CWS-NS and has been  
16 implemented in all 58 counties for a minimum of six months with  
17 no significant (noncosmetic) defects outstanding.

18 SEC. 27. Section 16519.5 of the Welfare and Institutions Code  
19 is amended to read:

20 16519.5. (a) The State Department of Social Services, in  
21 consultation with county child welfare agencies, foster parent  
22 associations, and other interested community parties, shall  
23 implement a unified, family friendly, and child-centered resource  
24 family approval process to replace the existing multiple processes  
25 for licensing foster family homes, approving relatives and  
26 nonrelative extended family members as foster care providers, and  
27 approving adoptive families.

28 (b) (1) Counties shall be selected to participate on a voluntary  
29 basis as early implementation counties for the purpose of  
30 participating in the initial development of the approval process.  
31 Early implementation counties shall be selected according to  
32 criteria developed by the department in consultation with the  
33 County Welfare Directors Association. In selecting the five early  
34 implementation counties, the department shall promote diversity  
35 among the participating counties in terms of size and geographic  
36 location.

37 (2) Additional counties may participate in the early  
38 implementation of the program upon authorization by the  
39 department.

1     ~~(e) (1) For the purposes of this chapter, “resource family” means~~  
2     ~~an individual or couple that a participating county or foster family~~  
3     ~~agency, as defined in subdivision (g) of Section 11400 of this code,~~  
4     ~~and paragraph (4) of subdivision (a) of Section 1502 of the Health~~  
5     ~~and Safety Code, determines to have successfully met both the~~  
6     ~~home environment assessment standards and the permanency~~  
7     ~~assessment criteria adopted pursuant to subdivision (d) necessary~~  
8     ~~for providing care for a related or unrelated child who is under the~~  
9     ~~jurisdiction of the juvenile court, or otherwise in the care of a~~  
10    ~~county child welfare agency or probation department. A resource~~  
11    ~~family shall demonstrate all of the following:~~

12    ~~(A) An understanding of the safety, permanency, and well-being~~  
13    ~~needs of children who have been victims of child abuse and neglect,~~  
14    ~~and the capacity and willingness to meet those needs, including~~  
15    ~~the need for protection, and the willingness to make use of support~~  
16    ~~resources offered by the agency, or a support structure in place,~~  
17    ~~or both.~~

18    ~~(B) An understanding of children’s needs and development,~~  
19    ~~effective parenting skills or knowledge about parenting, and the~~  
20    ~~capacity to act as a reasonable, prudent parent in day-to-day~~  
21    ~~decisionmaking.~~

22    ~~(C) An understanding of his or her role as a resource family and~~  
23    ~~the capacity to work cooperatively with the agency and other~~  
24    ~~service providers in implementing the child’s case plan.~~

25    ~~(D) The financial ability within the household to ensure the~~  
26    ~~stability and financial security of the family.~~

27    ~~(E) An ability and willingness to provide a family setting that~~  
28    ~~promotes normal childhood experiences that serves the needs of~~  
29    ~~the child.~~

30    ~~(2) Subsequent to meeting the criteria set forth in this~~  
31    ~~subdivision and designation as a resource family, a resource family~~  
32    ~~shall be considered eligible to provide foster care for related and~~  
33    ~~unrelated children in out-of-home placement, shall be considered~~  
34    ~~approved for adoption or guardianship, and shall not have to~~  
35    ~~undergo any additional approval or licensure as long as the family~~  
36    ~~lives in a county participating in the program.~~

37    ~~(3) Resource family approval means that the applicant~~  
38    ~~successfully meets the home environment assessment and~~  
39    ~~permanency assessment standards. This approval is in lieu of the~~

1 existing foster care license, relative or nonrelative extended family  
2 member approval, and the adoption home study approval.

3 ~~(4) Approval of a resource family does not guarantee an initial  
4 or continued placement of a child with a resourcee family.~~

5 ~~(5) Notwithstanding paragraphs (1) to (4), inclusive, the  
6 department or county may cease any further review of an  
7 application if the applicant has had a previous application denial  
8 within the preceding year, or if the applicant has had a previous  
9 rescission, revocation, or exemption denial or rescission by the  
10 department or county within the preceding two years. However,  
11 the department or county may continue to review an application  
12 if it has determined that the reasons for the previous denial,  
13 rescission, or revocation were due to circumstances and conditions  
14 that either have been corrected or are no longer in existence. If an  
15 individual was excluded from a resource family home or facility  
16 licensed by the department, the department or county shall cease  
17 review of the individual's application unless the excluded  
18 individual has been reinstated pursuant to Section 11522 of the  
19 Government Code. The cessation of review shall not constitute a  
20 denial of the application for purposes of this section or any other  
21 law.~~

22 ~~(d) Prior to implementation of this program, the department  
23 shall adopt standards pertaining to the home environment and  
24 permanency assessments of a resourcee family.~~

25 ~~(1) Resource family home environment assessment standards  
26 shall include, but not be limited to, all of the following:~~

27 ~~(A) (i) Criminal records clearance of all adults residing in, or  
28 regularly present in, the home, and not exempted from  
29 fingerprinting, as set forth in subdivision (b) of Section 1522 of  
30 the Health and Safety Code, pursuant to Section 8712 of the Family  
31 Code, utilizing a check of the Child Abuse Central Index (CACI);  
32 and receipt of a fingerprint-based state and federal criminal  
33 offender record information search response. The criminal history  
34 information shall include subsequent notifications pursuant to  
35 Section 11105.2 of the Penal Code.~~

36 ~~(ii) Consideration of any substantiated allegations of child abuse  
37 or neglect against either the applicant or any other adult residing  
38 in the home. An approval may not be granted to applicants whose  
39 criminal record indicates a conviction for any of the offenses~~

1 ~~specified in subdivision (g) of Section 1522 of the Health and~~  
2 ~~Safety Code.~~

3 ~~(iii) If the resource family parent, applicant, or any other person~~  
4 ~~specified in subdivision (b) of Section 1522 of the Health and~~  
5 ~~Safety Code has been convicted of a crime other than a minor~~  
6 ~~traffic violation, except for the civil penalty language, the criminal~~  
7 ~~background check provisions specified in subdivisions (d) through~~  
8 ~~(f) of Section 1522 of the Health and Safety Code shall apply.~~  
9 ~~Exemptions from the criminal records clearance requirements set~~  
10 ~~forth in this section may be granted by the director or the early~~  
11 ~~implementation county, if that county has been granted permission~~  
12 ~~by the director to issue criminal records exemptions pursuant to~~  
13 ~~Section 361.4, using the exemption criteria currently used for foster~~  
14 ~~care licensing as specified in subdivision (g) of Section 1522 of~~  
15 ~~the Health and Safety Code.~~

16 ~~(iv) For public foster family agencies approving resource~~  
17 ~~families, the criminal records clearance process set forth in clause~~  
18 ~~(i) shall be utilized.~~

19 ~~(v) For private foster family agencies approving resource~~  
20 ~~families, the criminal records clearance process set forth in clause~~  
21 ~~(i) shall be utilized, but the Department of Justice shall disseminate~~  
22 ~~a fitness determination resulting from the federal criminal offender~~  
23 ~~record information search.~~

24 ~~(B) Buildings and grounds and storage requirements set forth~~  
25 ~~in Sections 89387 and 89387.2 of Title 22 of the California Code~~  
26 ~~of Regulations.~~

27 ~~(C) In addition to the foregoing requirements, the resource~~  
28 ~~family home environment assessment standards shall also require~~  
29 ~~the following:~~

