

AMENDED IN SENATE AUGUST 21, 2012

AMENDED IN ASSEMBLY MAY 25, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

## ASSEMBLY BILL

**No. 1640**

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**Introduced by Assembly Member Mitchell  
(Coauthors: Assembly Members Beall and Hall)**

February 13, 2012

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An act to amend Section 11450 of the Welfare and Institutions Code, relating to public social services.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1640, as amended, Mitchell. CalWORKs benefits: pregnant mothers.

Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states. Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program under which, through a combination of state and county funds and federal funds received through the TANF program, each county provides cash assistance and other benefits to qualified low-income families.

Under existing law, for a family that does not include a needy child qualified for CalWORKs benefits, a pregnant mother is eligible for aid for the month in which the birth is anticipated, and the 3 months immediately prior to that month. However, CalWORKs aid is required to be paid to a pregnant woman who is also eligible for the Cal-Learn Program, as specified, at any time after verification of pregnancy.

This bill would require CalWORKs aid to be paid to a pregnant mother who is 18 years of age or younger at any time after verification of

pregnancy, *when the Cal-Learn Program is operative*, regardless of whether she is eligible for the Cal-Learn Program. *The bill would provide that CalWORKs aid would otherwise be paid to a pregnant mother in the month in which the birth is anticipated, and the 3 months immediately prior to that month.* Because the bill would expand eligibility for CalWORKs aid under some circumstances, the bill would increase the duties of counties in administering the program, thus imposing a state-mandated local program.

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 these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 11450 of the Welfare and Institutions  
2     Code, as amended by Section 13 of Chapter 501 of the Statutes of  
3     2011, is amended to read:  
4     11450. (a) (1) Aid shall be paid for each needy family, which  
5     shall include all eligible brothers and sisters of each eligible  
6     applicant or recipient child and the parents of the children, but  
7     shall not include unborn children, or recipients of aid under Chapter  
8     3 (commencing with Section 12000), qualified for aid under this  
9     chapter. In determining the amount of aid paid, and notwithstanding  
10    the minimum basic standards of adequate care specified in Section  
11    11452, the family's income, exclusive of any amounts considered  
12    exempt as income or paid pursuant to subdivision (e) or Section  
13    11453.1, averaged for the prospective quarter pursuant to Sections  
14    11265.2 and 11265.3, and then calculated pursuant to Section  
15    11451.5, shall be deducted from the sum specified in the following  
16    table, as adjusted for cost-of-living increases pursuant to Section

11453 and paragraph (2). In no case shall the amount of aid paid for each month exceed the sum specified in the following table, as adjusted for cost-of-living increases pursuant to Section 11453 and paragraph (2), plus any special needs, as specified in subdivisions (c), (e), and (f):

Number of eligible needy persons in the same home	Maximum aid
1.....	\$ 326
2.....	535
3.....	663
4.....	788
5.....	899
6.....	1,010
7.....	1,109
8.....	1,209
9.....	1,306
10 or more.....	1,403

If, when, and during those times that the United States government increases or decreases its contributions in assistance of needy children in this state above or below the amount paid on July 1, 1972, the amounts specified in the above table shall be increased or decreased by an amount equal to that increase or decrease by the United States government, provided that no increase or decrease shall be subject to subsequent adjustment pursuant to Section 11453.

(2) The sums specified in paragraph (1) shall not be adjusted for cost of living for the 1990–91, 1991–92, 1992–93, 1993–94, 1994–95, 1995–96, 1996–97, and 1997–98 fiscal years, and through October 31, 1998, nor shall that amount be included in the base for calculating any cost-of-living increases for any fiscal year thereafter. Elimination of the cost-of-living adjustment pursuant to this paragraph shall satisfy the requirements of Section 11453.05, and no further reduction shall be made pursuant to that section.

(b) (1) When the family does not include a needy child qualified for aid under this chapter, aid shall be paid to a pregnant mother who is 18 years of age or younger at any time after verification of

1 pregnancy, in the amount that would otherwise be paid to one  
2 person, as specified in subdivision (a), if the mother, and child, if  
3 born, would have qualified for aid under this chapter. Verification  
4 of pregnancy shall be required as a condition of eligibility for aid  
5 under this subdivision.

