1    SB115

2    156382-2

3    By Senators Orr, Taylor, Beason, Allen, Scofield and Pittman

4    RFD: Fiscal Responsibility and Accountability

5    First Read: 14-JAN-14

1    SB115

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4                           <u>ENGROSSED</u>

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7                            A BILL

8                        TO BE ENTITLED

9                           AN ACT

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11        To amend Sections 38-4-2, 38-4-4 and 38-11A-2 Code

12   of Alabama 1975, relating to public assistance and the

13   eligibility for means-tested public benefits to include the

14   income of a cohabiting partner when determining eligibility

15   for Temporary Assistance for Needy Families (TANF); to require

16   that an applicant for TANF apply for at least three positions

17   of unsubsidized employment prior to applying for TANF cash

18   assistance from the Department of Human Resources; and to

19   provide that TANF recipients who voluntarily terminate

20   employment shall be ineligible for receiving TANF cash

21   assistance.

22   BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23        Section 1. Sections 38-4-2, 38-4-4, and 38-11A-2

24   Code of Alabama 1975, are hereby amended to read as follows:

25        "§38-4-2.

26        "(a) Applications for <u>Temporary Assistance for Needy</u>

27   <u>Families (TANF) cash</u> assistance shall be made to the county

1   department in the manner prescribed by the state department

2   and shall contain such information as the state department may

3   require; provided, that nothing contained in this chapter

4   shall be construed as requiring the signing of a pauper's oath

5   on the part of any person making application for assistance

6   hereunder. An investigation and record shall be promptly made

7   by the county department of the circumstances of the

8   applicant. Upon the completion of the investigation the county

9   director shall determine whether the applicant is eligible for

10  assistance under the provisions of this chapter and the rules

11  and regulations of the state department and the amount of

12  assistance he shall receive. The county director shall give

13  notice in writing to the applicant of the action taken on his

14  application or any subsequent change in payments.

15          "(b) Within maximum matchable payments in which the

16  federal government will participate as prescribed in the

17  Federal Social Security Act, the amount of assistance to which

18  any person described in Section 38-4-1 shall be entitled

19  shall, under the rules and regulations of the state

20  department, be determined upon the basis of the amount of

21  total income and resources received by ~~such person~~ the

22  applicant, the husband or wife of the applicant and/or the

23  cohabiting partner of the applicant if such person resides in

24  the home with the applicant and has a legal obligation to

25  provide for the support of the dependent children, except as

26  provided in Section 38-4-1, and such other conditions existing

27  in each case as will determine the need for assistance for

1   such person as provided in this chapter. The amount of such

2   assistance shall be determined with due regard to the

3   conditions existing in each case, subject to the funds

4   available, and the rules and regulations and standards of the

5   state department and the provisions of this chapter.

6       "(c) No provision of this section shall affect in

7   any manner the amount paid to a widow of a Confederate veteran

8   now or hereafter placed on the pension rolls of this state.

9       "§38-4-4.

10      "If at any time the recipient of public assistance,

11   ~~or~~ the husband or wife of such recipient, and/or the

12   cohabiting partner of the recipient shall become possessed of

13   any income or resources in excess of that owned or being

14   received at the date of the application, it shall be the duty

15   of the recipient immediately to notify the county department

16   of the facts in the case. The county department, upon the

17   notification or upon otherwise learning the facts, shall,

18   after investigation, continue, reduce or cancel the amount of

19   the grant as the facts may warrant. Its action in this respect

20   shall be subject to appeal and review as provided in this

21   chapter. For the purposes of this section, where aid to

22   dependent children is the form of public assistance involved,

23   the near relative, as defined in the Federal Social Security

24   Act, shall report the acquisition of income and resources.

25      "§38-11A-2.

26      "(a) The Department of Human Resources shall

27   establish and administer a welfare employment program for

1 persons applying for, or receiving, public assistance in the

2 State of Alabama. The department shall develop program policy,

3 criteria, requirements, and procedures and issue rules and

4 regulations for governance of the program, insofar as federal

5 guidelines permit, and shall assume program management

6 responsibilities including budget planning, cost accounting,

7 data collecting and reporting, evaluation and assessment of

8 program performance, and standards for effective use of

9 distributed funds. The program shall include development of

10 employment strategies, employment-related programs and

11 activities and family support services directed toward

12 affecting the intent and goals of this chapter.

13 "(b) As a condition of eligibility for Temporary

14 Assistance for Needy Families (TANF) an applicant shall have

15 applied for at least three positions of unsubsidized

16 employment prior to completing the application process and

17 comply with job search preparation, education, and other

18 employment activities as required by the Department.

19 "(c) Recipients of TANF cash assistance who

20 voluntarily terminate employment or refuse employment without

21 good cause shall be ineligible for TANF cash assistance."

22 Section 2. Notwithstanding the provisions in Section

23 1, TANF cash assistance and eligibility requirements shall

24 conform with federal eligibility requirement standards as

25 provided for in Title IV, Part A, of the Social Security Act.

1    Section 3. This act shall become effective

2    immediately upon its passage and approval by the Governor or

3    its otherwise becoming law.

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2

3      Senate


4        Read for the first time and referred to the Senate
5        committee on Fiscal Responsibility and Account-
6        ability........................................... 14-JAN-14

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8        Read for the second time and placed on the calen-
9        dar............................................... 22-JAN-14

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11       Read for the third time and passed as amended .... 26-FEB-14


12                            Yeas 25
13                            Nays 6

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16                            Patrick Harris
17                            Secretary
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