

1 SB115
2 156382-4
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 ENROLLED, An Act,

5 To amend Sections 38-4-2, 38-4-4 and 38-11A-2 Code
6 of Alabama 1975, relating to public assistance and the
7 eligibility for means-tested public benefits to include the
8 income of a cohabiting partner when determining eligibility
9 for Temporary Assistance for Needy Families (TANF); to require
10 that an applicant for TANF apply for at least three positions
11 of unsubsidized employment prior to applying for TANF cash
12 assistance from the Department of Human Resources; and to
13 provide that TANF recipients who voluntarily terminate
14 employment shall be ineligible for receiving TANF cash
15 assistance.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. Sections 38-4-2, 38-4-4, and 38-11A-2
18 Code of Alabama 1975, are hereby amended to read as follows:

19 "§38-4-2.

20 "(a) Applications for Temporary Assistance for Needy
21 Families (TANF) cash assistance shall be made to the county
22 department in the manner prescribed by the state department
23 and shall contain such information as the state department may
24 require; provided, that nothing contained in this chapter
25 shall be construed as requiring the signing of a pauper's oath

1 on the part of any person making application for assistance
2 hereunder. An investigation and record shall be promptly made
3 by the county department of the circumstances of the
4 applicant. Upon the completion of the investigation the county
5 director shall determine whether the applicant is eligible for
6 assistance under the provisions of this chapter and the rules
7 and regulations of the state department and the amount of
8 assistance he shall receive. The county director shall give
9 notice in writing to the applicant of the action taken on his
10 application or any subsequent change in payments.

11 "(b) Within maximum matchable payments in which the
12 federal government will participate as prescribed in the
13 Federal Social Security Act, the amount of assistance to which
14 any person described in Section 38-4-1 shall be entitled
15 shall, under the rules and regulations of the state
16 department, be determined upon the basis of the amount of
17 total income and resources received by ~~such person~~ the
18 applicant, the husband or wife of the applicant and/or the
19 cohabiting partner of the applicant, as provided by rules
20 promulgated by the Department of Human Resources, except as
21 provided in Section 38-4-1, and such other conditions existing
22 in each case as will determine the need for assistance for
23 such person as provided in this chapter. The amount of such
24 assistance shall be determined with due regard to the
25 conditions existing in each case, subject to the funds

1 available, and the rules and regulations and standards of the
2 state department and the provisions of this chapter.

3 "(c) No provision of this section shall affect in
4 any manner the amount paid to a widow of a Confederate veteran
5 now or hereafter placed on the pension rolls of this state.

6 "§38-4-4.

7 "If at any time the recipient of public assistance,
8 ~~or~~ the husband or wife of such recipient, and/or the
9 cohabiting partner of the recipient, as provided by rules
10 promulgated by the Department of Human Resources, shall become
11 possessed of any income or resources in excess of that owned
12 or being received at the date of the application, it shall be
13 the duty of the recipient immediately to notify the county
14 department of the facts in the case. The county department,
15 upon the notification or upon otherwise learning the facts,
16 shall, after investigation, continue, reduce or cancel the
17 amount of the grant as the facts may warrant. Its action in
18 this respect shall be subject to appeal and review as provided
19 in this chapter. For the purposes of this section, where aid
20 to dependent children is the form of public assistance
21 involved, the near relative, as defined in the Federal Social
22 Security Act, shall report the acquisition of income and
23 resources.

24 "§38-11A-2.

1 "(a) The Department of Human Resources shall
2 establish and administer a welfare employment program for
3 persons applying for, or receiving, public assistance in the
4 State of Alabama. The department shall develop program policy,
5 criteria, requirements, and procedures and issue rules and
6 regulations for governance of the program, insofar as federal
7 guidelines permit, and shall assume program management
8 responsibilities including budget planning, cost accounting,
9 data collecting and reporting, evaluation and assessment of
10 program performance, and standards for effective use of
11 distributed funds. The program shall include development of
12 employment strategies, employment-related programs and
13 activities and family support services directed toward
14 affecting the intent and goals of this chapter.

15 "(b) As a condition of eligibility for Temporary
16 Assistance for Needy Families (TANF) an applicant shall have
17 applied for at least three positions of unsubsidized
18 employment prior to completing the application process and
19 comply with job search preparation, education, and other
20 employment activities as required by the Department.

21 "(c) Recipients of TANF cash assistance who
22 voluntarily terminate employment or refuse employment without
23 good cause shall be ineligible for TANF cash assistance."

24 Section 2. Notwithstanding the provisions in Section
25 1, TANF cash assistance and eligibility requirements shall

1 conform with federal eligibility requirement standards as
2 provided for in Title IV, Part A, of the Social Security Act.

3 Section 3. This act shall become effective
4 immediately upon its passage and approval by the Governor or
5 its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB115

Senate 26-FEB-14

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris
Secretary

House of Representatives
Amended and passed 02-APR-14

Senate concurred in House amendment 03-APR-14

By: Senator Orr