

ASSEMBLY BILL

No. 631

Introduced by Assembly Member Tran

February 25, 2009

An act to add Section 11250.5 to the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 631, as introduced, Tran. Public assistance: home visits.

Existing law provides for the CalWORKs program, under which each county provides cash assistance and other benefits to qualified low-income families and individuals.

This bill would require the district attorney's office in the county of residence of an applicant for aid, within 10 days of the applicant's preliminary approval, to arrange for an authorized investigator to conduct a home call, consisting of a brief interview with the applicant and walk-through of the applicant's residence.

The bill would require the district attorney's office to report its findings to the appropriate county officials prior to final approval of aid for the applicant.

By increasing the duties of district attorneys and county public assistance agencies, this bill 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. The Legislature finds and declares as follows:
- 2 (a) The citizens of California should be assured that public
- 3 assistance benefits are only awarded to those who legitimately
- 4 require and are qualified to receive those benefits.
- 5 (b) The Legislature commends the County of San Diego for
- 6 adopting "Project 100 Percent" in June of 1997, which requires
- 7 all applicants for public assistance in the county, within 10 days
- 8 of the application for services, to receive a brief home call from a
- 9 San Diego County district attorney investigator, at the applicant's
- 10 residence.
- 11 (c) The Legislature acknowledges the overwhelming success
- 12 of "Project 100 Percent," pursuant to which more than 118,000
- 13 home calls have been conducted, and have consistently identified
- 14 an average of 25 percent of all preliminarily approved applicants
- 15 to be totally ineligible for public assistance, based on the
- 16 investigative findings of the district attorney.
- 17 (d) It is therefore the intent of the Legislature to establish a
- 18 statewide version of the "Project 100 Percent" plan to prevent
- 19 fraud and abuse of government assistance programs.
- 20 SEC. 2. Section 11250.5 is added to the Welfare and
- 21 Institutions Code, to read:
- 22 11250.5. (a) Within 10 days of an applicant's preliminary
- 23 approval for aid under this chapter, the district attorney's office
- 24 in the applicant's county of residence shall arrange a home call
- 25 pursuant to subdivision (b) and shall report its findings to the
- 26 appropriate county officials prior to the final approval of aid for
- 27 the applicant.
- 28 (b) The home call required by this section shall be conducted
- 29 by an investigator authorized by the department at the applicant's
- 30 residence, as indicated on the application for assistance. The home
- 31 call shall consist of a brief interview of the applicant and

1 walk-through of the residence. The investigator conducting the
2 home call shall take at least all of the following criteria under
3 consideration:

4 (1) Whether the applicant actually lives at the residence.

5 (2) Whether there are paycheck stubs or other evidence of
6 unclaimed income present in the residence.

7 (3) Whether there are other assets at the residence.

8 (4) Whether the applicant has any residency or criminal history
9 problems that would prohibit the receipt of aid.

10 (5) Whether a claimed absentee parent is actually living at the
11 residence.

12 (6) Whether there is evidence, such as diapers or other child
13 care items, to confirm the presence of children claimed to reside
14 with the applicant.

15 (7) Whether collateral contacts with landlords, neighbors, and
16 school officials corroborate the information provided in the
17 application.

18 (8) Any other relevant criteria established by the district
19 attorney.

20 SEC. 3. If the Commission on State Mandates determines that
21 this act contains costs mandated by the state, reimbursement to
22 local agencies and school districts for those costs shall be made
23 pursuant to Part 7 (commencing with Section 17500) of Division
24 4 of Title 2 of the Government Code.