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WELFARE AND INSTITUTIONS CODE - WIC

DIVISION 9. PUBLIC SOCIAL SERVICES [10000 - 18999.98] (Division 9 added by Stats. 1965, Ch. 1784.)

PART 6. MISCELLANEOUS PROVISIONS [18000 - 18999.98] (Part 6 added by Stats. 1965, Ch. 1784.)

CHAPTER 10. CalFresh [18900 - 18929] (Heading of Chapter 10 amended by Stats. 2011, Ch. 227, Sec. 67.5.)

18900. Finding that hunger, undernutrition, and malnutrition are present and continuing problems faced by low-income California households, and further finding that the federal Supplemental Nutrition Assistance Program (Chapter 51 (commencing with Section 2011), Title 7, United States Code) offers significant health-vital benefits, the purpose of this chapter is to establish a statewide program to enable recipients of aid under Part 3 (commencing with Section 11000) or Part 5 (commencing with Section 17000) of this division and other low-income households to receive benefits under the federal Supplemental Nutrition Assistance Program.

(Amended by Stats. 2011, Ch. 227, Sec. 68. (AB 1400) Effective January 1, 2012.)

18900.1. (a) The State Department of Social Services shall propose a new name for the Food Stamp Program in California, by July 1, 2009. The department shall convene stakeholders to develop the new name, as provided in subdivision (b). The new name shall reflect one or more of the following concepts:

- (1) That food stamps are no longer delivered by stamps.
- (2) That food stamps support healthy living.
- (3) That food stamps are important to agriculture in California.
- (4) That food stamps would be better viewed as a health and nutrition program than as a welfare program.

(b) The department shall convene a diverse group of stakeholders to develop the new name, including representatives from agencies working to improve health and reduce diet-related illnesses.

(c) The department is encouraged to test the impact the new name would have on improving the perception of the program among low-income residents, and on increasing program participation.

(Added by Stats. 2008, Ch. 625, Sec. 1. Effective January 1, 2009.)

18900.2. (a) Pursuant to Section 18900.1, the name of the federal Supplemental Nutrition Assistance Program (Chapter 51 (commencing with Section 2011) Title 7 of the United States Code) as administered in California shall be CalFresh.

(b) Any reference in any other law to the Food Stamp program shall refer to CalFresh.

(Added by Stats. 2011, Ch. 227, Sec. 69. (AB 1400) Effective January 1, 2012.)

18900.3. Subject to an appropriation in the annual Budget Act for these purposes, in order to increase client access and retention within CalFresh, on or before July 1, 2023, the department shall develop a CalFresh user-centered simplified paper application that minimizes the burdens of the overall enrollment process for households that include older adults 60 years of age or older, or the age otherwise applicable under federal law, and people with disabilities who are eligible to be enrolled in the Elderly Simplified Application Project, a demonstration project operated by the United States Department of Agriculture. To the extent that the Elderly Simplified Application Project is no longer operational, the department shall maintain the simplified paper application for older adults and people with disabilities.

(Added by Stats. 2021, Ch. 85, Sec. 77. (AB 135) Effective July 16, 2021.)

18900.4. (a) (1) To the extent permitted under federal law, an individual shall have the option to complete an application or recertification interview and provide the required client signature by telephone.

(2) To fulfill the requirements of paragraph (1), counties may implement any method of electronic signature, including telephonic signature, in compliance with state and federal program requirements, that is supported by county business practices and available technology.

(3) Counties currently using the Consortium IV (C-IV) or LEADER Replacement System (LRS) of the Statewide Automated Welfare System (SAWS) shall comply with this subdivision beginning on or before January 1, 2023, and counties currently using the CalWORKs Information Network (CalWIN) system of SAWS shall comply with this section beginning on or before January 1, 2024.

(b) (1) The department, in consultation with counties, representatives of the statewide automated welfare system consortia, recognized exclusive representatives of eligibility workers, and advocates for CalFresh participants shall develop recommendations to implement a fully telephone-based service model statewide, including, but not limited to, the ability to complete the application, semi-annual report and recertification processes by telephone in all counties. The recommendations shall assess implementation of a telephone-based service model statewide in addition to, not in place of, existing options to complete the application, semi-annual report, and recertification for CalFresh in person, by mail, or online.

(2) The recommendations shall be provided to the Legislature during the 2022–23 budget hearings.

(3) The fully telephone-based service model assessed pursuant to subdivision (b) shall, to the extent permitted under federal law, satisfy both of the following criteria:

(A) Use simple, user-friendly language and instructions for CalFresh applicants, participants, eligibility workers, and application assisters.

(B) Provide service and assistance to applicants and participants in a manner that is accessible to individuals with disabilities and those who have limited English proficiency as required by applicable state and federal laws.

(Added by Stats. 2021, Ch. 85, Sec. 78. (AB 135) Effective July 16, 2021.)

18900.5. (a) It is the intent of the Legislature in enacting this section that recipients of Supplemental Security Income/State Supplementary Payment Program benefits provided in Chapter 3 (commencing with Section 12000) of Part 3, may receive CalFresh benefits if otherwise eligible. Households described in this section and Sections 18900.6 and 18900.7 shall include households receiving benefits under Chapter 10.1 (commencing with Section 18930). It is the intent of the Legislature to continue funding a hold harmless for populations described in Sections 18900.6 and 18900.7 beyond 2018–19, until natural program attrition within these populations negates the need for additional funding. It is the intent of the Legislature to provide ongoing funding for county administration for implementation of this section and funding for county administration for implementation of the hold harmless pursuant to Sections 18900.6 and 18900.7 for the duration of the hold harmless enacted by either of those sections.

(b) The department shall notify the federal Commissioner of Social Security and the Secretary of the United States Department of Agriculture that the Supplemental Security Income/State Supplementary Payment Program benefits provided in Chapter 3 (commencing with Section 12000) of Part 3 do not include the bonus value of food stamps, as described in subdivision (g) of Section 2015 of Title 7 of the United States Code, effective June 1, 2019, unless the department notifies the Department of Finance that automation will not be complete by that date, in which case the department shall notify the Department of Finance of the date automation will be complete and the alternate implementation date, which shall be no later than August 1, 2019. No later than August 1, 2018, the department shall provide counties with instructions necessary to complete automation related to implementation of this section and Sections 18900.6 and 18900.7 by August 1, 2019.

(c) Subdivision (b) shall be implemented as follows:

(1) As of June 1, 2019, or the alternate implementation date described in subdivision (b), an individual who is otherwise eligible for CalFresh benefits and who is not in an existing CalFresh household as an excluded member, shall become eligible for CalFresh benefits notwithstanding that the individual is a recipient of Supplemental Security Income/State Supplementary Payment Program benefits provided in Chapter 3 (commencing with Section 12000) of Part 3.

(2) (A) For all existing CalFresh households as of June 1, 2019, or the alternate implementation date described in subdivision (b), that as a result of subdivision (b) include a previously excluded individual who receives Supplemental Security Income/State Supplementary Payment Program benefits provided in Chapter 3 (commencing with Section 12000) of Part 3, the county welfare department shall implement this provision by adding that individual, or those individuals, to the existing CalFresh household, and determining continuing eligibility and benefits pursuant to Sections 18901, 18901.7, and Chapter 10.1 (commencing with Section 18930), at the next periodic report or recertification, as described in Sections 18910 and 18910.1. This shall include households

that temporarily lose their eligibility on or before the date when the SSI recipient would be added and have their benefits restored within 30 days of that date based on good cause or providing the necessary information to restore eligibility.

(B) Notwithstanding subparagraph (A), an existing CalFresh household described in that subparagraph may request, at any time following June 1, 2019, or the alternate implementation date described in subdivision (b), and before the next periodic report or recertification, that a previously excluded individual who receives Supplemental Security Income/State Supplementary Payment Program benefits provided in Chapter 3 (commencing with Section 12000) of Part 3, be added to the CalFresh household. Upon this request, the county welfare department shall determine continuing eligibility and benefits pursuant to Sections 18901, 18901.7, and Chapter 10.1 (commencing with Section 18930).

(3) (A) For a new CalFresh household enrolled within six calendar months of June 1, 2019, or the alternate implementation date described in subdivision (b), which consists entirely of individuals receiving Supplemental Security Income/State Supplementary Payment Program benefits provided in Chapter 3 (commencing with Section 12000) of Part 3 and is eligible for a certification period of 24 or 36 months, the household's initial certification period may be no more than six months shorter than the maximum period allowable to help spread the workload of periodic reports and recertifications, and manage caseload relative to timeliness and accuracy standards.

(B) For a CalFresh household that is not described in subparagraph (A), the household's certification period shall be the maximum allowed by federal law for the household type, unless the county complies with subdivision (b) of Section 18910, or, on a case-by-case basis only, the household's individual circumstances require a shorter certification period.

(d) This section and Sections 18900.6 and 18900.7 shall be implemented by the department in consultation with stakeholders and counties. Beginning July 1, 2018, and quarterly thereafter through June 2019, or the alternate implementation date described in subdivision (b), the department shall convene discussions with the Legislature regarding implementation.

(Amended by Stats. 2019, Ch. 27, Sec. 117. (SB 80) Effective June 27, 2019.)

18900.6. (a) There is hereby created the SSI/SSP Cash-In Supplemental Nutrition Benefit (SNB) Program.

(b) The department shall use state funds appropriated for this program to provide nutrition benefits to continuing CalFresh households that were eligible for and receiving CalFresh benefits as of June 1, 2019, or the alternate implementation date described in subdivision (b) of Section 18900.5, but for whom the household's monthly CalFresh benefit was reduced when a previously excluded individual was added to the household pursuant to paragraph (2) of subdivision (c) of Section 18900.5.

(c) (1) The amount of SNB provided to each household shall be based on an SNB table developed by the department.

(2) The benefit table described in paragraph (1) shall be issued annually and based on all of the following:

(A) The projected number of households described in subdivision (b).

(B) The size of households described in subdivision (b), as determined when the previously excluded individual was added to the household pursuant to paragraph (2) of subdivision (c) of Section 18900.5.

(C) The number of previously excluded individuals added to the household pursuant to paragraph (2) of subdivision (c) of Section 18900.5.

(D) The total funding appropriated for purposes of this section in the annual Budget Act.

(d) SNB provided pursuant to this section shall be delivered on a monthly basis through the electronic benefits transfer system created pursuant to Section 10072, in the same manner as CalFresh benefits, and, to the extent permitted by federal law, shall not be considered income for any means-tested program.

(e) SNB shall be provided to the household if the household continues to receive CalFresh benefits, and includes the individual added to the household pursuant to paragraph (2) of subdivision (c) of Section 18900.5.

(f) A household whose CalFresh benefits are restored, consistent with current law governing CalFresh, following discontinuance for failure to provide the necessary documentation or information required to determine continuing eligibility, shall also have their SNB restored, without proration, back to the original date of discontinuance of the CalFresh benefits. If a household is discontinued for any other reason and reapplies for benefits, the supplemental benefit provisions outlined in this section shall not apply.

(g) A household that is eligible for and receives SNB under this section shall not at any point be eligible for transitional nutrition benefits as created in Section 18900.7, regardless of a change in household circumstances.

(h) The department shall develop client notices for the SNB program, as appropriate.

(Amended by Stats. 2019, Ch. 27, Sec. 118. (SB 80) Effective June 27, 2019.)

18900.7. (a) There is hereby created the SSI/SSP Cash-In Transitional Nutrition Benefit (TNB) Program.

(b) The department shall use state funds appropriated for this program to provide transitional nutrition benefits to former CalFresh households that were eligible for and receiving CalFresh benefits as of June 1, 2019, or the alternate implementation date described in subdivision (b) of Section 18900.5, but became ineligible for CalFresh benefits when a previously excluded individual receiving Supplemental Security Income/State Supplementary Payment Program benefits provided in Chapter 3 (commencing with Section 12000) of Part 3 was added to the household pursuant to paragraph (2) of subdivision (c) of Section 18900.5.

(c) (1) The amount of TNB provided to each household shall be based on a TNB table developed by the department.

(2) The benefit table described in paragraph (1) shall be issued annually and be based on all of the following:

(A) The projected number of households described in subdivision (b).

(B) Household size as determined when the previously excluded individual was added to the household pursuant to paragraph (2) of subdivision (c) of Section 18900.5.

(C) The number of previously excluded individuals added to the household pursuant to paragraph (2) of subdivision (c) of Section 18900.5.

(D) The total funding appropriated for purposes of this section in the annual Budget Act.

(d) TNB provided pursuant to this section shall be delivered through the electronic benefits transfer system created pursuant to Section 10072, and, to the extent permitted by federal law, shall not be considered income for any means-tested program.

(e) A household that is eligible for TNB shall be initially certified for one 12-month period and may be recertified for additional 12-month periods through a recertification process developed by the department, following consultation with counties and stakeholders, if the household continues to meet all of the following criteria:

(1) The household includes at least one individual added to the household pursuant to paragraph (2) of subdivision (c) of Section 18900.5.

(2) This individual continues to receive Supplemental Security Income/State Supplementary Payment Program benefits provided in Chapter 3 (commencing with Section 12000) of Part 3.

(3) This individual remains ineligible for CalFresh benefits.