6 (2) ~~When~~ *Notwithstanding paragraph (1), when* the family does  
7 not include a needy child qualified for aid under this chapter, aid  
8 shall be paid to a pregnant mother ~~who is over 18 years of age~~ for  
9 the month in which the birth is anticipated and for the three-month  
10 period immediately prior to the month in which the birth is  
11 anticipated in the amount that would otherwise be paid to one  
12 person, as specified in subdivision (a), if the mother and child, if  
13 born, would have qualified for aid under this chapter. Verification  
14 of pregnancy shall be required as a condition of eligibility for aid  
15 under this subdivision.

16 (3) *Paragraph (1) shall apply only when the Cal-Learn Program*  
17 *is operative.*

18 (c) The amount of forty-seven dollars (\$47) per month shall be  
19 paid to pregnant mothers qualified for aid under subdivision (a)  
20 or (b) to meet special needs resulting from pregnancy if the mother,  
21 and child, if born, would have qualified for aid under this chapter.  
22 County welfare departments shall refer all recipients of aid under  
23 this subdivision to a local provider of the Women, Infants and  
24 Children program. If that payment to pregnant mothers qualified  
25 for aid under subdivision (a) is considered income under federal  
26 law in the first five months of pregnancy, payments under this  
27 subdivision shall not apply to persons eligible under subdivision  
28 (a), except for the month in which birth is anticipated and for the  
29 three-month period immediately prior to the month in which  
30 delivery is anticipated, if the mother, and the child, if born, would  
31 have qualified for aid under this chapter.

32 (d) For children receiving AFDC-FC under this chapter, there  
33 shall be paid, exclusive of any amount considered exempt as  
34 income, an amount of aid each month which, when added to the  
35 child's income, is equal to the rate specified in Section 11460,  
36 11461, 11462, 11462.1, or 11463. In addition, the child shall be  
37 eligible for special needs, as specified in departmental regulations.

38 (e) In addition to the amounts payable under subdivision (a)  
39 and Section 11453.1, a family shall be entitled to receive an  
40 allowance for recurring special needs not common to a majority

1 of recipients. These recurring special needs shall include, but not  
2 be limited to, special diets upon the recommendation of a physician  
3 for circumstances other than pregnancy, and unusual costs of  
4 transportation, laundry, housekeeping services, telephone, and  
5 utilities. The recurring special needs allowance for each family  
6 per month shall not exceed that amount resulting from multiplying  
7 the sum of ten dollars (\$10) by the number of recipients in the  
8 family who are eligible for assistance.

9 (f) After a family has used all available liquid resources, both  
10 exempt and nonexempt, in excess of one hundred dollars (\$100),  
11 with the exception of funds deposited in a restricted account  
12 described in subdivision (a) of Section 11155.2, the family shall  
13 also be entitled to receive an allowance for nonrecurring special  
14 needs.

15 (1) An allowance for nonrecurring special needs shall be granted  
16 for replacement of clothing and household equipment and for  
17 emergency housing needs other than those needs addressed by  
18 paragraph (2). These needs shall be caused by sudden and unusual  
19 circumstances beyond the control of the needy family. The  
20 department shall establish the allowance for each of the  
21 nonrecurring special need items. The sum of all nonrecurring  
22 special needs provided by this subdivision shall not exceed six  
23 hundred dollars (\$600) per event.

24 (2) Homeless assistance is available to a homeless family  
25 seeking shelter when the family is eligible for aid under this  
26 chapter. Homeless assistance for temporary shelter is also available  
27 to homeless families which are apparently eligible for aid under  
28 this chapter. Apparent eligibility exists when evidence presented  
29 by the applicant, or which is otherwise available to the county  
30 welfare department, and the information provided on the  
31 application documents indicate that there would be eligibility for  
32 aid under this chapter if the evidence and information were verified.  
33 However, an alien applicant who does not provide verification of  
34 his or her eligible alien status, or a woman with no eligible children  
35 who does not provide medical verification of pregnancy, is not  
36 apparently eligible for purposes of this section.

37 A family is considered homeless, for the purpose of this section,  
38 when the family lacks a fixed and regular nighttime residence; or  
39 the family has a primary nighttime residence that is a supervised  
40 publicly or privately operated shelter designed to provide temporary

1 living accommodations; or the family is residing in a public or  
2 private place not designed for, or ordinarily used as, a regular  
3 sleeping accommodation for human beings. A family is also  
4 considered homeless for the purpose of this section if the family  
5 has received a notice to pay rent or quit. The family shall  
6 demonstrate that the eviction is the result of a verified financial  
7 hardship as a result of extraordinary circumstances beyond their  
8 control, and not other lease or rental violations, and that the family  
9 is experiencing a financial crisis that could result in homelessness  
10 if preventative assistance is not provided.

