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SB-1446 CalWORKs: welfare-to-work. (2017-2018)

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Senate Bill No. 1446

CHAPTER 740

An act to add Section 11322.81 to the Welfare and Institutions Code, relating to CalWORKs.

[Approved by Governor September 23, 2018. Filed with Secretary of State September 23, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1446, Glazer. 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 requires a recipient of CalWORKs to participate in welfare-to-work activities as a condition of eligibility. Existing law limits the time period in which a participant may engage in certain state-authorized work activities, in satisfaction of welfare-to-work requirements, to 24 cumulative months during a participant's lifetime, and requires the participant to engage in federally defined work activities after that period expires. Existing law requires that necessary supportive services be available to every participant in order to participate in the program activity to which he or she is assigned. Under existing law, when an individual fails or refuses to comply with specified components of the CalWORKs program without good cause, and conciliation efforts have failed, the participant is subject to prescribed financial sanctions.

This bill would, beginning July 1, 2019, require the county to deem a recipient to be in compliance with CalWORKs' welfare-to-work requirements if the recipient reports and the county verifies, or the county otherwise discovers, that the recipient meets the federally required minimum average number of hours per week of welfare-to-work participation, unless the recipient provides notice to the county that he or she wishes to have sanctions imposed, as specified. The bill would require the county to arrange for the provision of necessary supportive services for these recipients, thereby imposing a state-mandated local program. The bill would direct the State Department of Social Services to issue an all-county letter or similar instruction on or before July 1, 2019.

Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program.

This bill would instead provide that the continuous appropriation would not be made for purposes of implementing the bill.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

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

SECTION 1. Section 11322.81 is added to the Welfare and Institutions Code, to read:

11322.81. (a) Notwithstanding any other law, if an adult recipient reports and the county verifies, or the county otherwise discovers, that the recipient is meeting the federally required minimum average number of hours per week of welfare-to-work participation as set forth in Section 607 of Title 42 of the United States Code, that recipient shall be deemed to be in compliance with Section 11322.8, unless the recipient provides written or, if available, electronic notice to the county that the recipient wishes to have sanctions imposed pursuant to this article.

(b) Necessary supportive services shall be provided to recipients described in this section in accordance with Sections 11323.2 and 11323.4.

(c) This section shall become operative on July 1, 2019.

SEC. 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 State Department of Social Services shall implement this act through an all-county letter or similar instruction from the director. The all-county letter or similar instruction shall be issued no later than July 1, 2019.

SEC. 3. No appropriation pursuant to Section 15200 of the Welfare and Institutions Code shall be made for purposes of implementing this act.

SEC. 4. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.