

AMENDED IN SENATE MARCH 31, 2016

**SENATE BILL**

**No. 1373**

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**Introduced by Senator Stone**

February 19, 2016

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

LEGISLATIVE COUNSEL'S DIGEST

SB 1373, as amended, Stone. CalWORKs: welfare-to-work: supportive services.

(1) Existing law requires each county to provide cash assistance and other social services to needy families through the California Work Opportunity and Responsibility to Kids (CalWORKs) program using federal Temporary Assistance to Needy Families block grant program, state, and county funds. Existing law generally requires a recipient of CalWORKs benefits to participate in welfare-to-work activities as a condition of eligibility for aid. Existing law requires that necessary supportive services be available to participants in welfare-to-work activities, including transportation costs and ancillary expenses, which include the cost of books, as provided in the welfare-to-work plan entered into between the county and the participant.

This bill would require that a standard allowance for transportation costs be advanced to a participant at the beginning of each month ~~in an amount that is equal to the cost of a monthly pass for the county public transit system, or if a county does not have a public transit system,~~ in the amount of \$100 per month. The bill would also require that a participant who has been assigned to an educational activity in a postsecondary school *full time, as defined by the school*, receive a standard allowance of \$500 for books and supplies, *or \$250 if the*

*participant has been assigned to an educational activity part time, as defined by the school, adjusted annually as ~~specified~~, specified. The bill would require the educational allowance to be paid at least 15 days before the start of the semester. The bill would authorize the participant to opt out of these standard allowances at any time and make a reimbursement claim for actual costs, and to submit this claim to the county by mail, in person, ~~or~~ or, if the county already has the technological capacity to do so, via the county’s Internet Web site. By increasing the duties of counties administering these services, this bill would impose a state-mandated local program.*

(2) Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program.

This bill would instead provide that the continuous appropriation would not be made for purposes of implementing the bill.

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

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

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

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

1 SECTION 1. Section 11323.2 of the Welfare and Institutions  
 2 Code is amended to read:  
 3 11323.2. (a) Necessary supportive services shall be available  
 4 to every participant in order to participate in the program activity  
 5 to which he or she is assigned or to accept employment or the  
 6 participant shall have good cause for not participating under  
 7 subdivision (f) of Section 11320.3. As provided in the  
 8 welfare-to-work plan entered into between the county and  
 9 participant pursuant to this article, supportive services shall include  
 10 all of the following:  
 11 (1) Child care.  
 12 (A) Paid child care shall be available to every participant with  
 13 a dependent child in the assistance unit who needs paid child care  
 14 if the child is 10 years of age or under, or requires child care or

1 supervision due to a physical, mental, or developmental disability  
2 or other similar condition as verified by the county welfare  
3 department, or who is under court supervision.

4 (B) To the extent funds are available, paid child care shall be  
5 available to a participant with a dependent child in the assistance  
6 unit who needs paid child care if the child is 11 or 12 years of age.

7 (C) Necessary child care services shall be available to every  
8 former recipient for up to two years, pursuant to Article 15.5  
9 (commencing with Section 8350) of Chapter 2 of Part 6 of Division  
10 1 of Title 1 of the Education Code.

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

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

23 (2) (A) Transportation costs, which shall be governed by  
24 regional market rates as determined in accordance with regulations  
25 established by the department.

26 (B) A standard allowance for transportation costs shall be issued  
27 in advance to a participant at the beginning of each month ~~in an~~  
28 ~~the amount that is equal to the cost of a monthly pass for the county~~  
29 ~~public transit system. If a county does not have a public transit~~  
30 ~~system, the participant shall receive of~~ one hundred dollars (\$100)  
31 per month. A participant is entitled to opt out of the standard  
32 allowance at any time and make a reimbursement claim for the  
33 actual costs of transportation, and may submit this claim to the  
34 county by mail, in person, ~~or~~ *or, if the county already has the*  
35 *technological capacity to do so*, via the county's Internet Web site.

36 (3) (A) Ancillary expenses, which shall include the cost of  
37 books, tools, clothing specifically required for the job, fees, and  
38 other necessary costs.

39 (B) A participant who has been assigned to an educational  
40 activity ~~in a full time, as defined by the postsecondary school~~

1 school, shall receive a standard allowance of five hundred dollars  
2 ~~(\$500)~~ (\$500). *If the participant has been assigned to an*  
3 *educational activity part time, as defined by the postsecondary*  
4 *school, he or she shall receive a standard allowance of two*  
5 *hundred fifty dollars (\$250). An allowance paid pursuant to this*  
6 *subparagraph shall be paid no later than 15 days before the start*  
7 *of the semester to ensure that the participant has the funds*  
8 *necessary to purchase books and supplies required by the*  
9 *educational institution. The standard allowance shall be adjusted*  
10 *annually for inflation according to the California Consumer Price*  
11 *Index. A participant is entitled to opt out of the standard allowance*  
12 *at any time and make a reimbursement claim for the actual costs*  
13 *of books and supplies, and may submit this claim to the county by*  
14 *mail, in person, ~~or~~ or, if the county already has the technological*  
15 *capacity to do so, via the county's Internet Web site.*

16 (4) Personal counseling. A participant who has personal or  
17 family problems that would affect the outcome of the  
18 welfare-to-work plan entered into pursuant to this article shall, to  
19 the extent available, receive necessary counseling or therapy to  
20 help him or her and his or her family adjust to his or her job or  
21 training assignment.

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

28 SEC. 2. Notwithstanding the rulemaking provisions of the  
29 Administrative Procedure Act (Chapter 3.5 (commencing with  
30 Section 11340) of Part 1 of Division 3 of Title 2 of the Government  
31 Code), the department may implement this act through an  
32 all-county letter or similar instruction from the director. The  
33 all-county letter or similar instruction shall be issued no later than  
34 April 1, 2017.

35 SEC. 3. No appropriation pursuant to Section 15200 of the  
36 Welfare and Institutions Code shall be made for purposes of  
37 implementing this act.

38 SEC. 4. If the Commission on State Mandates determines that  
39 this act contains costs mandated by the state, reimbursement to  
40 local agencies and school districts for those costs shall be made

- 1 pursuant to Part 7 (commencing with Section 17500) of Division
- 2 4 of Title 2 of the Government Code.

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