

ASSEMBLY BILL

No. 1640

Introduced by Assembly Member Mitchell

February 13, 2012

An act to amend Section 11450 of, and to add Section 18927 to, the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1640, as introduced, Mitchell. CalWORKs and CalFresh benefits: pregnant mothers.

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 California Work Opportunity and Responsibility to Kids (CalWORKs) program under which, through a combination of state and county funds and federal funds received through the TANF program, each county provides cash assistance and other benefits to qualified low-income families.

Under existing law, for a family that does not include a needy child qualified for CalWORKs benefits, a pregnant mother is eligible for aid for the month in which the birth is anticipated, and the 3 months immediately prior to that month. However, CalWORKs aid is required to be paid to a pregnant woman who is also eligible for the Cal-Learn Program, as specified, at any time after verification of pregnancy.

Existing federal law provides for the federal Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh, under which nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county. Existing federal law requires all SNAP recipients, unless otherwise exempt, between 15 and 60 years of age, inclusive, who are physically

and mentally fit, to register for employment and participate in the Food Stamp Employment and Training (FSET) program. In accordance with these federal provisions, existing law establishes the CalFresh Employment and Training program (CalFresh E & T), for counties that elect to participate.

This bill would require CalWORKs aid to be paid to a pregnant mother at any time after verification of pregnancy, regardless of whether she is eligible for the Cal-Learn Program. The bill also would prohibit, to the extent permitted by federal law, a pregnant woman or pregnant teenager from being denied or made ineligible for CalFresh benefits, or from being required to participate in CalFresh E & T, at any time after verification of pregnancy. Because the bill would expand eligibility for CalWORKs aid under some circumstances, the bill would increase the duties of counties in administering the program, thus imposing a state-mandated local program.

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.

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. (a) This act shall be known and may be cited as
- 2 the Healthy Moms, Healthy Babies Act of 2012.
- 3 (b) The Legislature finds and declares all of the following:
- 4 (1) By not ensuring uninterrupted supportive services to the
- 5 mothers who are experiencing multiple stressful situations during
- 6 their pregnancies, very poor women are more likely to experience
- 7 premature and low birth-weight babies, and children are more
- 8 likely to experience short- and long-term health and behavioral
- 9 challenges that can interfere with their parents' long-term economic

sufficiency. The average first-year medical costs, including both inpatient and outpatient care, were approximately 10 times greater for preterm infants (\$32,325) than for full-term infants (\$3,325). Additionally, preterm births are associated with lost household income and decreased labor market productivity.

(2) Prenatal care during pregnancy can reduce risk factors and diminish the effects of stress. Receiving earlier care provides benefits for both the mother and the fetus. The current third trimester CalWORKs eligibility test not only impacts these beneficiaries basic needs grants, but also impacts health care and prenatal services. Because CalWORKs eligibility triggers eligibility for full-scope eligibility under Section 1931(b) of the federal Social Security Act, pregnant women are not only required to change cash-assistance caseworkers and rules, they also transition into a new type of Medi-Cal coverage, which may require a change in provider and doctor.

(3) With limited economic resources, pregnant women are less able to afford healthy diets. As a result, many are not getting the nutrients they need for better fetal development, which puts them at risk for low infant birth rate and other abnormalities.

SEC. 2. Section 11450 of the Welfare and Institutions Code, as amended by Section 13 of Chapter 501 of the Statutes of 2011, is amended to read:

11450. (a) (1) Aid shall be paid for each needy family, which shall include all eligible brothers and sisters of each eligible applicant or recipient child and the parents of the children, but shall not include unborn children, or recipients of aid under Chapter 3 (commencing with Section 12000), qualified for aid under this chapter. In determining the amount of aid paid, and notwithstanding the minimum basic standards of adequate care specified in Section 11452, the family's income, exclusive of any amounts considered exempt as income or paid pursuant to subdivision (e) or Section 11453.1, averaged for the prospective quarter pursuant to Sections 11265.2 and 11265.3, and then calculated pursuant to Section 11451.5, shall be deducted from the sum specified in the following table, as adjusted for cost-of-living increases pursuant to Section 11453 and paragraph (2). In no case shall the amount of aid paid for each month exceed the sum specified in the following table, as adjusted for cost-of-living increases pursuant to Section 11453

and paragraph (2), plus any special needs, as specified in subdivisions (c), (e), and (f):

Number of eligible needy persons in the same home	Maximum aid
1.....	\$ 326
2.....	535
3.....	663
4.....	788
5.....	899
6.....	1,010
7.....	1,109
8.....	1,209
9.....	1,306
10 or more.....	1,403

If, when, and during those times that the United States government increases or decreases its contributions in assistance of needy children in this state above or below the amount paid on July 1, 1972, the amounts specified in the above table shall be increased or decreased by an amount equal to that increase or decrease by the United States government, provided that no increase or decrease shall be subject to subsequent adjustment pursuant to Section 11453.

