

AMENDED IN ASSEMBLY JANUARY 5, 1998

AMENDED IN ASSEMBLY MARCH 3, 1997

CALIFORNIA LEGISLATURE—1997-98 REGULAR SESSION

ASSEMBLY BILL

No. 194

**Introduced by Assembly Members Wright, Kuehl, Perata,
and Washington**

January 30, 1997

~~An act to add Section 11450.27 to, and to add Article 3 (commencing with Section 11300) to Chapter 2 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to public social services. An act to add Section 19816.19 to the Government Code, relating to state employment.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 194, as amended, R. Wright. ~~AFDC benefits Welfare recipients: state employment exemptions.~~

Existing law does not impose any requirement on state agencies regarding the hiring of welfare recipients.

This bill would require all state agencies to maximize the employment of Temporary Assistance for Needy Families (TANF) recipients and other welfare recipients in all classes, including permanent full time, part time, temporary, and seasonal. The bill would require the Department of Personnel Administration to report not later than March 1 of each year commencing in 1999, to the Department of Finance, the Assembly Budget Committee, the Senate Committee on Budget and Fiscal Review, and the Joint Legislative Budget

Committee on the hiring of welfare recipients by all state agencies in the immediately preceding calendar year.

~~Existing law provides for the Aid to Families with Dependent Children (AFDC) program, under which each county provides cash assistance and other benefits to qualified low-income families. Each county is required to pay a share of the cost of both aid grant and administrative costs for the AFDC program.~~

~~Existing federal law contains Temporary Assistance for Needy Families (TANF) block grant provisions, which impose requirements upon state AFDC programs that must be met by July 1, 1997, and may be met prior to that date. One of these requirements is that adult recipients of aid must be employed in order to continue receiving aid for a period of more than 24 months.~~

~~This bill would provide that notwithstanding any other provision of federal or state law, no relative caretaker receiving AFDC benefits shall be required to meet any employment or training program requirement for AFDC recipients.~~

~~Another TANF block grant requirement is that, subject to certain exceptions, federal TANF funds may not be used to provide aid to a family that includes an adult who has received aid for a period of 60 months.~~

~~This bill would specify that if this requirement is adopted for the AFDC program it will not apply to a family in which the adult who has received aid for the 60-month period is a relative caretaker.~~

~~Since each county is required to pay a share of the costs for determining eligibility, and since the bill will create additional duties in making these determinations, the 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, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.~~



~~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 no*.

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

- 1 ~~SECTION 1. Article 3 (commencing with Section~~
2 *SECTION 1. The Legislature finds and declares all of*
3 *the following:*
4 *(1) Welfare reform requires the identification of new*
5 *job opportunities for welfare recipients to enable these*
6 *families to become self sufficient.*
7 *(2) The state is a major employer.*
8 *(3) The state successfully has hired persons receiving*
9 *public assistance under the Aid to Families with*
10 *Dependent Children program for seasonal, non-testing*
11 *classes.*
12 *(4) Permanent state employment requires that*
13 *applicants meet the minimum qualifications for job*
14 *classes and participate in competitive examinations.*
15 *SEC. 2. Section 19816.19 is added to the Government*
16 *Code, to read:*
17 *19816.19. (a) All state agencies, departments, boards,*
18 *and commissions shall maximize the employment of*
19 *Temporary Assistance for Needy Families (TANF)*
20 *recipients and other welfare recipients in all classes,*
21 *including permanent full time, part time, temporary, and*
22 *seasonal.*
23 *(b) The department shall report not later than March*
24 *1 of each year commencing in 1999, to the Department*
25 *of Finance, the Assembly Budget Committee, the Senate*
26 *Committee on Budget and Fiscal Review, and the Joint*
27 *Legislative Budget Committee on the hiring of welfare*
28 *recipients by all state agencies in the immediately*
29 *preceding calendar year. The report shall include all of*
30 *the following information:*



1 (1) The number of state employment positions
2 available in each class that do not require a high school
3 diploma, that require a high school diploma, and that
4 require a high school diploma and two years or less of
5 college.

6 (2) The number of Temporary Assistance for Needy
7 Families (TANF) recipients and other welfare recipients
8 hired by the state in each category described in
9 paragraph (1) for each employment class, including
10 permanent full time, part time, temporary, and seasonal.

11 (c) It is the intent of the Legislature that all state
12 agencies utilize existing budgetary resources to comply
13 with this section.

14 ~~11300) is added to Chapter 2 of Part 3 of Division 9 of the~~
15 ~~Welfare and Institutions Code, to read:~~

16
17 Article 3. ~~Employment Requirements~~

18
19 ~~11300. Notwithstanding any other provision of federal~~
20 ~~or state law, no relative caretaker receiving aid under this~~
21 ~~chapter shall be required to meet any employment or~~
22 ~~training program requirement for recipients of aid under~~
23 ~~this chapter.~~

24 ~~SEC. 2. Section 11450.27 is added to the Welfare and~~
25 ~~Institutions Code, to read:~~

26 ~~11450.27. If a requirement is adopted under which a~~
27 ~~family is precluded from receiving aid under this chapter~~
28 ~~when the family includes an adult who has received aid~~
29 ~~for a period of at least 60 months, that requirement shall~~
30 ~~not apply when the adult is a relative caretaker.~~

31 ~~SEC. 3. Notwithstanding Section 17610 of the~~
32 ~~Government Code, if the Commission on State Mandates~~
33 ~~determines that this act contains costs mandated by the~~
34 ~~state, reimbursement to local agencies and school~~
35 ~~districts for those costs shall be made pursuant to Part 7~~
36 ~~(commencing with Section 17500) of Division 4 of Title~~
37 ~~2 of the Government Code. If the statewide cost of the~~
38 ~~claim for reimbursement does not exceed one million~~
39 ~~dollars (\$1,000,000), reimbursement shall be made from~~
40 ~~the State Mandates Claims Fund.~~



1 ~~Notwithstanding Section 17580 of the Government~~
2 ~~Code, unless otherwise specified, the provisions of this act~~
3 ~~shall become operative on the same date that the act~~
4 ~~takes effect pursuant to the California Constitution.~~

O

