

AMENDED IN SENATE AUGUST 21, 2012

AMENDED IN ASSEMBLY MAY 25, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1640

**Introduced by Assembly Member Mitchell
(Coauthors: Assembly Members Beall and Hall)**

February 13, 2012

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

LEGISLATIVE COUNSEL'S DIGEST

AB 1640, as amended, Mitchell. CalWORKs 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.

This bill would require CalWORKs aid to be paid to a pregnant mother who is 18 years of age or younger at any time after verification of

pregnancy, when the Cal-Learn Program is operative, regardless of whether she is eligible for the Cal-Learn Program. *The bill would provide that CalWORKs aid would otherwise be paid to a pregnant mother in the month in which the birth is anticipated, and the 3 months immediately prior to that month.* 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. Section 11450 of the Welfare and Institutions
 2 Code, as amended by Section 13 of Chapter 501 of the Statutes of
 3 2011, is amended to read:
 4 11450. (a) (1) Aid shall be paid for each needy family, which
 5 shall include all eligible brothers and sisters of each eligible
 6 applicant or recipient child and the parents of the children, but
 7 shall not include unborn children, or recipients of aid under Chapter
 8 3 (commencing with Section 12000), qualified for aid under this
 9 chapter. In determining the amount of aid paid, and notwithstanding
 10 the minimum basic standards of adequate care specified in Section
 11 11452, the family's income, exclusive of any amounts considered
 12 exempt as income or paid pursuant to subdivision (e) or Section
 13 11453.1, averaged for the prospective quarter pursuant to Sections
 14 11265.2 and 11265.3, and then calculated pursuant to Section
 15 11451.5, shall be deducted from the sum specified in the following
 16 table, as adjusted for cost-of-living increases pursuant to Section

1 11453 and paragraph (2). In no case shall the amount of aid paid
 2 for each month exceed the sum specified in the following table,
 3 as adjusted for cost-of-living increases pursuant to Section 11453
 4 and paragraph (2), plus any special needs, as specified in
 5 subdivisions (c), (e), and (f):

6 7 Number of 8 eligible needy 9 persons in 10 the same home	Maximum aid
11 1.....	\$ 326
12 2.....	535
13 3.....	663
14 4.....	788
15 5.....	899
16 6.....	1,010
17 7.....	1,109
18 8.....	1,209
19 9.....	1,306
20 10 or more.....	1,403

21
 22 If, when, and during those times that the United States
 23 government increases or decreases its contributions in assistance
 24 of needy children in this state above or below the amount paid on
 25 July 1, 1972, the amounts specified in the above table shall be
 26 increased or decreased by an amount equal to that increase or
 27 decrease by the United States government, provided that no
 28 increase or decrease shall be subject to subsequent adjustment
 29 pursuant to Section 11453.

30 (2) The sums specified in paragraph (1) shall not be adjusted
 31 for cost of living for the 1990–91, 1991–92, 1992–93, 1993–94,
 32 1994–95, 1995–96, 1996–97, and 1997–98 fiscal years, and through
 33 October 31, 1998, nor shall that amount be included in the base
 34 for calculating any cost-of-living increases for any fiscal year
 35 thereafter. Elimination of the cost-of-living adjustment pursuant
 36 to this paragraph shall satisfy the requirements of Section 11453.05,
 37 and no further reduction shall be made pursuant to that section.

38 (b) (1) When the family does not include a needy child qualified
 39 for aid under this chapter, aid shall be paid to a pregnant mother
 40 who is 18 years of age or younger at any time after verification of

1 pregnancy, in the amount that would otherwise be paid to one
2 person, as specified in subdivision (a), if the mother, and child, if
3 born, would have qualified for aid under this chapter. Verification
4 of pregnancy shall be required as a condition of eligibility for aid
5 under this subdivision.

6 (2) ~~When~~ *Notwithstanding paragraph (1), when* the family does
7 not include a needy child qualified for aid under this chapter, aid
8 shall be paid to a pregnant mother ~~who is over 18 years of age~~ for
9 the month in which the birth is anticipated and for the three-month
10 period immediately prior to the month in which the birth is
11 anticipated in the amount that would otherwise be paid to one
12 person, as specified in subdivision (a), if the mother and child, if
13 born, would have qualified for aid under this chapter. Verification
14 of pregnancy shall be required as a condition of eligibility for aid
15 under this subdivision.

16 (3) *Paragraph (1) shall apply only when the Cal-Learn Program*
17 *is operative.*

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

32 (d) For children receiving AFDC-FC under this chapter, there
33 shall be paid, exclusive of any amount considered exempt as
34 income, an amount of aid each month which, when added to the
35 child's income, is equal to the rate specified in Section 11460,
36 11461, 11462, 11462.1, or 11463. In addition, the child shall be
37 eligible for special needs, as specified in departmental regulations.

38 (e) In addition to the amounts payable under subdivision (a)
39 and Section 11453.1, a family shall be entitled to receive an
40 allowance for recurring special needs not common to a majority

1 of recipients. These recurring special needs shall include, but not
2 be limited to, special diets upon the recommendation of a physician
3 for circumstances other than pregnancy, and unusual costs of
4 transportation, laundry, housekeeping services, telephone, and
5 utilities. The recurring special needs allowance for each family
6 per month shall not exceed that amount resulting from multiplying
7 the sum of ten dollars (\$10) by the number of recipients in the
8 family who are eligible for assistance.

