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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 3. AID AND MEDICAL ASSISTANCE [11000 - 15771]** ( Part 3 added by Stats. 1965, Ch. 1784. )

**CHAPTER 1. General Provisions [11000 - 11175]** ( Chapter 1 added by Stats. 1965, Ch. 1784. )

**ARTICLE 4. Property Qualifications [11150 - 11160]** ( Article 4 added by Stats. 1965, Ch. 1784. )

**11150.** It is the intent of this article to set forth the amount of personal or real property, or both, which an applicant for, or recipient of, public assistance may retain and remain eligible to receive public assistance provided he meets the other eligibility requirements for the category of public assistance for which he or she is an applicant or recipient.

In the formulation of any regulations pursuant to this article and in the administration thereof, consideration shall be given to the ability and circumstances of the applicant or recipient in order that undue hardship is not imposed upon any applicant or recipient in making plans to comply with the provisions of this article. No applicant or recipient shall be considered ineligible for retaining property where disposition would alter or impair reasonable access to, or the normal use of, his or her home.

This article does not apply to aid to families with dependent children or Chapter 3 (commencing with Section 12000) or Chapter 7 (commencing with Section 14000) of this part, unless otherwise expressly indicated.

(Amended by Stats. 1982, Ch. 328, Sec. 3. Effective June 30, 1982.)

**11151.** An applicant or recipient shall be ineligible to receive public assistance unless the property he owns is held for the following purposes:

1. The property is used to provide the applicant or recipient with a home and conforms to the provisions of Section 11152 of this code.
2. The property is producing income for the support of the applicant or recipient and conforms to the provisions of Section 11153.7 of this code.
3. The property is held as a reserve to meet a contingent need, not included within the standard of assistance for which an aid payment is made, and conforms to the provisions of Section 11154 of this code.
4. The property is personal in nature, or meets a special need of the applicant or recipient, or is part of a self-care or rehabilitation plan, or is not available for expenditure or disposition by the applicant or recipient and conforms to provisions of Section 11155 of this code.

(Amended by Stats. 1975, Ch. 678.)

**11152.** An applicant or recipient may retain personal or real property owned by him, or in combination with any other person, without reference to its value, if it serves to provide the applicant or recipient with a home. The basic home may be a multiple-dwelling unit if the units not occupied by the applicant or recipient are producing income for the support of the applicant or recipient consistent with their rental value.

Any applicant or recipient who does not own a suitable home may apply other real property or the proceeds received therefrom for the acquisition of a home. Such property in whatever form held shall be considered to be used as a home during such time as the following conditions apply:

1. A plan has been made which will provide that the property will be used through conversion or transfer within six months for the purpose of providing a home.
2. Any proceeds received from the sale are used within one year of the date of conversion or application for aid, whichever is later, for the purchase of a home, or for the costs of moving, necessary furnishings, or necessary repairs or alterations to the home, except that an amount may be set aside within the limits permitted by Section 11154 of this code.

3. Proceeds of conversion which are received in a form not readily applicable to the initial payment on purchase of the home are retained, and all payments thereafter received on such proceeds are applied to the balance due on the home, or for the costs of moving, necessary furnishings, or necessary repairs or alterations to the home.

*(Added by Stats. 1965, Ch. 1784.)*

**11153.7.** (a) In addition to real property permitted by other provisions of this part, real property owned by the applicant or recipient, or in combination with his spouse, may be retained in an amount not to exceed a market value, less the amount of any encumbrance of record, of twenty-five thousand dollars (\$25,000), provided it is being adequately utilized or is producing income reasonably consistent with its value which is used for the support of the applicant or recipient.

(b) If the real property is not producing income reasonably consistent with its value, the applicant or recipient shall be allowed reasonable time to rent, lease or sell the property. If the property cannot be rented, leased or sold on the basis of the market value, the applicant or recipient shall be allowed to submit evidence from a qualified real estate appraiser which indicates the value for which the property can be adequately utilized.

(c) If the applicant or recipient provides evidence that the only method of adequately utilizing the property is sale, the property shall be considered to be adequately utilized provided it is listed with a licensed real estate broker at the market value or the value determined in accordance with subdivision (b) and the applicant or recipient provides evidence that a bona fide and continuous effort is being made to sell the property.