30 ~~(i) That the applicant demonstrates an understanding about the~~  
31 ~~rights of children in care and his or her responsibility to safeguard~~  
32 ~~those rights.~~

33 ~~(ii) That the total number of children residing in the home of a~~  
34 ~~resource family shall be no more than the total number of children~~  
35 ~~the resource family can properly care for, regardless of status, and~~  
36 ~~shall not exceed six children, unless exceptional circumstances~~  
37 ~~that are documented in the foster child's case file exist to permit~~  
38 ~~a resource family to care for more children, including, but not~~  
39 ~~limited to, the need to place siblings together.~~

- 1     ~~(iii) That the applicant understands his or her responsibilities~~  
2 ~~with respect to acting as a reasonable and prudent parent, and~~  
3 ~~maintaining the least restrictive environment that serves the needs~~  
4 ~~of the child.~~
- 5     ~~(2) The resource family permanency assessment standards shall~~  
6 ~~include, but not be limited to, all of the following:~~
- 7         ~~(A) The applicant shall complete caregiver training.~~
- 8         ~~(B) (i) The applicant shall complete a psychosocial assessment,~~  
9 ~~which shall include the results of a risk assessment.~~
- 10         ~~(ii) A caregiver risk assessment shall include, but shall not be~~  
11 ~~limited to, physical and mental health, alcohol and other substance~~  
12 ~~use and abuse, family and domestic violence, and the factors listed~~  
13 ~~in subparagraphs (A) and (D) of paragraph (1) of subdivision (c).~~
- 14         ~~(C) The applicant shall complete any other activities that relate~~  
15 ~~to a resource family's ability to achieve permanency with the child.~~
- 16         ~~(e) (1) A child may be placed with a resource family that has~~  
17 ~~successfully completed the home environment assessment prior~~  
18 ~~to completion of a permanency assessment only if a compelling~~  
19 ~~reason for the placement exists based on the needs of the child.~~
- 20         ~~(2) The permanency assessment shall be completed within 90~~  
21 ~~days of the child's placement in the home, unless good cause exists~~  
22 ~~based upon the needs of the child.~~
- 23         ~~(3) If additional time is needed to complete the permanency~~  
24 ~~assessment, the county shall document the extenuating~~  
25 ~~circumstances for the delay and generate a timeframe for the~~  
26 ~~completion of the permanency assessment.~~
- 27         ~~(4) The county shall report to the department on a quarterly~~  
28 ~~basis the number of families with a child in an approved home~~  
29 ~~whose permanency assessment goes beyond 90 days and~~  
30 ~~summarize the reasons for these delays.~~
- 31         ~~(5) A child may be placed with a relative, as defined in Section~~  
32 ~~319, or nonrelative extended family member, as defined in Section~~  
33 ~~362.7, prior to applying as a resource family only on an emergency~~  
34 ~~basis if all of the following requirements are met:~~
- 35             ~~(A) Consideration of the results of a criminal records check~~  
36 ~~conducted pursuant to Section 16504.5 of the relative or nonrelative~~  
37 ~~extended family member and of every other adult in the home.~~
- 38             ~~(B) Consideration of the results of the Child Abuse Central~~  
39 ~~Index (CACI) consistent with Section 1522.1 of the Health and~~

1 Safety Code of the relative or nonrelative extended family member,  
2 and of every other adult in the home.

3 (C) The home and grounds are free of conditions that pose undue  
4 risk to the health and safety of the child.

5 (D) For any placement made pursuant to this paragraph, the  
6 county shall initiate the home environment assessment no later  
7 than five business days after the placement, which shall include a  
8 face-to-face interview with the resource family applicant and child.

9 (E) For any placement made pursuant to this paragraph,  
10 AFDC-FC funding shall not be available until approval of the  
11 resource family has been completed.

12 (F) Any child placed under this section shall be afforded all the  
13 rights set forth in Section 16001.9.

14 (f) The State Department of Social Services shall be responsible  
15 for all of the following:

16 (1) Selecting early implementation counties, based on criteria  
17 established by the department in consultation with the County  
18 Welfare Directors Association.

19 (2) Establishing timeframes for participating counties to submit  
20 an implementation plan, enter into terms and conditions for  
21 participation in the program, train appropriate staff, and accept  
22 applications from resource families.

23 (3) Entering into terms and conditions for participation in the  
24 program by counties.

25 (4) Administering the program through the issuance of written  
26 directives that shall have the same force and effect as regulations.  
27 Any directive affecting Article 1 (commencing with Section 700)  
28 of Chapter 7 of Title 11 of the California Code of Regulations shall  
29 be approved by the Department of Justice. The directives shall be  
30 exempt from the rulemaking provisions of the Administrative  
31 Procedure Act (Chapter 3.5 (commencing with Section 11340))  
32 of Part 1 of Division 3 of Title 2 of the Government Code.

33 (5) Approving and requiring the use of a single standard for  
34 resource family approval.

35 (6) Adopting and requiring the use of standardized  
36 documentation for the home environment and permanency  
37 assessments of resource families.

38 (7) Requiring counties to monitor resource families including,  
39 but not limited to, all of the following:

40 (A) Investigating complaints of resource families.

- 1     ~~(B) Developing and monitoring resource family corrective action~~  
2 ~~plans to correct identified deficiencies and to rescind resource~~  
3 ~~family approval if compliance with corrective action plans is not~~  
4 ~~achieved.~~
- 5     ~~(8) Ongoing oversight and monitoring of county systems and~~  
6 ~~operations including all of the following:~~
- 7         ~~(A) Reviewing the county's implementation of the program.~~
- 8         ~~(B) Reviewing an adequate number of approved resource~~  
9 ~~families in each participating county to ensure that approval~~  
10 ~~standards are being properly applied. The review shall include~~  
11 ~~case file documentation, and may include onsite inspection of~~  
12 ~~individual resource families. The review shall occur on an annual~~  
13 ~~basis, and more frequently if the department becomes aware that~~  
14 ~~a participating county is experiencing a disproportionate number~~  
15 ~~of complaints against individual resource family homes.~~
- 16         ~~(C) Reviewing county reports of serious complaints and~~  
17 ~~incidents involving approved resource families, as determined~~  
18 ~~necessary by the department. The department may conduct an~~  
19 ~~independent review of the complaint or incident and change the~~  
20 ~~findings depending on the results of its investigation.~~
- 21         ~~(D) Investigating unresolved complaints against participating~~  
22 ~~counties.~~
- 23         ~~(E) Requiring corrective action of counties that are not in full~~  
24 ~~compliance with the terms and conditions of the program.~~
- 25     ~~(9) Updating the Legislature on the early implementation phase~~  
26 ~~of the program, including the status of implementation, successes,~~  
27 ~~and challenges during the early implementation phase, and relevant~~  
28 ~~available data, including resource family satisfaction.~~
- 29     ~~(10) Implementing due process procedures, including all of the~~  
30 ~~following:~~
- 31         ~~(A) Providing a statewide fair hearing process for denials,~~  
32 ~~rescissions, or exclusion actions.~~
- 33         ~~(B) Amending the department's applicable state hearing~~  
34 ~~procedures and regulations or using the Administrative Procedure~~  
35 ~~Act, when applicable, as necessary for the administration of the~~  
36 ~~program.~~
- 37     ~~(g) Counties participating in the program shall be responsible~~  
38 ~~for all of the following:~~
- 39         ~~(1) Submitting an implementation plan, entering into terms and~~  
40 ~~conditions for participation in the program, consulting with the~~

