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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 16. California Guaranteed Income Pilot Program [18997 - 18997.4] (*Chapter 16 added by Stats. 2021, Ch. 86, Sec. 56.*)

18997. (a) Subject to an appropriation for this purpose in the annual Budget Act, the State Department of Social Services shall administer the California Guaranteed Income Pilot Program to provide grants to eligible entities for the purpose of administering pilot programs and projects that provide a guaranteed income to participants. The department shall prioritize funding for pilot programs and projects that serve California residents who age out of the extended foster care program at or after 21 years of age or who are pregnant individuals. The department, in consultation with relevant stakeholders, shall determine the methodology for, and manner of, distributing grants awarded pursuant to this chapter. In determining the methodology and manner of distributing grants, the department shall ensure that grant funds are awarded in an equitable manner to eligible entities in both rural and urban counties and in proportion to the number of individuals anticipated to be served by an eligible entity's pilot program or project.

(b) In order to receive grant funds pursuant to this chapter, an eligible entity shall do all of the following:

(1) Present commitments of additional funding for pilot programs and projects to be funded with a grant received pursuant to this chapter equal to or greater than 50 percent of the amount of funding to be provided to the pilot program or project from a grant received pursuant to this chapter.

(2) Present a plan for providing all individuals who receive guaranteed income payments funded with a grant provided under this chapter with sufficient benefits counseling and informational materials to ensure that they are aware of any impact the receipt of a guaranteed income payment from the pilot program or project may have on their eligibility for other public benefit programs.

(3) Agree to assist the department in obtaining, or to pursue, to the extent necessary, all available exemptions or waivers to ensure that guaranteed income payments made under those pilots and projects are not considered income or resources for the recipient of the guaranteed income payments or any member of their household in any means-tested federal, state, or local public benefit programs.

(c) (1) Notwithstanding any other law, guaranteed income payments received by an individual from a pilot program or project funded pursuant to this chapter shall not be considered income or resources for purposes of determining the individual's, or any member of their household's, eligibility for benefits or assistance, or the amount or extent of benefits or assistance, under any state or local benefit or assistance program.

(2) The department shall, in consultation with stakeholders, and after consultation with the Legislature, identify federal benefit and assistance programs that require an exemption or waiver in order for a guaranteed income payment funded with a grant provided under this chapter to be excluded from consideration as income or resources for purposes of the federal program. Notwithstanding any other law, a state department or agency that administers a program identified by the department shall, if possible, approve an exemption or waiver, or provide any other authority deemed necessary by the department, to exclude guaranteed income payments from consideration as income or resources for purposes of the federal program, or, if the state department or agency does not have that authority, seek a federal waiver or exemption. The state's failure to be granted a federal exemption or waiver, as described in this paragraph, shall not affect the department's ability to administer the California Guaranteed Income Pilot Program, and the department may consider alternatives to prevent adverse consequences for participants, in consultation with the Legislature and stakeholders.

(d) Notwithstanding any other law, for the purposes of determining eligibility to receive benefits, or the amount or extent of medical assistance, under the Medi-Cal program, a guaranteed income payment funded with a grant provided under this chapter shall not be considered income or resources for a period of 12 months from receipt. This subdivision shall only be implemented by the State

Department of Health Care Services to the extent consistent with federal law and any waivers received for the implementation of this subdivision, and federal financial participation for the Medi-Cal program is available and not otherwise jeopardized.

(e) (1) The department shall review and evaluate the pilot programs and projects funded pursuant to this chapter to determine, at a minimum, the economic impact of the programs and projects and their impact on the outcomes of individuals who receive guaranteed income payments funded with a grant provided under this chapter. To the extent feasible within existing resources and evaluation design, the evaluation shall include the applicability of the lessons learned from the pilot program for the state's CalWORKs program, with the objective of reaching the goals of improved outcomes for families and children living in poverty. The department shall consult with stakeholders and legislative staff on the details of, and data components to include in, the evaluation, as well as any other topics to be addressed by the review and evaluation, in advance of any decision to contract for this evaluation. Notwithstanding any other law, the department may accept and, subject to an appropriation for this purpose, expend funds from any source, public or private, for the review and evaluation.