(2) The sums specified in paragraph (1) shall not be adjusted for cost of living for the 1990–91, 1991–92, 1992–93, 1993–94, 1994–95, 1995–96, 1996–97, and 1997–98 fiscal years, and through October 31, 1998, nor shall that amount be included in the base for calculating any cost-of-living increases for any fiscal year thereafter. Elimination of the cost-of-living adjustment pursuant to this paragraph shall satisfy the requirements of Section 11453.05, and no further reduction shall be made pursuant to that section.

(b) When the family does not include a needy child qualified for aid under this chapter, aid shall be paid to a pregnant mother ~~for the month in which the birth is anticipated and for the three-month period immediately prior to the month in which the birth is anticipated~~ *at any time after verification of pregnancy*, in the amount that would otherwise be paid to one person, as specified

1 in subdivision (a), if the mother, and child, if born, would have
2 qualified for aid under this chapter. Verification of pregnancy shall
3 be required as a condition of eligibility for aid under this
4 subdivision.

5 ~~(1) Aid shall also be paid to a pregnant woman with no other~~
6 ~~children in the amount which would otherwise be paid to one~~
7 ~~person under subdivision (a) at any time after verification of~~
8 ~~pregnancy if the pregnant woman is also eligible for the Cal-Learn~~
9 ~~Program described in Article 3.5 (commencing with Section 11331)~~
10 ~~and if the mother, and child, if born, would have qualified for aid~~
11 ~~under this chapter.~~

12 ~~(2) Paragraph (1) shall apply only when the Cal-Learn Program~~
13 ~~is operative.~~

14 (c) The amount of forty-seven dollars (\$47) per month shall be
15 paid to pregnant mothers qualified for aid under subdivision (a)
16 or (b) to meet special needs resulting from pregnancy if the mother,
17 and child, if born, would have qualified for aid under this chapter.
18 County welfare departments shall refer all recipients of aid under
19 this subdivision to a local provider of the Women, Infants and
20 Children program. If that payment to pregnant mothers qualified
21 for aid under subdivision (a) is considered income under federal
22 law ~~in the first five months of pregnancy~~, payments under this
23 subdivision shall not apply to persons eligible under subdivision
24 (a), ~~except for the month in which birth is anticipated and for the~~
25 ~~three-month period immediately prior to the month in which~~
26 ~~delivery is anticipated~~; if the mother, and the child, if born, would
27 have qualified for aid under this chapter.

28 (d) For children receiving AFDC-FC under this chapter, there
29 shall be paid, exclusive of any amount considered exempt as
30 income, an amount of aid each month which, when added to the
31 child's income, is equal to the rate specified in Section 11460,
32 11461, 11462, 11462.1, or 11463. In addition, the child shall be
33 eligible for special needs, as specified in departmental regulations.

34 (e) In addition to the amounts payable under subdivision (a)
35 and Section 11453.1, a family shall be entitled to receive an
36 allowance for recurring special needs not common to a majority
37 of recipients. These recurring special needs shall include, but not
38 be limited to, special diets upon the recommendation of a physician
39 for circumstances other than pregnancy, and unusual costs of
40 transportation, laundry, housekeeping services, telephone, and

1 utilities. The recurring special needs allowance for each family
2 per month shall not exceed that amount resulting from multiplying
3 the sum of ten dollars (\$10) by the number of recipients in the
4 family who are eligible for assistance.

5 (f) After a family has used all available liquid resources, both
6 exempt and nonexempt, in excess of one hundred dollars (\$100),
7 with the exception of funds deposited in a restricted account
8 described in subdivision (a) of Section 11155.2, the family shall
9 also be entitled to receive an allowance for nonrecurring special
10 needs.

11 (1) An allowance for nonrecurring special needs shall be granted
12 for replacement of clothing and household equipment and for
13 emergency housing needs other than those needs addressed by
14 paragraph (2). These needs shall be caused by sudden and unusual
15 circumstances beyond the control of the needy family. The
16 department shall establish the allowance for each of the
17 nonrecurring special need items. The sum of all nonrecurring
18 special needs provided by this subdivision shall not exceed six
19 hundred dollars (\$600) per event.