(d) Any mortgage or note secured by a deed of trust not exceeding a market value of twenty-five thousand dollars (\$25,000) that is obtained by the applicant or recipient, or in combination with his spouse, through the sale of such real property shall be deemed real property when the income from the same is used to meet the needs of the recipient.

For the purposes of this section, "market value" shall be defined as four times the assessed value.

*(Amended by Stats. 1976, Ch. 1417.)*

**11154.** The applicant or recipient may retain as a reserve for future contingencies any combination of personal or real property not to exceed a total value of one thousand two hundred dollars (\$1,200), or, in case of a married couple both receiving public assistance, two thousand dollars (\$2,000). Any real property held as such reserve shall be valued at its net appraised market value.

*(Added by Stats. 1965, Ch. 1784.)*

**11155.** (a) Notwithstanding Section 11257, in addition to the personal property or resources permitted by other provisions of this part, and to the extent permitted by federal law, an applicant or recipient for aid under this chapter including an applicant or recipient under Chapter 2 (commencing with Section 11200) may retain countable resources in an amount equal to the amount permitted under federal law for qualification for the federal Supplemental Nutrition Assistance Program, administered in California as CalFresh.

(b) The county shall determine the value of exempt personal property other than motor vehicles in conformance with methods established under CalFresh.

(c) (1) (A) The value of each motor vehicle that is not exempt under paragraph (4) shall be the equity value of the vehicle, which shall be the fair market value less encumbrances.

(B) Any motor vehicle with an equity value of nine thousand five hundred dollars (\$9,500) or less shall not be attributed to the family's resource level.

(C) For each motor vehicle with an equity value of more than nine thousand five hundred dollars (\$9,500), the equity value that exceeds nine thousand five hundred dollars (\$9,500) shall be attributed to the family's resource level.

(2) The equity threshold described in paragraph (1) of nine thousand five hundred dollars (\$9,500) shall be adjusted upward annually by the increase, if any, in the United States Transportation Consumer Price Index for All Urban Consumers published by the United States Department of Labor, Bureau of Labor Statistics.

(3) The county shall determine the fair market value of the vehicle in accordance with a methodology determined by the department. The applicant or recipient shall self-certify the amount of encumbrance, if any.

(4) The entire value of any motor vehicle shall be exempt if any of the following apply:

(A) It is used primarily for income-producing purposes.

(B) It annually produces income that is consistent with its fair market value, even if used on a seasonal basis.

(C) It is necessary for long distance travel, other than daily commuting, that is essential for the employment of a family member.

(D) It is used as the family's residence.

(E) It is necessary to transport a physically disabled family member, including an excluded disabled family member, regardless of the purpose of the transportation.

(F) It would be exempted under any of subparagraphs (A) to (D), inclusive, but the vehicle is not in use because of temporary unemployment.

(G) It is used to carry fuel for heating or water for home use, when the transported fuel or water is the primary source of fuel or water for the family.

(H) Ownership of the vehicle was transferred through a gift, donation, or family transfer, as defined by the Department of Motor Vehicles.

(d) This section shall become inoperative on June 1, 2020, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, as added by Section 34 of the act that added this subdivision, whichever date is later, and as of that date is repealed.

*(Amended by Stats. 2019, Ch. 27, Sec. 33. (SB 80) Effective June 27, 2019. Repealed on or after June 1, 2020, as prescribed by its own provisions.)*

**11155.** (a) Notwithstanding Section 11257, in addition to the personal property or resources permitted by other provisions of this part, and to the extent permitted by federal law, an applicant or recipient for aid under this chapter including an applicant or recipient under Chapter 2 (commencing with Section 11200) may retain countable resources in an amount not to exceed ten thousand dollars (\$10,000) for assistance units that do not include at least one member 60 years of age or older or a disabled member, and in an amount not to exceed fifteen thousand dollars (\$15,000) for assistance units that include at least one member 60 years of age or older or a disabled member.

