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AB-818 CalWORKs: welfare to work. (2017-2018)

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Assembly Bill No. 818

CHAPTER 141

An act to amend Section 11322.87 of the Welfare and Institutions Code, relating to CalWORKs.

[Approved by Governor July 31, 2017. Filed with Secretary of State July 31, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

AB 818, Burke. CalWORKs: welfare to work.

Existing law establishes the California Work Opportunity and Responsibility to Kids (CalWORKs) program, under which each county provides cash assistance and other benefits to qualified low-income families using federal, state, and county funds. Existing law establishes a 48-month lifetime limit of CalWORKs benefits for eligible adults, as specified. Existing law requires a recipient of CalWORKs to participate in certain welfare-to-work activities as a condition of eligibility for 24 cumulative months, as specified, and then to meet other federal requirements afterwards, as specified. Existing law authorizes each county to provide an extension of the 24 months for recipients who are unlikely to meet the federal requirements, and authorizes a recipient to request the extension and present evidence to the county that he or she meets a specified circumstance, including that the recipient has achieved satisfactory progress in an educational or treatment program that has a known graduation, transfer, or completion date that would meaningfully increase the likelihood of his or her employment.

This bill would provide that for purposes of the educational or treatment program circumstance, a high school education or its equivalent is presumed to meaningfully increase the likelihood of the recipient's employment. The bill would additionally include as a circumstance to be presented as evidence in requesting an extension, that the recipient obtained his or her high school diploma or its equivalent while participating in specified welfare-to-work activities during the 24 months, and an additional period of time to complete an educational program or other specified activity in which he or she is currently participating would meaningfully increase the likelihood of his or her employment.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 11322.87 of the Welfare and Institutions Code is amended to read:

11322.87. (a) A recipient subject to the 24-month time limitation described in Section 11322.85 may request an extension in accordance with Section 11322.86 and may present evidence to the county that he or she meets any of the following circumstances:

- (1) The recipient is likely to obtain employment within six months.

(2) The recipient has encountered unique labor market barriers temporarily preventing employment, and therefore needs additional time to obtain employment.

(3) The recipient has achieved satisfactory progress in an educational or treatment program, including adult basic education, vocational education, or a self-initiated program that has a known graduation, transfer, or completion date that would meaningfully increase the likelihood of his or her employment. For purposes of this paragraph, a high school education or its equivalent is presumed to meaningfully increase the likelihood of employment.

(4) The recipient needs an additional period of time to complete a welfare-to-work activity specified in his or her welfare-to-work case plan due to a diagnosed learning or other disability, so as to meaningfully increase the likelihood of his or her employment.

(5) The recipient has submitted an application to receive SSI disability benefits, and a hearing date has been established.

(6) The recipient obtained his or her high school diploma or its equivalent while participating in activities described in paragraph (1) of subdivision (a) of Section 11322.85, and an additional period of time to complete an educational program or other activity described in paragraph (1) of subdivision (a) of Section 11322.85 in which he or she is currently participating would meaningfully increase the likelihood of his or her employment.

(7) Other circumstances as determined by the department.

(b) (1) Except for an extension requested in accordance with paragraph (5) of subdivision (a), and subject to the limitation described in paragraph (2) of subdivision (a) of Section 11322.86, a county shall grant an extension to a recipient who presents evidence in accordance with subdivision (a) unless the county determines that the evidence presented does not support the existence of the circumstances described in subdivision (a).

(2) An extension requested in accordance with paragraph (5) of subdivision (a) shall be granted if evidence that a hearing date has been established is provided to the county.

(3) At any hearing disputing a county's denial of an extension in accordance with paragraph (1), the county shall have the burden of proof to establish that an extension was not justified unless the county demonstrates that the denial was due to the unavailability of an extension in accordance with the 20-percent limitation described in paragraph (2) of subdivision (a) of Section 11322.86.

(c) If, as a result of information already available to a county, including the recipient's welfare-to-work plan and verifications of participation, the county identifies that a recipient meets a circumstance described in subdivision (a), and subject to the limitation described in paragraph (2) of subdivision (a) of Section 11322.86, a county may grant an extension of the 24-month time limitation described in paragraph (1) of subdivision (a) of Section 11322.85 to the recipient.

(d) An extension granted in accordance with subdivision (b) or (c) shall be granted for an initial period of up to six months and shall be reevaluated by the county at least every six months.