20 (2) Homeless assistance is available to a homeless family
21 seeking shelter when the family is eligible for aid under this
22 chapter. Homeless assistance for temporary shelter is also available
23 to homeless families which are apparently eligible for aid under
24 this chapter. Apparent eligibility exists when evidence presented
25 by the applicant, or which is otherwise available to the county
26 welfare department, and the information provided on the
27 application documents indicate that there would be eligibility for
28 aid under this chapter if the evidence and information were verified.
29 However, an alien applicant who does not provide verification of
30 his or her eligible alien status, or a woman with no eligible children
31 who does not provide medical verification of pregnancy, is not
32 apparently eligible for purposes of this section.

33 A family is considered homeless, for the purpose of this section,
34 when the family lacks a fixed and regular nighttime residence; or
35 the family has a primary nighttime residence that is a supervised
36 publicly or privately operated shelter designed to provide temporary
37 living accommodations; or the family is residing in a public or
38 private place not designed for, or ordinarily used as, a regular
39 sleeping accommodation for human beings. A family is also
40 considered homeless for the purpose of this section if the family

1 has received a notice to pay rent or quit. The family shall
2 demonstrate that the eviction is the result of a verified financial
3 hardship as a result of extraordinary circumstances beyond their
4 control, and not other lease or rental violations, and that the family
5 is experiencing a financial crisis that could result in homelessness
6 if preventative assistance is not provided.

7 (A) (i) A nonrecurring special need of sixty-five dollars (\$65)
8 a day shall be available to families of up to four members for the
9 costs of temporary shelter, subject to the requirements of this
10 paragraph. The fifth and additional members of the family shall
11 each receive fifteen dollars (\$15) per day, up to a daily maximum
12 of one hundred twenty-five dollars (\$125). County welfare
13 departments may increase the daily amount available for temporary
14 shelter as necessary to secure the additional bedspace needed by
15 the family.

16 (ii) This special need shall be granted or denied immediately
17 upon the family's application for homeless assistance, and benefits
18 shall be available for up to three working days. The county welfare
19 department shall verify the family's homelessness within the first
20 three working days and if the family meets the criteria of
21 questionable homelessness established by the department, the
22 county welfare department shall refer the family to its early fraud
23 prevention and detection unit, if the county has such a unit, for
24 assistance in the verification of homelessness within this period.

25 (iii) After homelessness has been verified, the three-day limit
26 shall be extended for a period of time which, when added to the
27 initial benefits provided, does not exceed a total of 16 calendar
28 days. This extension of benefits shall be done in increments of one
29 week and shall be based upon searching for permanent housing
30 which shall be documented on a housing search form; good cause;
31 or other circumstances defined by the department. Documentation
32 of a housing search shall be required for the initial extension of
33 benefits beyond the three-day limit and on a weekly basis thereafter
34 as long as the family is receiving temporary shelter benefits. Good
35 cause shall include, but is not limited to, situations in which the
36 county welfare department has determined that the family, to the
37 extent it is capable, has made a good faith but unsuccessful effort
38 to secure permanent housing while receiving temporary shelter
39 benefits.

1 (B) A nonrecurring special need for permanent housing
2 assistance is available to pay for last month's rent and security
3 deposits when these payments are reasonable conditions of securing
4 a residence, or to pay for up to two months of rent arrearages, when
5 these payments are a reasonable condition of preventing eviction.

6 The last month's rent or monthly arrearage portion of the
7 payment (i) shall not exceed 80 percent of the family's total
8 monthly household income without the value of CalFresh benefits
9 or special needs for a family of that size and (ii) shall only be made
10 to families that have found permanent housing costing no more
11 than 80 percent of the family's total monthly household income
12 without the value of CalFresh benefits or special needs for a family
13 of that size.

14 However, if the county welfare department determines that a
15 family intends to reside with individuals who will be sharing
16 housing costs, the county welfare department shall, in appropriate
17 circumstances, set aside the condition specified in clause (ii) of
18 the preceding paragraph.

19 (C) The nonrecurring special need for permanent housing
20 assistance is also available to cover the standard costs of deposits
21 for utilities which are necessary for the health and safety of the
22 family.

23 (D) A payment for or denial of permanent housing assistance
24 shall be issued no later than one working day from the time that a
25 family presents evidence of the availability of permanent housing.
26 If an applicant family provides evidence of the availability of
27 permanent housing before the county welfare department has
28 established eligibility for aid under this chapter, the county welfare
29 department shall complete the eligibility determination so that the
30 denial of or payment for permanent housing assistance is issued
31 within one working day from the submission of evidence of the
32 availability of permanent housing, unless the family has failed to
33 provide all of the verification necessary to establish eligibility for
34 aid under this chapter.