(f) The department shall develop client notices for the TNB program, as appropriate.

(g) (1) If a household is discontinued for failure to provide the documentation or information required to determine continuing eligibility for TNB, the benefits shall be restored, without proration, back to the original date of discontinuance of TNB, if all documentation and information required to determine continuing eligibility is provided to the county within 90 days of the date of discontinuance from TNB. If the household is discontinued for any other reason and reapplies for benefits, the transitional benefit provisions outlined in this section shall not apply.

(2) The department, in consultation with representatives of county human services agencies and the County Welfare Directors Association of California, shall develop and implement a process that maintains eligibility for all beneficiaries of benefits provided under this section for two years by pausing the discontinuances described in paragraph (1) and marking all recertifications as complete. The pause shall take effect as soon as possible after the effective date of the act that added this paragraph, and shall continue for two years from the commencement of the pause, or until the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement subdivision (e), whichever date is later.

(h) Households that are eligible for and receive TNB under this section shall not at any point be eligible for supplemental nutrition benefits, as created in Section 18900.6, regardless of a change in household circumstances.

(Amended by Stats. 2021, Ch. 85, Sec. 79. (AB 135) Effective July 16, 2021.)

18900.8. (a) The State Department of Social Services shall work with representatives of county human services agencies and the County Welfare Directors Association of California to update the budgeting methodology used to determine the annual funding for county administration of the CalFresh program beginning with the 2023–24 fiscal year. As part of the process of updating the budgeting methodology, the ongoing workload and costs to counties, including, but not limited to, expanding the CalFresh program to recipients of Supplemental Security Income and State Supplementary Payment Program benefits shall be examined.

(b) The costs of county operations used in the budgeting methodology developed pursuant to subdivision (a) shall be reviewed by the department for the 2027–28 fiscal year and every third fiscal year thereafter. The department shall provide information to the legislative budget committees regarding this review and how it may impact county administrative costs as part of the budget proposed by either January 10 or May 14 of any year prior to the fiscal year for which this provision applies.

(c) In implementing this section, the department shall consult legislative staff, representatives of county human services agencies and the County Welfare Directors Association of California, advocate representatives, and labor organizations that represent county workers.

(Amended by Stats. 2024, Ch. 46, Sec. 57. (AB 161) Effective July 2, 2024.)

18900.9. Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may do both of the following:

(a) Implement all waivers approved by the United States Secretary of Agriculture for a period of less than 24 months through all-county letters or similar instructions.

(b) Implement all waivers approved by the United States Secretary of Agriculture for a period of 24 months or longer through all-county letters or similar instructions until regulations are adopted, which shall occur no later than 24 months after implementation occurs.

(Added by Stats. 2021, Ch. 85, Sec. 81. (AB 135) Effective July 16, 2021.)

18901. (a) The eligibility of households shall be determined to the extent permitted by federal law.

(b) In determining eligibility for CalFresh, minimum age requirements other than those that exist under federal law shall not be imposed.

(c) The department shall establish verification policies and procedures for CalFresh applicants and beneficiaries in the event that necessary verification is not provided by the applicant or beneficiary to accompany the application, semiannual report, annual recertification, or any other form or submission that requests verification be provided at the time of submission. These policies and procedures, to the extent permitted by federal law, regulation, guidance, or a waiver thereof, shall require counties to first seek verification from available electronic sources or self-attestation before requesting documentary evidence from the applicant or beneficiary to complete required verification or pursuing secondary evidence to verify the necessary information. Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department shall issue an all-county letter or similar instructions no later than January 1, 2021.

(Amended by Stats. 2020, Ch. 11, Sec. 84. (AB 79) Effective June 29, 2020.)

18901.1. (a) The department shall issue guidance to counties that does all of the following:

(1) Simplifies the verification of dependent care expense deductions necessary to determine a household's eligibility for, or the benefit level of, CalFresh.

(2) Establishes that dependent care expenses shall be considered verified upon receipt of a self-certified statement of monthly dependent care expenses, unless federal law or guidance requires additional documentation.

(3) Prohibits a county human services agency from requesting additional documents to verify dependent care expenses, except when the reported dependent care expenses are questionable as defined in state regulations.

(b) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), until regulations are adopted, the department may implement this section through all-county letters or similar instructions. The department shall adopt regulations implementing this section.

(Amended by Stats. 2020, Ch. 11, Sec. 85. (AB 79) Effective June 29, 2020.)

18901.15. (a) The department shall issue guidance to counties that does both of the following:

(1) Establishes that shelter costs reported by an applicant or recipient on a signed CalFresh application or semiannual report form shall be sufficient for purposes of determining the applicant's or recipient's excess shelter costs deduction.

(2) Prohibits a county human services agency from requesting additional documents to verify excess shelter costs, except when the reported shelter costs are questionable.

(b) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement and administer this section through all-

county letters or similar instructions.

(Added by Stats. 2019, Ch. 90, Sec. 2. (AB 494) Effective July 12, 2019.)

18901.2. (a) There is hereby created the State Utility Assistance Subsidy (SUAS), a state-funded energy assistance program that shall provide energy assistance benefits to eligible CalFresh households so that the households may receive a standard utility allowance to be used to help meet their energy costs, receive information about energy efficiency, and so that some households may experience an increase in federal Supplemental Nutrition Assistance Program benefits, as well as benefit from paperwork reduction.

(b) To the extent required by federal law, the Department of Community Services and Development shall delegate authority to the State Department of Social Services to design, implement, and maintain SUAS as a program created exclusively for purposes of this section, similar to the federal Low-Income Home Energy Assistance Program (LIHEAP) (42 U.S.C. Sec. 8621 et seq.).

(c) In designing, implementing, and maintaining the SUAS program, the State Department of Social Services shall do all of the following:

(1) Provide households that do not currently qualify for, nor receive, a standard utility allowance, with a SUAS benefit in an amount and frequency sufficient to meet federal requirements specified in Section 2014(e)(6)(C)(iv) of Title 7 of the United States Code if the household meets either of the following requirements:

(A) The household would become eligible for CalFresh benefits if the standard utility allowance was provided.

(B) The household would receive increased benefits if the standard utility allowance was provided.

(2) Provide the SUAS benefit without requiring the applicant or recipient to provide additional paperwork or verification.

(3) Deliver the SUAS benefit using the Electronic Benefit Transfer (EBT) system.

(4) Notwithstanding any other law, notification of a recipient's impending EBT dormant account status shall not be required when the remaining balance in a recipient's account at the time the account becomes inactive is equal to or less than the value of one year of SUAS benefits.

(5) Ensure that receipt of the SUAS benefit pursuant to this section does not adversely affect a CalFresh recipient household's eligibility, reduce a household's CalFresh benefits, or disqualify the applicant or recipient of CalFresh benefits from receiving other public benefits, including other utility benefits, for which it may qualify.

(d) (1) To the extent permitted by federal law, a CalFresh household that receives SUAS benefits in the month of application for new cases or in the previous 12 months for existing cases is entitled to use the full standard utility allowance for the purposes of calculating CalFresh benefits. A CalFresh household shall be entitled to use the full standard utility allowance regardless of whether the SUAS benefit actually is expended by the household.

(2) If use of the full standard utility allowance, instead of the homeless shelter deduction, results in a lower amount of CalFresh benefits for a homeless household, the homeless household shall be entitled to use the homeless shelter deduction instead of the full standard utility allowance.

(e) This section shall not be implemented until funds are appropriated for that purpose by the Legislature in the annual Budget Act or related legislation.

(f) This section shall become operative on July 1, 2014.

(Amended by Stats. 2015, Ch. 303, Sec. 639. (AB 731) Effective January 1, 2016.)

18901.25. (a) There is hereby created the Safe Drinking Water Supplemental Benefit Pilot Program, a state-funded program to provide additional CalFresh nutrition benefits for interim assistance to purchase safe drinking water in areas where it is necessary.

(b) The State Department of Social Services shall use moneys allocated for this program to provide time-limited additional state-funded nutrition benefits to residents of prioritized disadvantaged communities that are served by public water systems that consistently fail to meet primary drinking water standards, as defined in Section 116275 of the Health and Safety Code. Benefits shall be in addition to benefits provided for pursuant to Article 6 (commencing with Section 11450) of Chapter 2 of Part 3, and shall not be considered as income for any program established in this code.

(c) The department may use its own existing databases and databases from the State Water Resources Control Board to determine which CalFresh households are eligible to receive benefits pursuant to this section. The following households shall receive priority:

(1) CalFresh recipients served by persistently noncompliant public water systems in disadvantaged communities, as defined in Section 79505.5 of the Water Code, as determined by the location of the recipient's residence.

(2) CalFresh recipients in communities deemed eligible for interim emergency drinking water benefits by the State Water Resources Control Board, as determined by the recipient's residence.

(d) Benefits granted pursuant to this section shall be delivered through the electronic benefits transfer (EBT) system created pursuant to Sections 10072 and 10072.2.

(e) The benefits authorized pursuant to this section are not entitlement benefits. A county shall comply with this section only to the extent funding for this purpose is appropriated in the annual Budget Act and available to the county. A county shall not be required to expend county funds for the provision of benefits authorized under this section.

(f) This section shall become inoperative upon the expiration of allocated funding for the pilot program or September 30, 2025, whichever is later.

(Amended by Stats. 2024, Ch. 46, Sec. 58. (AB 161) Effective July 2, 2024. Conditionally inoperative on or after September 30, 2025, by its own provisions.)

18901.26. (a) Subject to an appropriation by the Legislature in the annual Budget Act or another statute for this purpose, the department shall administer the CalFresh Minimum Nutrition Benefit (MNB) Pilot Program to provide 12 months of additional state-funded nutrition benefits to ensure eligible households receive a supplement that, when added together with the federal allotment, totals no less than fifty dollars (\$50).

(b) (1) The department shall use funds appropriated for the pilot program established in subdivision (a) to provide eligible households a state-funded monthly minimum nutrition benefit that is no less than the difference between the household's monthly CalFresh allotment and the minimum monthly benefit threshold established in subdivision (c).

(2) (A) For purposes of this section, "eligible household" means a household that is approved to receive a federally funded or state-funded monthly CalFresh allotment that is less than the minimum monthly benefit threshold established in subdivision (c) and is identified by the department to participate in the CalFresh MNB Pilot Program.

(B) The department shall retain sole discretion to identify additional eligibility criteria and define the scope of the CalFresh MNB Pilot Program, and shall consult with counties and stakeholders to identify and prioritize populations or regions that have persistently high levels of hunger.

(c) The minimum monthly benefit threshold for this section is fifty dollars (\$50).

(d) (1) Except as otherwise provided in this section, the federal and state laws and regulations governing the federal Supplemental Nutrition Assistance Program (Chapter 51 (commencing with Section 2011) of Title 7 of the United States Code) shall also govern the program provided for under this section.

(2) Benefits granted pursuant to this section shall be delivered through the electronic benefits transfer (EBT) system created pursuant to Sections 10072 and, to the extent permitted by federal law, shall not be considered income for any means-tested program.

(e) The pilot program established pursuant to subdivision (a) shall be implemented on the date that the Statewide Automated Welfare System can perform the automation necessary to implement this section.

(f) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement and administer this section through all-county letters or similar instructions without taking regulatory action.

(Added by Stats. 2023, Ch. 43, Sec. 85. (AB 120) Effective July 10, 2023.)

18901.3. (a) Subject to the limitations of subdivision (b), pursuant to Section 115(d)(1)(A) of Public Law 104-193 (21 U.S.C. Sec. 862a(d)(1)(A)), California opts out of the provisions of Section 115(a)(2) of Public Law 104-193 (21 U.S.C. Sec. 862a(a)(2)). An individual convicted as an adult in state or federal court after December 31, 1997, including any plea of guilty or nolo contendere, of any offense classified as a felony that has as an element the possession, use, or distribution of a controlled substance, as defined in Section 102(6) of the federal Controlled Substances Act (21 U.S.C. Sec. 802(6)) or Division 10 (commencing with Section 11000) of the Health and Safety Code, shall be eligible to receive CalFresh benefits as provided for under this section.

(b) As a condition of eligibility to receive CalFresh benefits pursuant to subdivision (a), an applicant or recipient described in subdivision (a) who is on probation or parole shall comply with the terms of the probation or parole, including participation in a government-recognized drug treatment program, if required. If the county human services agency receives verification that the individual is in violation of probation or parole or that the individual is a fleeing felon pursuant to federal law, the individual shall be ineligible for CalFresh benefits under this section until the person is no longer in violation of probation or parole or a fleeing felon pursuant to federal law. Verification shall be obtained using existing county human services agency protocols to determine eligibility.

(c) This section shall become operative on April 1, 2015.

18901.35. (a) (1) No later than September 1, 2022, the department shall issue an all-county letter containing recommendations and suggested methods for county human services agencies to partner with the Department of Corrections and Rehabilitation and county jails to enroll otherwise eligible applicants for the CalFresh program to ensure that an applicant's benefits may begin as soon as possible upon reentry of the applicant into the community from the state prison or a county jail.

(2) The all-county letter shall include, but not be limited to, all of the following:

(A) Information on the benefits of enrolling formerly incarcerated individuals into the CalFresh program.