11 (A) (i) A nonrecurring special need of sixty-five dollars (\$65)  
12 a day shall be available to families of up to four members for the  
13 costs of temporary shelter, subject to the requirements of this  
14 paragraph. The fifth and additional members of the family shall  
15 each receive fifteen dollars (\$15) per day, up to a daily maximum  
16 of one hundred twenty-five dollars (\$125). County welfare  
17 departments may increase the daily amount available for temporary  
18 shelter as necessary to secure the additional bedspace needed by  
19 the family.

20 (ii) This special need shall be granted or denied immediately  
21 upon the family's application for homeless assistance, and benefits  
22 shall be available for up to three working days. The county welfare  
23 department shall verify the family's homelessness within the first  
24 three working days and if the family meets the criteria of  
25 questionable homelessness established by the department, the  
26 county welfare department shall refer the family to its early fraud  
27 prevention and detection unit, if the county has such a unit, for  
28 assistance in the verification of homelessness within this period.

29 (iii) After homelessness has been verified, the three-day limit  
30 shall be extended for a period of time which, when added to the  
31 initial benefits provided, does not exceed a total of 16 calendar  
32 days. This extension of benefits shall be done in increments of one  
33 week and shall be based upon searching for permanent housing  
34 which shall be documented on a housing search form; good cause;  
35 or other circumstances defined by the department. Documentation  
36 of a housing search shall be required for the initial extension of  
37 benefits beyond the three-day limit and on a weekly basis thereafter  
38 as long as the family is receiving temporary shelter benefits. Good  
39 cause shall include, but is not limited to, situations in which the  
40 county welfare department has determined that the family, to the

1 extent it is capable, has made a good faith but unsuccessful effort  
2 to secure permanent housing while receiving temporary shelter  
3 benefits.

4 (B) A nonrecurring special need for permanent housing  
5 assistance is available to pay for last month's rent and security  
6 deposits when these payments are reasonable conditions of securing  
7 a residence, or to pay for up to two months of rent arrearages, when  
8 these payments are a reasonable condition of preventing eviction.

9 The last month's rent or monthly arrearage portion of the  
10 payment (i) shall not exceed 80 percent of the family's total  
11 monthly household income without the value of CalFresh benefits  
12 or special needs for a family of that size and (ii) shall only be made  
13 to families that have found permanent housing costing no more  
14 than 80 percent of the family's total monthly household income  
15 without the value of CalFresh benefits or special needs for a family  
16 of that size.

17 However, if the county welfare department determines that a  
18 family intends to reside with individuals who will be sharing  
19 housing costs, the county welfare department shall, in appropriate  
20 circumstances, set aside the condition specified in clause (ii) of  
21 the preceding paragraph.

22 (C) The nonrecurring special need for permanent housing  
23 assistance is also available to cover the standard costs of deposits  
24 for utilities which are necessary for the health and safety of the  
25 family.

26 (D) A payment for or denial of permanent housing assistance  
27 shall be issued no later than one working day from the time that a  
28 family presents evidence of the availability of permanent housing.  
29 If an applicant family provides evidence of the availability of  
30 permanent housing before the county welfare department has  
31 established eligibility for aid under this chapter, the county welfare  
32 department shall complete the eligibility determination so that the  
33 denial of or payment for permanent housing assistance is issued  
34 within one working day from the submission of evidence of the  
35 availability of permanent housing, unless the family has failed to  
36 provide all of the verification necessary to establish eligibility for  
37 aid under this chapter.

38 (E) (i) Except as provided in clauses (ii) and (iii), eligibility  
39 for the temporary shelter assistance and the permanent housing  
40 assistance pursuant to this paragraph shall be limited to one period

1 of up to 16 consecutive calendar days of temporary assistance and  
2 one payment of permanent assistance. Any family that includes a  
3 parent or nonparent caretaker relative living in the home who has  
4 previously received temporary or permanent homeless assistance  
5 at any time on behalf of an eligible child shall not be eligible for  
6 further homeless assistance. Any person who applies for homeless  
7 assistance benefits shall be informed that the temporary shelter  
8 benefit of up to 16 consecutive days is available only once in a  
9 lifetime, with certain exceptions, and that a break in the consecutive  
10 use of the benefit constitutes permanent exhaustion of the  
11 temporary benefit.

