



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

Code: Section:

[Up^](#) [Add To My Favorites](#)

WELFARE AND INSTITUTIONS CODE - WIC

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

PART 5. COUNTY AID AND RELIEF TO INDIGENTS [17000 - 17613.4] (*Part 5 added by Stats. 1965, Ch. 1784.*)

CHAPTER 2. Eligibility [17100 - 17111] (*Chapter 2 added by Stats. 1965, Ch. 1784.*)

17100. Except as otherwise provided in this chapter, a person, in order to be entitled to aid, shall be a resident of the state and of the county wherein application is made.

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

17101. The residence is the place where one remains when not called elsewhere for labor or other special or temporary purpose, and to which he returns in seasons of repose.

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

17102. The residence of an unmarried minor child is the residence of the parent or parents with whom a child maintains his or her place of abode or of the parent who has the legal custody of the minor.

The residence of an orphan is that of the last deceased person who had his or her legal custody.

The residence of a dependent child who has been declared free from the custody and control of his or her parent or parents, by order of the juvenile court, is not changed by change of the residence of the parent or parents.

The provisions of this section apply to the extent not in conflict with federal law.

(*Amended by Stats. 1975, Ch. 1129.*)

17103. Neither the domicile nor residence of a spouse shall be deemed to be the domicile or residence of the other spouse, and each spouse shall establish his or her own domicile or residence dependent upon proof of the fact and not upon legal presumptions.

(*Amended by Stats. 1976, Ch. 1171.*)

17104. A refugee who is eligible for, and is required to participate in, an alternative project implemented pursuant to Section 412(e)(7) of the federal Immigration and Nationality Act (Section 1522(e)(7) of Title 8 of the United States Code), shall not be eligible for benefits under this part. This section shall apply only when a alternative project uses a payment level for project participants that is substantially equal to the payment level in effect for persons receiving aid under this part, with respect to both cash and in-kind payments, and if the assistance provided to the alternative project participant is considered a grant rather than a loan.

(*Added by Stats. 1992, Ch. 1311, Sec. 3. Effective September 30, 1992.*)

17105. A person who is a resident of California within the meaning of this chapter is a lawful resident of the county wherein he applies for aid, if he has resided therein continuously for one year immediately preceding his application for assistance. If the applicant has no such residence, the county wherein he last resided continuously for one year immediately preceding his application shall be responsible for his support. If the applicant has no such year's residence within three years preceding application, that county shall be responsible for his support wherein he was present for the longest time during the three-year period. Time spent in a public institution or on parole therefrom or in a private charitable institution shall not in any case be counted in determining the matter of county residence.

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

17106. The eligibility of an indigent or needy person to receive surplus food under any program supported or sponsored by the federal government shall not be limited by any provision in this chapter, nor shall any county, by ordinance or otherwise, limit the

eligibility of such persons to receive such food by the imposition of residence requirements, whether or not such food is distributed by a county agency.

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

17107. The board of supervisors may establish its own policies with reference to the amount of property, if any, a person shall be permitted to have while receiving assistance, to the end that, so far as it is possible, an applicant for public relief shall be required to apply his own property to his support.

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

17108. The policies established under Section 17107 shall not deny needed care in a county hospital or contract hospital, as defined in Section 14057.5 of this code, to any person who meets the eligibility requirements for medical assistance for the aged, and shall not require the application of any property of such a person to his support or the taking of any lien upon that property.

(Amended by Stats. 1969, Ch. 21.)

17109. As a condition to the grant or continuation of aid to an indigent, the board of supervisors may require, as security for the moneys so expended, that the applicant transfer or grant to it such property or interest in property as the applicant has, or such portion thereof or estate therein or lien thereon as the board specifies. Such property shall be managed by the board of supervisors and the net income thereof shall be applied to the reimbursement of the county for the aid granted, and any surplus in excess of such reimbursement shall be paid to the indigent. In the case of any estate, interest, or lien in such property held by the board, or any right of management transferred thereto, the board shall have all the powers of an attorney in fact for the indigent as to such estate, interest, or lien, and may sell, lease, or transfer the same, defend and prosecute all suits concerning it, pay all just claims against it and be reimbursed out of the proceeds, and do all things necessary for the protection, preservation, and management thereof. Any such estate, interest, or lien shall be held by the board, subject to the claim of the county for reimbursement for aid granted to the applicant or for moneys expended in its management, preservation, or protection, and such reimbursement shall constitute a preferred claim against such estate, interest, or lien.

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

17110. Whenever the respective boards of supervisors deem it best for the welfare of a family or in the public interest that an indigent remain in a county not responsible for his support, the county responsible for the support of the indigent may agree to support him in the county not so responsible; but no indigent supported in this manner shall be deemed to have acquired a residence in the nonresponsible county. Such agreement shall be made by the responsible county with the nonresponsible county, and a record or copy thereof shall be sent to and filed in the office of the department.

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

17111. An applicant or recipient shall be permitted to retain, without effect on his eligibility for aid or the amount of aid to which he is otherwise entitled, the tools of his trade necessary to continue or seek employment and an automobile of reasonable value needed to seek or maintain employment in order to enable the applicant or recipient to become self-supporting. The board of supervisors shall determine what tools of the trade may be retained as necessary and the reasonable value of an automobile used to seek or maintain employment.

(Added by Stats. 1965, Ch. 2048.)