35 (E) (i) Except as provided in clauses (ii) and (iii), eligibility
36 for the temporary shelter assistance and the permanent housing
37 assistance pursuant to this paragraph shall be limited to one period
38 of up to 16 consecutive calendar days of temporary assistance and
39 one payment of permanent assistance. Any family that includes a
40 parent or nonparent caretaker relative living in the home who has

1 previously received temporary or permanent homeless assistance
2 at any time on behalf of an eligible child shall not be eligible for
3 further homeless assistance. Any person who applies for homeless
4 assistance benefits shall be informed that the temporary shelter
5 benefit of up to 16 consecutive days is available only once in a
6 lifetime, with certain exceptions, and that a break in the consecutive
7 use of the benefit constitutes permanent exhaustion of the
8 temporary benefit.

9 (ii) A family that becomes homeless as a direct and primary
10 result of a state or federally declared natural disaster shall be
11 eligible for temporary and permanent homeless assistance.

12 (iii) A family shall be eligible for temporary and permanent
13 homeless assistance when homelessness is a direct result of
14 domestic violence by a spouse, partner, or roommate; physical or
15 mental illness that is medically verified that shall not include a
16 diagnosis of alcoholism, drug addiction, or psychological stress;
17 or the uninhabitability of the former residence caused by sudden
18 and unusual circumstances beyond the control of the family
19 including natural catastrophe, fire, or condemnation. These
20 circumstances shall be verified by a third-party governmental or
21 private health and human services agency, except that domestic
22 violence may also be verified by a sworn statement by the victim,
23 as provided under Section 11495.25. Homeless assistance payments
24 based on these specific circumstances may not be received more
25 often than once in any 12-month period. In addition, if the domestic
26 violence is verified by a sworn statement by the victim, the
27 homeless assistance payments shall be limited to two periods of
28 not more than 16 consecutive calendar days of temporary assistance
29 and two payments of permanent assistance. A county may require
30 that a recipient of homeless assistance benefits who qualifies under
31 this paragraph for a second time in a 24-month period participate
32 in a homelessness avoidance case plan as a condition of eligibility
33 for homeless assistance benefits. The county welfare department
34 shall immediately inform recipients who verify domestic violence
35 by a sworn statement pursuant to clause (iii) of the availability of
36 domestic violence counseling and services, and refer those
37 recipients to services upon request.

38 (iv) If a county requires a recipient who verifies domestic
39 violence by a sworn statement to participate in a homelessness

1 avoidance case plan pursuant to clause (iii), the plan shall include
2 the provision of domestic violence services, if appropriate.

3 (v) If a recipient seeking homeless assistance based on domestic
4 violence pursuant to clause (iii) has previously received homeless
5 avoidance services based on domestic violence, the county shall
6 review whether services were offered to the recipient and consider
7 what additional services would assist the recipient in leaving the
8 domestic violence situation.

9 (vi) The county welfare department shall report to the
10 department through a statewide homeless assistance payment
11 indicator system, necessary data, as requested by the department,
12 regarding all recipients of aid under this paragraph.

13 (F) The county welfare departments, and all other entities
14 participating in the costs of the AFDC program, have the right in
15 their share to any refunds resulting from payment of the permanent
16 housing. However, if an emergency requires the family to move
17 within the 12-month period specified in subparagraph (E), the
18 family shall be allowed to use any refunds received from its
19 deposits to meet the costs of moving to another residence.

20 (G) Payments to providers for temporary shelter and permanent
21 housing and utilities shall be made on behalf of families requesting
22 these payments.

23 (H) The daily amount for the temporary shelter special need for
24 homeless assistance may be increased if authorized by the current
25 year's Budget Act by specifying a different daily allowance and
26 appropriating the funds therefor.

27 (I) No payment shall be made pursuant to this paragraph unless
28 the provider of housing is a commercial establishment, shelter, or
29 person in the business of renting properties who has a history of
30 renting properties.

31 (g) The department shall establish rules and regulations ensuring
32 the uniform application statewide of this subdivision.

33 (h) The department shall notify all applicants and recipients of
34 aid through the standardized application form that these benefits
35 are available and shall provide an opportunity for recipients to
36 apply for the funds quickly and efficiently.

37 (i) Except for the purposes of Section 15200, the amounts
38 payable to recipients pursuant to Section 11453.1 shall not
39 constitute part of the payment schedule set forth in subdivision
40 (a).