- 1 county probation department in the development of the  
2 implementation plan, training appropriate staff, and accepting  
3 applications from resource families within the timeframes  
4 established by the department.
- 5 (2) ~~Complying with the written directives pursuant to paragraph~~  
6 ~~(4) of subdivision (f).~~
- 7 (3) ~~Implementing the requirements for resource family approval~~  
8 ~~and utilizing standardized documentation established by the~~  
9 ~~department.~~
- 10 (4) ~~Ensuring staff have the education and experience necessary~~  
11 ~~to complete the home environment and psychosocial assessments~~  
12 ~~competently.~~
- 13 (5) ~~(A) Taking the following actions, as applicable:~~
- 14 ~~(i) Approving or denying resource family applications.~~
- 15 ~~(ii) Rescinding approvals of resource families.~~
- 16 ~~(iii) Excluding a resource family parent or other individual from~~  
17 ~~presence in a resource family home, consistent with the established~~  
18 ~~standard.~~
- 19 ~~(iv) Issuing a temporary suspension order that suspends the~~  
20 ~~resource family approval prior to a hearing when urgent action is~~  
21 ~~needed to protect a child or nonminor dependent from physical or~~  
22 ~~mental abuse, abandonment, or any other substantial threat to~~  
23 ~~health or safety, consistent with the established standard.~~
- 24 ~~(B) Providing a resource family parent, applicant, or excluded~~  
25 ~~individual requesting review of that decision with due process~~  
26 ~~pursuant to the department's statutes, regulations, and written~~  
27 ~~directives.~~
- 28 ~~(C) Notifying the department of any decisions denying a~~  
29 ~~resource family's application or rescinding the approval of a~~  
30 ~~resource family, excluding an individual, or taking other~~  
31 ~~administrative action.~~
- 32 ~~(D) Issuing a temporary suspension order that suspends the~~  
33 ~~resource family approval prior to a hearing, when urgent action is~~  
34 ~~needed to protect a child or nonminor dependent who is or may~~  
35 ~~be placed in the home from physical or mental abuse, abandonment,~~  
36 ~~or any other substantial threat to health or safety.~~
- 37 (6) ~~Updating resource family approval annually.~~
- 38 (7) ~~Monitoring resource families through all of the following:~~
- 39 (A) ~~Ensuring that social workers who identify a condition in~~  
40 ~~the home that may not meet the approval standards set forth in~~

1 subdivision (d) while in the course of a routine visit to children  
2 placed with a resource family take appropriate action as needed.

3 (B) Requiring resource families to comply with corrective action  
4 plans as necessary to correct identified deficiencies. If corrective  
5 action is not completed as specified in the plan, the county may  
6 rescind the resource family approval.

7 (C) Requiring resource families to report to the county child  
8 welfare agency any incidents consistent with the reporting  
9 requirements for licensed foster family homes.

10 (8) Investigating all complaints against a resource family and  
11 taking action as necessary. This shall include investigating any  
12 incidents reported about a resource family indicating that the  
13 approval standard is not being maintained.

14 (A) The child's social worker shall not conduct the formal  
15 investigation into the complaint received concerning a family  
16 providing services under the standards required by subdivision  
17 (d). To the extent that adequate resources are available, complaints  
18 shall be investigated by a worker who did not initially conduct the  
19 home environment or psychosocial assessments.

20 (B) Upon conclusion of the complaint investigation, the final  
21 disposition shall be reviewed and approved by a supervising staff  
22 member.

23 (C) The department shall be notified of any serious incidents  
24 or serious complaints or any incident that falls within the definition  
25 of Section 11165.5 of the Penal Code. If those incidents or  
26 complaints result in an investigation, the department shall also be  
27 notified as to the status and disposition of that investigation.

28 (9) Performing corrective action as required by the department.

29 (10) Assessing county performance in related areas of the  
30 California Child and Family Services Review System, and  
31 remedying problems identified.

32 (11) Submitting information and data that the department  
33 determines is necessary to study, monitor, and prepare the report  
34 specified in paragraph (9) of subdivision (f).

35 (12) Ensuring resource family applicants and resource families  
36 have the necessary knowledge, skills, and abilities to support  
37 children in foster care by completing caregiver training. The  
38 training should include a curriculum that supports the role of a  
39 resource family in parenting vulnerable children and should be  
40 ongoing in order to provide resource families with information on

- 1 trauma-informed practices and requirements and other topics within  
2 the foster care system.
- 3 ~~(13) Ensuring that a resource family applicant completes a~~  
4 ~~minimum of 12 hours of preapproval training. The training shall~~  
5 ~~include, but not be limited to, all of the following courses:~~
- 6 ~~(A) An overview of the child protective and probation systems.~~  
7 ~~(B) The effects of trauma, including grief and loss, and child~~  
8 ~~abuse and neglect, on child development and behavior, and~~  
9 ~~methods to behaviorally support children impacted by that trauma~~  
10 ~~or child abuse and neglect.~~
- 11 ~~(C) Positive discipline and the importance of self-esteem.~~  
12 ~~(D) Health issues in foster care.~~  
13 ~~(E) Accessing services and supports to address education needs,~~  
14 ~~physical, mental, and behavioral health, and substance use~~  
15 ~~disorders, including culturally relevant services.~~
- 16 ~~(F) The rights of a child in foster care, and the resource family's~~  
17 ~~responsibility to safeguard those rights, including the right to have~~  
18 ~~fair and equal access to all available services, placement, care,~~  
19 ~~treatment, and benefits, and to not be subjected to discrimination~~  
20 ~~or harassment on the basis of actual or perceived race, ethnic group~~  
21 ~~identification, ancestry, national origin, color, religion, sex, sexual~~  
22 ~~orientation, gender identity, mental or physical disability, or HIV~~  
23 ~~status.~~
- 24 ~~(G) Cultural needs of children, including instruction on cultural~~  
25 ~~competency and sensitivity, and related best practices for providing~~  
26 ~~adequate care for children or youth across diverse ethnic and racial~~  
27 ~~backgrounds, as well as children or youth identifying as lesbian,~~  
28 ~~gay, bisexual, or transgender.~~
- 29 ~~(H) Basic instruction on existing laws and procedures regarding~~  
30 ~~the safety of foster youth at school; and ensuring a harassment and~~  
31 ~~violence free school environment pursuant to Article 3.6~~  
32 ~~(commencing with Section 32228) of Chapter 2 of Part 19 of~~  
33 ~~Division 1 of Title 1 of the Education Code.~~
- 34 ~~(I) Permanence, well-being, and education needs of children.~~  
35 ~~(J) Child and adolescent development, including sexual~~  
36 ~~orientation, gender identity, and expression.~~
- 37 ~~(K) The role of resource families, including working~~  
38 ~~cooperatively with the child welfare or probation agency, the~~  
39 ~~child's family, and other service providers implementing the case~~  
40 ~~plan.~~

1 ~~(L) The role of a resource family on the child and family team~~  
2 ~~as defined in paragraph (4) of subdivision (a) of Section 16501.~~

3 ~~(M) A resource family's responsibility to act as a reasonable~~  
4 ~~and prudent parent, and to provide a family setting that promotes~~  
5 ~~normal childhood experiences and that serves the needs of the~~  
6 ~~child.~~

7 ~~(N) An overview of the specialized training identified in~~  
8 ~~subdivision (h).~~

9 ~~(14) Ensuring approved resource families complete a minimum~~  
10 ~~of eight training hours annually, a portion of which shall be from~~  
11 ~~one or more of the topics listed in paragraph (13).~~

