

AMENDED IN ASSEMBLY APRIL 8, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 1510

Introduced by Assembly Member Ashburn

February 26, 1999

An act to ~~amend Section 11451.5 of~~ *add Section 11320.16 to* the Welfare and Institutions Code, relating to public assistance.

LEGISLATIVE COUNSEL'S DIGEST

AB 1510, as amended, Ashburn. Public assistance: calculation of aid payments.

Existing law provides for the CalWORKs program, under which each county provides cash assistance and other benefits to qualified low-income families. Existing law specifies the manner in which the amount of aid available to a particular assistance unit is calculated, and requires an adjustment to be made for the gross income of any adult or adults removed from the assistance unit, less certain amounts that are exempt from the calculation of income for purposes of determining the amount of aid paid.

Existing law establishes time limits after which a recipient is not included in the assistance unit for which aid under the CalWORKs program is calculated, with certain exceptions.

~~This bill would provide that the amounts exempted from the calculation of family income shall not apply if the adult or adults have been removed from the assistance unit pursuant to a specified provision of existing law.~~

This bill would include any month in which a CalWORKs recipient is subject to sanctions for failure to comply with the requirements of the CalWORKs program toward those time limits. Because the bill would change the duties of counties with respect to the calculation of aid amounts, it would impose 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.

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

1 ~~SECTION 1. Section 11451.5 of the Welfare and~~
2 ~~SECTION 1. Section 11320.16 is added to the Welfare~~
3 ~~and Institutions Code, to read:~~
4 ~~11320.16. Any month for which a recipient is subject~~
5 ~~to sanctions for noncompliance with the requirements of~~
6 ~~this chapter shall be counted toward the 18-month,~~
7 ~~24-month, and 60-month time limitations contained in~~
8 ~~paragraph (3) of subdivision (d) of Section 11320.1,~~
9 ~~Section 11320.15, and in subdivisions (a) and (b) of~~
10 ~~Section 11454.~~
11 ~~Institutions Code is amended to read:~~
12 ~~11451.5. (a) Notwithstanding Section 11008, the~~
13 ~~following amounts shall be exempt from the calculation~~
14 ~~of the income of the family for purposes of subdivision (a)~~
15 ~~of Section 11450, unless the adult or adults have been~~
16 ~~removed from the assistance unit pursuant to Section~~
17 ~~11327.4, in which case the adults shall not be entitled to~~
18 ~~the income exemption:~~



1 ~~(1) If disability-based unearned income does not~~
2 ~~exceed two hundred twenty five dollars (\$225), both of~~
3 ~~the following amounts:~~

4 ~~(A) All disability based unearned income plus any~~
5 ~~amount of not otherwise exempt earned income equal to~~
6 ~~the amount of the difference between the amount of~~
7 ~~disability-based unearned income and two hundred~~
8 ~~twenty-five dollars (\$225).~~

9 ~~(B) Fifty percent of all not otherwise exempt earned~~
10 ~~income in excess of the amount applied to meet the~~
11 ~~differential applied in subparagraph (A).~~

12 ~~(2) If disability-based unearned income exceeds two~~
13 ~~hundred twenty five dollars (\$225), both of the following~~
14 ~~amounts:~~

15 ~~(A) All of the first two hundred twenty five dollars~~
16 ~~(\$225) in disability-based unearned income.~~

17 ~~(B) Fifty percent of all earned income.~~

18 ~~(b) For purposes of this section:~~

19 ~~(1) Earned income means gross income received as~~
20 ~~wages, salary, employer provided sick leave benefits,~~
21 ~~commissions, or profits from activities such as a business~~
22 ~~enterprise or farming in which the recipient is engaged~~
23 ~~as a self-employed individual or as an employee.~~

24 ~~(2) Disability based unearned income means State~~
25 ~~Disability Insurance benefits, private disability insurance~~
26 ~~benefits, Temporary Workers' Compensation benefits,~~
27 ~~and social security disability benefits.~~

28 ~~(3) Unearned income means any income not~~
29 ~~described in paragraph (1) or (2).~~

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



1 dollars (\$1,000,000), reimbursement shall be made from
2 the State Mandates Claims Fund.

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