1 The amounts payable to recipients pursuant to Section 11453.1
2 shall not constitute income to recipients of aid under this section.

3 (j) For children receiving Kin-GAP pursuant to Article 4.5
4 (commencing with Section 11360) or Article 4.7 (commencing
5 with Section 11385) there shall be paid, exclusive of any amount
6 considered exempt as income, an amount of aid each month, which,
7 when added to the child's income, is equal to the rate specified in
8 Sections 11364 and 11387.

9 (k) (1) A county shall comply with the quarterly reporting
10 provisions of this section until the county certifies to the director
11 that semiannual reporting has been implemented in the county.

12 (2) This section shall become inoperative on October 1, 2013,
13 and, as of January 1, 2014, is repealed, unless a later enacted statute
14 that is enacted before January 1, 2014, deletes or extends the dates
15 on which it becomes inoperative and is repealed.

16 SEC. 3. Section 11450 of the Welfare and Institutions Code,
17 as added by Section 14 of Chapter 501 of the Statutes of 2011, is
18 amended to read:

19 11450. (a) (1) Aid shall be paid for each needy family, which
20 shall include all eligible brothers and sisters of each eligible
21 applicant or recipient child and the parents of the children, but
22 shall not include unborn children, or recipients of aid under Chapter
23 3 (commencing with Section 12000), qualified for aid under this
24 chapter. In determining the amount of aid paid, and notwithstanding
25 the minimum basic standards of adequate care specified in Section
26 11452, the family's income, exclusive of any amounts considered
27 exempt as income or paid pursuant to subdivision (e) or Section
28 11453.1, determined for the prospective semiannual period
29 pursuant to Sections 11265.2 and 11265.3, and then calculated
30 pursuant to Section 11451.5, shall be deducted from the sum
31 specified in the following table, as adjusted for cost-of-living
32 increases pursuant to Section 11453 and paragraph (2). In no case
33 shall the amount of aid paid for each month exceed the sum
34 specified in the following table, as adjusted for cost-of-living
35 increases pursuant to Section 11453 and paragraph (2), plus any
36 special needs, as specified in subdivisions (c), (e), and (f):

37		
38	Number of	
39	eligible needy	Maximum
40	persons in	aid

1	the same home	
2	1.....	\$ 326
3	2.....	535
4	3.....	663
5	4.....	788
6	5.....	899
7	6.....	1,010
8	7.....	1,109
9	8.....	1,209
10	9.....	1,306
11	10 or more.....	1,403
12		

13 If, when, and during those times that the United States
 14 government increases or decreases its contributions in assistance
 15 of needy children in this state above or below the amount paid on
 16 July 1, 1972, the amounts specified in the above table shall be
 17 increased or decreased by an amount equal to that increase or
 18 decrease by the United States government, provided that no
 19 increase or decrease shall be subject to subsequent adjustment
 20 pursuant to Section 11453.

21 (2) The sums specified in paragraph (1) shall not be adjusted
 22 for cost of living for the 1990–91, 1991–92, 1992–93, 1993–94,
 23 1994–95, 1995–96, 1996–97, and 1997–98 fiscal years, and through
 24 October 31, 1998, nor shall that amount be included in the base
 25 for calculating any cost-of-living increases for any fiscal year
 26 thereafter. Elimination of the cost-of-living adjustment pursuant
 27 to this paragraph shall satisfy the requirements of Section 11453.05,
 28 and no further reduction shall be made pursuant to that section.

29 (b) When the family does not include a needy child qualified
 30 for aid under this chapter, aid shall be paid to a pregnant mother
 31 ~~for the month in which the birth is anticipated and for the~~
 32 ~~three-month period immediately prior to the month in which the~~
 33 ~~birth is anticipated~~ *at any time after verification of pregnancy*, in
 34 the amount that would otherwise be paid to one person, as specified
 35 in subdivision (a), if the mother, and child, if born, would have
 36 qualified for aid under this chapter. Verification of pregnancy shall
 37 be required as a condition of eligibility for aid under this
 38 subdivision.