(B) Information on acceptable forms of identification necessary to complete an application for CalFresh benefits, including information on how to verify an applicant's eligibility for expedited service, as defined in Section 273.2(i)(1) of Title 7 of the Code of Federal Regulations.

(C) Information on how to connect individuals released from the state prison with employment or employment opportunities, including how counties may work with the Department of Corrections and Rehabilitation to connect individuals to employment opportunities related to any experience, training, and education that the individual has obtained, including experience, training, and education obtained while in state prison.

(D) Encourage counties to require county eligibility workers to regularly enter any state prison or county jail within the county to conduct interviews and assist individuals that are within 45 days of release from state prison or county jail with completing applications for CalFresh benefits. This assistance shall be for the purpose of establishing eligibility for CalFresh benefits prior to release from the institution.

(b) If the department deems it necessary to maximize CalFresh enrollment outcomes or employment placement success rates for individuals reentering the community from the state prison or a county jail, the department shall submit to the United States Department of Agriculture's Food and Nutrition Service a request to waive Section 273.1(b)(7)(vi) of Title 7 of the Code of Federal Regulations to allow for preenrollment of applicants prior to their release from the state prison or a county jail.

(Added by Stats. 2020, Ch. 225, Sec. 1. (AB 3073) Effective January 1, 2021.)

18901.36. (a) (1) The department, by February 1, 2026, shall establish a CalFresh workgroup to create recommendations for a state reentry process incorporating the necessary resources for transition from state prison or county jail to obtaining CalFresh benefits upon reentry into the community. The composition of the workgroup shall consist of all of the following:

(A) Two representatives from the State Department of Social Services, including one from the Disability Determination Services Division.

(B) One representative from community-based organizations.

(C) One representative from the Department of Corrections and Rehabilitation.

(D) One representative from the California Health and Human Services Agency.

(E) One representative from the County Welfare Directors Association of California.

(F) Two impacted individuals who were recipients of CalFresh benefits prior to release.

(G) A sheriff or an individual appointed by a sheriff.

(H) One representative from a county human services agency with expertise in CalFresh.

(2) The workgroup shall consider how best to increase CalFresh enrollment for otherwise eligible applicants for the CalFresh program to ensure that an applicant's benefits begin upon the reentry of the applicant into the community from the state prison or county jail.

(3) The workgroup shall consider federal programs or applicable federal waivers to reduce food insecurity for individuals leaving incarceration and to aid in the reentry process.

(4) The workgroup shall meet no less than quarterly.

(b) By August 31, 2027, and annually by August 31 thereafter, through 2030, the workgroup shall create and submit a report to the department and the Legislature outlining the workgroup's recommendations. That report shall be submitted in compliance with Section 9795 of the Government Code.

(c) By January 1, 2026, the department shall seek a federal waiver of Section 273.1(b)(7)(vi) of Title 7 of the Code of Federal Regulations to allow for preenrollment of applicants prior to their release from the state prison or a county jail.

(d) By January 1, 2026, the department shall seek a federal waiver of Section 2721.3 of Title 7 of the Code of Federal Regulations to allow for delay of verification of incarcerated individuals for up to five months.

(e) The department shall seek any other relevant federal waivers necessary to implement this section.

(f) (1) Subject to paragraph (2), the department shall partner with the Department of Corrections and Rehabilitation and county jails to allow for preenrollment of otherwise eligible applicants who are ineligible because of their incarceration status for the CalFresh program to ensure that an applicant's benefits may begin as soon as possible upon reentry of the applicant into the community from the state prison or a county jail.

(2) In the case of a given county, the department shall implement the partnership described in paragraph (1) with the Department of Corrections and Rehabilitation and county jails upon notification to the State Department of Health Care Services that the corresponding county has implemented the Justice-Involved Initiative that is developed by the State Department of Health Care Services pursuant to CalAIM provisions, including, but not limited to, Section 14184.800.

(g) This section shall become operative on the date that the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section.

(Added by Stats. 2024, Ch. 465, Sec. 1. (SB 1254) Effective January 1, 2025. Conditionally operative as prescribed by its own provisions.)

18901.4. (a) Effective July 1, 2010, the department shall propose a Transitional Food Stamps for Foster Youth demonstration project under which independent foster care adolescents, as defined in Section 1905(w)(1) of the federal Social Security Act (42 U.S.C. Sec. 1396d(w)(1)) who are not eligible for CalWORKs or Supplemental Security Income program benefits, shall be eligible without regard to income or resources, subject to federal law authorizing demonstration projects pursuant to Section 2011 and following of Title 7 of the United States Code.

(b) An individual eligible for the program proposed pursuant to this section shall receive the maximum benefit amount allotted for a household size of one for the initial certification period, which shall remain constant for the entirety of the initial certification period. The food stamp case shall be established and maintained in the county of jurisdiction designated by the terminating foster care case.

(c) The demonstration project proposed pursuant to this section shall maximize access to benefits and minimize interim reporting requirements during the certification period.

(d) Not later than March 1, 2010, the department shall seek all necessary federal approvals to implement this section as a demonstration project for these beneficiaries. This section shall be implemented only to the extent that federal financial participation is available.

(e) The department shall implement this section by an all-county letter (ACL) or similar instruction from the director and shall adopt regulations as otherwise necessary to implement this section no later than January 1, 2011.

(Amended by Stats. 2011, Ch. 501, Sec. 22. (AB 6) Effective January 1, 2012.)

18901.5. (a) The department shall establish a program of categorical eligibility for CalFresh in accordance with Section 5(a) of the federal Food and Nutrition Act of 2008 (7 U.S.C. Sec. 2014(a)), and implementing regulations, to improve nutrition and promote the retention and development of assets and resources for needy households who meet all other federal Supplemental Nutrition Assistance Program eligibility requirements. Categorical eligibility for CalFresh shall also apply to any individual who is a member of a household that will be receiving or is eligible to receive cash assistance under Part 5 (commencing with Section 17000), or eligible to receive food assistance under Chapter 10.1 (commencing with Section 18930).

(b) The director shall implement the program established pursuant to this section only with the appropriate federal authorization and if implementation would not result in the loss of federal financial participation.

(c) This section shall become operative on July 1, 2014.

(Repealed (in Sec. 82) and added by Stats. 2014, Ch. 29, Sec. 83. (SB 855) Effective June 20, 2014. Section operative July 1, 2014, by its own provisions.)

18901.55. (a) If a county has entered into a memorandum of understanding pursuant to Section 49557.3 of the Education Code, the county shall use the procedure described in this section to determine CalFresh program eligibility for children whose information is

shared with the county pursuant to Section 49557.3 of the Education Code, and, if the child is eligible, the county to enroll the child in the CalFresh program, upon receipt of a signed CalFresh program application.

(b) Upon receipt of information on the School Lunch Program application pursuant to this section for a pupil who is not already enrolled in the CalFresh program, the county shall treat the application as an application for the CalFresh program. For purposes of administration of the CalFresh program, the application date shall be the date that the application is received by the county human services department. If the county determines that the pupil is already enrolled in the CalFresh program, it shall not take any further action. Unless otherwise prohibited by federal law or regulation, for purposes of expedited service processing, a county shall request information necessary for processing an application at the first point of contact following receipt of information. If information is provided to determine whether the household meets the criteria for expedited service, the expedited timeframe processing timeframes shall apply from the point of first contact. For the processing of other households, the processing timeframes shall apply from the point at which the county has received sufficient information in order to process the application.

(c) If the county determines from information on the School Lunch Program application and supporting documents that the child or his or her family meets the income eligibility requirements for participation in the CalFresh program, the county shall notify the parent or guardian of the child that the child or his or her family has been found eligible for the CalFresh program.

(d) If the county is unable to determine from the information on the application whether the child or his or her family is eligible for the CalFresh program, the county shall contact the parent or guardian of the child to seek any additional information regarding income, household composition, or deductions that the county may determine to be necessary to complete the CalFresh program application. If the county determines that the child or his or her family does not meet the eligibility requirements for participation in the CalFresh program, the county shall notify the parent or guardian of the child of the determination.

(e) Each county shall request the parent or guardian of each child whom the county determines meets the eligibility requirements for participation in the CalFresh program under subdivision (c) to provide additional documentation as required by current law necessary for retention of eligibility in the CalFresh program.

(f) If a parent or guardian of a child does not provide the documentation required for retention of CalFresh program eligibility, as requested pursuant to subdivision (e), the county shall deny or discontinue CalFresh program benefits in accordance with existing regulations and laws.

(Added by Stats. 2011, Ch. 504, Sec. 3. (AB 402) Effective January 1, 2012.)

18901.56. (a) The State Department of Education, the State Department of Health Care Services, and the State Department of Social Services shall work together with stakeholders, including, but not limited to, representatives of school nutrition programs, representatives of local agencies that determine CalFresh program eligibility, family advocates, immigrant advocates, food policy advocates, representatives of the automated systems that support free and reduced-price school meals programs, Medi-Cal, the CalFresh program, and the electronic benefits transfer system, and representatives from the recognized exclusive employee organization representing county eligibility workers to develop a proposed statewide process for using data collected for purposes of those four programs, in addition to any necessary outreach or referrals to relevant county agencies, to increase enrollment in the CalFresh program. This process shall be targeted toward the families of pupils who are eligible for free or reduced-price school meals in order to increase the enrollment of these families in the CalFresh program and to simplify and accelerate the CalFresh program enrollment process to the greatest extent possible.

(b) The State Department of Education, the State Department of Health Care Services, and the State Department of Social Services, with input from the stakeholders described in subdivision (a), shall do all of the following:

(1) Collaboratively examine data from free and reduced-price school meals programs, Medi-Cal, the CalFresh program, and the electronic benefits transfer system to estimate the number of children whose families could potentially be eligible for enrollment in the CalFresh program.

(2) Research past efforts to increase enrollment of these families, including, but not limited to, efforts taken pursuant to Assembly Bill 402 (Chapter 504 of the Statutes of 2011). To the extent past efforts did not result in a significant increase in enrollment, the departments shall review the issues that precluded these efforts from being more effective and shall propose ways to address those issues.

(3) Discuss and determine possible ways to resolve issues that could arise in developing the proposed statewide process, including how to bridge different data systems, different definitions of key variables such as household composition and income, and different data verification processes that exist for each of the four programs.

(4) Examine different approaches, such as accelerated enrollment, a referral process, increased outreach, or other activities identified by the departments that could increase enrollment.

(5) Understand the differing data usage requirements, data sharing and confidentiality requirements, and other potential constraints governing the data used for each of the four programs and determine what federal authorization or state law changes,

if any, would be needed to facilitate the processes identified by the departments.

(6) Identify any waivers from the federal government or changes to federal or state law that would be required to implement the processes the departments believe would be most effective for sharing data to increase enrollment in the CalFresh program.

(7) Determine how to implement, in the most streamlined way possible, any consent process required by state or federal law and how best to incorporate informed consent protocols into any recommended process for sharing data to increase enrollment in the CalFresh program.

(c) (1) On or before August 31, 2020, the State Department of Education, the State Department of Health Care Services, and the State Department of Social Services shall submit recommendations pursuant to this section, and on any other issues they identify relating to increasing enrollment in the CalFresh program, to the relevant policy committees of the Legislature for consideration in a subsequent legislative session.

(2) Pursuant to Section 10231.5 of the Government Code, paragraph (1) shall become inoperative on January 1, 2024.

(Added by Stats. 2019, Ch. 461, Sec. 1. (AB 1377) Effective January 1, 2020.)

18901.57. The department, as the lead agency in partnership with the State Department of Education, shall maximize participation in the federal Summer Electronic Benefit Transfer for Children (Summer EBT) program established pursuant to Section 1762 of Title 42 of the United States Code.

(Added by Stats. 2023, Ch. 43, Sec. 86. (AB 120) Effective July 10, 2023.)

18901.58. (a) (1) On or before July 1, 2026, the department, in consultation with advocate representatives, county human service agencies, and the County Welfare Directors Association of California, shall develop a methodology for estimating the CalFresh participation rate and identifying characteristics of Californians who are eligible for, but not receiving, CalFresh benefits.

(2) Identified characteristics may include, but are not limited to, race, ethnicity, preferred language, age, and location.

(3) The department shall identify any existing public assistance or public benefit data that may be used to identify Californians who are eligible for, but not receiving, CalFresh benefits.

(4) The department shall annually publish the CalFresh participation rate.

(b) The department shall utilize the data and metrics described in subdivision (a) to develop informed and targeted outreach strategies and to maximize federal funding for CalFresh outreach to reach Californians who are eligible for CalFresh benefits.

(c) On or before July 1, 2027, the department, in consultation with advocate representatives, county human service agencies, and the County Welfare Directors Association of California, shall develop a strategic plan for how the department's methodology and outreach strategies may be implemented and executed to maximize benefits to those eligible for CalFresh benefits.

(d) The department shall designate an executive-level employee of the department who shall report to the Director of Social Services on the implementation of the provisions of this section and Section 18901.59.

(Amended by Stats. 2025, Ch. 79, Sec. 33. (SB 119) Effective July 29, 2025.)

