

**Assembly Bill No. 1039**

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Passed the Assembly    September 10, 1999

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*Chief Clerk of the Assembly*

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Passed the Senate    September 9, 1999

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*Secretary of the Senate*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 1999, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*



## CHAPTER \_\_\_\_\_

An act to amend Sections 11320.1, 11322.9, 11324.8, 11325.21, 11325.23, 11454, 18242, 18243, and 18247 of, to add Sections 11322.95 and 11477.03 to, and to repeal Section 18246 of, the Welfare and Institutions Code, relating to human services.

## LEGISLATIVE COUNSEL'S DIGEST

AB 1039, Aroner. CalWORKs program.

Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states. Existing law provides for the CalWORKs program for the allocation of federal funds received through the TANF program, under which each county provides cash assistance and other benefits to qualified low-income families.

Existing law requires, as a condition of receipt of aid benefits under the CalWORKs program, that the recipient participate in certain welfare-to-work activities, and requires that an adult participant in a one-parent household shall participate in welfare-to-work activities for a specified number of hours each week, unless otherwise exempt.

Under existing law, a parent or caretaker relative is not eligible to receive aid under the CalWORKs program for a cumulative period of more than 18 months, or in certain cases, 24 months, after the individual signs, or refuses, without good cause, to sign a welfare-to-work plan, unless it is certified by the county that there is no job currently available for the recipient and the recipient participates in community service activities.

Existing law provides that counties may provide for community service activities for individuals who have not completed that period and who are not employed in unsubsidized employment, sufficient to meet the required minimum number of hours of participation in welfare-to-work activities.



This bill would authorize the Director of Social Services to approve demonstration projects, in up to 5 counties, to provide subsidized employment as an alternative to community service activities, subject to certain conditions.

This bill would require counties to pay an assistance payment to participants in wage-based employment in an amount equal to the wages for hours not worked by the participant. This bill would limit that payment to a period of one month and would be paid if the participant fails to satisfy the required hours of work in a single month for reasons constituting good cause.

Existing law requires that any individual who is required to participate in welfare-to-work activities under the CalWORKs program must enter into a written welfare-to-work plan with the county welfare department after assessment, and requires that the plan shall include the activities and services that will move the individual into employment.

Existing law provides that an applicant for, or a recipient of, aid under the CalWORKs program who is dissatisfied with the provisions of the welfare-to-work plan may seek redress through the independent assessment process or the state hearing or county grievance process.

This bill would require that at the time an individual applies for aid under this chapter, or at the time a recipient's eligibility for aid is determined, the county shall provide the individual, in writing and orally as necessary, with certain program information, including a description of the right of the applicant or recipient to contest the terms of the welfare-to-work plan.

Existing law requires, as a condition of receiving aid under the CalWORKs program, that the recipient participate in certain welfare-to-work activities, but specifies that any student who, at the time he or she is required to participate is enrolled in any undergraduate degree or certificate program that leads to employment may continue in that program for a limited period if he or she is making satisfactory progress in that program if



the county determines that continuing in the program is likely to lead to self-supporting employment for that recipient, and the welfare-to-work plan reflects that determination.

Existing law also requires that if participation in educational or vocational training, as determined by the number of hours required for classroom, laboratory, or internship activities, is not at least 32 hours, the county shall require concurrent participation in work activities.

This bill would revise that requirement to require that the number of hours required in educational or vocational training include attendance at or preparation for those activities, and would specify that preparation time shall be presumed to be 2 hours for each hour of instruction. The bill would also expand the scope of activities in which a participant whose educational or training activities do not meet federal or state participation requirements, which must be required by the county to meet federal requirements and which may be required by the county to meet state standards.

This bill would also provide that if an individual is enrolled in an education or training program at the time he or she is required to participate in the welfare-to-work activities and the county determines that his or her welfare-to-work plan should contain other activities instead of the education or training program, the county shall notify him or her in writing of its determination and inform him or her of the right to appeal the decision, and would declare that provision is declaratory of existing law.

By expanding the duties of counties in the administration of the welfare-to-work activities under the CalWORKs program this bill would result in a state-mandated local program.