12 ~~(h) In addition to any training required by this section, a resource~~  
13 ~~family may be required to receive specialized training, as relevant,~~  
14 ~~for the purpose of preparing the resource family to meet the needs~~  
15 ~~of a particular child in care. This training may include, but is not~~  
16 ~~limited to, the following:~~

17 ~~(1) Understanding how to use best practices for providing care~~  
18 ~~and supervision to commercially sexually exploited children.~~

19 ~~(2) Understanding how to use best practices for providing care~~  
20 ~~and supervision to lesbian, gay, bisexual, and transgender children.~~

21 ~~(3) Understanding the requirements and best practices regarding~~  
22 ~~psychotropic medications, including, but not limited to, court~~  
23 ~~authorization, benefits, uses, side effects, interactions, assistance~~  
24 ~~with self-administration, misuse, documentation, storage, and~~  
25 ~~metabolic monitoring of children prescribed psychotropic~~  
26 ~~medications.~~

27 ~~(4) Understanding the federal Indian Child Welfare Act (25~~  
28 ~~U.S.C. Sec. 1901 et seq.), its historical significance, the rights of~~  
29 ~~children covered by the act, and the best interests of Indian~~  
30 ~~children, including the role of the caregiver in supporting culturally~~  
31 ~~appropriate, child-centered practices that respect Native American~~  
32 ~~history, culture, retention of tribal membership and connection to~~  
33 ~~the tribal community and traditions.~~

34 ~~(5) Understanding how to use best practices for providing care~~  
35 ~~and supervision to nonminor dependents.~~

36 ~~(6) Understanding how to use best practices for providing care~~  
37 ~~and supervision to children with special health care needs.~~

38 ~~(7) Understanding the different permanency options and the~~  
39 ~~services and benefits associated with the options.~~

1 (i) ~~Nothing in this section shall preclude a county or a foster~~  
2 ~~family agency from requiring resource family training in excess~~  
3 ~~of the requirements in this section.~~

4 (j) ~~(1) Approved relatives and nonrelative extended family~~  
5 ~~members, licensed foster family homes, or approved adoptive~~  
6 ~~homes that have completed the license or approval process prior~~  
7 ~~to full implementation of the program shall not be considered part~~  
8 ~~of the program. The otherwise applicable assessment and oversight~~  
9 ~~processes shall continue to be administered for families and~~  
10 ~~facilities not included in the program.~~

11 ~~(2) Upon implementation of the program in a county, that county~~  
12 ~~may not accept new applications for the licensure of foster family~~  
13 ~~homes, the approval of relative and nonrelative extended family~~  
14 ~~members, or the approval of prospective adoptive homes.~~

15 (k) ~~The department may waive regulations that pose a barrier~~  
16 ~~to implementation and operation of this program. The waiver of~~  
17 ~~any regulations by the department pursuant to this section shall~~  
18 ~~apply to only those counties or foster family agencies participating~~  
19 ~~in the program and only for the duration of the program.~~

20 (l) ~~Resource families approved under initial implementation of~~  
21 ~~the program, who move within an early implementation county or~~  
22 ~~who move to another early implementation county, shall retain~~  
23 ~~their resource family status if the new building and grounds,~~  
24 ~~outdoor activity areas, and storage areas meet home environment~~  
25 ~~standards. The State Department of Social Services or early~~  
26 ~~implementation county may allow a program-affiliated individual~~  
27 ~~to transfer his or her subsequent arrest notification if the individual~~  
28 ~~moves from one early implementation county to another early~~  
29 ~~implementation county, as specified in subdivision (g) of Section~~  
30 ~~1522 of the Health and Safety Code.~~

31 (m) ~~(1) The approval of a resource family who moves to a~~  
32 ~~nonparticipating county remains in full force and effect pending~~  
33 ~~a determination by the county approval agency or the department,~~  
34 ~~as appropriate, whether the new building and grounds and storage~~  
35 ~~areas meet applicable standards, and whether all adults residing~~  
36 ~~in the home have a criminal records clearance or exemptions~~  
37 ~~granted, using the exemption criteria used for foster care licensing,~~  
38 ~~as specified in subdivision (g) of Section 1522 of the Health and~~  
39 ~~Safety Code. Upon this determination, the nonparticipating county~~  
40 ~~shall either approve the family as a relative or nonrelative extended~~

1 family member, as applicable, or the department shall license the  
2 family as a foster family home.

3 ~~(2) Subject to the requirements in paragraph (1), the family shall~~  
4 ~~continue to be approved for guardianship and adoption. Nothing~~  
5 ~~in this subdivision shall limit a county or adoption agency from~~  
6 ~~determining that the family is not approved for guardianship or~~  
7 ~~adoption based on changes in the family's circumstances or~~  
8 ~~psychosocial assessment.~~

9 ~~(3) A program-affiliated individual who moves to a~~  
10 ~~nonparticipating county may not transfer his or her subsequent~~  
11 ~~arrest notification from a participating county to the~~  
12 ~~nonparticipating county.~~

13 ~~(n) Implementation of the program shall be contingent upon the~~  
14 ~~continued availability of federal Social Security Act Title IV-E~~  
15 ~~(42 U.S.C. Sec. 670) funds for costs associated with placement of~~  
16 ~~children with resource families assessed and approved under the~~  
17 ~~program.~~

18 ~~(o) A child placed with a resource family is eligible for the~~  
19 ~~resource family basic rate, pursuant to Sections 11253.45, 11460,~~  
20 ~~11461, and 11463, and subdivision (l) of Section 11461.3, at the~~  
21 ~~child's assessed level of care.~~

22 ~~(p) Sharing ratios for nonfederal expenditures for all costs~~  
23 ~~associated with activities related to the approval of relatives and~~  
24 ~~nonrelative extended family members shall be in accordance with~~  
25 ~~Section 10101.~~

26 ~~(q) The Department of Justice shall charge fees sufficient to~~  
27 ~~cover the cost of initial or subsequent criminal offender record~~  
28 ~~information and Child Abuse Central Index searches, processing,~~  
29 ~~or responses, as specified in this section.~~

30 ~~(r) Except as provided, approved resource families under this~~  
31 ~~program shall be exempt from all of the following:~~

32 ~~(1) Licensure requirements set forth under the Community Care~~  
33 ~~Facilities Act, commencing with Section 1500 of the Health and~~  
34 ~~Safety Code, and all regulations promulgated thereto.~~

35 ~~(2) Relative and nonrelative extended family member approval~~  
36 ~~requirements set forth under Sections 309, 361.4, and 362.7, and~~  
37 ~~all regulations promulgated thereto.~~

38 ~~(3) Adoptions approval and reporting requirements set forth~~  
39 ~~under Section 8712 of the Family Code, and all regulations~~  
40 ~~promulgated thereto.~~

1 ~~(s) (1) Early implementation counties shall be authorized to~~  
2 ~~continue through December 31, 2016. The program shall be~~  
3 ~~implemented by each county on or before January 1, 2017.~~

4 ~~(2) No later than July 1, 2017, each county shall provide the~~  
5 ~~following information to all licensed foster family homes and all~~  
6 ~~approved relatives and nonrelative extended family members:~~

7 ~~(A) A detailed description of the resource family approval~~  
8 ~~program.~~

9 ~~(B) Notification that, in order to care for a foster child, resource~~  
10 ~~family approval is required by December 31, 2019.~~

