

**Introduced by Senator Hertzberg  
(Coauthors: Senators Hancock, Liu, and Wieckowski)**

January 21, 2016

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An act to amend Sections 18900 and 18926 of the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

SB 904, as introduced, Hertzberg. Public social services: CalFresh.

Existing federal law provides for the federal Supplemental Nutrition Assistance Program, known in California as CalFresh, under which counties distribute food assistance benefits to eligible individuals. Existing federal law limits an able-bodied adult without dependents (ABAWD) participant to 3 months of CalFresh benefits in a 3-year period unless that participant has met specified work participation requirements. Existing law directs the State Department of Social Services to annually seek a federal waiver of this limitation, and provides that an eligible county is included in this waiver unless the county declines to participate in the waiver request. Existing law authorizes the department to implement this provision by all-county letters or similar instructions.

This bill would require all eligible counties to be included in the federal waiver of the ABAWD time limitation and would delete the authorization for the department to implement this provision by all-county letters or similar instructions. By expanding eligibility for CalFresh benefits, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

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

1 SECTION 1. Section 18900 of the Welfare and Institutions  
2 Code is amended to read:

3 18900. Finding that hunger, undernutrition, and malnutrition  
4 are present and continuing problems faced by low-income  
5 California households, and further finding that the federal  
6 Supplemental Nutrition Assistance Program (Chapter 51  
7 (commencing with Section 2011), Title 7, United States Code)  
8 offers significant health-vital benefits, the purpose of this chapter  
9 is to establish a statewide program to enable recipients of aid under  
10 Part 3 (commencing with Section 11000) or Part 5 (commencing  
11 with Section 17000) of this division and other low-income  
12 households to receive benefits under the federal Supplemental  
13 Nutrition Assistance Program. *It is the intent of the Legislature*  
14 *that the CalFresh program be administered in a way that*  
15 *maximizes eligibility and participation in the program, to the extent*  
16 *permitted by federal law.*

17 SEC. 2. Section 18926 of the Welfare and Institutions Code is  
18 amended to read:

19 18926. (a) To the extent permitted by federal law, the  
20 department shall annually seek a federal waiver of the existing  
21 federal Supplemental Nutrition Assistance Program limitation that  
22 stipulates that an able-bodied adult without dependents (ABAWD)  
23 participant is limited to three months of CalFresh benefits in a  
24 three-year period unless that participant has met the work  
25 participation requirement.

26 (b) All eligible counties shall be included in and bound by this  
27 ~~waiver unless a county declines to participate in the waiver request.~~  
28 ~~If a county declines, the county shall submit documentation from~~  
29 ~~the board of supervisors of that county to that effect. waiver.~~

30 (c) ~~Notwithstanding the rulemaking provisions of the~~  
31 ~~Administrative Procedure Act (Chapter 3.5 (commencing with~~

1 ~~Section 11340) of Part 1 of Division 2 of the Government Code)~~  
2 ~~the department may implement this section by all-county letters~~  
3 ~~or similar instructions.~~

4 SEC. 3. If the Commission on State Mandates determines that  
5 this act contains costs mandated by the state, reimbursement to  
6 local agencies and school districts for those costs shall be made  
7 pursuant to Part 7 (commencing with Section 17500) of Division  
8 4 of Title 2 of the Government Code.

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