Existing law requires recipients of benefits under the CalWORKs program to cooperate with the district attorney in the determination of paternity for purposes of collecting child support, and if the parent is determined not to have cooperated, the applicant's or recipient's family grant is required to be reduced by 25% during the



period of noncooperation and requires that child support services for the noncooperating individual be suspended.

This bill would include applicants, recipients, and former recipients with welfare arrearages within the scope of that requirement.

Existing law authorizes the State Department of Social Services to approve demonstration projects in up to 3 counties to test models of child support assurance, and specifies that one of the projects shall conform to a specified design, and provides for the funding of the projects from funds continuously appropriated for the CalWORKs program.

This bill would recast that provision to authorize the approval of up to 3 child support assurance demonstration projects, and would eliminate the requirement that one of the projects conform to a specified design.

Existing law requires the State Department of Social Services to develop research designs to ensure thorough evaluation of the child support assurance demonstration projects that include various factors, including the impact of welfare-to-work participation rates of custodial parents, CalWORKs participation rates and costs, paternity and child support order establishment, and other relevant information.

This bill would recast that requirement and increase the scope of factors that must be included in the research designs.

Existing law provides that the state share of child support assurance payments under the child support assurance demonstration project shall be paid in accordance with the continuously appropriated funding of the CalWORKs program.

This bill would specify that the State Department of Social Services, to the extent possible, shall ensure that no funding streams will be utilized to pay for child support assurance payments if use of the funding streams would cause participants to be subject to the limitations imposed on the CalWORKs program that a parent or caretaker relative shall not be eligible to receive aid for a cumulative period of more than 18 months after the



individual signs, or refuses, without good cause, to sign a welfare-to-work plan, unless it is certified by the county that there is no job currently available for the recipient and the recipient participates in community service activities.

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.

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

SECTION 1. Section 11320.1 of the Welfare and Institutions Code is amended to read:

11320.1. Subsequent to the commencement of the receipt of aid under this chapter, the sequence of employment related activities required of participants under this article, unless exempted under Section 11320.3, shall be as follows:

(a) Job search. Recipients shall, and applicants may, at the option of a county and with the consent of the applicant, receive orientation to the welfare-to-work program provided under this article, receive appraisal pursuant to Section 11325.2, and participate in job search and job club activities provided pursuant to Section 11325.22.

(b) Assessment. If employment is not found during the period provided for pursuant to subdivision (a), or at any time the county determines that participation in job search for the period specified in subdivision (a) of Section 11325.22 is not likely to lead to employment, the participant shall be referred to assessment, as provided



for in Section 11325.4. Following assessment, the county and the participant shall develop a welfare-to-work plan, as specified in Section 11325.21. The plan shall specify the activities provided for in Section 11322.6 to which the participant shall be assigned, and the supportive services, as provided for pursuant to Section 11323.2, with which the recipient will be provided.

(c) Work activities. A participant who has signed a welfare-to-work plan pursuant to Section 11325.21 shall participate in work activities until he or she has received aid for the period specified in subdivision (a) of Section 11454. If, after the period specified in paragraph (1) of subdivision (a) of Section 11454, the participant has not obtained unsubsidized employment, the county may extend the welfare-to-work plan by up to six months if the county determines that the extension is likely to lead to unsubsidized employment or if local unemployment or other conditions in the local economy are such that employment is not available. If a recipient has received aid for the period specified in subdivision (a) of Section 11454 and returns to aid after a break in aid of at least one month, the county shall determine whether to require the recipient to participate in welfare-to-work activities or in community service.

(d) Community service and subsidized employment.

(1) If a participant has received aid for the period specified in subdivision (a) of Section 11454, and the participant has not found unsubsidized employment sufficient to meet the hours of participation required by Section 11322.8 and the county has certified that no job is available for that participant, the participant shall remain eligible for aid under this chapter only if he or she participates in community service activities pursuant to Section 11322.9 or subsidized employment for participants in approved demonstration projects pursuant to Section 11322.9 or 11322.95.

(2) The county shall provide community service activities or other work activities as described in Section 11322.9, or counties that are approved to participate in a



demonstration project pursuant to Section 11322.95 may offer subsidized employment as described in that section.