12 (ii) A family that becomes homeless as a direct and primary  
13 result of a state or federally declared natural disaster shall be  
14 eligible for temporary and permanent homeless assistance.

15 (iii) A family shall be eligible for temporary and permanent  
16 homeless assistance when homelessness is a direct result of  
17 domestic violence by a spouse, partner, or roommate; physical or  
18 mental illness that is medically verified that shall not include a  
19 diagnosis of alcoholism, drug addiction, or psychological stress;  
20 or the uninhabitability of the former residence caused by sudden  
21 and unusual circumstances beyond the control of the family  
22 including natural catastrophe, fire, or condemnation. These  
23 circumstances shall be verified by a third-party governmental or  
24 private health and human services agency, except that domestic  
25 violence may also be verified by a sworn statement by the victim,  
26 as provided under Section 11495.25. Homeless assistance payments  
27 based on these specific circumstances may not be received more  
28 often than once in any 12-month period. In addition, if the domestic  
29 violence is verified by a sworn statement by the victim, the  
30 homeless assistance payments shall be limited to two periods of  
31 not more than 16 consecutive calendar days of temporary assistance  
32 and two payments of permanent assistance. A county may require  
33 that a recipient of homeless assistance benefits who qualifies under  
34 this paragraph for a second time in a 24-month period participate  
35 in a homelessness avoidance case plan as a condition of eligibility  
36 for homeless assistance benefits. The county welfare department  
37 shall immediately inform recipients who verify domestic violence  
38 by a sworn statement pursuant to clause (iii) of the availability of  
39 domestic violence counseling and services, and refer those  
40 recipients to services upon request.



1 (iv) If a county requires a recipient who verifies domestic  
2 violence by a sworn statement to participate in a homelessness  
3 avoidance case plan pursuant to clause (iii), the plan shall include  
4 the provision of domestic violence services, if appropriate.

5 (v) If a recipient seeking homeless assistance based on domestic  
6 violence pursuant to clause (iii) has previously received homeless  
7 avoidance services based on domestic violence, the county shall  
8 review whether services were offered to the recipient and consider  
9 what additional services would assist the recipient in leaving the  
10 domestic violence situation.

11 (vi) The county welfare department shall report to the  
12 department through a statewide homeless assistance payment  
13 indicator system, necessary data, as requested by the department,  
14 regarding all recipients of aid under this paragraph.

15 (F) The county welfare departments, and all other entities  
16 participating in the costs of the AFDC program, have the right in  
17 their share to any refunds resulting from payment of the permanent  
18 housing. However, if an emergency requires the family to move  
19 within the 12-month period specified in subparagraph (E), the  
20 family shall be allowed to use any refunds received from its  
21 deposits to meet the costs of moving to another residence.

22 (G) Payments to providers for temporary shelter and permanent  
23 housing and utilities shall be made on behalf of families requesting  
24 these payments.

25 (H) The daily amount for the temporary shelter special need for  
26 homeless assistance may be increased if authorized by the current  
27 year's Budget Act by specifying a different daily allowance and  
28 appropriating the funds therefor.

29 (I) No payment shall be made pursuant to this paragraph unless  
30 the provider of housing is a commercial establishment, shelter, or  
31 person in the business of renting properties who has a history of  
32 renting properties.

33 (g) The department shall establish rules and regulations ensuring  
34 the uniform application statewide of this subdivision.

35 (h) The department shall notify all applicants and recipients of  
36 aid through the standardized application form that these benefits  
37 are available and shall provide an opportunity for recipients to  
38 apply for the funds quickly and efficiently.

39 (i) Except for the purposes of Section 15200, the amounts  
40 payable to recipients pursuant to Section 11453.1 shall not

1 constitute part of the payment schedule set forth in subdivision  
2 (a).

3 The amounts payable to recipients pursuant to Section 11453.1  
4 shall not constitute income to recipients of aid under this section.

5 (j) For children receiving Kin-GAP pursuant to Article 4.5  
6 (commencing with Section 11360) or Article 4.7 (commencing  
7 with Section 11385) there shall be paid, exclusive of any amount  
8 considered exempt as income, an amount of aid each month, which,  
9 when added to the child's income, is equal to the rate specified in  
10 Sections 11364 and 11387.