18901.59. (a) The department may identify data-sharing opportunities with other state and local public entities, and any other unit of state government, for the purposes of improving the administration of CalFresh, increasing CalFresh participation, measuring the impact of CalFresh, and increasing access to critical public health and poverty-alleviating services and other services and benefits available to low-income individuals.

(b) Notwithstanding any other state law, and to the extent permitted by federal law, public entities may share data with the department for the purposes of subdivision (a). These public entities include, but are not limited to, all of the following:

(1) Public entities related to health and human services, including, but not limited to, the California Health and Human Services Agency and departments within the agency.

(2) Public entities related to education and early childhood programs, including, but not limited to, the State Department of Education, the University of California, the California State University, the California Community Colleges, the Student Aid Commission, and First 5 California.

(3) Public entities related to employment and financial well-being, including, but not limited to, the Employment Development Department, the Labor and Workforce Development Agency, the California Workforce Development Board, and the Franchise Tax Board.

(4) Public entities related to shelter, utilities, housing, and homelessness, including, but not limited to, the Business, Consumer Services, and Housing Agency and all departments and boards within the agency, and the Public Utilities Commission.

(5) Public entities related to justice-involved individuals, including, but not limited to, the Department of Corrections and Rehabilitation.

(6) Public entities related to services for veterans, including, but not limited to, the Department of Veterans Affairs.

(c) The department shall designate an executive-level employee of the department who shall report to the Director of Social Services on the implementation of the provisions of this section and Section 18901.58.

(Added by Stats. 2024, Ch. 910, Sec. 3. (AB 518) Effective January 1, 2025.)

18901.6. To the maximum extent allowable by federal law, each county welfare department shall provide transitional CalFresh benefits to households terminating their participation in the CalWORKs program.

(Amended by Stats. 2011, Ch. 227, Sec. 73. (AB 1400) Effective January 1, 2012.)

18901.7. (a) To the extent allowable by federal law, the income, resources, and deductible expenses of any household member who is rendered ineligible for CalFresh benefits pursuant to Title IV of Public Law 104-193, and any amendments thereto, shall be excluded when calculating federal Supplemental Nutrition Assistance Program benefits administered in California as CalFresh, under this chapter.

(b) No household shall receive more CalFresh benefits under this section than it would have received if no household member was rendered ineligible pursuant to Title IV of Public Law 104-193 and any subsequent amendments thereto.

(c) This section shall become operative on September 1, 1998.

(Amended by Stats. 2011, Ch. 227, Sec. 74. (AB 1400) Effective January 1, 2012.)

18901.8. (a) To the extent permitted by federal law, and with receipt of necessary federal approvals, the State Department of Social Services, in conjunction with affected stakeholder groups, shall develop and implement, if otherwise feasible, a simplified and shorter application form for nonassistance CalFresh cases. The contents of this simpler form shall be evaluated for use in multiprogram application forms for the CalFresh, Medi-Cal, and CalWORKs programs. The department shall seek any federal approvals necessary for implementation of the form.

(b) The department shall not require any county to implement use of the form described in subdivision (a) until the county has been allowed sufficient time to reprogram its automated systems for the purpose of implementing the form.

(Amended by Stats. 2019, Ch. 27, Sec. 121. (SB 80) Effective June 27, 2019.)

18901.9. (a) For the purpose of eligibility under this chapter, the rules governing the resource value of motor vehicles shall be aligned with an alternative program allowed under federal food stamp law.

(b) The department shall seek any federal approvals necessary to implement subdivision (a).

(c) If any federal approvals are necessary to implement subdivision (a), that subdivision shall be implemented only upon the execution of a declaration by the director, which shall be retained by the director, stating that any federal approvals necessary to implement subdivision (a) have been obtained.

(Added by Stats. 2003, Ch. 743, Sec. 4. Effective January 1, 2004.)

18901.10. To the extent permitted by federal law, and subject to the limitation in subdivision (d), each county welfare department shall, if appropriate, exempt a household from complying with face-to-face interview requirements for purposes of determining eligibility at initial application and recertification, according to the following:

(a) The county welfare department shall screen each household's need for exemption status at application and recertification.

(b) A person eligible for an exemption under this section may request a face-to-face interview to establish initial eligibility or to comply with recertification requirements.

(c) (1) No later than January 1, 2022, for purposes of interview scheduling and rescheduling at initial application and recertification, county welfare departments shall implement one or more of the following interview scheduling techniques in addition to providing written notice, to the extent they are not currently in use: time-block, telephonic contact in conjunction with, or prior to, the provision of written communication about the need to schedule an interview, and same-day interviews.

(2) The department, in consultation with the counties and client advocates, may authorize additional scheduling techniques to fulfill the requirement described in paragraph (1).

(d) This section does not limit a county's ability to require an applicant or recipient to make a personal appearance at a county welfare department office if the applicant or recipient no longer qualifies for an exemption or for other good cause.

(Amended by Stats. 2021, Ch. 85, Sec. 82. (AB 135) Effective July 16, 2021.)

18901.11. (a) For purposes of Section 273.5(b)(11)(ii) of Title 7 of the Code of Federal Regulations, an educational program that could be a component of a CalFresh E&T program described in Section 18926.5, as identified by the department, shall be considered an employment and training program under Section 273.7 of Title 7 of the Code of Federal Regulations, unless prohibited by federal law.

(b) (1) The department shall maintain, regularly update, and post on its internet website the list of state- or locally-funded programs specified in Section 18901.12 and identified by the workgroup established pursuant to Chapter 729 of the Statutes of 2014 that meet the standard set in Section 273.5(b)(11)(iv) of Title 7 of the Code of Federal Regulations.

(2) Upon an appropriation by the Legislature for this purpose, and to the extent permitted by federal law, the department shall include adult education and career technical education programs in the list of programs that are deemed to meet the standard set in Section 273.5(b)(11) of Title 7 of the Code of Federal Regulations.

(c) (1) The department shall issue, maintain, and post on its internet website instructions for county human services agencies that maximize CalFresh eligibility and minimize the burden for applicants and recipients to verify exemptions to the CalFresh student eligibility rule for students. The instructions provided shall include specific guidance for processing applications, reporting, and recertification for all of the following:

(A) Students who participate in at least one of the programs identified pursuant to subdivision (b) because they offer a program component that is equivalent to a CalFresh E&T program component.

(B) Students who are approved and anticipate participating in state or federal workstudy.

(C) Students who meet the qualification for an exemption set forth in Section 69519.3 of the Education Code, or are receiving tribal Temporary Aid to Needy Families (tribal TANF) or CalWORKs benefits.

(D) Students who are employed 20 hours a week or more on a reasonably anticipated monthly average, with instructions for allowing self-certification of employment and number of hours worked.

(E) Students with children, as described in Section 273.5(b) of Title 7 of the Code of Federal Regulations.

(F) Students enrolled in a CalFresh E&T program.

(G) Students who do not intend to register during the next normal school term.

(H) Students enrolled in a Workforce Innovation and Opportunity Act (WIOA) funded program, Job Opportunities and Basic Skills (JOBS) program under Title IV of the Social Security Act, or programs under Section 236 of the Trade Act of 1974 (19 U.S.C. 2296) .

(I) Students who are physically or mentally unfit, pursuant to federal law.

(J) Student who are participating in a program of career and technical education, as defined in Section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302) designed to be completed in not more than four years at an institution of higher education, as defined in Section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

(2) To the extent practicable, community colleges and universities shall distribute the standardized state or federal workstudy verification form to all students approved for state or federal workstudy.

(3) For purposes of this subdivision, and to the extent allowed by federal law, a student shall be considered to be "anticipating participation" in workstudy if the student can reasonably expect or foresee being assigned a workstudy job, and a student shall be deemed to be "anticipating participation" in workstudy until the student receives notice from the institution of higher education that the student has been denied participation in workstudy.

(d) (1) This section does not require a county human services agency to offer a particular component, support services, or workers' compensation to a student found eligible for an exemption pursuant to this section.

(2) This section does not restrict or require the use of federal funds for the financing of CalFresh E&T programs.

(3) Except for the information required to complete the form specified in paragraph (2) of subdivision (c), this section does not require a college or university to provide a student with information necessary to verify eligibility for CalFresh.

(e) For the purposes of this section, "student" means an individual who is enrolled at least half-time in an institution of higher education. A person shall be determined to be enrolled in an institution of higher education if the individual is enrolled, as an undergraduate or graduate student, in a business, technical, trade, or vocational school that normally requires a high school diploma or equivalency certificate for enrollment in the curriculum or if the individual is enrolled in a regular curriculum at a college or university that offers degree programs regardless of whether a high school diploma is required.

(Amended by Stats. 2022, Ch. 874, Sec. 3. (SB 641) Effective January 1, 2023.)

18901.12. (a) On or before May 31, 2022, the department shall issue a guidance letter to counties, the Chancellor's Office of the California Community Colleges, the Chancellor's office of the California State University, and the Office of the President of the University of California that does all of the following:

(1) Clarifies the state and federal eligibility requirements for a campus-based program to be a state-approved local educational program that increases employability that qualifies for the student exemption for CalFresh eligibility, as described in Section 273.5(b)(11)(iv) of Title 7 of the Code of Federal Regulations, and is consistent with Section 273.7(e)(1) of Title 7 of the Code of Federal Regulations.

(2) Clarifies the application and approval process for a campus-based program to be approved by the department as a state-approved local educational program that increases employability, as described in paragraph (1), including, but not limited to, clarifying the supporting documents required for program approval.

(b) (1) A campus-based program at a campus of the California Community Colleges or at a campus of the California State University that meets the eligibility requirements to be a state-approved local educational program that increases employability, as established by the department's guidance letter issued pursuant to subdivision (a), shall submit a certification application for the program to the department on or before September 1, 2022. If the campus-based program is available at more than one campus, the application shall list each campus at which the program is available. An individual campus administration, the Chancellor's Office of the California Community Colleges, or the Chancellor's office of the California State University, as applicable, may submit the certification application on behalf of the campus-based program.

(2) A campus-based program at a campus of the University of California that meets the eligibility requirements to be a state-approved local educational program that increases employability, as established by the department's guidance letter issued pursuant to subdivision (a), is requested to submit a certification application for the program to the department on or before September 1, 2022. If the campus-based program is available at more than one campus, the application shall list each campus at which the program is available. An individual campus administration or the Office of the President of the University of California may submit the certification application on behalf of the campus-based program.

(c) (1) A campus-based program that meets the eligibility requirements to be a state-approved local educational program that increases employability after September 1, 2022, at a campus of the California Community Colleges or the California State University shall submit a certification application to the department on or before six months following the formation of the program. If the campus-based program is available at more than one campus, the application shall list each campus at which the program is available. An individual campus administration, the Chancellor's Office of the California Community Colleges, or the Chancellor's office of the California State University, as applicable, may submit the certification application on behalf of the campus-based program.

(2) A campus-based program that meets the eligibility requirements to be a state-approved local educational program that increases employability after September 1, 2022, at a campus of the University of California is requested to submit a certification application to the department on or before six months following the formation of the program. If the campus-based program is available at more than one campus, the application shall list each campus at which the program is available. An individual campus administration or the Office of the President of the University of California may submit the certification application on behalf of the campus-based program.

(d) Upon receipt of a certification application from a campus-based program pursuant to subdivision (b) or (c), the department shall approve the campus-based program if it meets the eligibility requirements to be a state-approved local educational program that increases employability, as established in the department's guidance letter issued pursuant to subdivision (a).

(e) (1) On or before September 1, 2023, and annually thereafter, until 2030, the department shall report to the Assembly Committee on Higher Education, the Assembly Committee on Human Services, the Senate Committee on Education, and the Senate Committee on Human Services all of the following information:

(A) The number of state-approved campus-based local educational programs that increase employability that are approved pursuant to subdivision (d), disaggregated by name and campus.

(B) The number of pending applications, disaggregated by name and campus.

(C) The number of applications denied, disaggregated by name and campus, and the reason for the denials.

(2) The department shall also post the report described in paragraph (1) on its internet website.

(f) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement and administer this section through all-county letters or similar instructions that shall have the same force and effect as regulations.

(Amended by Stats. 2022, Ch. 28, Sec. 164. (SB 1380) Effective January 1, 2023.)

18901.14. (a) The department shall convene a workgroup comprised of the University of California, the California State University, the California Community Colleges, the Student Aid Commission, representatives from student organizations from all three sectors of public postsecondary educational institutions, the County Welfare Directors Association of California, and representatives from CalFresh eligibility workers and CalFresh advocates to identify the steps necessary to establish a CalFresh application submission process that accommodates the large influx of CalFresh applications during the beginning of a school term in counties where large public postsecondary educational institutions with 10,000 students or more are located. The workgroup may be convened as part of an existing workgroup that is comprised of the same members specified in this subdivision.

(b) On or before April 1, 2023, the department shall submit a report to the Legislature on the necessary steps identified pursuant to subdivision (a) and any estimates of costs associated with implementing them. The report shall include an analysis of using regional partnerships between counties and shall only include recommendations that are compliant with Section 10503 of the Welfare and Institutions Code.

(c) The report required by this section shall be submitted in compliance with Section 9795 of the Government Code.

(Added by Stats. 2022, Ch. 874, Sec. 4. (SB 641) Effective January 1, 2023.)