(3) An individual may participate in activities pursuant to Section 11322.9, or a participant in a demonstration project approved under Section 11322.95 may participate in activities pursuant to Sections 11322.9 and 11322.95, subject to the limitations provided in those sections, until he or she has received aid for a total of 60 months.

SEC. 1.8. Section 11322.9 of the Welfare and Institutions Code is amended to read:

11322.9. (a) In accordance with the requirements of this section:

(1) Counties may provide for community service activities for individuals who have not completed the period specified in subdivision (a) of Section 11454 and are not employed in unsubsidized employment, sufficient to meet the hours of participation required by Section 11322.8.

(2) Counties shall provide for community service activities for individuals who have completed the period as specified in subdivision (a) of Section 11454, who cannot find unsubsidized employment sufficient to meet the hours of participation required by Section 11322.8, and the county certifies that no job is currently available to fulfill the hours required by Section 11322.8, and who continue to meet the financial eligibility criteria for aid under this chapter.

(b) Community service activities shall meet all of the following criteria:

(1) Be performed in the public and private nonprofit sector.

(2) Provide participants with job skills that can lead to unsubsidized employment.

(3) Comply with the antidisplacement provisions contained in Section 11324.6.

(c) Participants in community service activities shall do all of the following:

(1) Participate in a community service activity for the number of hours required by Section 11322.8, unless



fewer hours of community service participation are required by federal law.

(2) Participate in other work activities, both before and after the time limits specified in Section 11454, for the number of hours equal to the difference between the hours of participation in community service required under paragraph (1) of subdivision (c) and the number of hours of participation required under Section 11322.8.

(d) The county plan pursuant to Section 10531 shall include a component, developed by the county in collaboration with local private sector employers, local education agencies, county welfare departments, organized labor, recipients of aid under this chapter, and government and community-based organizations providing job training and economic development, in order to identify all of the following:

(1) Unmet community needs that could be met through community service activities.

(2) The target population to be served.

(3) Entities responsible for project development, fiscal administration, and case management services.

(4) The terms of community service activities, that, to the extent feasible, shall be temporary and transitional, and not permanent.

(5) Supportive efforts, including job search, education, and training, which shall be provided to participants in community service activities.

(e) Aid under this chapter for any participant who fails to comply with the requirements of this section without good cause shall be reduced in accordance with Section 11327.5.

(f) Child care as a supportive service shall be provided to participants in community service activities pursuant to Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of the Education Code, and Section 11323.2. Other supportive services may be provided by the county at the county's option. However, if the county does not provide mental health services pursuant to Section 11325.7, the county shall indicate in its county plan under Chapter 1.3 (commencing with Section



10530) how mental health services needed by participants will be made available during participation in a community service job.

SEC. 2. Section 11322.95 is added to the Welfare and Institutions Code, to read:

11322.95. Notwithstanding any other provision of law, the director may approve demonstration projects, in up to five counties, to provide subsidized employment in the private or public sector after the period specified in subdivision (a) of Section 11454, as an alternative to community service activities pursuant to Section 11322.9, subject to the following:

(a) Wages paid pursuant to this section shall be supplemented by a stipend of ninety dollars (\$90) per month for mandatory payroll deductions and other work expenses instead of the income disregards set forth in Section 11451.5. The stipend shall not be considered income for the purposes of CalWORKs eligibility or benefits.

(b) Subsidized employment assigned after the time limits specified in Section 11454 shall not exceed one year in duration, unless a county agrees to extend the time in subsidized employment after an assessment of the appropriateness of continued participation.

(c) Participants in subsidized employment shall be allowed to accrue the same amount of sick leave or family leave per month that the employer offers to other comparable employees. Hours of sick leave and family leave authorized by the employer and hours that a participant cannot work because of employer recognized holidays shall be counted toward the participants' weekly participation hours under Section 11322.8.

(d) Participants in subsidized employment shall be considered employees for all purposes, and shall be compensated at no less than the higher of the state or federal minimum wage.