11 ~~(C) Notification that a foster family home license and an~~  
12 ~~approval of a relative or nonrelative extended family member shall~~  
13 ~~be forfeited by operation of law as provided for in paragraph (4).~~

14 ~~(3) By no later than January 1, 2018, the following shall apply~~  
15 ~~to all licensed foster family homes and approved relative and~~  
16 ~~nonrelative extended family members:~~

17 ~~(A) A licensed foster family home, and an approved relative or~~  
18 ~~nonrelative extended family member with an approved adoptive~~  
19 ~~home study completed prior to January 1, 2018, shall be deemed~~  
20 ~~to be an approved resource family.~~

21 ~~(B) A licensed foster family home, and an approved relative or~~  
22 ~~nonrelative extended family member who had a child in placement~~  
23 ~~at any time, for any length of time, between January 1, 2017, and~~  
24 ~~December 31, 2017, inclusive, may be approved as a resource~~  
25 ~~family on the date of successful completion of a psychosocial~~  
26 ~~assessment pursuant to subparagraph (B) of paragraph (2) of~~  
27 ~~subdivision (d).~~

28 ~~(C) A county may provide supportive services to all licensed~~  
29 ~~foster family home providers, relatives, and nonrelative extended~~  
30 ~~family members with a child in placement to assist with the~~  
31 ~~resource family transition and to minimize placement disruptions.~~

32 ~~(4) All foster family licenses and approvals of a relative or~~  
33 ~~nonrelative extended family member shall be forfeited by operation~~  
34 ~~of law on December 31, 2019, except as provided in this paragraph:~~

35 ~~(A) All licensed foster family homes that did not have a child~~  
36 ~~in placement at any time, for any length of time, between January~~  
37 ~~1, 2017, and December 31, 2017, inclusive, shall forfeit the license~~  
38 ~~by operation of law on January 1, 2018.~~

39 ~~(B) For foster family home licensees and approved relatives or~~  
40 ~~nonrelative extended family members who have a pending resource~~

1 family application on December 31, 2019, the foster family home  
2 license or relative and nonrelative extended family member  
3 approval shall be forfeited by operation of law on the date of  
4 approval as a resource family. If approval is denied, forfeiture by  
5 operation of law shall occur on the date of completion of any  
6 proceedings required by law to ensure due process.

7 (t) On and after January 1, 2017, all licensed foster family  
8 agencies shall approve resource families in lieu of certifying foster  
9 homes. A foster family agency or a short-term residential treatment  
10 center pursuant to subdivision (b) of Section 11462 shall require  
11 applicants and resource families to meet the resource family  
12 approval standards and requirements set forth in this chapter and  
13 in the written directives adopted pursuant to this chapter prior to  
14 approval and in order to maintain approval.

15 (u) Commencing January 1, 2016, the department may establish  
16 participation conditions, and select and authorize foster family  
17 agencies that voluntarily submit implementation plans and revised  
18 plans of operation in accordance with requirements established by  
19 the department, to approve resource families in lieu of certifying  
20 foster homes.

21 (1) Notwithstanding any other law, a participating foster family  
22 agency shall require resource families to meet and maintain the  
23 resource family approval standards and requirements set forth in  
24 this chapter and in the written directives adopted hereto prior to  
25 approval and in order to maintain approval.

26 (2) A participating foster family agency shall implement the  
27 resource family approval program pursuant to Section 1517 of the  
28 Health and Safety Code.

29 (3) Nothing in this section shall be construed to limit the  
30 authority of the department to inspect, evaluate, or investigate a  
31 complaint or incident, or initiate a disciplinary action against a  
32 foster family agency pursuant to Article 5 (commencing with  
33 Section 1550) of Chapter 3 of Division 2 of the Health and Safety  
34 Code, or to take any action it may deem necessary for the health  
35 and safety of children placed with the foster family agency.

36 (4) The department may adjust the foster family agency  
37 AFDC-FC rate pursuant to Section 11463 for implementation of  
38 this subdivision.

1 SEC. 28.— Article 6 (commencing with Section 16523) is added  
 2 to Chapter 5 of Part 4 of Division 9 of the Welfare and Institutions  
 3 Code, to read:

4  
 5 Article 6. Bringing Families Home Program

6  
 7 16523.—For purposes of this article, the following definitions  
 8 shall apply:

9 (a) ~~“Child welfare services” has the same meaning as defined~~  
 10 ~~in Section 16501.~~

11 (b) ~~“Department” means the State Department of Social~~  
 12 ~~Services.~~

13 (c) ~~“Eligible family” means any individual or family that, at a~~  
 14 ~~minimum, meets all of the following conditions:~~

15 (1) ~~Receives child welfare services at the time eligibility is~~  
 16 ~~determined.~~

17 (2) ~~Is homeless.~~

18 (3) ~~Voluntarily agrees to participate in the program.~~

19 (4) ~~Either of the following:~~

20 (A) ~~Has been determined appropriate for reunification of a child~~  
 21 ~~to a biological parent or guardian by the county human services~~  
 22 ~~agency handling the case, the court with jurisdiction over the child,~~  
 23 ~~or both.~~

24 (B) ~~A child or children in the family is or are at risk of foster~~  
 25 ~~care placement, and the county human services agency determines~~  
 26 ~~that safe and stable housing for the family will prevent the need~~  
 27 ~~for the child’s or children’s removal from the parent or guardian.~~

28 (d) ~~“Homeless” means any of the following:~~

29 (1) ~~An individual or family who lacks a fixed, regular, and~~  
 30 ~~adequate nighttime residence.~~

31 (2) ~~An individual or family with a primary nighttime residence~~  
 32 ~~that is a public or private place not designed for or ordinarily used~~  
 33 ~~as a regular sleeping accommodation for human beings, including,~~  
 34 ~~but not limited to, a car, park, abandoned building, bus station,~~  
 35 ~~train station, airport, or camping ground.~~

36 (3) ~~An individual or family living in a supervised publicly or~~  
 37 ~~privately operated shelter designated to provide temporary living~~  
 38 ~~arrangements, including hotels or motels paid for by federal, state,~~  
 39 ~~or local government programs for low-income individuals or by~~

1 charitable organizations, congregate shelters, or transitional  
2 housing.

3 (4) An individual who resided in a shelter or place not meant  
4 for human habitation and who is exiting an institution where he  
5 or she temporarily resided.

6 (5) An individual or family who will imminently lose their  
7 housing, including, but not limited to, housing they own, rent, or  
8 live in without paying rent, are sharing with others, or rooms in  
9 hotels or motels not paid for by federal, state, or local government  
10 programs for low-income individuals or by charitable  
11 organizations, as evidenced by any of the following:

12 (A) A court order resulting from an eviction action that notifies  
13 the individual or family that they must leave within 14 days.

14 (B) The individual or family having a primary nighttime  
15 residence that is a room in a hotel or motel and where they lack  
16 the resources necessary to reside there for more than 14 days.

17 (C) Credible evidence indicating that the owner or renter of the  
18 housing will not allow the individual or family to stay for more  
19 than 14 days, and any oral statement from an individual or family  
20 seeking homeless assistance that is found to be credible shall be  
21 considered credible evidence for purposes of this clause.

22 (6) An individual or family who has no subsequent residence  
23 identified.

24 (7) An individual or family who lacks the resources or support  
25 networks needed to obtain other permanent housing.

26 (8) Unaccompanied youth and homeless families with children  
27 and youth defined as homeless under any other federal statute, as  
28 of the effective date of this program, who meet all of the following:

29 (A) Have experienced a long-term period without living  
30 independently in permanent housing.