11 (k) (1) A county shall comply with the quarterly reporting  
12 provisions of this section until the county certifies to the director  
13 that semiannual reporting has been implemented in the county.

14 (2) This section shall become inoperative on October 1, 2013,  
15 and, as of January 1, 2014, is repealed, unless a later enacted statute  
16 that is enacted before January 1, 2014, deletes or extends the dates  
17 on which it becomes inoperative and is repealed.

18 SEC. 2. Section 11450 of the Welfare and Institutions Code,  
19 as added by Section 14 of Chapter 501 of the Statutes of 2011, is  
20 amended to read:

21 11450. (a) (1) Aid shall be paid for each needy family, which  
22 shall include all eligible brothers and sisters of each eligible  
23 applicant or recipient child and the parents of the children, but  
24 shall not include unborn children, or recipients of aid under Chapter  
25 3 (commencing with Section 12000), qualified for aid under this  
26 chapter. In determining the amount of aid paid, and notwithstanding  
27 the minimum basic standards of adequate care specified in Section  
28 11452, the family's income, exclusive of any amounts considered  
29 exempt as income or paid pursuant to subdivision (e) or Section  
30 11453.1, determined for the prospective semiannual period  
31 pursuant to Sections 11265.2 and 11265.3, and then calculated  
32 pursuant to Section 11451.5, shall be deducted from the sum  
33 specified in the following table, as adjusted for cost-of-living  
34 increases pursuant to Section 11453 and paragraph (2). In no case  
35 shall the amount of aid paid for each month exceed the sum  
36 specified in the following table, as adjusted for cost-of-living  
37 increases pursuant to Section 11453 and paragraph (2), plus any  
38 special needs, as specified in subdivisions (c), (e), and (f):

Number of eligible needy persons in the same home	Maximum aid
1.....	\$ 326
2.....	535
3.....	663
4.....	788
5.....	899
6.....	1,010
7.....	1,109
8.....	1,209
9.....	1,306
10 or more.....	1,403

If, when, and during those times that the United States government increases or decreases its contributions in assistance of needy children in this state above or below the amount paid on July 1, 1972, the amounts specified in the above table shall be increased or decreased by an amount equal to that increase or decrease by the United States government, provided that no increase or decrease shall be subject to subsequent adjustment pursuant to Section 11453.

(2) The sums specified in paragraph (1) shall not be adjusted for cost of living for the 1990–91, 1991–92, 1992–93, 1993–94, 1994–95, 1995–96, 1996–97, and 1997–98 fiscal years, and through October 31, 1998, nor shall that amount be included in the base for calculating any cost-of-living increases for any fiscal year thereafter. Elimination of the cost-of-living adjustment pursuant to this paragraph shall satisfy the requirements of Section 11453.05, and no further reduction shall be made pursuant to that section.

(b) (1) When the family does not include a needy child qualified for aid under this chapter, aid shall be paid to a pregnant mother who is 18 years of age or younger at any time after verification of pregnancy, in the amount that would otherwise be paid to one person, as specified in subdivision (a), if the mother, and child, if born, would have qualified for aid under this chapter. Verification of pregnancy shall be required as a condition of eligibility for aid under this subdivision.

1     (2) ~~When~~ *Notwithstanding paragraph (1), when* the family  
2 does not include a needy child qualified for aid under this chapter,  
3 aid shall be paid to a pregnant mother ~~who is over 18 years of age~~  
4 for the month in which the birth is anticipated and for the  
5 three-month period immediately prior to the month in which the  
6 birth is anticipated in the amount that would otherwise be paid to  
7 one person, as specified in subdivision (a), if the mother and child,  
8 if born, would have qualified for aid under this chapter. Verification  
9 of pregnancy shall be required as a condition of eligibility for aid  
10 under this subdivision.