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

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

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

37 A family is considered homeless, for the purpose of this section,
38 when the family lacks a fixed and regular nighttime residence; or
39 the family has a primary nighttime residence that is a supervised
40 publicly or privately operated shelter designed to provide temporary

1 living accommodations; or the family is residing in a public or
2 private place not designed for, or ordinarily used as, a regular
3 sleeping accommodation for human beings. A family is also
4 considered homeless for the purpose of this section if the family
5 has received a notice to pay rent or quit. The family shall
6 demonstrate that the eviction is the result of a verified financial
7 hardship as a result of extraordinary circumstances beyond their
8 control, and not other lease or rental violations, and that the family
9 is experiencing a financial crisis that could result in homelessness
10 if preventative assistance is not provided.

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

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

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

1 extent it is capable, has made a good faith but unsuccessful effort
2 to secure permanent housing while receiving temporary shelter
3 benefits.

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

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

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

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

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

38 (E) (i) Except as provided in clauses (ii) and (iii), eligibility
39 for the temporary shelter assistance and the permanent housing
40 assistance pursuant to this paragraph shall be limited to one period

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

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

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

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

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

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

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

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

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

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

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

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

39 (i) Except for the purposes of Section 15200, the amounts
40 payable to recipients pursuant to Section 11453.1 shall not

1 constitute part of the payment schedule set forth in subdivision
2 (a).

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

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

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

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

18 SEC. 2. Section 11450 of the Welfare and Institutions Code,
19 as added by Section 14 of Chapter 501 of the Statutes of 2011, is
20 amended to read:

21 11450. (a) (1) Aid shall be paid for each needy family, which
22 shall include all eligible brothers and sisters of each eligible
23 applicant or recipient child and the parents of the children, but
24 shall not include unborn children, or recipients of aid under Chapter
25 3 (commencing with Section 12000), qualified for aid under this
26 chapter. In determining the amount of aid paid, and notwithstanding
27 the minimum basic standards of adequate care specified in Section
28 11452, the family’s income, exclusive of any amounts considered
29 exempt as income or paid pursuant to subdivision (e) or Section
30 11453.1, determined for the prospective semiannual period
31 pursuant to Sections 11265.2 and 11265.3, and then calculated
32 pursuant to Section 11451.5, shall be deducted from the sum
33 specified in the following table, as adjusted for cost-of-living
34 increases pursuant to Section 11453 and paragraph (2). In no case
35 shall the amount of aid paid for each month exceed the sum
36 specified in the following table, as adjusted for cost-of-living
37 increases pursuant to Section 11453 and paragraph (2), plus any
38 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

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

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

32 (b) (1) When the family does not include a needy child qualified
33 for aid under this chapter, aid shall be paid to a pregnant mother
34 who is 18 years of age or younger at any time after verification of
35 pregnancy, in the amount that would otherwise be paid to one
36 person, as specified in subdivision (a), if the mother, and child, if
37 born, would have qualified for aid under this chapter. Verification
38 of pregnancy shall be required as a condition of eligibility for aid
39 under this subdivision.

1 (2) ~~When~~ *Notwithstanding paragraph (1), when the family*
 2 *does not include a needy child qualified for aid under this chapter,*
 3 *aid shall be paid to a pregnant mother who is over 18 years of age*
 4 *for the month in which the birth is anticipated and for the*
 5 *three-month period immediately prior to the month in which the*
 6 *birth is anticipated in the amount that would otherwise be paid to*
 7 *one person, as specified in subdivision (a), if the mother and child,*
 8 *if born, would have qualified for aid under this chapter. Verification*
 9 *of pregnancy shall be required as a condition of eligibility for aid*
 10 *under this subdivision.*

11 (3) *Paragraph (1) shall apply only when the Cal-Learn Program*
 12 *is operative.*

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

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

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

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

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

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

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

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

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

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

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

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

39 (B) A nonrecurring special need for permanent housing
40 assistance is available to pay for last month's rent and security

1 deposits when these payments are reasonable conditions of securing
2 a residence, or to pay for up to two months of rent arrearages, when
3 these payments are a reasonable condition of preventing eviction.

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

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

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

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

33 (E) (i) Except as provided in clauses (ii) and (iii), eligibility
34 for the temporary shelter assistance and the permanent housing
35 assistance pursuant to this paragraph shall be limited to one period
36 of up to 16 consecutive calendar days of temporary assistance and
37 one payment of permanent assistance. Any family that includes a
38 parent or nonparent caretaker relative living in the home who has
39 previously received temporary or permanent homeless assistance
40 at any time on behalf of an eligible child shall not be eligible for

1 further homeless assistance. Any person who applies for homeless
2 assistance benefits shall be informed that the temporary shelter
3 benefit of up to 16 consecutive days is available only once in a
4 lifetime, with certain exceptions, and that a break in the consecutive
5 use of the benefit constitutes permanent exhaustion of the
6 temporary benefit.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17 SEC. 3. No appropriation pursuant to Section 15200 of the
18 Welfare and Institutions Code shall be made for purposes of
19 implementing this act.

20 SEC. 4. 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.