31 (B) Have experienced persistent instability as measured by  
32 frequent moves over that long-term period.

33 (C) Can be expected to continue in that status for an extended  
34 period of time because of chronic disabilities, chronic physical  
35 health or mental health conditions, substance addiction, histories  
36 of domestic violence or childhood abuse, the presence of a child  
37 or youth with a disability, or multiple barriers to employment.

38 (e) “Homelessness” means the status of being homeless, as  
39 defined in subdivision (d).

1 (f) “Permanent housing” means a place to live without a limit  
2 on the length of stay in the housing that exceeds the duration of  
3 funding for the program, subject to landlord-tenant laws pursuant  
4 to Chapter 2 (commencing with Section 1940) of Title 5 of Part 4  
5 of Division 3 of the Civil Code.

6 (g) “Program” means the ~~Bringing Families Home Program~~  
7 established pursuant to this article.

8 (h) “Supportive housing” has the same meaning as defined in  
9 paragraph (2) of subdivision (b) of Section 50675.14 of the Health  
10 and Safety Code, except that the program is not restricted to serving  
11 only projects with five or more units.

12 ~~16523.1. (a) To the extent funds are appropriated in the annual~~  
13 ~~Budget Act, the department shall award program funds to counties~~  
14 ~~for the purpose of providing housing-related supports to eligible~~  
15 ~~families experiencing homelessness if that homelessness prevents~~  
16 ~~reunification between an eligible family and a child receiving child~~  
17 ~~welfare services, or where lack of housing prevents a parent or~~  
18 ~~guardian from addressing issues that could lead to foster care~~  
19 ~~placement.~~

20 ~~(b) Notwithstanding subdivision (a), this section does not create~~  
21 ~~an entitlement to housing-related assistance, which is intended to~~  
22 ~~be provided at the discretion of the county as a service to eligible~~  
23 ~~families.~~

24 ~~(c) (1) It is the intent of the Legislature that housing-related~~  
25 ~~assistance provided pursuant to this article utilize evidence-based~~  
26 ~~models, including evidence-based practices in rapid rehousing and~~  
27 ~~supportive housing.~~

28 ~~(2) Housing-related supports available to participating families~~  
29 ~~shall include, but not be limited to, all of the following:~~

30 ~~(A) An assessment of each family’s housing needs, including~~  
31 ~~a plan to assist them in meeting those needs.~~

32 ~~(B) Housing navigation or search assistance to recruit landlords,~~  
33 ~~and assist families in locating housing affordable to the family,~~  
34 ~~under a presumption that the family will pay no more than one-third~~  
35 ~~of their income in rent.~~

36 ~~(C) The use of evidence-based models, such as motivational~~  
37 ~~interviewing and trauma-informed care, to build relationships with~~  
38 ~~a parent or guardian.~~

39 ~~(D) Housing-related financial assistance, including rental~~  
40 ~~assistance, security deposit assistance, utility payments, moving~~

1 ~~cost assistance, and interim housing assistance while housing~~  
2 ~~navigators are actively seeking permanent housing options for the~~  
3 ~~family.~~

4 ~~(E) Housing stabilization services, including ongoing tenant~~  
5 ~~engagement, case management, public systems assistance, legal~~  
6 ~~services, credit repair assistance, life skills training, and conflict~~  
7 ~~mediation with landlords and neighbors.~~

8 ~~(F) If the family requires supportive housing, long-term services~~  
9 ~~promoting housing stability.~~

10 ~~(d) The department shall award program funds to counties~~  
11 ~~according to criteria developed by the department, in consultation~~  
12 ~~with the County Welfare Directors Association, the Corporation~~  
13 ~~for Supportive Housing, and Housing California, subject to both~~  
14 ~~of the following requirements:~~

15 ~~(1) A county that receives state funds under this program shall~~  
16 ~~match that funding on a dollar-by-dollar basis. The county funds~~  
17 ~~used for this purpose shall supplement, not supplant, county~~  
18 ~~funding already intended for these purposes.~~

19 ~~(2) A county that receives state funds under this program shall~~  
20 ~~have a local continuum of care that participates in a homeless~~  
21 ~~services coordinated entry and assessment system, as required by~~  
22 ~~the United States Department of Housing and Urban Development.~~

23 ~~(e) The department, in consultation with Housing California,~~  
24 ~~the Corporation for Supportive Housing, and the County Welfare~~  
25 ~~Directors Association of California, shall develop all of the~~  
26 ~~following:~~

27 ~~(1) The criteria by which counties may be awarded funds to~~  
28 ~~provide housing-related assistance to eligible families pursuant to~~  
29 ~~this article.~~

30 ~~(2) The proportion of program funding to be expended on~~  
31 ~~reasonable and appropriate administrative activities to minimize~~  
32 ~~overhead and maximize services.~~

33 ~~(3) Eligible sources of funds for a county's matching~~  
34 ~~contribution.~~

35 ~~(4) Tracking and reporting procedures for the program.~~

36 ~~(5) A process for evaluating program data.~~

37 ~~SEC. 29. Section 17601.50 of the Welfare and Institutions~~  
38 ~~Code is amended to read:~~

39 ~~17601.50. The moneys in the Child Poverty and Family~~  
40 ~~Supplemental Support Subaccount shall be allocated to the family~~

1 support account in the local health and welfare trust fund in each  
 2 county and city and county by the Controller pursuant to a schedule  
 3 prepared by the Department of Finance. All funds allocated shall  
 4 be attributable to the payment of increased aid payments, as  
 5 authorized by Section 11450.025. Funds that are not allocated in  
 6 a fiscal year, shall be available for allocation in the following fiscal  
 7 year.

8 SEC. 30. Section 18910.1 of the Welfare and Institutions Code  
 9 is amended to read:

10 18910.1. All CalFresh households shall be assigned certification  
 11 periods that are the maximum number of months allowable under  
 12 federal law for the household type unless a county is complying  
 13 with subdivision (b) of Section 18910 or, on a case-by-case basis  
 14 only, the household’s individual circumstances require a shorter  
 15 certification period.

16 SEC. 31. Section 18920 is added to the Welfare and Institutions  
 17 Code, to read:

18 18920. (a) Notwithstanding any other law, an agreement  
 19 between the department and a unit of local government, any other  
 20 unit of state government, or a nonprofit organization that provides  
 21 for a contract relating to either of the following is and shall be  
 22 deemed a “cooperative agreement,” as defined in subdivision (a)  
 23 of Section 38072 of the Health and Safety Code:

- 24 (1) Outreach programs related to CalFresh.
- 25 (2) The Supplemental Nutrition Assistance Program: Nutrition  
 26 Education and Obesity Prevention Grant Program.

27 (b) Notwithstanding subdivision (b) of Section 38072 of the  
 28 Health and Safety Code, for purposes of Chapter 1 (commencing  
 29 with Section 38070) of Division 25.2 of the Health and Safety  
 30 Code, any reference to the term “department” in those provisions  
 31 shall refer to the State Department of Social Services for purposes  
 32 of an agreement described in subdivision (a).

33 (c) In addition to the authority granted the department in  
 34 subdivision (a) of Section 38081.1 of the Health and Safety Code,  
 35 a change of subcontracts shall not be subject to review and approval  
 36 by the Department of General Services pursuant to Chapter 2  
 37 (commencing with Section 10290) of Part 2 of Division 2 of the  
 38 Public Contract Code.