11     (3) *Paragraph (1) shall apply only when the Cal-Learn Program*  
12 *is operative.*

13     (c) The amount of forty-seven dollars (\$47) per month shall be  
14 paid to pregnant mothers qualified for aid under subdivision (a)  
15 or (b) to meet special needs resulting from pregnancy if the mother,  
16 and child, if born, would have qualified for aid under this chapter.  
17 County welfare departments shall refer all recipients of aid under  
18 this subdivision to a local provider of the Women, Infants and  
19 Children program. If that payment to pregnant mothers qualified  
20 for aid under subdivision (a) is considered income under federal  
21 law in the first five months of pregnancy, payments under this  
22 subdivision shall not apply to persons eligible under subdivision  
23 (a), except for the month in which birth is anticipated and for the  
24 three-month period immediately prior to the month in which  
25 delivery is anticipated, if the mother, and the child, if born, would  
26 have qualified for aid under this chapter.

27     (d) For children receiving AFDC-FC under this chapter, there  
28 shall be paid, exclusive of any amount considered exempt as  
29 income, an amount of aid each month which, when added to the  
30 child's income, is equal to the rate specified in Section 11460,  
31 11461, 11462, 11462.1, or 11463. In addition, the child shall be  
32 eligible for special needs, as specified in departmental regulations.

33     (e) In addition to the amounts payable under subdivision (a)  
34 and Section 11453.1, a family shall be entitled to receive an  
35 allowance for recurring special needs not common to a majority  
36 of recipients. These recurring special needs shall include, but not  
37 be limited to, special diets upon the recommendation of a physician  
38 for circumstances other than pregnancy, and unusual costs of  
39 transportation, laundry, housekeeping services, telephone, and  
40 utilities. The recurring special needs allowance for each family

1 per month shall not exceed that amount resulting from multiplying  
2 the sum of ten dollars (\$10) by the number of recipients in the  
3 family who are eligible for assistance.

4 (f) After a family has used all available liquid resources, both  
5 exempt and nonexempt, in excess of one hundred dollars (\$100),  
6 with the exception of funds deposited in a restricted account  
7 described in subdivision (a) of Section 11155.2, the family shall  
8 also be entitled to receive an allowance for nonrecurring special  
9 needs.

10 (1) An allowance for nonrecurring special needs shall be granted  
11 for replacement of clothing and household equipment and for  
12 emergency housing needs other than those needs addressed by  
13 paragraph (2). These needs shall be caused by sudden and unusual  
14 circumstances beyond the control of the needy family. The  
15 department shall establish the allowance for each of the  
16 nonrecurring special need items. The sum of all nonrecurring  
17 special needs provided by this subdivision shall not exceed six  
18 hundred dollars (\$600) per event.

19 (2) Homeless assistance is available to a homeless family  
20 seeking shelter when the family is eligible for aid under this  
21 chapter. Homeless assistance for temporary shelter is also available  
22 to homeless families which are apparently eligible for aid under  
23 this chapter. Apparent eligibility exists when evidence presented  
24 by the applicant, or which is otherwise available to the county  
25 welfare department, and the information provided on the  
26 application documents indicate that there would be eligibility for  
27 aid under this chapter if the evidence and information were verified.  
28 However, an alien applicant who does not provide verification of  
29 his or her eligible alien status, or a woman with no eligible children  
30 who does not provide medical verification of pregnancy, is not  
31 apparently eligible for purposes of this section.

32 A family is considered homeless, for the purpose of this section,  
33 when the family lacks a fixed and regular nighttime residence; or  
34 the family has a primary nighttime residence that is a supervised  
35 publicly or privately operated shelter designed to provide temporary  
36 living accommodations; or the family is residing in a public or  
37 private place not designed for, or ordinarily used as, a regular  
38 sleeping accommodation for human beings. A family is also  
39 considered homeless for the purpose of this section if the family  
40 has received a notice to pay rent or quit. The family shall

1 demonstrate that the eviction is the result of a verified financial  
2 hardship as a result of extraordinary circumstances beyond their  
3 control, and not other lease or rental violations, and that the family  
4 is experiencing a financial crisis that could result in homelessness  
5 if preventative assistance is not provided.

6 (A) (i) A nonrecurring special need of sixty-five dollars (\$65)  
7 a day shall be available to families of up to four members for the  
8 costs of temporary shelter, subject to the requirements of this  
9 paragraph. The fifth and additional members of the family shall  
10 each receive fifteen dollars (\$15) per day, up to a daily maximum  
11 of one hundred twenty-five dollars (\$125). County welfare  
12 departments may increase the daily amount available for temporary  
13 shelter as necessary to secure the additional bedspace needed by  
14 the family.