(b) Effective January 1, 2021, or the date that automation changes occur, as required for implementation, in the Statewide Automated Welfare System, whichever date is later, and annually thereafter, the resources thresholds described in subdivision (a) shall be increased on January 1 of each subsequent year by an amount equal to the increase in the California Necessities Index for the most recent fiscal year.

(c) The county shall determine the value of exempt personal property other than motor vehicles in conformance with methods established under CalFresh.

(d) (1) (A) The value of each motor vehicle that is not exempt under paragraph (4) shall be the equity value of the vehicle, which shall be the fair market value less encumbrances.

(B) Any motor vehicle with an equity value of twenty-five thousand dollars (\$25,000) or less shall not be attributed to the family's resource level.

(C) For each motor vehicle with an equity value of more than twenty-five thousand dollars (\$25,000), the equity value that exceeds twenty-five thousand dollars (\$25,000) shall be attributed to the family's resource level.

(2) The equity threshold described in paragraph (1) of twenty-five thousand dollars (\$25,000) shall be adjusted upward annually, commencing January 1, 2021, or the date that automation changes occur, as required for implementation, in the Statewide Automated Welfare System, whichever date is later, by the increase, if any, in the United States Transportation Consumer Price Index for All Urban Consumers published by the United States Department of Labor, Bureau of Labor Statistics.

(3) The county shall determine the fair market value of the vehicle in accordance with a methodology determined by the department. The applicant or recipient shall self-certify the amount of encumbrance, if any.

(4) The entire value of any motor vehicle shall be exempt if any of the following apply:

(A) It is used primarily for income-producing purposes.

(B) It annually produces income that is consistent with its fair market value, even if used on a seasonal basis.

(C) It is necessary for long distance travel, other than daily commuting, that is essential for the employment of a family member.

(D) It is used as the family's residence.

(E) It is necessary to transport a physically disabled family member, including an excluded disabled family member, regardless of the purpose of the transportation.

(F) It would be exempted under any of subparagraphs (A) to (D), inclusive, but the vehicle is not in use because of temporary unemployment.

(G) It is used to carry fuel for heating for home use, when the transported fuel or water is the primary source of fuel or water for the family.

(H) Ownership of the vehicle was transferred through a gift, donation, or family transfer, as defined by the Department of Motor Vehicles.

(e) This section shall become operative on June 1, 2020, or when the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement this section, whichever date is later.

*(Added by Stats. 2019, Ch. 27, Sec. 34. (SB 80) Effective June 27, 2019. Section operative on or after June 1, 2020, as prescribed by its own provisions.)*

**11155.2.** (a) In addition to the personal property permitted by this part, recipients of aid under CalWORKs shall be permitted to retain savings and interest thereon for specified purposes. Interest earned from these savings and deposited into a restricted account shall be considered exempt as income for purposes of determining eligibility for aid and grant amounts if the interest is retained in the account. If the interest is not deposited by the financial institution into the account, the interest shall be treated as a nonqualifying withdrawal of funds from the account as specified in subdivision (b). This section shall not apply to applicants. Funds may be used by the family for education or job training expenses for the account holder or his or her dependents, for starting a business, for the purchase of a home, or for costs associated with securing permanent rental housing or to make rent payments to overcome an episode of homelessness. Recipients who wish to retain savings for these purposes shall enter into a written agreement with the county to establish a separate account with a financial institution, with the account to be used solely for the purpose of accumulating funds for later withdrawal for a qualifying expenditure. A qualifying expenditure shall be defined by department regulations and shall be verified by the recipient. The recipient shall agree to provide periodic verification of account activity, as required by department regulations. The agreement shall notify the recipient of the penalty for nonqualifying withdrawal of funds.

(b) Any nonqualifying withdrawal of funds from the account shall result in a calculation of a period of ineligibility for all persons in the assistance unit, to be determined by dividing the balance in the account immediately prior to the withdrawal by the minimum basic standard of adequate care for the members of the assistance unit, as set forth in Section 11452. The resulting whole number shall be the number of months of ineligibility. The period of ineligibility may be reduced when the minimum basic standard of adequate care of the assistance unit, including special needs, increases.