18902. Each county welfare department shall carry out the local administrative responsibilities of this chapter, subject to the supervision of the department and to rules and regulations adopted by the department.

(Repealed and added by Stats. 1973, Ch. 1216.)

18902.5. (a) In the administration of this chapter counties may conduct an early fraud prevention and detection program pursuant to this section.

(b) Funding for an early fraud prevention and detection program pursuant to Section 18906. 7 shall not be made to a county if the department determines that an early fraud prevention and detection program would not be cost-effective in that county.

(c) Funding for an early fraud prevention and detection program pursuant to Section 18906.6 shall not be available to a county until its operating plan for a program is approved by the department. No operating plan shall be approved by the department unless the plan contains assurances that the county will comply with the conditions specified in subdivision (d).

(d) Each county which operates an early fraud prevention and detection program shall be subject to all of the following conditions:

(1) No intimidation of applicants or recipients shall occur, either by referral or threat of referral for a fraud investigation.

(2) Applicants shall not be referred for a fraud investigation until after they have completed and signed the application for aid.

(3) The referral and investigation shall not delay the receipt of aid, including immediate need payments, for eligible applicants and recipients.

(4) Uniformed investigators shall not be used by any county welfare department for its fraud prevention program.

(5) The county welfare department shall abide by the confidentiality requirements in Section 10850 and the requirements and protections in the California Right to Financial Privacy Act under Chapter 20 (commencing with Section 7460) of Division 7 of Title 1 of the Government Code.

(6) The county shall make a referral for welfare fraud investigation when there is reason to believe that fraud exists. Fraud exists when a person, on behalf of himself or herself or others, has done any of the following:

(A) Knowingly, and with intent to deceive or defraud, made a false statement or representation to obtain benefits, to obtain a continuance or increase of benefits, or to avoid a reduction of benefits.

(B) Knowingly, and with intent to defraud, failed to disclose a fact which, if disclosed, could result in a denial, reduction, or discontinuance of benefits.

(C) Accepted benefits knowing he or she was not entitled to those benefits, or accepted any amount of benefits knowing the amount of benefits received was greater than the amount to which he or she was entitled.

(D) Made any statement which he or she did not know to be true with reckless disregard of the truth, for the purpose of obtaining, continuing, or avoiding a reduction or denial of benefits.

(7) The county shall make a referral for fraud investigation when there are reasonable grounds to believe that fraud, as specified in paragraph (6) exists. Reasonable grounds exist when one or more of the following criteria exists:

(A) An overpayment or overissuance of benefits, or both, may result from an applicant's failure to report information pertinent to eligibility or benefits.

(B) A questionable situation exists and the applicant or third party acting on behalf of the applicant will not cooperate in providing necessary verification of information which would affect the applicant's eligibility or the amount of benefits for which the applicant is eligible.

(C) The county welfare program staff person finds conflicting information which could affect the applicant's eligibility or the amount of benefits for which the applicant is eligible, and any further action on the part of that staff person could jeopardize the investigator's ability to investigate.

(D) The county is made aware of any situation involving the applicant that could involve embezzlement, collusion, conspiracy, trafficking, black marketing, or any other general program violations.

(E) The county is made aware of any situation in which the applicant may have forged, may have caused the forgery of, or is using a forgery of, any warrant or authorization to participate which has been negotiated.

(F) The county welfare program staff person has received an allegation of fraud with respect to the applicant from any governmental agency.

(G) The county has received a complaint containing facts which allege that a crime involving a public social services program, including, but not limited to, fraud, perjury, trafficking, or embezzlement may occur.

(Amended by Stats. 1991, Ch. 97, Sec. 22. Effective June 30, 1991.)

18903. The department shall enter into and execute on behalf of the state all necessary agreements in connection with this chapter as may be required by the United States Government.

(Repealed and added by Stats. 1973, Ch. 1216.)

18904. Regulations, orders or standards of general application to implement, interpret or make specific the law relating to this chapter shall be adopted, amended, or repealed only in accordance with Section 10554. The director shall also provide for the two methods as described in Section 18904.1.

(Amended by Stats. 1998, Ch. 902, Sec. 61. Effective January 1, 1999.)

18904.1. (a) The director, to the extent permitted by federal law, shall establish methods for CalFresh benefit issuance in all counties which guarantee to low-income households the health-vital nutritional benefits available under this chapter and to achieve the most efficient system for program administration so as to minimize administrative costs.

(b) The director shall maintain methods for over-the-counter and mail issuance of CalFresh benefits in a county until issuance of CalFresh benefits by electronic benefits transfer for all CalFresh recipients in the county has been implemented pursuant to Chapter 3 (commencing with Section 10065) of Part 1.

(c) Until issuance of CalFresh benefits by electronic benefits transfer has been implemented in a county for all CalFresh recipients, the director shall maintain, in the county, methods for over-the-counter issuance that guarantee program accessibility in all cases where a household has been found to be in immediate need of food assistance or where a household has been determined to be eligible for the replacement of a previous issuance.

(Amended by Stats. 2011, Ch. 227, Sec. 76. (AB 1400) Effective January 1, 2012.)

18904.2. The department may administer outreach programs and adopt rules and regulations requiring counties to conduct outreach programs to the extent permitted by federal law and eligible for federal financial participation.

(Amended by Stats. 1988, Ch. 689, Sec. 3.)

18904.25. (a) Pursuant to the federal Stewart B. McKinney Homeless Assistance Act (Public Law 100-77), the department shall develop CalFresh information on expedited services targeted to the homeless population, including unaccompanied homeless children and youths, as those terms are defined in Section 11434a of Title 42 of the United States Code. The department shall also develop information on expedited services specified in Section 18914.5 for victims of domestic violence. This information shall be made available to homeless shelters, domestic violence shelters, emergency food programs, local educational agency liaisons for homeless children and youths, designated pursuant to Section 11432(g)(1)(J)(ii) of Title 42 of the United States Code, and other community agencies who provide services to people who are homeless.

(b) Each county human services agency shall annually offer training on CalFresh application procedures to homeless shelter operators. That training shall include eligibility criteria and specific information regarding the eligibility of unaccompanied homeless children and youths. In addition, each county human services agency, upon request, shall provide homeless shelters and domestic violence shelters with a supply of that portion of the CalFresh application used to request CalFresh expedited service.

(c) Upon receipt of a signed CalFresh application from an unaccompanied child or youth under 18 years of age, the county human services agency shall determine eligibility for CalFresh benefits, including making a determination of whether the child or youth is eligible to apply as a household of one or if he or she must apply with members of a household with whom he or she is regularly purchasing and preparing foods, and screen the application for entitlement to expedited service pursuant to Section 18914. If the application of the child or youth for CalFresh benefits is denied, the county human services agency shall provide the child or youth a written notice explaining the reason for the denial.

(Amended by Stats. 2016, Ch. 859, Sec. 1. (AB 2057) Effective January 1, 2017.)

18904.3. (a) If a private nonprofit organization, public postsecondary educational institution, or other state or local agency secures funds for CalFresh outreach activities that are allowable for partial federal reimbursement, and complies with contracting requirements established in state and federal law, the department shall, subject to approval of the state's outreach plan by the United States Department of Agriculture, act as the state entity for receipt of federal reimbursement on behalf of the organization, institution, or agency.

(b) Any reduction in federal funding to the state that is due to the result of any audit of CalFresh outreach contracts or activities shall be applied to the appropriate local government that served as the contracting agency for CalFresh outreach activities.

(Amended by Stats. 2016, Ch. 290, Sec. 3. (AB 1747) Effective January 1, 2017.)

18904.35. Upon approval of a final plan for CalFresh outreach activities, in accordance with Section 18904.4, the department shall, in determining whether to request federal matching funds for a CalFresh outreach activity, give priority consideration to those activities that implement the final plan.

(Amended by Stats. 2011, Ch. 227, Sec. 79. (AB 1400) Effective January 1, 2012.)

18905. In the event that the United States Department of Agriculture makes a final determination to reduce federal funding of the federal Supplemental Nutrition Assistance Program, administered in California as CalFresh, due to issuance errors or improper or inadequate county administration of the program, the county or counties responsible for such reduction shall be liable for the amount thereof in accordance with standards adopted by the Director of Social Services.

(Amended by Stats. 2011, Ch. 227, Sec. 80. (AB 1400) Effective January 1, 2012.)

18905.1. The department shall not impose any additional requirements for verification of eligibility for expedited service other than those minimum requirements that exist under federal law.

(Amended by Stats. 1990, Ch. 443, Sec. 1.)

18906. The department shall establish and maintain a plan whereby costs for county administration of CalFresh under this chapter will be effectively controlled within the amounts annually appropriated for such administration. The plan, to be known as the County Administrative Cost Control Plan, shall establish standards and performance criteria, including workload, productivity and support services standards, to which counties shall adhere. The plan shall be part of a single state plan, jointly developed by the department and the State Department of Health Care Services, for administrative cost control for the Aid to Families with Dependent Children (AFDC), CalFresh, and Medical Assistance (Medi-Cal) programs. Allocations shall be made to each county and shall be limited by and determined based upon the County Administrative Cost Control Plan. In administering the plan to control county administrative costs, the department shall not allocate state funds to cover county cost overruns which result from county failure to meet requirements of the plan. The department and the State Department of Health Care Services shall budget, administer, and allocate state funds for county administration in a uniform and consistent manner.

(Amended by Stats. 2011, Ch. 227, Sec. 81. (AB 1400) Effective January 1, 2012.)

18906.5. (a) The state shall pay 70 percent of the nonfederal costs of administering the federal Supplemental Nutrition Assistance Program, administered in California as CalFresh, subject to Sections 18906 and 18906.7. The counties shall pay the remaining share of the nonfederal costs.

(b) The state shall pay 85 percent of the nonfederal share of the costs of AFDC fraud investigation subject to Section 15204.5. The counties shall pay the remaining share of the nonfederal costs.

(Amended by Stats. 2011, Ch. 227, Sec. 82. (AB 1400) Effective January 1, 2012.)

18906.6. At the time the United States Department of Agriculture allows the state to retain a portion of the value of any claims collected, the state shall retain 50 percent of this portion. The remaining 50 percent shall be distributed by the State Department of Social Services to the counties based upon the amount of claims collected by each county.

(Added by Stats. 1981, Ch. 579, Sec. 1.)

18906.7. The state shall pay 100 percent of the nonfederal costs of administering an early fraud prevention and detection program in the administration of this chapter, established pursuant to subdivision (a) of Section 18902.5, subject to Section 18906.

(Repealed and added by Stats. 1991, Ch. 97, Sec. 24. Effective June 30, 1991.)

18906.8. Subject to Section 18906, the state may pay 100 percent of the nonfederal administrative costs, when cost-effective, as determined by the state, of followup activities in the Income Eligibility and Verification System for recipients.

(Added by Stats. 1993, Ch. 69, Sec. 63. Effective June 30, 1993.)

18907. In the determination of eligibility for CalFresh, there shall be no discrimination against any household by reason of marital status, political belief, or any characteristic listed or defined in Section 11135 of the Government Code to the extent not in conflict with federal law.

(Amended by Stats. 2011, Ch. 227, Sec. 84. (AB 1400) Effective January 1, 2012.)

18908. Except as provided in Section 18904.1, federal supplemental security income benefits, state supplemental security program benefits, public assistance, and county aid benefits shall not be reduced as a consequence of the receipt of CalFresh benefits under this chapter, to the extent permitted by federal law.

(Amended by Stats. 2011, Ch. 227, Sec. 85. (AB 1400) Effective January 1, 2012.)

18909. Section 10850, relating to disclosure of information regarding public assistance recipients, shall apply to information obtained under this chapter.

(Amended by Stats. 1983, Ch. 101, Sec. 176.)

18910. (a) To the extent permitted by federal law, regulations, waivers, and directives, the department shall implement the prospective budgeting, semiannual reporting system provided in Sections 11265.1, 11265.2, and 11265.3, and related provisions, regarding CalFresh, in a cost-effective manner that promotes compatibility between the CalWORKs program and CalFresh, and minimizes the potential for payment errors.

(b) For CalFresh recipients who also are Medi-Cal beneficiaries and who are subject to the Medi-Cal midyear status reporting requirements, counties shall seek to align the timing of reports required under this section with midyear status reports required by the Medi-Cal program. This subdivision does not apply to CalFresh households in which all adult members are elderly or disabled members, as defined in Section 271.2 of Title 7 of the Code of Federal Regulations, and in which the household has no earned income.

(c) The department shall seek all necessary waivers from the United States Department of Agriculture to implement subdivision (a).

(d) Counties may establish staggered, semiannual reporting cycles for individual households, based on factors established or approved by the department, provided the semiannual reporting cycle is aligned with the certification period; however, all households within a county must be transitioned to a semiannual reporting system simultaneously. Up to and until the establishment of a countywide semiannual reporting system, a county shall operate a quarterly system, as established by law and regulation.

(e) The requirement of subdivision (e) of Section 11265.1 shall apply to the implementation of this section.

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

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

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

(g) (1) It is the intent of the Legislature that, due to the establishment of a semiannual reporting cycle, change reporting no longer be imposed on certain households that were exempt from quarterly reporting pursuant to federal law. To that end, the department shall work with county human services agencies, client advocates, and the Statewide Automated Welfare System to eliminate change reporting for all households no later than January 1, 2017.