39 ~~(1) Aid shall also be paid to a pregnant woman with no other~~
 40 ~~children in the amount which would otherwise be paid to one~~

1 ~~person under subdivision (a) at any time after verification of~~
2 ~~pregnancy if the pregnant woman is also eligible for the Cal-Learn~~
3 ~~Program described in Article 3.5 (commencing with Section 11331)~~
4 ~~and if the mother, and child, if born, would have qualified for aid~~
5 ~~under this chapter.~~

6 ~~(2) Paragraph (1) shall apply only when the Cal-Learn Program~~
7 ~~is operative.~~

8 (c) The amount of forty-seven dollars (\$47) per month shall be
9 paid to pregnant mothers qualified for aid under subdivision (a)
10 or (b) to meet special needs resulting from pregnancy if the mother,
11 and child, if born, would have qualified for aid under this chapter.
12 County welfare departments shall refer all recipients of aid under
13 this subdivision to a local provider of the Women, Infants and
14 Children program. If that payment to pregnant mothers qualified
15 for aid under subdivision (a) is considered income under federal
16 law ~~in the first five months of pregnancy~~, payments under this
17 subdivision shall not apply to persons eligible under subdivision
18 (a), ~~except for the month in which birth is anticipated and for the~~
19 ~~three-month period immediately prior to the month in which~~
20 ~~delivery is anticipated~~; if the mother, and the child, if born, would
21 have qualified for aid under this chapter.

22 (d) For children receiving AFDC-FC under this chapter, there
23 shall be paid, exclusive of any amount considered exempt as
24 income, an amount of aid each month which, when added to the
25 child's income, is equal to the rate specified in Section 11460,
26 11461, 11462, 11462.1, or 11463. In addition, the child shall be
27 eligible for special needs, as specified in departmental regulations.

28 (e) In addition to the amounts payable under subdivision (a)
29 and Section 11453.1, a family shall be entitled to receive an
30 allowance for recurring special needs not common to a majority
31 of recipients. These recurring special needs shall include, but not
32 be limited to, special diets upon the recommendation of a physician
33 for circumstances other than pregnancy, and unusual costs of
34 transportation, laundry, housekeeping services, telephone, and
35 utilities. The recurring special needs allowance for each family
36 per month shall not exceed that amount resulting from multiplying
37 the sum of ten dollars (\$10) by the number of recipients in the
38 family who are eligible for assistance.

39 (f) After a family has used all available liquid resources, both
40 exempt and nonexempt, in excess of one hundred dollars (\$100),

1 with the exception of funds deposited in a restricted account
2 described in subdivision (a) of Section 11155.2, the family shall
3 also be entitled to receive an allowance for nonrecurring special
4 needs.

5 (1) An allowance for nonrecurring special needs shall be granted
6 for replacement of clothing and household equipment and for
7 emergency housing needs other than those needs addressed by
8 paragraph (2). These needs shall be caused by sudden and unusual
9 circumstances beyond the control of the needy family. The
10 department shall establish the allowance for each of the
11 nonrecurring special need items. The sum of all nonrecurring
12 special needs provided by this subdivision shall not exceed six
13 hundred dollars (\$600) per event.

14 (2) Homeless assistance is available to a homeless family
15 seeking shelter when the family is eligible for aid under this
16 chapter. Homeless assistance for temporary shelter is also available
17 to homeless families which are apparently eligible for aid under
18 this chapter. Apparent eligibility exists when evidence presented
19 by the applicant, or which is otherwise available to the county
20 welfare department, and the information provided on the
21 application documents indicate that there would be eligibility for
22 aid under this chapter if the evidence and information were verified.
23 However, an alien applicant who does not provide verification of
24 his or her eligible alien status, or a woman with no eligible children
25 who does not provide medical verification of pregnancy, is not
26 apparently eligible for purposes of this section.

27 A family is considered homeless, for the purpose of this section,
28 when the family lacks a fixed and regular nighttime residence; or
29 the family has a primary nighttime residence that is a supervised
30 publicly or privately operated shelter designed to provide temporary
31 living accommodations; or the family is residing in a public or
32 private place not designed for, or ordinarily used as, a regular
33 sleeping accommodation for human beings. A family is also
34 considered homeless for the purpose of this section if the family
35 has received a notice to pay rent or quit. The family shall
36 demonstrate that the eviction is the result of a verified financial
37 hardship as a result of extraordinary circumstances beyond their
38 control, and not other lease or rental violations, and that the family
39 is experiencing a financial crisis that could result in homelessness
40 if preventative assistance is not provided.

1 (A) (i) A nonrecurring special need of sixty-five dollars (\$65)
2 a day shall be available to families of up to four members for the
3 costs of temporary shelter, subject to the requirements of this
4 paragraph. The fifth and additional members of the family shall
5 each receive fifteen dollars (\$15) per day, up to a daily maximum
6 of one hundred twenty-five dollars (\$125). County welfare
7 departments may increase the daily amount available for temporary
8 shelter as necessary to secure the additional bedspace needed by
9 the family.