(e) Subsidized employment shall consist of a minimum of 24 hours per week, which may be increased to 32 hours per week at county option. When the hours of subsidized work result in fewer hours than those required



to be counted toward the federal work participation rate, counties shall assign other activities authorized under Section 11322.6 until the federal hourly requirements are met. When the number of hours satisfy the federal standard but are fewer than those set forth in Section 11322.8, counties may assign other activities under Section 11322.6 to satisfy the requirement of that section, consistent with the federal Fair Labor Standards Act of 1938 (Chapter 8 (commencing with Section 201) of Title 29 of the United States Code).

(f) Counties shall arrange for participants in subsidized employment to apply and qualify for the earned income tax credit and its advance payment option.

(g) (1) Participants in subsidized employment who fail to satisfy the required hours of work in a single month for reasons constituting good cause, as specified in subdivision (f) of Section 11320.3, shall be paid an amount equal to the wages not received for the hours not worked. For CalWorks eligibility and grant determination, this payment shall be treated in the same manner as wages paid pursuant to this section.

(2) Participants in subsidized employment who fail to satisfy the required hours of work in two months, counting allowed hours of sick and family leave, whether or not the failure is due to reasons constituting good cause, shall be reassigned to community service or a welfare-to-work activity other than subsidized employment.

(3) In no event shall the failure to meet the hourly work requirements result in a payment of wages or assistance payments, including the stipend authorized in subdivision (a), which are less than the amount paid pursuant to Section 11327.5.

(h) Wages paid to participants pursuant to this section shall be paid by the employer or an entity other than the county.

(i) Counties may fund the wages for subsidized employment through any combination of the single allocation to counties, any other funds or grant diversion.



For purposes of this subdivision, “grant diversion” means public or private sector employment in which the recipient’s grant, or a portion thereof, or the aid grant savings resulting from employment, is diverted to the employer as a wage subsidy to partially or wholly offset the payment of wages to the participant.

(j) Counties using subsidized employment shall monitor the retention of participants as permanent employees by employers participating in subsidized employment, and shall cancel the participation of employers who demonstrate, over a reasonable period of time, an unwillingness to permanently hire recipients who have participated in subsidized employment with that employer.

(k) Recipients in counties approved to participate in this demonstration project shall be given the option of participating in community service pursuant to Section 11322.95 in lieu of subsidized employment as provided in this section.

(l) Earnings from the subsidized employment authorized under the demonstration projects approved pursuant to this section shall not be considered in determining eligibility for the CalWORKs program, but shall be considered in determining the CalWORKs grant amount.

(m) For purposes of this section, “subsidized employment” means only that subsidized employment authorized pursuant to the demonstration projects established pursuant to this section.

(n) The department shall determine the duration of this demonstration project.

(o) The director shall evaluate the demonstration projects established pursuant to this section. Costs of the evaluation shall be paid by the state from federal funds provided through the federal Temporary Assistance for Needy Families block grant. The evaluation shall, at a minimum, assess all of the following:

(1) The change in income for participating families during their participation in the project.



(2) Participation patterns, including length of time in a subsidized employment position, rates of successful completion, and reasons for failure to complete the assigned term.

(3) Employment, earnings, and income patterns following participation in the subsidized employment project.

(p) Subsidized employment under this section shall be counted as welfare-to-work activities under Section 11322.8, and shall be deemed to be grant-based on-the-job training for purposes of Section 11322.6.

SEC. 3. Section 11324.8 of the Welfare and Institutions Code is amended to read:

11324.8. (a) At the time an individual applies for aid under this chapter, or at the time a recipient's eligibility for aid is determined, the county shall do all of the following:

(1) Provide the individual, in writing and orally as necessary, with at least the following program information:

(A) A general description of the education, employment, and training opportunities and the supportive services available, including transitional benefits.

(B) A description of the exemptions from required participation provided under this article and the consequences of a refusal to participate in program components, if not exempt.

(C) A description of the responsibility of the participant to cooperate in establishing paternity and enforcing child support obligations, and to assist individuals in establishing paternity and obtaining child support as a condition of eligibility.

(D) A description of the right to contest the terms of a welfare-to-work plan, as described in subdivision (d).

(2) Determine whether the individual is required to participate in the program provided under this article.

(b) At the time an individual is required to participate pursuant to this article, he or she shall receive a written preliminary determination that he or she is a member of



a targeted group, for purposes of any applicable and operative federal Targeted Jobs Tax Credit and California Jobs Tax Credit.