(c) If the California Savings and Asset Project is established pursuant to Chapter 17 (commencing with Section 50897) of Part 2 of Division 31 of the Health and Safety Code, then to the extent permitted by federal law, a recipient shall be eligible to receive matching funds derived from federal contributions for the purpose of establishing an individual account in an amount not to exceed three thousand dollars (\$3,000) in addition to the amounts specified in subdivision (a) and a fiduciary organization may provide amounts in excess of the first three thousand dollars (\$3,000) limitation if contributed solely through private sources.

*(Amended by Stats. 2008, Ch. 485, Sec. 1. Effective January 1, 2009.)*

**11155.3.** (a) It is the intent of the Legislature in enacting this section to provide counties and recipients of aid under Chapter 2 (commencing with Section 11200) with increased flexibility to determine allowable business expenses and income reporting periods in order to facilitate local microenterprise development, maximize opportunities for a family to become self-sufficient, and reduce unnecessary paperwork processing by county staff.

(b) Self-employment net income shall be used in computing the aid grant under Chapter 2 (commencing with Section 11200).

(c) For purposes of determining the self-employment net income for applicants and recipients of aid under Chapter 2 (commencing with Section 11200), applicants and recipients may choose to deduct a standard deduction of 40 percent of gross income or verified actual self-employment expenses to the same extent allowed in CalFresh pursuant to Chapter 10 (commencing with Section 18900) of Part 6. Applicants and recipients may change the method of deduction only when a redetermination of eligibility is conducted by the county or every six months, whichever occurs first.

*(Amended by Stats. 2011, Ch. 227, Sec. 43. (AB 1400) Effective January 1, 2012.)*

**11155.4.** The principal and interest in an individual development account established in accordance with the federal requirements of Section 604(h) of Title 42 of the United States Code or established by a statewide individual development account program shall be

exempt from consideration when determining or redetermining eligibility and the amount of CalWORKs assistance.

*(Amended by Stats. 2007, Ch. 622, Sec. 2. Effective January 1, 2008.)*

**11155.5.** (a) In addition to the personal property permitted by other provisions of this part, a child declared a ward or dependent child of the juvenile court, who is 16 years of age or older, or, a nonminor dependent, as defined in subdivision (v) of Section 11400, who is participating in a transitional independent living case plan pursuant to the federal Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law 110-351), may retain resources consistent with Section 472(a) of the federal Social Security Act (42 U.S.C. Sec. 672(a)) as contained in the federal Foster Care Independence Act of 1999 (Public Law 106-169) and the child's transitional independent living case plan. Any cash savings shall be the child's own money and shall be deposited by the child or on behalf of the child in any bank or savings and loan institution whose deposits are insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation. The cash savings shall be for the child's use for purposes directly related to the child's or nonminor dependent's transitional independent living case plan goals.

(b) The withdrawal of the savings by a child shall require the written approval of the child's probation officer or social worker and shall be directly related to the goal of emancipation. This written approval is not required for withdrawals by a nonminor dependent.

*(Amended by Stats. 2024, Ch. 237, Sec. 1. (AB 2477) Effective January 1, 2025.)*

**11155.6.** (a) (1) The principal and interest in a 401(k) plan, 403(b) plan, or 457 plan shall be excluded from consideration as property when determining eligibility and the amount of assistance with respect to an applicant for benefits who is not a recipient of CalWORKs benefits.

(2) The principal and interest in a 401(k) plan, 403(b) plan, IRA, 457 plan, 529 college savings plan, or Coverdell ESA, shall be excluded from consideration as property when redetermining eligibility and the amount of assistance for recipients of CalWORKs benefits.

(b) For purposes of this section, the following terms have the following meanings:

(1) "401(k) plan" means a deferred compensation plan that satisfies the requirements of Section 401(k) of the Internal Revenue Code.

(2) "403(b) plan" means a qualified annuity plan that satisfies the requirements of Section 403(b) of the Internal Revenue Code.

(3) "IRA" means an individual retirement account that satisfies the requirements of Section 408 of the Internal Revenue Code.

(4) "457 plan" means a deferred compensation plan that satisfies the requirements of Section 457 of the Internal Revenue Code.