1 ~~(d) The Legislature finds and declares that this section shall be~~  
2 ~~applied retroactively to currently executed agreements that are~~  
3 ~~described in subdivision (a).~~

4 ~~SEC. 32. Chapter 17 (commencing with Section 18999) is~~  
5 ~~added to Part 6 of Division 9 of the Welfare and Institutions Code,~~  
6 ~~to read:~~

7  
8 ~~CHAPTER 17. HOUSING AND DISABILITY INCOME ADVOCACY~~  
9 ~~PROGRAM~~

10  
11 ~~18999. In enacting this chapter, it is the intent of the Legislature~~  
12 ~~to establish, for the 2016–17 fiscal year, the Housing and Disability~~  
13 ~~Income Advocacy Program under which counties assist homeless~~  
14 ~~Californians with disabilities to increase participation among~~  
15 ~~individuals who may be eligible for disability benefits programs,~~  
16 ~~including the Supplemental Security Income/State Supplementary~~  
17 ~~Program for the Aged, Blind, and Disabled (SSI/SSP), the federal~~  
18 ~~Social Security Disability Insurance (SSDI) program, the Cash~~  
19 ~~Assistance Program for Immigrants, and veterans benefits provided~~  
20 ~~under federal law, including disability compensation.~~

21 ~~18999.1. (a) Subject to an appropriation of funds for this~~  
22 ~~purpose in the annual Budget Act, the State Department of Social~~  
23 ~~Services shall administer the Housing and Disability Income~~  
24 ~~Advocacy Program to provide state matching grant funds to~~  
25 ~~participating counties for the provision of outreach, case~~  
26 ~~management, and advocacy services and housing assistance to~~  
27 ~~individuals in need.~~

28 ~~(b) Funds appropriated pursuant to this chapter shall be awarded~~  
29 ~~to counties by the department according to criteria developed by~~  
30 ~~the department, in consultation with the County Welfare Directors~~  
31 ~~Association of California and advocates for clients, subject to the~~  
32 ~~following restrictions:~~

33 ~~(1) State funds appropriated pursuant to this chapter shall be~~  
34 ~~used only for the purposes specified in this chapter.~~

35 ~~(2) A county that receives state funds under this chapter shall~~  
36 ~~match that funding on a dollar-for-dollar basis. The county~~  
37 ~~matching funds used for this purpose shall supplement, and not~~  
38 ~~supplant, other county funding for these purposes.~~

39 ~~(3) A county receiving state funds pursuant to this chapter shall,~~  
40 ~~at a minimum, maintain a level of county funding for the outreach,~~

1 active case management, advocacy, and housing assistance services  
2 described in this chapter that is at least equal to the total of the  
3 amounts expended by the county for those services in the 2015–16  
4 fiscal year.

5 (4) As part of its application to receive state funds under this  
6 chapter, a county shall identify how it will collaborate locally  
7 among, at a minimum, the county departments that are responsible  
8 for health, including behavioral health, and human or social  
9 services in carrying out the activities required by this chapter. This  
10 collaboration shall include, but is not limited to, the sharing of  
11 information among these departments as necessary to carry out  
12 the activities required by this chapter.

13 18999.2. (a) (1) A participating county shall provide, or  
14 contract for, outreach, active case management, and advocacy  
15 services related to all of the following programs, as appropriate:

16 (A) The Supplemental Security Income/State Supplementary  
17 Program for the Aged, Blind, and Disabled (SSI/SSP):

18 (B) The federal Social Security Disability Insurance (SSDI)  
19 program:

20 (C) The Cash Assistance Program for Immigrants:

21 (D) Veterans benefits provided under federal law, including,  
22 but not limited to, disability compensation:

23 (2) The outreach and case management services required by  
24 this subdivision shall include, but not be limited to, all of the  
25 following:

26 (A) Receiving referrals:

27 (B) Conducting outreach, training, and technical assistance:

28 (C) Providing assessment and screening:

29 (D) Coordinating record retrieval and other necessary means of  
30 documenting disability:

31 (E) Coordinating the provision of health care, including  
32 behavioral health care, for clients, as appropriate:

33 (3) The advocacy services required by this subdivision, which  
34 may be provided through legal representation, shall include, but  
35 not be limited to, the following:

36 (A) Developing and filing competently prepared benefit  
37 applications, appeals, reconsiderations, reinstatements, and  
38 recertifications:

39 (B) Coordinating with federal and state offices regarding  
40 pending benefit applications, appeals, reconsiderations,

1 reinstatements, and recertifications and advocating on behalf of  
2 the client.

3 (b) A participating county shall use screening tools to identify  
4 populations of individuals who are likely to be eligible for the  
5 programs listed in subdivision (a), in accordance with the  
6 following:

7 (1) The county shall give highest priority to individuals who  
8 are chronically homeless or who rely the most heavily on state-  
9 and county-funded services.

10 (2) Other populations to be targeted by the program include,  
11 but are not limited to, the following:

12 (A) General assistance or general relief applicants or recipients  
13 who are homeless or at risk of homelessness.

14 (B) Parents who receive CalWORKs assistance or whose  
15 children receive assistance or children who are recipients of  
16 CalWORKs in families that are homeless or at risk of  
17 homelessness.

18 (C) Low-income individuals with disabilities who can be  
19 diverted from, or who are being discharged from, jails or prisons  
20 and who are homeless or at risk of homelessness.

21 (D) Low-income veterans with disabilities who are homeless  
22 or at risk of homelessness.

23 (E) Low-income individuals with disabilities who are being  
24 discharged from hospitals, long-term care facilities, or  
25 rehabilitation facilities and who are homeless or at risk of  
26 homelessness.

27 (e) (1) As appropriate, a participating county may refer an  
28 individual to workforce development programs who is not likely  
29 to be eligible for the programs listed in subdivision (a) and who  
30 may benefit from workforce development programs.

31 (2) In consultation with an individual who has been served by  
32 the Housing and Disability Income Advocacy Program and  
33 considering the circumstances of his or her disabilities, a  
34 participating county may, upon approval or final denial of disability  
35 benefits, refer an individual who may benefit from workforce  
36 development programs to those programs.

37 (3) An individual's participation in a workforce development  
38 program pursuant to this subdivision is voluntary.

39 18999.4. (a) (1) A participating county shall use funds  
40 received under this program to establish or expand programs that

1 provide housing assistance, including interim housing, recuperative  
2 care, rental subsidies, or, only when necessary, shelters, for clients  
3 receiving services under Section 18999.2 during the clients'  
4 application periods for disability benefits programs described in  
5 that section. The county shall place a client who receives subsidies  
6 in housing that the client can sustain without a subsidy upon  
7 approval of disability benefits. If the client is not approved for  
8 disability benefits, case management staff shall assist in developing  
9 a transition plan for housing support through other available  
10 resources.

11 (2) A client's participation in housing assistance programs or  
12 services is voluntary.

13 (b) A county, with the assistance of the department, shall seek  
14 reimbursement of funds used for housing assistance, general  
15 assistance, or general relief from the federal Commissioner of  
16 Social Security pursuant to an interim assistance reimbursement  
17 agreement authorized by Section 1631(g) of the federal Social  
18 Security Act. A county shall expend funds received as  
19 reimbursement for housing assistance only on additional housing  
20 assistance for clients receiving services under this chapter.

21 18999.6. (a) Each participating county shall annually report  
22 to the department regarding its funding of advocacy and outreach  
23 programs in the prior year, as well as the use of state funding  
24 provided under this chapter, including all of the following:

25 (1) The number of clients served in each of the targeted  
26 populations described in subdivision (b) of Section 18999.2 and  
27 any other populations the county chose to target.