(c) Persons not required to participate may volunteer to participate.

(d) An applicant for, or a recipient of, aid who is dissatisfied with the provisions of the welfare-to-work plan may seek redress through the independent assessment process, as described in subdivision (c) of Section 11325.4 or the state hearing or county grievance process, as described in Section 11327.8.

SEC. 4. Section 11325.21 of the Welfare and Institutions Code is amended to read:

11325.21. (a) Any individual who is required to participate in welfare-to-work activities pursuant to this article shall enter into a written welfare-to-work plan with the county welfare department after assessment as required by subdivision (b) of Section 11320.1, except as provided for in Section 11320.3. The plan shall include the activities and services that will move the individual into employment.

(b) The county shall allow the participant three working days after completion of the plan or subsequent amendments to the plan in which to evaluate and request changes to the terms of the plan.

(c) The plan shall be written in clear and understandable language, and have a simple and easy-to-read format.

(d) The plan shall contain at least all of the following general information:

(1) A general description of the program provided for in this article, including available program components and supportive services.

(2) A general description of the rights, duties, and responsibilities of program participants, including a list of the exemptions from the required participation under this article, the consequences of a refusal to participate in program components, and criteria for successful completion of the program.



(3) A description of the grace period required in paragraph (5) of subdivision (b) of Section 11325.22 and of the right to evaluate and request changes in the terms of the plan within three working days, as provided in subdivision (b).

(4) A description of the right to contest the terms of the welfare-to-work plan through an independent assessment, as provided in Section 11325.4, and by the state hearing or county grievance process, as described in Section 11327.8.

(e) The plan shall specify, and shall be amended to reflect changes in, the participant's welfare-to-work activity, a description of services to be provided in accordance with Sections 11322.6, and 11322.8 as needed, and specific requirements for successful completion of assigned activities including required hours of participation.

The plan shall also include a general description of supportive services pursuant to Section 11323.2 that are to be provided as necessary for the participant to complete assigned program activities.

(f) Any assignment to a program component shall be reflected in the plan or an amendment to the plan. The participant shall maintain satisfactory progress toward employment through the methods set forth in the plan, and the county shall provide the services pursuant to Section 11323.2.

(g) This section shall not apply to individuals subject to Article 3.5 (commencing with Section 11331) during the time that article is operative.

SEC. 5. Section 11325.23 of the Welfare and Institutions Code is amended to read:

11325.23. (a) (1) Except as provided in paragraph (2), any student who, at the time he or she is required to participate under this article pursuant to Section 11320.3, is enrolled in any undergraduate degree or certificate program that leads to employment may continue in that program within the time period specified in subdivisions (a) and (d) of Section 11454 if he or she is making satisfactory progress in that program, the county



determines that continuing in the program is likely to lead to self-supporting employment for that recipient, and the welfare-to-work plan reflects that determination.

(2) Any individual who possesses a baccalaureate degree shall not be eligible to participate under this section unless the individual is pursuing a California regular classroom teaching credential in a college or university with an approved teacher credential preparation program.

(3) (A) Subject to the limitation provided in subdivision (f), a program shall be determined to lead to employment if it is on a list of programs that the county welfare department and local education agencies or providers agree lead to employment. The list shall be agreed to annually, with the first list completed no later than January 31, 1998. By January 1, 2000, all educational providers shall report data regarding programs on the list for the purposes of the report card established under Section 15037.1 of the Unemployment Insurance Code for the programs to remain on the list.

(B) For students not in a program on the list prepared under subparagraph (A), the county shall determine if the program leads to employment. The recipient shall be allowed to continue in the program within the time period specified in subdivisions (a) and (d) of Section 11454 if the recipient demonstrates to the county that the program will lead to self-supporting employment for that recipient and the documentation is included in the welfare-to-work plan.

(C) If participation in educational or vocational training, as determined by the number of hours required for attendance at or preparation for classroom, laboratory, or internship activities, is not at least 32 hours, the county shall require concurrent participation in work activities pursuant to subdivisions (a) to (r), inclusive, of Section 11322.6 and Section 11325.22. Preparation time shall be presumed to be one hour of study for each hour of instruction, up to a maximum of six hours per week. The maximum preparation time may be increased by the department through regulation after January 1, 2002,



depending upon its assessment of whether the existing limit promotes success in participants' education programs and self-supporting employment.