(2) (A) The department shall submit a report to the Legislature regarding the review and evaluation conducted pursuant to paragraph (1) and shall post a copy of the report on its internet website.

(B) The report described in subparagraph (A) shall be submitted in compliance with Section 9795 of the Government Code.

(f) Upon allocation of funding to eligible entities, as described in this section, the department shall report to the Legislature, and post publicly on its internet website, information about the grants funded, including which specific eligible entities received grants, the expected number of foster youth receiving guaranteed income payments funded with a grant provided under this chapter, characteristics about, and the number of, other populations receiving guaranteed income payments funded with a grant provided under this chapter, and the length of time each guaranteed income pilot program or project will be administered.

(g) For the purposes of this section, "eligible entity" means either of the following:

(1) A city, county, city and county, tribe, consortium of tribes, or tribal organization, or any combination thereof.

(2) A nonprofit organization that is exempt from federal income taxation under Section 501(c)(3) or 501(c)(5) of the Internal Revenue Code of 1986, as amended, and that provides a letter of support for its pilot or project from any county or city and county in which the organization will operate its pilot or project.

(Amended by Stats. 2023, Ch. 43, Sec. 87. (AB 120) Effective July 10, 2023. Inoperative January 1, 2028, pursuant to Section 18997.4. Repealed as of January 1, 2029, pursuant to Section 18997.4.)

18997.1. Notwithstanding any other law:

(a) Contracts or grants awarded pursuant to this chapter shall be exempt from the personal services contracting requirements of Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the Government Code.

(b) Contracts or grants awarded pursuant to this chapter shall be exempt from the Public Contract Code and the State Contracting Manual, and shall not be subject to the approval of the Department of General Services.

(c) 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, interpret, or make specific this chapter without taking any regulatory action.

(Added by Stats. 2021, Ch. 86, Sec. 56. (AB 153) Effective July 16, 2021. Inoperative January 1, 2028, pursuant to Section 18997.4. Repealed as of January 1, 2029, pursuant to Section 18997.4.)

18997.2. (a) The department may establish an appropriate method, process, and structure for grant management, fiscal accountability, payments to guaranteed income pilot participants, and technical assistance and supports for grantees that ensure transparency and accountability in the use of state funds. The department may, at its discretion, contract with one or more entities, including, but not limited to, community development financial intermediaries, state financial entities, or community-based organizations, for these purposes.

(b) The department may, at its discretion, contract with a third-party vendor for the purpose of developing a benefits counseling tool or informational materials for use by grantees to assist in meeting the requirements of paragraph (2) of subdivision (b) of Section 18997.

(c) The department may, at its discretion, require grantees to use a specified third-party vendor for purposes of administering grantees' pilots and to meet the requirements of this chapter.

(Added by Stats. 2022, Ch. 50, Sec. 89. (SB 187) Effective June 30, 2022. Inoperative January 1, 2028, pursuant to Section 18997.4. Repealed as of January 1, 2029, pursuant to Section 18997.4.)

18997.3. Notwithstanding any other law, the department may accept and, subject to an appropriation for this purpose, expend funds from any source, public or private, to administer this chapter.

(Amended by Stats. 2023, Ch. 43, Sec. 88. (AB 120) Effective July 10, 2023. Inoperative January 1, 2028, pursuant to Section 18997.4. Repealed as of January 1, 2029, pursuant to Section 18997.4.)

18997.4. This chapter shall become inoperative on January 1, 2028, and, as of January 1, 2029, is repealed.

(Amended by Stats. 2024, Ch. 46, Sec. 64. (AB 161) Effective July 2, 2024. Repealed as of January 1, 2029, by its own provisions. Note: Repeal affects Chapter 16, commencing with Section 18997.)