(5) "529 college savings plan" means a qualified tuition program that satisfies the requirements of Section 529 of the Internal Revenue Code.

(6) "Coverdell ESA" means an education savings account that satisfies the requirements of Section 530 of the Internal Revenue Code.

*(Amended by Stats. 2007, Ch. 622, Sec. 3. Effective January 1, 2008.)*

**11156.** If a recipient purchases with cash an essential item, and such purchase under the rules and regulations of the department would have entitled him to a special need allowance each month to meet monthly installments on such purchase had he paid for the item in monthly installments, the recipient shall be considered to have purchased the item from his personal property holdings, and shall be allowed to place in his savings, each month, without deduction from his grant, an amount of income equivalent to the special need allowance he would have been granted had he paid for the item on a monthly installment basis, if he reports the purchase to the county department within 90 days after the date on which it was made. The income placed in his savings shall be considered personal property.

The county department, for good and sufficient reason, may extend the period during which a recipient may report a purchase under this section. The department, in its rules and regulations, shall indicate what constitutes good and sufficient reason for extending that period.

*(Added by Stats. 1965, Ch. 1784.)*

**11157.** (a) Notwithstanding Section 11008, all lump-sum income received by an applicant or recipient shall be regarded as income in the month received, except nonrecurring lump-sum social insurance payments, which shall include social security income, railroad retirement benefits, veteran's benefits, workers' compensation, and disability insurance.

(b) Except as otherwise provided in this part, for purposes of this chapter and Chapter 2 (commencing with Section 11200), "income" shall be deemed to be the same as applied under the Aid to Families with Dependent Children program on August 21, 1996, except that the following are exempt from consideration as income:

(1) Income that is received too infrequently to be reasonably anticipated, as exempted in federal Supplemental Nutrition Assistance Program (SNAP) regulations.

(2) Income from a college work-study program under Title IV of the federal Higher Education Act or Article 18 (commencing with Section 69950) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code or college work-study program, as established in the annual Budget Act, for individuals receiving aid under Chapter 2 (commencing with Section 11200).

(3) (A) Except as provided for in subparagraph (B), an award or scholarship provided by a public or private entity to or on behalf of a dependent child based on the child's academic or extracurricular achievement or participation in a scholastic, educational, or extracurricular competition.

(B) For purposes of Chapter 2 (commencing with Section 11200), an award or scholarship provided by a public or private entity to or on behalf of a dependent child.

(c) (1) For purposes of Chapter 2 (commencing with Section 11200), any income or stipend paid by the United States Census Bureau, a governmental entity, or a nonprofit organization for temporary work related to the decennial census shall not be considered income.

(2) Paragraph (1) shall be retroactive and shall apply to any income or stipend paid by the United States Census Bureau, a governmental entity, or a nonprofit organization for temporary work related to the most recent decennial census.

(3) 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 subdivision by means of all-county letters or similar instructions from the department until regulations are adopted. These all-county letters or similar written instructions shall have the same force and effect as regulations until the adoption of regulations.

(d) (1) Any federal pandemic unemployment compensation, as described under Subchapter 2 (commencing with Section 9021) of Chapter 116 of Title 15 of the United States Code, is exempt from consideration as income and resources for the purposes of determining initial and continued eligibility and grant amount for the CalWORKs program.

(2) The exemption described under paragraph (1) shall remain in effect so long as federal pandemic unemployment compensation is exempt as income for purposes of establishing eligibility for the CalFresh program (Chapter 10 (commencing with Section 18900) of Part 6), pursuant to the federal Consolidated Appropriations Act of 2021 or any other law.

(e) (1) Notwithstanding any other law, for the purposes of this chapter and Chapter 2 (commencing with Section 11200), guaranteed income payments shall be exempt from consideration as income and resources.

(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 may implement, interpret, or make specific this subdivision through all-county letters or similar instructions that shall have the same force and effect as regulations until regulations are adopted.

(f) This section shall become inoperative on July 1, 2025, or on the date that the department notifies the Legislature of either of the following, whichever is later, and as of January 1 of the following year, is repealed:

(1) The Statewide Automated Welfare System can perform the necessary automation to implement Section 11157, as added by the act that added this subdivision.

