

1 SB115
2 156382-1
3 By Senators Orr, Taylor, Beason, Allen, Scofield and Pittman
4 RFD: Fiscal Responsibility and Accountability
5 First Read: 14-JAN-14

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8 SYNOPSIS: This bill would amend Sections 38-4-2,
9 38-4-4 and 38-11A-2 Code of Alabama 1975, relating
10 to public assistance and the establishment of a
11 welfare employment program to include the income of
12 a cohabiting partner when determining eligibility
13 for Temporary Assistance for Needy Families (TANF);
14 to require that an applicant for TANF cash
15 assistance apply for at least three positions of
16 unsubsidized employment prior to applying for TANF
17 cash assistance from the Department of Human
18 Resources; and to provide that TANF recipients who
19 voluntarily terminate employment shall be
20 ineligible for receiving TANF cash assistance.

21
22 A BILL
23 TO BE ENTITLED
24 AN ACT

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26 To amend Sections 38-4-2, 38-4-4 and 38-11A-2 Code
27 of Alabama 1975, relating to public assistance and the

1 eligibility for means-tested public benefits to include the
2 income of a cohabiting partner when determining eligibility
3 for Temporary Assistance for Needy Families (TANF); to require
4 that an applicant for TANF apply for at least three positions
5 of unsubsidized employment prior to applying for TANF cash
6 assistance from the Department of Human Resources; and to
7 provide that TANF recipients who voluntarily terminate
8 employment shall be ineligible for receiving TANF cash
9 assistance.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

13 "§38-4-2.

14 "(a) Applications for Temporary Assistance for Needy
15 Families (TANF) cash assistance shall be made to the county
16 department in the manner prescribed by the state department
17 and shall contain such information as the state department may
18 require; provided, that nothing contained in this chapter
19 shall be construed as requiring the signing of a pauper's oath
20 on the part of any person making application for assistance
21 hereunder. An investigation and record shall be promptly made
22 by the county department of the circumstances of the
23 applicant. Upon the completion of the investigation the county
24 director shall determine whether the applicant is eligible for
25 assistance under the provisions of this chapter and the rules
26 and regulations of the state department and the amount of
27 assistance he shall receive. The county director shall give

1 notice in writing to the applicant of the action taken on his
2 application or any subsequent change in payments.

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

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

22 "§38-4-4.

23 "If at any time the recipient of public assistance,
24 ~~or~~ the husband or wife of such recipient, and/or the
25 cohabiting partner of the recipient shall become possessed of
26 any income or resources in excess of that owned or being
27 received at the date of the application, it shall be the duty

1 of the recipient immediately to notify the county department
2 of the facts in the case. The county department, upon the
3 notification or upon otherwise learning the facts, shall,
4 after investigation, continue, reduce or cancel the amount of
5 the grant as the facts may warrant. Its action in this respect
6 shall be subject to appeal and review as provided in this
7 chapter. For the purposes of this section, where aid to
8 dependent children is the form of public assistance involved,
9 the near relative, as defined in the Federal Social Security
10 Act, shall report the acquisition of income and resources.

11 "§38-11A-2.

12 "(a) The Department of Human Resources shall
13 establish and administer a welfare employment program for
14 persons applying for, or receiving, public assistance in the
15 State of Alabama. The department shall develop program policy,
16 criteria, requirements, and procedures and issue rules and
17 regulations for governance of the program, insofar as federal
18 guidelines permit, and shall assume program management
19 responsibilities including budget planning, cost accounting,
20 data collecting and reporting, evaluation and assessment of
21 program performance, and standards for effective use of
22 distributed funds. The program shall include development of
23 employment strategies, employment-related programs and
24 activities and family support services directed toward
25 affecting the intent and goals of this chapter.

26 "(b) As a condition of eligibility for Temporary
27 Assistance for Needy Families (TANF) an applicant shall have

1 applied for at least three positions of unsubsidized
2 employment prior to completing the application process and
3 apply for at least three positions of unsubsidized employment
4 each week thereafter while receiving TANF benefits unless the
5 applicant established good cause for failure to comply. An
6 applicant shall continue to apply for unsubsidized employment
7 until paid employment of at least twenty hours per week is
8 secured. The applicant shall verify compliance with these
9 requirements in the manner and form prescribed by the
10 Department of Human Resources.

11 "(c) Recipients of TANF cash assistance who
12 voluntarily terminate employment or refuse employment without
13 good cause shall be ineligible for TANF cash assistance."

14 Section 2. Notwithstanding the provisions in Section
15 1, TANF cash assistance and eligibility requirements shall
16 conform with federal eligibility requirement standards as
17 provided for in Title IV, Part A, of the Social Security Act.

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