(2) For the purposes of this subdivision, "change reporting" means the reporting requirements imposed on households designated as certified change reporting households pursuant to Section 273.12(a) of Title 7 of the Code of Federal Regulations.

(Amended by Stats. 2015, Ch. 20, Sec. 54. (SB 79) Effective June 24, 2015.)

18910.1. All CalFresh households shall be assigned certification periods that are the maximum number of months allowable under federal law for the household type unless a county is complying with subdivision (b) of Section 18910 or, on a case-by-case basis only, the household's individual circumstances require a shorter certification period.

(Amended by Stats. 2016, Ch. 25, Sec. 30. (AB 1603) Effective June 27, 2016.)

18910.2. (a) The department shall convene a workgroup that includes, but is not limited to, the County Welfare Directors Association of California, representatives of county eligibility workers, the Statewide Automated Welfare System, and client advocates to consider changes to semiannual reporting with the goal of reducing the reporting burden on recipients and reducing the workload for county eligibility staff.

(b) The workgroup shall consider federally allowable reporting structures implemented in other states, consider recommendations in existing research reports, and receive and consider options put forth by workgroup members.

(c) (1) The consensus recommendations of the workgroup shall be submitted to the Legislature not later than October 1, 2021, and shall include details regarding potential implementation of these recommendations, including identification of those that the state may implement via state legislation or administrative guidance to counties, as well as those requiring changes in federal law or waivers of federal law. The report may also include ideas that were not consensus items with an opportunity for participating workgroup members to comment on those items.

(2) (A) The requirement for submitting a report imposed under paragraph (1) is inoperative on October 1, 2025, pursuant to Section 10231.5 of the Government Code.

(B) A report to be submitted pursuant to paragraph (1) shall be submitted in compliance with Section 9795 of the Government Code.

(Added by Stats. 2020, Ch. 11, Sec. 89. (AB 79) Effective June 29, 2020.)

18911. (a) An application and an authorization for participation in CalFresh shall be processed within a period of not more than 30 days from the date of application.

(b) The department shall develop written information that describes the eligibility and verification requirements for expedited service, the process for applying for those benefits, and the availability of assistance in filling out the forms and gathering needed documentation.

(c) Each county human services agency shall make the material developed pursuant to subdivision (b) available to each applicant at the time the applicant initially seeks CalFresh benefits.

(d) Each county human services agency shall, upon request, make available the information developed pursuant to subdivision (b) to community action agencies, legal services offices, emergency food programs, and other community programs.

(e) (1) Each county human services agency shall, except as specified in paragraph (2), compile a list of emergency food providers in the area served by the local CalFresh office. The list shall be updated, based on information from the emergency food providers. The list shall be made available upon request, and, where needed, may be used to refer individuals to emergency food sites that may be able to provide assistance.

(2) A county human services agency may elect to refer a CalFresh applicant or recipient to the 2-1-1 dial code to access information on emergency food providers and supplemental food assistance providers, including child nutrition programs, in lieu of providing a list pursuant to paragraph (1) if the county deems that method to be the most appropriate to serve an applicant or recipient.

(f) Each county human services agency shall make available to CalFresh applicants, upon request, nonpromotional information that contains addresses and phone numbers of local legal services and welfare rights organizations.

(Amended by Stats. 2017, Ch. 68, Sec. 2. (AB 323) Effective January 1, 2018.)

18912. (a) Each county welfare department shall orally inform each applicant of the availability of expedited service and assistance in filling out the application.

(b) Each county welfare department shall assist an applicant, upon request of the applicant, in filling out forms and completing the application process for expedited service.

(Amended by Stats. 1990, Ch. 443, Sec. 2.)

18913. The department shall collect, quarterly, expedited service data, on a county-by-county basis, of the number of applications and the disposition of the applications, and shall publish those statistics quarterly.

(Amended by Stats. 1990, Ch. 443, Sec. 3.)

18914. (a) In accordance with, and to the extent provided by, federal law, the county human services agency shall provide CalFresh benefits on an expedited basis as provided in subdivision (b) to households determined to be in immediate need of food assistance.

(b) Pursuant to the federal requirements of Section 273.2(i)(2) of Title 7 of the Code of Federal Regulations, the county human services agency shall screen all CalFresh applications for entitlement to expedited service. Applicants who meet the federal criteria for expedited service as defined in Section 273.2(i)(1) of Title 7 of the Code of Federal Regulations shall receive either a manual authorization to participate or automated card or the immediate issuance of CalFresh benefits no later than the third day following the date the application was filed. To the maximum extent permitted by federal law, the amount of income to be received from any source shall be deemed to be uncertain and exempt from consideration in the determination of entitlement for expedited service. For purposes of this subdivision, a weekend shall be considered one calendar day.

(c) The State Department of Social Services shall develop and implement for expedited issuance a uniform procedure for verifying information required of an applicant.

(Amended (as amended by Stats. 2011, Ch. 227, Sec. 88) by Stats. 2012, Ch. 468, Sec. 1. (AB 1359) Effective January 1, 2013.)

18914.5. (a) To the extent permitted by federal law, regulations, waivers, and directives, a resident of, or an individual on a waiting list to get into, a shelter for battered women and children who is currently included in a certified household that also contains the abuser, may apply for and, if otherwise eligible, shall be entitled to expedited services of an additional allotment of CalFresh benefits as a separate household.

(b) For purposes of this section, "shelter for battered women and children" has the same meaning as provided in Section 271.2 of Title 7 of the Code of Federal Regulations.

(Added by Stats. 2016, Ch. 859, Sec. 2. (AB 2057) Effective January 1, 2017.)

18915. All applications and public information materials shall be available to potential, present, and past CalFresh recipients in each county in Spanish as well as English plus any other non-English language prevalent in each county. It shall be within the discretion of the director to designate such other prevalent non-English languages.

(Amended by Stats. 2011, Ch. 227, Sec. 90. (AB 1400) Effective January 1, 2012.)

18916. The board of supervisors of each county shall have the authority to request from the United States Department of Agriculture the simultaneous operation of the federally donated foods program under the Disaster Act of 1970 as amended and any other enabling federal law.

(Added by Stats. 1973, Ch. 1216.)

18917. (a) (1) The department, in consultation with stakeholders, shall identify the necessary elements of a county disaster plan, and shall issue guidance to county human services agencies informing them of the obligations to submit a disaster plan pursuant to paragraph (2), and of the necessary elements that shall be included in the plan.

(2) A county human services agency shall annually submit to the department a disaster plan that includes the creation of mutual aid regions consisting of two or more counties to ensure there are sufficient resources necessary to continue adequate access to benefits during a disaster. The disaster plan shall include elements specified in paragraph (1).

(b) The department shall offer training on Disaster CalFresh to county human services agencies and organizations, institutions, and agencies receiving federal reimbursements pursuant to Section 18904.3.

(c) The department shall maintain updated Disaster CalFresh materials, including, but not limited to, state and county disaster plans, Disaster CalFresh applications, the Disaster CalFresh Internet Web site, and a Disaster CalFresh outreach flyer in all required languages.

(d) If the President of the United States issues a major disaster declaration for individual assistance, the department and the county human services agency shall request to operate a federal Disaster Supplemental Nutrition Assistance Program (D-SNAP) for the regions affected by the major disaster. The request shall include a waiver request to provide automatic, mass replacement benefits to eligible households and a waiver request to allow households to purchase hot, prepared foods at authorized retailers with their benefits.

(e) It is the intent of the Legislature that the department shall maximize the capacity of counties to maintain timely, adequate, and safe access to all applicable benefits during a disaster. In order to ensure that disaster victims are not required to travel through dangerous routes to apply for, and to receive their electronic benefit transfer (EBT) card to access, Disaster CalFresh or replacement benefits, the department shall do both of the following:

(1) If requested by an affected county, provide to the county and its contracted county consortium staff support necessary for out-stationed application intake locations to support timely, adequate, and safe access to Disaster CalFresh during or following a disaster.

(2) Maintain and make available to affected counties, free of charge, technology and equipment to support the mobile issuance of EBT cards to recipients of Disaster CalFresh or replacement benefits.

(Added by Stats. 2017, Ch. 501, Sec. 6. (AB 607) Effective January 1, 2018.)

18917.1. (a) In the event of a declaration by the Governor or the President of the United States of a major disaster, the Legislature finds and declares that the State Department of Social Services and affected county human services agencies will require additional funding to cover the administrative costs to prepare for, and respond to, a declaration by the President of the United States of a major disaster, and to maximize the amount of assistance requested and received through the federal Disaster Supplemental Nutrition Assistance Program and other federally funded nutrition assistance programs, and the costs to prepare for and execute Disaster CalFresh outreach.

(b) Notwithstanding Section 13340 of the Government Code, in the event of a declaration by the Governor or the President of the United States of a major disaster, an amount necessary to cover the costs of the disaster assistance services specified in subdivision (a) shall be continuously appropriated without regard to fiscal years to the State Department of Social Services from the General Fund. The amounts appropriated to the department shall not exceed three hundred thousand dollars (\$300,000) per disaster declaration.

(Added by Stats. 2025, Ch. 7, Sec. 10. (AB 118) Effective June 27, 2025.)

18918. Not later than January 15, 2001, the State Department of Social Services, in conjunction with the State Department of Public Health and appropriate stakeholders, shall develop and submit to the Legislature a community outreach and education campaign to help families learn about, and apply for, the federal Supplemental Nutrition Assistance Program, administered in California as CalFresh, and the California Food Assistance Program. At a minimum, the plan shall include the following:

(a) Specific milestones and objectives proposed to be completed for the upcoming year and their anticipated cost.

(b) A general description of each strategy or method to be used for outreach.

(c) Geographic areas and special populations to be targeted, if any, and why the special targeting is needed.

(d) Coordination with other state or county education and outreach efforts.

(e) The results of previous years' outreach efforts.

(1) If necessary to obtain federal financial participation the CalFresh outreach plan shall be submitted to the United States Department of Agriculture not later than January 15, 2001. The state share of the funding shall be subject to appropriation in the annual Budget Act and may be funded through the General Fund or other state or local funding sources, as appropriate.

(2) After submission of the initial plan, it shall be updated annually and submitted to the Legislature by April 1 for the following year.

(Amended by Stats. 2011, Ch. 227, Sec. 91. (AB 1400) Effective January 1, 2012.)

18918.1. (a) In an effort to expand CalFresh program outreach and retention and improve dual enrollment between the CalFresh and Medi-Cal programs, county welfare departments shall, no later than January 1, 2023, complete all of the following:

(1) Ensure that Medi-Cal applicants applying in-person, online, or by telephone, and who also may be eligible for CalFresh, are screened and given the opportunity to apply at the same time they are applying for Medi-Cal or submitting information for the renewal process.

(2) Ensure the same staff that receive Medi-Cal and CalFresh applications pursuant to paragraph (1) during the Medi-Cal application, renewal, or application and renewal processes conduct the eligibility determination functions needed to determine

eligibility or ineligibility to CalFresh.

(3) Designate one or more county liaisons to establish CalFresh application referral and communication procedures on outreach activities between counties and community-based organizations facilitating Medi-Cal enrollment.

(b) Upon certification to the Legislature that the California Statewide Automated Welfare System (CalSAWS) can perform the necessary automation to implement this section, counties shall provide prepopulated CalFresh applications to Medi-Cal beneficiaries who are apparently CalFresh eligible and not dually enrolled during the Medi-Cal renewal process.

(Amended by Stats. 2021, Ch. 85, Sec. 83. (AB 135) Effective July 16, 2021.)

18919. (a) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department shall issue an annual all-county letter providing guidance that lists which counties or regions are eligible to participate in the Restaurant Meals Program (RMP) because they meet the requirements established in Section 4014 of the federal Agricultural Act of 2014 (Public Law 113-79). The department's all-county letter shall include instructions for how a county may choose to administer the RMP in that county or appeal a noneligible determination by the department.

(b) The department shall design the electronic benefits transfer (EBT) system established pursuant to Chapter 3 (commencing with Section 10065) of Part 1 to, automatically and upon issuance of an EBT card, allow all CalFresh recipients who are eligible for the RMP to utilize their benefits in all restaurants that have been approved to participate in the RMP.

(c) Except for direct farm purchasing programs or if otherwise not required at a certified farmer's market, a restaurant shall not operate as a vendor in the program unless the restaurant permits customers to make in-store purchases, maintains a current public health license, and complies with all federal, state, and local health and safety laws, regulations, and ordinances. For the purpose of this section, "in-store purchase" means any purchase that is not delivered to the purchaser.

(d) To the extent permitted by federal law, a county, in administering its RMP program, shall not be precluded from determining the number, type, and location of restaurants the county chooses to include as vendors to align with county administrative capacity or other factors, including, but not limited to, location of participating restaurants and recipient demand.

(e) (1) To the extent permitted by federal law, the department, in consultation with various stakeholders, including, but not limited to, county human services agencies and advocates for CalFresh recipients, shall establish a statewide RMP.

(2) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department shall implement this subdivision by means of all-county letters or similar instructions from the director on or before September 1, 2021.