(2) The California Automated Response and Engagement System (CARES) can perform the necessary automation to implement Section 11157, as added by the act that added this subdivision.

*(Amended by Stats. 2024, Ch. 1010, Sec. 5. (SB 242) Effective January 1, 2025. Conditionally inoperative on or after July 1, 2025, by its own provisions. Repealed conditionally by its own provisions. See later operative version added by Sec. 6 of Stats. 2024, Ch. 1010.)*

**11157.** (a) Notwithstanding Section 11008, all lump-sum income received by an applicant or recipient shall be regarded as income in the month received, except nonrecurring lump-sum social insurance payments, which shall include social security income, railroad retirement benefits, veteran's benefits, workers' compensation, and disability insurance.

(b) Except as otherwise provided in this part, for purposes of this chapter and Chapter 2 (commencing with Section 11200), "income" shall be deemed to be the same as applied under the Aid to Families with Dependent Children program on August 21, 1996, except that the following are exempt from consideration as income:

(1) Income that is received too infrequently to be reasonably anticipated, as exempted in federal Supplemental Nutrition Assistance Program (SNAP) regulations.

(2) Income from a college work-study program under Title IV of the federal Higher Education Act or Article 18 (commencing with Section 69950) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code or college work-study program, as established in the annual Budget Act, for individuals receiving aid under Chapter 2 (commencing with Section 11200).

(3) (A) Except as provided for in subparagraph (B), an award or scholarship provided by a public or private entity to or on behalf of a dependent child based on the child's academic or extracurricular achievement or participation in a scholastic, educational, or extracurricular competition.

(B) For purposes of Chapter 2 (commencing with Section 11200), an award or scholarship provided by a public or private entity to or on behalf of a dependent child.

(c) (1) For purposes of Chapter 2 (commencing with Section 11200), any income or stipend paid by the United States Census Bureau, a governmental entity, or a nonprofit organization for temporary work related to the decennial census shall not be considered income.

(2) Paragraph (1) shall be retroactive and shall apply to any income or stipend paid by the United States Census Bureau, a governmental entity, or a nonprofit organization for temporary work related to the most recent decennial census.

(3) 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 subdivision by means of all-county letters or similar instructions from the department until regulations are adopted. These all-county letters or similar written instructions shall have the same force and effect as regulations until the adoption of regulations.

(d) (1) Any federal pandemic unemployment compensation, as described under Subchapter 2 (commencing with Section 9021) of Chapter 116 of Title 15 of the United States Code, is exempt from consideration as income and resources for the purposes of determining initial and continued eligibility and grant amount for the CalWORKs program.

(2) The exemption described under paragraph (1) shall remain in effect so long as federal pandemic unemployment compensation is exempt as income for purposes of establishing eligibility for the CalFresh program (Chapter 10 (commencing with Section 18900) of Part 6), pursuant to the federal Consolidated Appropriations Act of 2021 or any other law.

(e) (1) Notwithstanding any other law, for the purposes of this chapter and Chapter 2 (commencing with Section 11200), guaranteed income payments shall be exempt from consideration as income and resources.

(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 may implement, interpret, or make specific this subdivision through all-county letters or similar instructions that shall have the same force and effect as regulations until regulations are adopted.

(f) For purposes of this chapter and Chapter 2 (commencing with Section 11200), any funds deposited and investment returns accrued in a HOPE trust account established pursuant to Chapter 16.1 (commencing with Section 18997.5) of Part 6 shall be exempt from consideration as income and resources pursuant to Section 18997.56.

(g) This section shall become operative on July 1, 2025, or on the date that the department notifies the Legislature of either of the following, whichever is later:

(1) The Statewide Automated Welfare System can perform the necessary automation to implement this section.

(2) The California Automated Response and Engagement System (CARES) can perform the necessary automation to implement this section.