(D) If an individual is enrolled in an education or training program at the time he or she is required to participate under this article and the county determines that the individual's welfare-to-work plan should contain other activities instead of the education or training program, the county shall notify the individual in writing of its determination and inform the individual of the right to appeal the decision pursuant to any available procedure. This subdivision is declaratory of existing law.

(b) Participation in the self-initiated education or vocational training program shall be reflected in the welfare-to-work plan required by Section 11325.21. The welfare-to-work plan shall provide that whenever an individual ceases to participate in, refuses to attend regularly, or does not maintain satisfactory progress in the self-initiated program, the individual shall participate under this article in accordance with Section 11325.22.

(c) Any person whose previously approved self-initiated education or training program is interrupted for reasons that meet the good cause criteria specified in subdivision (f) of Section 11320.3 may resume participation in the same program if the participant maintained good standing in the program while participating and the self-initiated program continues to meet the approval criteria. The county shall adjust the completion date of the program, accounting for the time of absence to allow the participant a cumulative timeframe outlined in subdivision (a).

(d) Supportive services reimbursement shall be provided for any participant in a self-initiated training or education program approved under this subdivision. This reimbursement shall be provided if no other source of funding for those costs is available. Any offset to supportive services payments shall be made in accordance with subdivision (e) of Section 11323.4.

(e) Any student who, at the time he or she is required to participate under this article pursuant to Section



11320.3, has been enrolled and is making satisfactory progress in a degree or certificate program, but does not meet the criteria set forth in subdivision (a), shall have until the beginning of the next educational semester or quarter break to continue his or her educational program if he or she continues to make satisfactory progress. At the time the educational break occurs, the individual is required to participate pursuant to Section 11320.1. The time spent in the educational program shall count towards the time limits and community service requirements established for recipients in Sections 11320.1 and 11454. A recipient not expected to complete the program by the next break may continue his or her education under the timelines in subdivision (a), provided he or she transfers at the end of the current quarter or semester to a program that qualifies under that subdivision, the county determines that participation is likely to lead to self-supporting employment of the recipient, and the welfare-to-work plan reflects that determination.

(f) Any degree, certificate, or vocational program offered by a private postsecondary training provider shall not be approved under this section unless the program is either approved or exempted by the appropriate state regulatory agency and the program is in compliance with all other provisions of law.

SEC. 6. Section 11454 of the Welfare and Institutions Code is amended to read:

11454. (a) (1) Except as otherwise provided in this chapter and in paragraph (2), a parent or caretaker relative shall not be eligible to receive aid for a cumulative period of more than 18 months after the individual signs, or refuses, without good cause, to sign a welfare-to-work plan, unless it is certified by the county that there is no job currently available for the recipient and the recipient participates in community service activities, pursuant to Section 11322.9, or the recipient participates in subsidized employment in an approved demonstration project pursuant to Section 11322.95.



(2) A parent or caretaker relative recipient who is subject to the requirements of paragraph (2) of subdivision (c) of Section 10532 shall not be eligible to receive aid under this chapter for a cumulative period of more than 24 months, unless it is certified by the county that there is no job currently available for the recipient and the recipient participates in community service activities pursuant to Section 11322.9, or the recipient participates in subsidized employment in an approved demonstration project pursuant to Section 11322.95.

(3) For purposes of this subdivision, a job shall not be considered to be currently available if a recipient has taken and continues to take all steps to apply for appropriate positions and has not refused an offer of employment without good cause.

(4) A parent or caretaker relative recipient to whom paragraph (1) or (2) applies, who is in a job for less than the number of hours required by Section 11322.8, and for whom no job is currently available for the required number of hours, shall remain eligible for aid under this chapter and shall participate in community service activities for the additional number of hours necessary to meet the requirements of Section 11322.8.

(b) A parent or caretaker relative shall not be eligible for aid under this chapter when he or she has received aid under this chapter or from any state under the Temporary Assistance for Needy Families program (Part A (commencing with Section 401) of Title IV of the federal Social Security Act (42 U.S.C. Sec. 601 et seq.) for a cumulative total of 60 months.