(f) To prevent hunger among college students who are homeless, elderly, or disabled, and to facilitate compliance with Section 66025.93 of the Education Code, the department may enter into a statewide memorandum of understanding with the Chancellor of the California State University, the Chancellor of the California Community Colleges, or both. Any qualifying food facility located on a campus of the California State University or a campus of the California Community Colleges may participate in the CalFresh RMP through this statewide memorandum of understanding.

(g) For purposes of this section, unless it is specifically excluded from participation in the RMP by federal law or guidance, a restaurant includes, but is not necessarily limited to, an on-campus qualifying food facility, as defined in Section 66025.93 of the Education Code, an eat-in establishment, a grocery store delicatessen, and a takeaway-only restaurant.

(Amended by Stats. 2021, Ch. 85, Sec. 84. (AB 135) Effective July 16, 2021.)

18919.1. (a) It is the intent of the Legislature to maximize food access for all CalFresh recipients. Many of the hungriest Californians who rely on CalFresh to eat face the most significant barriers, including the lack of kitchen facilities or means of preparing and cooking meals with groceries, special dietary needs, or specific foods required for medications, among other factors that strain the ability of traditional groceries to meet their needs. It is further the intent of the Legislature to maximize the dignity and equitable treatment of Californians using CalFresh to purchase food by maximizing food choices.

(b) The State Department of Social Services shall seek all available federal waivers and approvals necessary to maximize food choices for CalFresh recipients under federal law and guidance, including to purchase hot foods or hot food products ready for immediate consumption, pursuant to Section 3(k) of the Food and Nutrition Act of 2008.

(Added by Stats. 2023, Ch. 121, Sec. 1. (AB 712) Effective January 1, 2024.)

18920. (a) Notwithstanding any other law, an agreement between the department and a unit of local government, any other unit of state government, or a nonprofit organization that provides for a contract relating to either of the following is and shall be deemed a "cooperative agreement," as defined in subdivision (a) of Section 38072 of the Health and Safety Code:

(1) Outreach programs related to CalFresh.

(2) The Supplemental Nutrition Assistance Program: Nutrition Education and Obesity Prevention Grant Program.

(b) Notwithstanding subdivision (b) of Section 38072 of the Health and Safety Code, for purposes of Chapter 1 (commencing with Section 38070) of Division 25.2 of the Health and Safety Code, any reference to the term "department" in those provisions shall refer to the State Department of Social Services for purposes of an agreement described in subdivision (a).

(c) In addition to the authority granted the department in subdivision (a) of Section 38081.1 of the Health and Safety Code, a change of subcontracts shall not be subject to review and approval by the Department of General Services pursuant to Chapter 2 (commencing with Section 10290) of Part 2 of Division 2 of the Public Contract Code.

(d) The Legislature finds and declares that this section shall be applied retroactively to currently executed agreements that are described in subdivision (a).

(Added by Stats. 2016, Ch. 25, Sec. 31. (AB 1603) Effective June 27, 2016.)

18922. (a) On or before July 1, 2023, and annually thereafter, the department shall submit a request for a federal waiver to waive the provisions of Section 273.9(b) of Title 7 of the Code of Federal Regulations, or any other federal law, regulation, or guidance, to exclude the basic allowance for housing provided to uniformed service members pursuant to Section 403 of Title 37 of the United States Code from countable income in the determination of eligibility and benefit level for purposes of receiving CalFresh benefits.

(b) Upon federal approval of the waiver, the department, in consultation with the County Welfare Directors Association of California, advocates for CalFresh recipients, and the Military Department, shall issue an all-county letter instructing counties on updated eligibility requirements and benefit calculations for uniformed service members receiving a basic allowance for housing.

(Added by Stats. 2022, Ch. 877, Sec. 1. (SB 950) Effective January 1, 2023.)

18923. (a) The State Department of Social Services shall submit a request to the United States Department of Agriculture for a waiver to permit a CalFresh household to retain funds in the restricted savings account as specified in subdivision (a) of Section 11155.2 and as accumulated while participating in the Aid to Families with Dependent Children program. The participation requirements for this specific savings account as specified in subdivision (a) of Section 11155.2 shall apply to CalFresh. Penalties for nonqualifying withdrawal of these funds shall result in a calculation of a period of ineligibility for all persons in the CalFresh household, to be determined by dividing the balance in the account immediately prior to the withdrawal by the CalFresh allotment to which the household is entitled. The resulting whole number shall be the number of months of ineligibility. The period of ineligibility may be reduced when the divisor, which is the CalFresh allotment, increases as a result of a cost-of-living adjustment.

(b) The director may waive, with federal approval, the enforcement of specific federal Supplemental Nutrition Assistance Program requirements, regulations, and standards necessary to implement this provision.

(Amended by Stats. 2011, Ch. 227, Sec. 92. (AB 1400) Effective January 1, 2012.)

18924. (a) To the extent permitted by federal law, waiver, demonstration project, or other federal authority, the department shall allow counties to utilize existing information maintained by the federal Social Security Administration regarding low-income social security benefit recipients, to simplify enrollment into the CalFresh program administered pursuant to this chapter, provided that an interested county has either the existing capacity to receive that information, or the ability to adapt its existing automation systems without significant changes or costs to the state or county.

(b) The department shall support enrollment efforts pursuant to this section by doing all of the following:

(1) Working with the Social Security Administration to target social security recipients 60 years of age and older whose income and other factors are likely to qualify them for aid through CalFresh.

(2) Developing a streamlined application and simplified enrollment process for likely eligible recipients, which may include strategies used by other states to reduce paperwork and increase federal nutrition benefits, including, but not limited to, self-certification of key eligibility factors, standardization of benefits and deductions, and automation of the application process.

(3) Seeking waivers, grants, or other federal authority and support necessary to implement this section.

(c) This section shall become operative on July 1, 2012.

(Added by Stats. 2011, Ch. 502, Sec. 2. (AB 69) Effective January 1, 2012. Section operative July 1, 2012, by its own provisions.)

18925. (a) The State Department of Health Care Services, in conjunction with the State Department of Social Services, shall implement a simplified eligibility process as part of CalFresh to expedite Medi-Cal program and Healthy Families Program enrollment for CalFresh recipients, including children and their eligible parents or caretaker relatives who are not enrolled in those programs.

(b) Each county welfare department shall develop a data list of family members residing in eligible CalFresh households who are not enrolled in the Medi-Cal program or the Healthy Families Program.

(c) The county welfare department shall develop a notice informing individuals identified pursuant to subdivision (b) that they may be entitled to receive benefits under the Medi-Cal program or the Healthy Families Program.

(d) At the time of the CalFresh household's annual recertification, the county welfare department shall send the notice specified in subdivision (c) to the individuals identified in subdivision (b). The notice shall include a request for permission to use the information in the CalFresh recipient's case file to make a determination of eligibility for the Medi-Cal program and the Healthy Families Program.

(e) The notice shall be written in culturally and linguistically appropriate language and at an appropriate literacy level. The notice shall include information on the Medi-Cal program and the Healthy Families Program, and a telephone number that CalFresh recipients may call for additional information.

(f) To apply for medical assistance under the Medi-Cal program, the CalFresh recipient shall sign, date, and return the notice requesting that an eligibility determination be made. Upon receipt of the notice, the county welfare department shall make an eligibility determination by utilizing the information in the CalFresh recipient's case file or paper application. The Medi-Cal application date shall be the date the notice is received by the county welfare department. If the CalFresh case file does not include sufficient information to establish Medi-Cal program eligibility, the county welfare department shall request, either orally or in writing, additional information from the CalFresh recipient.

(g) If the CalFresh recipient is determined to be eligible to participate in the Medi-Cal program with a share of cost, or is determined to be ineligible for Medi-Cal, information pertinent to the CalFresh recipient's eligibility for the Healthy Families Program shall be forwarded by the county welfare department to the Healthy Families Program statewide administrator for immediate processing. If there is insufficient information to establish Healthy Families Program eligibility, the administrator shall request, either orally or in writing, additional information from the CalFresh recipient.

(h) Counties shall include the cost of implementing this section in their annual administrative budget requests to the State Department of Health Care Services.

(i) This section shall be implemented on or after July 1, 2003, but only to the extent federal financial participation is available.

(Amended by Stats. 2011, Ch. 227, Sec. 93. (AB 1400) Effective January 1, 2012.)

18926. (a) To the extent permitted by federal law, the department shall annually seek a federal waiver of the existing federal Supplemental Nutrition Assistance Program limitation that stipulates that an able-bodied adult without dependents (ABAWD) participant is limited to three months of CalFresh benefits in a three-year period unless that participant has met the work participation requirement or is otherwise exempt.

(b) All eligible counties shall be included in and bound by this waiver.

(c) At its option, when a county is not eligible for a countywide waiver, a county may request that the department apply for the waiver described in subdivision (a) for one or more eligible subareas of the county. The department shall seek the subarea waiver within a reasonable time frame following a request made by a county, and may seek any necessary information from the county to support the waiver request.

(Amended by Stats. 2017, Ch. 24, Sec. 54. (SB 89) Effective June 27, 2017.)

18926.1. (a) To the extent not prohibited by federal law and guidance, the department shall ensure that all recipients subject to the federal ABAWD time limit described in Section 18926 are permitted to meet the work requirements of the time limit through all forms of work, including, but not limited to, volunteer work at a nonprofit organization or a public institution that the recipient chooses, if the county can verify the hours of participation using the process established by the department pursuant to subdivision (b).

(b) On or before January 1, 2018, the department, with input from the County Welfare Directors Association and advocates for CalFresh recipients, shall issue an all-county letter instructing counties as to how to verify hours of the volunteer work specified in subdivision (a).

(Added by Stats. 2017, Ch. 24, Sec. 55. (SB 89) Effective June 27, 2017.)

18926.2. To the extent not prohibited by federal law and guidance, a recipient who is homeless shall be deemed to be exempt from the federal ABAWD time limit described in Section 18926. For purposes of this section, a recipient who is homeless is a person who does not have a regular nighttime residence.

(Added by Stats. 2017, Ch. 24, Sec. 56. (SB 89) Effective June 27, 2017.)

18926.5. (a) For the purposes of this chapter, "CalFresh Employment and Training program" or "CalFresh E&T" means the program established under Section 6(d)(4)(B) of the federal Food and Nutrition Act of 2008 (7 U.S.C. Sec. 2015), Section 273.7 of Title 7 of the Code of Federal Regulations, and associated administrative notices published by the United States Department of Agriculture with the purpose of assisting members of CalFresh households in gaining skills, training, work, or experience that will increase their ability to obtain regular employment.

(b) (1) A county that elects to participate in the CalFresh Employment and Training (CalFresh E&T) program, as authorized by the federal Food and Nutrition Act of 2008 (7 U.S.C. Sec. 2015), shall screen CalFresh work registrants to determine whether they will participate in, or be deferred from, CalFresh E&T. If deferred, a CalFresh work registrant may request to enroll in CalFresh E&T as a voluntary participant. An individual shall be deferred from a mandatory placement in CalFresh E&T if he or she satisfies any of the criteria in Sections 273.7 and 273.24 of Title 7 of the Code of Federal Regulations, if he or she resides in a federally determined work surplus area, if he or she is a veteran who has been honorably discharged from the United States Armed Forces, if he or she is a victim of domestic violence, or if he or she is subject to the able-bodied adult without dependents (ABAWD) time limit pursuant to Section 18926.

(2) For purposes of this section, "deferred" has the same meaning as exempt.

(c) (1) A county participating in CalFresh E&T shall be required to demonstrate in its CalFresh E&T plan how it is effectively using CalFresh E&T funds for each of the components that the county offers, which may include, but are not limited to, any of the following:

(A) Self-initiated workfare.

(B) Work experience or training.

(C) Education.

(D) Job search.

(E) Job search training.

(F) Workforce Innovation and Opportunity Act activities.

(G) Self-employment training.

(H) Job retention.

(I) Subsidized employment, as set forth in subdivision (d).

(J) (i) The support services or client reimbursements needed to participate in subparagraphs (A) to (I), inclusive, as allowed by federal and state law and guidance.

(ii) The department shall issue guidance to counties participating in CalFresh E&T with instructions for providing support services or client reimbursements pursuant to this subparagraph. The guidance shall include, but not be limited to, instructions for reimbursing a proportion of the cost of Internet service or telephone service.

(2) This section does not require a county to offer a particular component as a part of its CalFresh E&T plan.

(d) To the extent permitted by federal law, the department shall seek a federal waiver that would allow 50-percent federal reimbursement for eligible CalFresh E&T activities to be used to provide a wage subsidy for ABAWD participants in counties that do not participate in the waiver of the ABAWD time limit pursuant to Section 18926.

(e) This section does not limit a county's ability to condition the receipt of nonmedical benefits under Section 17000 on an individual's participation in an employment and training or workfare program of the county's choice, even if that program is financed in whole or in part with CalFresh E&T funds or match funds.

(f) This section does not restrict the use of federal funds for the financing of CalFresh E&T programs.

(g) This section does not require a county to provide for workers' compensation coverage for a CalFresh E&T participant. Notwithstanding Division 4 (commencing with Section 3200) of the Labor Code, a CalFresh E&T participant is not an employee for the purposes of workers' compensation coverage, and a county has no duty to provide workers' compensation coverage for a CalFresh E&T participant.