28 (2) The demographics of the clients served, including race or  
29 ethnicity, age, and gender.

30 (3) The number of applications for benefits, and type of benefits,  
31 filed with the assistance of the county.

32 (4) The number of applications approved initially, the number  
33 approved after reconsideration, the number approved after appeal,  
34 and the number not approved, including the time to benefits  
35 establishment.

36 (5) For applications that were denied, the reasons for denial.

37 (6) The number of clients who received subsidized housing  
38 during the period that their applications were pending and a  
39 description of how that impacted the clients and the rates of  
40 completed applications or approval.

1 ~~(7) The number of clients who received subsidized housing who~~  
2 ~~maintained that housing during the SSI application period.~~

3 ~~(8) The percentage of individuals approved for SSI who retain~~  
4 ~~permanent housing 6, 12, and 24 months after benefits approval.~~

5 ~~(9) The amount and percentage of rental subsidy costs and of~~  
6 ~~general assistance or general relief costs recovered through interim~~  
7 ~~assistance reimbursement for individuals approved for benefits.~~

8 ~~(10) The number of individuals eligible to be served by this~~  
9 ~~program but who have not yet received services.~~

10 ~~(11) Any additional data requirements established by the~~  
11 ~~department after consultation with the County Welfare Directors~~  
12 ~~Association of California and advocates for clients.~~

13 ~~(b) The department shall periodically inform the Legislature of~~  
14 ~~the implementation progress of the program and make related data~~  
15 ~~available on its Internet Web site. The department shall also report~~  
16 ~~to the Legislature by October 1, 2018, in compliance with Section~~  
17 ~~9795 of the Government Code, regarding the implementation of~~  
18 ~~the program, including the information reported by participating~~  
19 ~~counties pursuant to this section.~~

20 ~~(c) Notwithstanding the rulemaking provisions of the~~  
21 ~~Administrative Procedures Act (Chapter 3.5 (commencing with~~  
22 ~~Section 11340) of Part 1 of Division 3 of Title 2 of the Government~~  
23 ~~Code), the department may implement, interpret, or make specific~~  
24 ~~this chapter through all-county letters without taking any regulatory~~  
25 ~~action.~~

26 ~~SEC. 33. (a) During the 2017 and 2018 legislative budget~~  
27 ~~hearings, the State Department of Social Services and the State~~  
28 ~~Department of Health Care Services shall update the legislative~~  
29 ~~budget committees on activities taken by the departments to~~  
30 ~~implement the Continuum of Care Reform (CCR) pursuant to AB~~  
31 ~~403 (Chapter 773, Statutes of 2015).~~

32 ~~(b) The information required pursuant to subdivision (a) shall~~  
33 ~~include, but is not limited to, all of the following:~~

34 ~~(1) The specialty mental health services provided to foster~~  
35 ~~children in short term residential treatment centers, by foster family~~  
36 ~~agencies, and by resourcer families.~~

37 ~~(2) The roles to be performed by the county mental health plans,~~  
38 ~~the Medi-Cal managed care plans, and the fee-for-service system~~  
39 ~~to coordinate mental health services being provided to foster youth~~  
40 ~~pursuant to subdivision (a).~~

1 ~~(3) The actual or projected fiscal information related to the~~  
2 ~~implementation of CCR, as follows:~~

3 ~~(A) Funding sources available to provide mental health services~~  
4 ~~to foster care children.~~

5 ~~(B) The state, county, and federal funding estimated for the~~  
6 ~~2016–17 fiscal year to provide mental health services to foster~~  
7 ~~children who meet the medical necessity criteria for specialty~~  
8 ~~mental health services under the Medi-Cal program.~~

9 ~~SEC. 34. No appropriation pursuant to Section 15201 of the~~  
10 ~~Welfare and Institutions Code shall be made for purposes of~~  
11 ~~implementing Section 22 of this act.~~

12 ~~SEC. 35. The State Department of Social Services shall~~  
13 ~~convene stakeholders, including county placing agencies, providers,~~  
14 ~~foster youth, and legislative staff, commencing no later than July~~  
15 ~~1, 2016, to discuss the adequacy of the proposed foster care rates~~  
16 ~~and rate structure, and the extent to which the rates will achieve~~  
17 ~~the desired outcomes for Continuum of Care Reform and AB 403~~  
18 ~~(Chapter 773, Statutes of 2015). The department shall report to~~  
19 ~~the legislative budget committees no later than August 10, 2016,~~  
20 ~~on the results of these discussions. To the extent the proposed rates~~  
21 ~~have changed, the department shall provide updated projected~~  
22 ~~costs no later than January 10, 2017.~~

23 ~~SEC. 36. (a) Notwithstanding the rulemaking provisions of~~  
24 ~~the Administrative Procedure Act (Chapter 3.5 (commencing with~~  
25 ~~Section 11340) of Part 1 of Division 3 of Title 2 of the Government~~  
26 ~~Code), the State Department of Social Services may implement~~  
27 ~~and administer Article 6 (commencing with Section 16523) of~~  
28 ~~Chapter 5 of Part 4 of Division 9 of the Welfare and Institutions~~  
29 ~~Code and the changes made in this act to Sections 11253.45,~~  
30 ~~11320.15, 11322.63, 11322.64, 11322.83, 11323.25, 11402 (as~~  
31 ~~amended by Section 65 of Chapter 773 of the Statutes of 2015),~~  
32 ~~11402 (as amended by Section 66 of Chapter 773 of the Statutes~~  
33 ~~of 2015), 11450, 11450.04, 11461.3, 11461.4, 11465, 12301.02,~~  
34 ~~16519.5, and 18910.1 of the Welfare and Institutions Code through~~  
35 ~~all-county letters or similar instructions until regulations are~~  
36 ~~adopted.~~

37 ~~(b) The department shall adopt emergency regulations~~  
38 ~~implementing the sections specified in subdivision (a) no later than~~  
39 ~~January 1, 2018. The department may readopt any emergency~~  
40 ~~regulation authorized by this section that is the same as, or~~

1 substantially equivalent to, any emergency regulation previously  
2 adopted pursuant to this section. The initial adoption of regulations  
3 pursuant to this section and one readoption of emergency  
4 regulations shall be deemed to be an emergency and necessary for  
5 the immediate preservation of the public peace, health, safety, or  
6 general welfare. Initial emergency regulations and the one  
7 readoption of emergency regulations authorized by this section  
8 shall be exempt from review by the Office of Administrative Law.  
9 The initial emergency regulations and the one readoption of  
10 emergency regulations authorized by this section shall be submitted  
11 to the Office of Administrative Law for filing with the Secretary  
12 of State, and each shall remain in effect for no more than 180 days,  
13 by which time final regulations shall be adopted.

14 SEC. 37. (a) To the extent that this act has an overall effect  
15 of increasing the costs already borne by a local agency for programs  
16 or levels of service mandated by the 2011 Realignment Legislation,  
17 Section 36 of Article XIII of the California Constitution shall  
18 govern this act's application to local agencies and the state's  
19 funding of those programs or levels of service.

20 (b) However, if the Commission on State Mandates determines  
21 that this act contains other costs mandated by the state for programs  
22 or levels of service not described in subdivision (a), reimbursement  
23 to 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.

26 SEC. 38. This act is a bill providing for appropriations related  
27 to the Budget Bill within the meaning of subdivision (c) of Section  
28 12 of Article IV of the California Constitution, has been identified  
29 as related to the budget in the Budget Bill, and shall take effect  
30 immediately.