(c) No month in which aid has been received prior to January 1, 1998, shall be taken into consideration in computing the 18-month, 24-month, or 60-month limitation provided for in subdivision (a) or (b).

(d) Each county shall adopt criteria for extending the 18-month limitation prescribed by subdivision (a) for up to six months if the extension is likely to result in unsubsidized employment or if local unemployment rates or other conditions in the local economy are such that employment is not available.



(e) Subdivision (b) shall not be applicable when all parent or caretaker relatives of the aided child who are living in the home of the child meet any of the following requirements:

- (1) They are 60 years of age or older.
- (2) They meet one of the conditions specified in paragraph (4) or (5) of subdivision (b) of Section 11320.3.
- (3) They are not included in the assistance unit.
- (4) They are receiving benefits under Section 12200 or Section 12300, State Disability Insurance benefits or Workers' Compensation Temporary Disability Insurance, if the disability significantly impairs the recipient's ability to be regularly employed or participate in welfare-to-work activities.
- (5) They are incapable of maintaining employment or participating in welfare-to-work activities, as determined by the county, based on the assessment of the individual and the individual has a history of participation and full cooperation in welfare-to-work activities.

SEC. 7. Section 11477.03 is added to the Welfare and Institutions Code, to read:

11477.03. (a) Prior to referral of any individual or recipient, or that person's case, to the district attorney for child support services under Section 11350.1 or 11475.1, the county welfare department shall determine if a former recipient with welfare arrearages has good cause for noncooperation, as set forth in Section 11477.04.

(b) In circumstances to which subdivision (a) applies, Section 11477.02 shall apply.

SEC. 8. Section 18242 of the Welfare and Institutions Code is amended to read:

18242. (a) Upon application by a county board of supervisors, the department may approve up to three demonstration projects to test models of child support assurance. The projects shall either test different models of child support assurance or may test the same model if counties in which the same model is tested involve counties with different demographics.

(b) The department may approve joint projects by two or more counties if both of the following apply:



(1) The equity of access to the project and its related services is ensured to all participants.

(2) The project includes appropriate operational and fiscal arrangements between the counties submitting the joint project.

(c) If the department approves a joint project by two or more counties, that joint project shall constitute one of the projects authorized by subdivision (a).

(d) It is the intent of the Legislature that the purpose of the demonstration projects authorized by this article is to test child support assurance models as alternatives to welfare under which families with earnings and a child support order receive a guaranteed child support payment, in lieu of a grant under the CalWORKs program, from funds continuously appropriated for the CalWORKs program.

(e) A county may limit the number of families that will be permitted to enroll in its child support assurance demonstration program.

SEC. 9. Section 18243 of the Welfare and Institutions Code is amended to read:

18243. The department shall develop research designs to ensure thorough evaluations of the child support assurance demonstration projects that shall include, but not be limited to, the impact of the project on work participation rates of custodial parents, household incomes and family well-being, CalWORKs participation rates and costs, rates of paternity and child support order establishment, and any other relevant information the director may require.

SEC. 10. Section 18246 of the Welfare and Institutions Code is repealed.

SEC. 11. Section 18247 of the Welfare and Institutions Code is amended to read:

18247. (a) The state share of child support assurance payments under this article shall be paid in accordance with Section 15200.

(b) The department shall, to the extent possible, ensure that no funding streams will be utilized to pay for child support assurance payments if the use of the



funding streams would cause participants to be subject to the limitations of Section 11454 or any similar limitation.

(c) The county administrative cost for the operation of a child support assurance program shall be paid from the county's allocation provided under Sections 15204.2 and 15204.3.

SEC. 12. It is the intent of the Legislature that the State Department of Social Services implement the amendments made by this act to Sections 11320.1, 11322.6, 11322.8, 11322.9, 11324.8, 11325.21, 11325.23, 11454, and 11477.02 of the Welfare and Institutions Code to the extent funding is made available pursuant to the Budget Act or any other act.

SEC. 13. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.



Approved \_\_\_\_\_, 1999

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*Governor*