(h) This section does not prevent the department from entering into an agreement with an organization, institution, or agency, and, subject to approval of the state's employment and training plan by the United States Department of Agriculture, from acting as the state entity for receipt of employment and training reimbursement from/through the federal Supplemental Nutrition Assistance Program on behalf of the organization, institution, or agency.

(i) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement this section by all-county letters or similar instructions. The department shall adopt regulations to implement this section by January 1, 2019.

(Amended by Stats. 2018, Ch. 381, Sec. 1. (AB 1892) Effective January 1, 2019.)

18926.6. In a county that elects to participate in the CalFresh E&T program, a veteran applying for CalFresh benefits who is required to register to work, but who is exempt from mandatory placement in the CalFresh E&T program pursuant to Section 18926.5, shall be given the opportunity to participate as a volunteer in the CalFresh E&T program, and shall be provided with a referral to the local county veterans service office and a referral to veterans' assistance and job training agencies, if those veterans' assistance and job training agencies are known to the county.

(Added by Stats. 2013, Ch. 283, Sec. 3. (SB 134) Effective January 1, 2014.)

18926.7. (a) (1) To the extent permitted under federal law, the department may contract directly with an entity that provides services on a regional or statewide basis and that has expertise in, and secures funds for, CalFresh E&T program services provided to participants that are allowable for partial federal reimbursement.

(2) The department may act as the state entity for receipt of federal reimbursement on behalf of the entity, provided that the entity complies with state and federal contracting requirements and the entity serves participants who face multiple barriers to employment and offers evidence-based skills development that results in a demonstrable increase in employment rates and earnings from work. The entity may include, but is not limited to, any of the following:

(A) An employment social enterprise.

(B) A private nonprofit.

(C) A public postsecondary educational institution, or other state or local agency.

(D) An organization serving as an intermediary for an entity described in subparagraphs (A) to (C), inclusive, and the department.

(b) The department shall seek any county consultation necessary to implement subdivision (a), including, but not limited to, coordination with counties that have contracts in place pursuant to subdivision (c), or counties that are considering entering into contracts pursuant to subdivision (c).

(c) Notwithstanding subdivision (a), a county may contract with an employment social enterprise or designated intermediary to provide services to its CalFresh E&T program participants. The department shall, no later than June 1, 2018, in consultation with the County Welfare Directors Association, issue guidance instructing counties that elect to participate in CalFresh E&T program services of any special considerations for partnering with employment social enterprises in the development or implementation of their county CalFresh E&T programs.

(d) (1) For purposes of this section, "employment social enterprise" means a social purpose corporation, a benefit corporation, or a nonprofit corporation that earns 51 percent or more of its enterprise revenue from production or assembly of goods or the provision of services and that demonstrates evidence of its mission to provide employment with on-the-job and life skills training to a direct labor force, not including supervisors, administrators, and trainers, that is comprised of 80 percent or more participants who face multiple barriers to employment.

(2) For purposes of this section, "participant who faces multiple barriers to employment" means any of the following individuals:

(A) An individual with employment barriers who is a member of at least two of the groups listed under subdivision (j) of Section 14005 of the Unemployment Insurance Code.

(B) An individual who is or has been a homeless individual, as defined in Section 254b of Title 42 of the United States Code.

(C) An individual who is an out-of-school youth, as defined in Section 3164(a)(1)(B) of Title 29 of the United States Code.

(Amended by Stats. 2018, Ch. 381, Sec. 2. (AB 1892) Effective January 1, 2019.)

18926.8. (a) There is hereby established in the State Treasury the CalFresh E&T Workers' Compensation Fund for the purpose of paying workers' compensation claims resulting from CalFresh recipients' participation in the CalFresh E&T program. Notwithstanding Section 13340 of the Government Code, funds deposited and maintained under this section are continuously appropriated, without regard to fiscal years, to the State Department of Social Services for the payment of workers' compensation claims to CalFresh E&T participants.

(b) Notwithstanding any other law, income generated from the Surplus Money Investment Fund during any fiscal year shall be credited to the CalFresh E&T Workers' Compensation Fund.

(c) In the event of an amendment to the law requiring abolition of the fund, all remaining funds shall be returned to the Food and Nutrition Service of the United States Department of Agriculture.

18927. (a) Current and future CalFresh benefits shall be reduced in accordance with subdivisions (c) and (d) to recover an overissuance caused by intentional program violation, as defined in subdivision (c) of Section 273.16 of Title 7 of the Code of Federal Regulations, fraud, or inadvertent household error.

(b) Current and future CalFresh benefits shall be reduced in accordance with subdivisions (c) and (d) to recover an overissuance caused by administrative error if required by federal law or if the overissuance exceeds one hundred twenty-five dollars (\$125), or a higher amount that is approved by the United States Department of Agriculture. Any higher amount shall be implemented when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this provision.

(c) A household's CalFresh benefits shall not be reduced to recover an overissuance as required or authorized by subdivision (a) or (b) unless the household receives adequate and timely notice of the overissuance, including, but not limited to, the budget worksheet that includes the amount and calculation of the overissuance and the reason for the overissuance.

(d) (1) In recovering an overissuance caused by administrative error, a recipient household's monthly CalFresh benefits shall not be reduced by more than 5 percent of the household's monthly CalFresh benefits or ten dollars (\$10), whichever is greater, unless the recipient elects for the benefits to be reduced at a higher rate.

(2) In recovering an overissuance caused by inadvertent household error, a recipient household's monthly CalFresh benefits shall not be reduced by more than 10 percent of the household's monthly CalFresh benefits or ten dollars (\$10), whichever is greater.

(3) In recovering an overissuance caused by intentional program violation, as defined in subdivision (c) of Section 273.16 of Title 7 of the Code of Federal Regulations, or fraud, a recipient household's monthly CalFresh benefits shall be reduced by 20 percent of the household's monthly CalFresh benefit or twenty dollars (\$20), whichever is greater.

(e) If a household is no longer receiving CalFresh benefits, a CalFresh overissuance caused by administrative error or inadvertent household error shall not be established, and collection shall not be attempted, if the overissuance is less than four hundred dollars (\$400), or a higher amount that is approved by the United States Department of Agriculture. Any higher amount shall be implemented when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this provision.

(f) (1) No later than January 1, 2021, the department shall develop a policy for compromising administrative error claims, in whole or in part, for households that include at least one elderly or disabled member, including, but not limited to, recipients of Supplemental Security Income benefits.

(2) The department will implement the policy specified in paragraph (1) on December 31, 2023, or when implementation of the single Statewide Automated Welfare System automation is confirmed, whichever is later.

(g) If a household is no longer receiving CalFresh benefits, collection shall be attempted if the overissuance is caused by inadvertent household error and the overissuance is equal to or greater than the amount established for overissuances caused by administrative error, as specified in subdivision (e). All overissuances caused by intentional program violation, as defined in subdivision (c) of Section 273.16 of Title 7 of the Code of Federal Regulations, or fraud shall be collected as required by federal law.

(h) When an overissuance collection is attempted, reasonable cost-effective methods of collection shall be implemented. The department shall define reasonable cost-effective collection methods, which shall include adequate and timely notice of the overissuance, including, but not limited to, all of the following:

(1) The amount and calculation of, and reason for, the overissuance.

(2) A statement of the monetary threshold described in this subdivision.

(3) Information about how to appeal the overissuance.

(4) Instructions for timely commencement of repayment.

(5) Consequences of delinquent payment.

(i) Nothing in this section shall prevent a county from writing off or terminating an overissuance claim when it meets the provisions of paragraph (8) of subdivision (e) of Section 273.18 of Title 7 of the Code of Federal Regulations, or as otherwise authorized by the United States Department of Agriculture or federal law.

(j) Nothing in this section shall prevent a county or the state from collecting all overissuances that are identified during a quality control review, as required by Section 275.12 of Title 7 of the Code of Federal Regulations.

(k) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement this section through all-county letters or similar instructions from the director no later than January 1, 2014, to allow for automation updates required by this section to be made in coordination with other scheduled updates.

(Amended by Stats. 2020, Ch. 11, Sec. 91. (AB 79) Effective June 29, 2020.)

18927.1. (a) A county shall establish a claim to recover an overissuance of CalFresh benefits due to inadvertent household error, as defined by subdivision (b) of Section 273.18 of Title 7 of the Code of Federal Regulations, or administrative error for which 24 months or fewer have elapsed between the month the overissuance occurred and the month the county welfare department determined the overissuance occurred. A county shall not establish a claim to recover an overissuance due to inadvertent household error or administrative error for which more than 24 months have elapsed between the month the overissuance occurred and the month the county welfare department determined the overissuance occurred.

(b) A claim established pursuant to this section shall equal the total amount of overissuance during the 24 months immediately preceding the date the overissuance due to the inadvertent household error or administrative error was discovered. A county shall not collect any portion of an overissuance that occurred more than 24 months before the date the county discovered the overissuance.

(c) This section shall become operative on July 1, 2022, or upon the department's notification to the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, whichever date is later.

(d) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement and administer this section through all-county letters or similar instructions, which shall have the same force and effect as regulations, until regulations are adopted.

(e) The department shall adopt emergency regulations implementing this section no later than January 1, 2023. The department may readopt any emergency regulation authorized by this section that is the same as, or substantially equivalent to, any emergency regulation previously adopted pursuant to this section. The initial adoption of regulations pursuant to this section and one readoption of emergency regulations shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health, safety, or general welfare. Initial emergency regulations and one readoption of emergency regulations authorized by this section shall be exempt from review by the Office of Administrative Law. The initial emergency regulations and the one readoption of emergency regulations authorized by this section shall be submitted to the Office of Administrative Law for filing with the Secretary of State, and each shall remain in effect for no more than 180 days, by which time final regulations shall be adopted.

(Added by Stats. 2021, Ch. 85, Sec. 85. (AB 135) Effective July 16, 2021. Conditionally operative July 1, 2022, or later date, as prescribed by its own provisions.)

18927.5. (a) A county human services agency shall notify the department when a mass overissuance has been identified, and include information in the notification as to whether the mass overissuance is known to have been caused by either of the following:

(1) Negligence or fraud on the part of the county human services agency in the certification of applicant households, as defined by subdivision (h) of Section 2020 of Title 7 of the United States Code.

(2) A major systemic error by the state or county human services agency, as defined by paragraph (5) of subdivision (b) of Section 2022 of Title 7 of the United States Code.

(b) For purposes of this section, "mass overissuance" means an overissuance that is caused by the same action or inaction and impacts either 8 percent of the county CalFresh caseload, or more than 1,000 CalFresh households within the county, whichever is greater.

(c) The department shall report mass overissuances to the United States Department of Agriculture, Food and Nutrition Service, as required by federal law and guidance.

(Added by Stats. 2017, Ch. 388, Sec. 2. (SB 278) Effective January 1, 2018.)

18928. For the purpose of maximizing the anti-hunger impact of Section 66027.8 of the Education Code, the department shall consult with stakeholders, including legislative staff, representatives of counties, CalFresh eligibility workers, representatives from each segment of public postsecondary education, advocates for CalFresh recipients, and other stakeholders as identified by the department, with the goals of improving coordination between the segments of public postsecondary education and CalFresh administering agencies and improving access to CalFresh for low-income public postsecondary students. To the extent possible, this consultation shall take place through existing workgroups convened by the department.

(Amended by Stats. 2019, Ch. 497, Sec. 323. (AB 991) Effective January 1, 2020.)

18928.5. (a) No later than January 1, 2024, in order to assist in monitoring information about access to the CalFresh program by students enrolled in an institution of higher education, the department shall publish data specific to students' receipt of CalFresh benefits on the department's existing CalFresh Data Dashboard.

(b) The data shall include metrics about student applications, demographics, and exemptions as available through existing data sources, and shall exclude any personally identifiable information.

(c) The department shall update the dashboard on an annual basis and as additional data become available about the population described in subdivision (a).

(d) For purposes of this section, "enrolled in an institution of higher education" has the same meaning as set forth in Section 273.5 of Title 7 of the Code of Federal Regulations.

(Amended by Stats. 2023, Ch. 168, Sec. 1. (AB 928) Effective January 1, 2024.)

18929. To the extent permitted by federal law, regulation, or a waiver of a federal law or regulation, a county shall determine that good cause exists for purposes of the work requirement specified in Section 273.7(a)(1)(vii) of Title 7 of the Code of Federal Regulations if an applicant or recipient has voluntarily quit a job or reduced work hours based on at least one of the reasons enumerated in subdivision (a) of Section 11320.31, or because the scheduled work hours were so unpredictable that they did not allow the applicant or recipient to anticipate the amount of monthly income from the job. If the applicant or recipient reports refusing any offer of employment, reducing hours, voluntarily quitting any employment, or being discharged from any employment, the county human services agency shall provide the applicant or recipient with information regarding workplace rights generally, including information about how to file complaints with the Division of Labor Standards Enforcement and the Civil Rights Department. This information shall be provided pursuant to the instructions developed by the workgroup specified in subdivision (d) of Section 11320.31.

(Amended by Stats. 2023, Ch. 131, Sec. 234. (AB 1754) Effective January 1, 2024.)