10 (ii) This special need shall be granted or denied immediately
11 upon the family's application for homeless assistance, and benefits
12 shall be available for up to three working days. The county welfare
13 department shall verify the family's homelessness within the first
14 three working days and if the family meets the criteria of
15 questionable homelessness established by the department, the
16 county welfare department shall refer the family to its early fraud
17 prevention and detection unit, if the county has such a unit, for
18 assistance in the verification of homelessness within this period.

19 (iii) After homelessness has been verified, the three-day limit
20 shall be extended for a period of time which, when added to the
21 initial benefits provided, does not exceed a total of 16 calendar
22 days. This extension of benefits shall be done in increments of one
23 week and shall be based upon searching for permanent housing
24 which shall be documented on a housing search form; good cause;
25 or other circumstances defined by the department. Documentation
26 of a housing search shall be required for the initial extension of
27 benefits beyond the three-day limit and on a weekly basis thereafter
28 as long as the family is receiving temporary shelter benefits. Good
29 cause shall include, but is not limited to, situations in which the
30 county welfare department has determined that the family, to the
31 extent it is capable, has made a good faith but unsuccessful effort
32 to secure permanent housing while receiving temporary shelter
33 benefits.

34 (B) A nonrecurring special need for permanent housing
35 assistance is available to pay for last month's rent and security
36 deposits when these payments are reasonable conditions of securing
37 a residence, or to pay for up to two months of rent arrearages, when
38 these payments are a reasonable condition of preventing eviction.

39 The last month's rent or monthly arrearage portion of the
40 payment (i) shall not exceed 80 percent of the family's total

1 monthly household income without the value of CalFresh benefits
2 or special needs for a family of that size and (ii) shall only be made
3 to families that have found permanent housing costing no more
4 than 80 percent of the family's total monthly household income
5 without the value of CalFresh benefits or special needs for a family
6 of that size.

7 However, if the county welfare department determines that a
8 family intends to reside with individuals who will be sharing
9 housing costs, the county welfare department shall, in appropriate
10 circumstances, set aside the condition specified in clause (ii) of
11 the preceding paragraph.

12 (C) The nonrecurring special need for permanent housing
13 assistance is also available to cover the standard costs of deposits
14 for utilities which are necessary for the health and safety of the
15 family.

16 (D) A payment for or denial of permanent housing assistance
17 shall be issued no later than one working day from the time that a
18 family presents evidence of the availability of permanent housing.
19 If an applicant family provides evidence of the availability of
20 permanent housing before the county welfare department has
21 established eligibility for aid under this chapter, the county welfare
22 department shall complete the eligibility determination so that the
23 denial of or payment for permanent housing assistance is issued
24 within one working day from the submission of evidence of the
25 availability of permanent housing, unless the family has failed to
26 provide all of the verification necessary to establish eligibility for
27 aid under this chapter.

28 (E) (i) Except as provided in clauses (ii) and (iii), eligibility
29 for the temporary shelter assistance and the permanent housing
30 assistance pursuant to this paragraph shall be limited to one period
31 of up to 16 consecutive calendar days of temporary assistance and
32 one payment of permanent assistance. Any family that includes a
33 parent or nonparent caretaker relative living in the home who has
34 previously received temporary or permanent homeless assistance
35 at any time on behalf of an eligible child shall not be eligible for
36 further homeless assistance. Any person who applies for homeless
37 assistance benefits shall be informed that the temporary shelter
38 benefit of up to 16 consecutive days is available only once in a
39 lifetime, with certain exceptions, and that a break in the consecutive

1 use of the benefit constitutes permanent exhaustion of the
2 temporary benefit.

3 (ii) A family that becomes homeless as a direct and primary
4 result of a state or federally declared natural disaster shall be
5 eligible for temporary and permanent homeless assistance.