*(Repealed (in Sec. 5) and added by Stats. 2024, Ch. 1010, Sec. 6. (SB 242) Effective January 1, 2025. Conditionally operative on or after July 1, 2025, by its own provisions.)*

**11157.1.** (a) For purposes of Chapter 2 (commencing with Section 11200), any support payments as defined in Section 150 of the Family Code received by an applicant or recipient that does not require assignment or cooperation with the local child support agency pursuant to subdivision (c) of section 11477 is exempt from consideration as income and resources for the purposes of determining initial and continued eligibility and grant amount for the CalWORKs program.

(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 State Department of Social Services may implement, interpret, or make specific this section by means of all-county letters or similar instructions from the department until regulations are adopted. These all-county letters or similar written instructions shall have the same force and effect as regulations until the adoption of regulations.

(c) This section shall become operative on January 1, 2024, or the date that the Department of Social Services has determined that necessary automation within the Statewide Automated Welfare System can be complete, whichever date is later.

*(Added by Stats. 2022, Ch. 573, Sec. 17. (AB 207) Effective September 27, 2022. Conditionally operative on or after January 1, 2024, as prescribed by its own provisions.)*

**11157.5.** The receipt of aid under Chapter 2 (commencing with Section 11200) shall not impose any limitation or restriction upon a recipient's right to sell, exchange, or change, the form of property holdings. However, a gift or any other transfer of assets, including income and resources, by a recipient for less than fair market value shall result in a period of ineligibility for aid under Chapter 2 (commencing with Section 11200) for the number of months, rounded down to the nearest whole number, that equals the quotient of the difference between the fair market value of the asset and the amount received for the asset divided by the standard of need applicable to the family under Section 11452. This section shall only apply to transfer of income or resources that would otherwise affect a recipient's eligibility for benefits or the amount of benefits to which he or she would be entitled.

*(Amended by Stats. 1998, Ch. 902, Sec. 17. Effective January 1, 1999.)*

**11158.** The Legislature recognizes that certain property and rights owned by a recipient, including a recipient of aid to families with dependent children, are of negligible value in enabling the recipient to meet his or her present needs, and should not be classified as available resources of the recipient. It is the purpose of this section to designate such property and rights.

Resources available to a recipient, including a recipient of aid to families with dependent children shall not include all of the following:

(a) Money or securities placed in an irrevocable trust for funeral, cremation, or interment expenses with any of the trustees mentioned in Section 7736 of the Business and Professions Code or Section 8775 of the Health and Safety Code.

(b) Money or securities placed in an irrevocable trust created by a deposit in an insured savings institution made by one person of his or her own money in his or her own name as trustee for a funeral director to provide payment for funeral services rendered by the funeral director upon the depositor's death.

(c) Life or burial insurance purchased specifically for funeral, cremation, or interment expense, which is placed in an irrevocable trust or which has no loan or surrender value available to the recipient.

(d) Securities issued by a licensed cemetery authority which by their terms are convertible only into payment for funeral, cremation, or interment expenses.

(e) Other funeral agreements to the extent consistent with federal law.

For the purposes of evaluating the personal property of a recipient, interment plots as defined in Section 7022 of the Health and Safety Code shall be deemed to have no value.

*(Amended (as amended by Stats. 1984, Ch. 1447) by Stats. 1986, Ch. 1402, Sec. 5.)*

**11159.** No payment received by, or for the benefit of any members of, an eligible household occupying an assisted unit under Chapter 9 (commencing with Section 50735) of Part 2 of Division 31 of the Health and Safety Code, shall be considered as income or resources to any recipient, including a recipient of aid to families with dependent children, and such payments shall not be deducted from the amount of aid to which the recipient would otherwise be entitled under any other provision of law.

*(Added by Stats. 1979, Ch. 1045.)*

**11160.** To the extent federal financial participation is available, any state agency responsible for the administration of any program under this division may establish procedures for common eligibility determination for public social service programs that aid needy families to the extent consistent with the eligibility of each program, so as to improve the efficiency of the operation of the welfare program, improve the cost-effective use of state dollars, and simplify the process for permitting qualified recipients to establish their eligibility.

*(Added by Stats. 1997, Ch. 270, Sec. 48. Effective August 11, 1997. Operative January 1, 1998, by Sec. 183 of Ch. 270.)*