6 (iii) A family shall be eligible for temporary and permanent
7 homeless assistance when homelessness is a direct result of
8 domestic violence by a spouse, partner, or roommate; physical or
9 mental illness that is medically verified that shall not include a
10 diagnosis of alcoholism, drug addiction, or psychological stress;
11 or, the uninhabitability of the former residence caused by sudden
12 and unusual circumstances beyond the control of the family
13 including natural catastrophe, fire, or condemnation. These
14 circumstances shall be verified by a third-party governmental or
15 private health and human services agency, except that domestic
16 violence may also be verified by a sworn statement by the victim,
17 as provided under Section 11495.25. Homeless assistance payments
18 based on these specific circumstances may not be received more
19 often than once in any 12-month period. In addition, if the domestic
20 violence is verified by a sworn statement by the victim, the
21 homeless assistance payments shall be limited to two periods of
22 not more than 16 consecutive calendar days of temporary assistance
23 and two payments of permanent assistance. A county may require
24 that a recipient of homeless assistance benefits who qualifies under
25 this paragraph for a second time in a 24-month period participate
26 in a homelessness avoidance case plan as a condition of eligibility
27 for homeless assistance benefits. The county welfare department
28 shall immediately inform recipients who verify domestic violence
29 by a sworn statement pursuant to clause (iii) of the availability of
30 domestic violence counseling and services, and refer those
31 recipients to services upon request.

32 (iv) If a county requires a recipient who verifies domestic
33 violence by a sworn statement to participate in a homelessness
34 avoidance case plan pursuant to clause (iii), the plan shall include
35 the provision of domestic violence services, if appropriate.

36 (v) If a recipient seeking homeless assistance based on domestic
37 violence pursuant to clause (iii) has previously received homeless
38 avoidance services based on domestic violence, the county shall
39 review whether services were offered to the recipient and consider

1 what additional services would assist the recipient in leaving the
2 domestic violence situation.

3 (vi) The county welfare department shall report to the
4 department through a statewide homeless assistance payment
5 indicator system, necessary data, as requested by the department,
6 regarding all recipients of aid under this paragraph.

7 (F) The county welfare departments, and all other entities
8 participating in the costs of the AFDC program, have the right in
9 their share to any refunds resulting from payment of the permanent
10 housing. However, if an emergency requires the family to move
11 within the 12-month period specified in subparagraph (E), the
12 family shall be allowed to use any refunds received from its
13 deposits to meet the costs of moving to another residence.

14 (G) Payments to providers for temporary shelter and permanent
15 housing and utilities shall be made on behalf of families requesting
16 these payments.

17 (H) The daily amount for the temporary shelter special need for
18 homeless assistance may be increased if authorized by the current
19 year's Budget Act by specifying a different daily allowance and
20 appropriating the funds therefor.

21 (I) No payment shall be made pursuant to this paragraph unless
22 the provider of housing is a commercial establishment, shelter, or
23 person in the business of renting properties who has a history of
24 renting properties.

25 (g) The department shall establish rules and regulations ensuring
26 the uniform application statewide of this subdivision.

27 (h) The department shall notify all applicants and recipients of
28 aid through the standardized application form that these benefits
29 are available and shall provide an opportunity for recipients to
30 apply for the funds quickly and efficiently.

31 (i) Except for the purposes of Section 15200, the amounts
32 payable to recipients pursuant to Section 11453.1 shall not
33 constitute part of the payment schedule set forth in subdivision
34 (a).

35 The amounts payable to recipients pursuant to Section 11453.1
36 shall not constitute income to recipients of aid under this section.

37 (j) For children receiving Kin-GAP pursuant to Article 4.5
38 (commencing with Section 11360) or Article 4.7 (commencing
39 with Section 11385) there shall be paid, exclusive of any amount
40 considered exempt as income, an amount of aid each month, which,

1 when added to the child's income, is equal to the rate specified in
2 Sections 11364 and 11387.

3 (k) (1) This section shall become operative on April 1, 2013.
4 A county shall implement the semiannual reporting requirements
5 in accordance with the act that added this section no later than
6 October 1, 2013.

7 (2) Upon implementation described in paragraph (1), each
8 county shall provide a certificate to the director certifying that
9 semiannual reporting has been implemented in the county.

10 (3) Upon filing the certificate described in paragraph (2), a
11 county shall comply with the semiannual reporting provisions of
12 this section.

13 SEC. 4. Section 18927 is added to the Welfare and Institutions
14 Code, to read:

15 18927. To the extent permitted by federal law, a pregnant
16 woman or pregnant teenager shall not be denied or made ineligible
17 for CalFresh benefits, or be required to participate in the CalFresh
18 Employment and Training program described in Section 18926 at
19 any time after verification of pregnancy.

20 SEC. 5. No appropriation pursuant to Section 15200 of the
21 Welfare and Institutions Code shall be made for purposes of
22 implementing this act.

23 SEC. 6. If the Commission on State Mandates determines that
24 this act contains costs mandated by the state, reimbursement to
25 local agencies and school districts for those costs shall be made
26 pursuant to Part 7 (commencing with Section 17500) of Division
27 4 of Title 2 of the Government Code.