15 (ii) This special need shall be granted or denied immediately  
16 upon the family's application for homeless assistance, and benefits  
17 shall be available for up to three working days. The county welfare  
18 department shall verify the family's homelessness within the first  
19 three working days and if the family meets the criteria of  
20 questionable homelessness established by the department, the  
21 county welfare department shall refer the family to its early fraud  
22 prevention and detection unit, if the county has such a unit, for  
23 assistance in the verification of homelessness within this period.

24 (iii) After homelessness has been verified, the three-day limit  
25 shall be extended for a period of time which, when added to the  
26 initial benefits provided, does not exceed a total of 16 calendar  
27 days. This extension of benefits shall be done in increments of one  
28 week and shall be based upon searching for permanent housing  
29 which shall be documented on a housing search form; good cause;  
30 or other circumstances defined by the department. Documentation  
31 of a housing search shall be required for the initial extension of  
32 benefits beyond the three-day limit and on a weekly basis thereafter  
33 as long as the family is receiving temporary shelter benefits. Good  
34 cause shall include, but is not limited to, situations in which the  
35 county welfare department has determined that the family, to the  
36 extent it is capable, has made a good faith but unsuccessful effort  
37 to secure permanent housing while receiving temporary shelter  
38 benefits.

39 (B) A nonrecurring special need for permanent housing  
40 assistance is available to pay for last month's rent and security

1 deposits when these payments are reasonable conditions of securing  
2 a residence, or to pay for up to two months of rent arrearages, when  
3 these payments are a reasonable condition of preventing eviction.

4 The last month's rent or monthly arrearage portion of the  
5 payment (i) shall not exceed 80 percent of the family's total  
6 monthly household income without the value of CalFresh benefits  
7 or special needs for a family of that size and (ii) shall only be made  
8 to families that have found permanent housing costing no more  
9 than 80 percent of the family's total monthly household income  
10 without the value of CalFresh benefits or special needs for a family  
11 of that size.

12 However, if the county welfare department determines that a  
13 family intends to reside with individuals who will be sharing  
14 housing costs, the county welfare department shall, in appropriate  
15 circumstances, set aside the condition specified in clause (ii) of  
16 the preceding paragraph.

17 (C) The nonrecurring special need for permanent housing  
18 assistance is also available to cover the standard costs of deposits  
19 for utilities which are necessary for the health and safety of the  
20 family.

21 (D) A payment for or denial of permanent housing assistance  
22 shall be issued no later than one working day from the time that a  
23 family presents evidence of the availability of permanent housing.  
24 If an applicant family provides evidence of the availability of  
25 permanent housing before the county welfare department has  
26 established eligibility for aid under this chapter, the county welfare  
27 department shall complete the eligibility determination so that the  
28 denial of or payment for permanent housing assistance is issued  
29 within one working day from the submission of evidence of the  
30 availability of permanent housing, unless the family has failed to  
31 provide all of the verification necessary to establish eligibility for  
32 aid under this chapter.

33 (E) (i) Except as provided in clauses (ii) and (iii), eligibility  
34 for the temporary shelter assistance and the permanent housing  
35 assistance pursuant to this paragraph shall be limited to one period  
36 of up to 16 consecutive calendar days of temporary assistance and  
37 one payment of permanent assistance. Any family that includes a  
38 parent or nonparent caretaker relative living in the home who has  
39 previously received temporary or permanent homeless assistance  
40 at any time on behalf of an eligible child shall not be eligible for

1 further homeless assistance. Any person who applies for homeless  
2 assistance benefits shall be informed that the temporary shelter  
3 benefit of up to 16 consecutive days is available only once in a  
4 lifetime, with certain exceptions, and that a break in the consecutive  
5 use of the benefit constitutes permanent exhaustion of the  
6 temporary benefit.

7 (ii) A family that becomes homeless as a direct and primary  
8 result of a state or federally declared natural disaster shall be  
9 eligible for temporary and permanent homeless assistance.

10 (iii) A family shall be eligible for temporary and permanent  
11 homeless assistance when homelessness is a direct result of  
12 domestic violence by a spouse, partner, or roommate; physical or  
13 mental illness that is medically verified that shall not include a  
14 diagnosis of alcoholism, drug addiction, or psychological stress;  
15 or, the uninhabitability of the former residence caused by sudden  
16 and unusual circumstances beyond the control of the family  
17 including natural catastrophe, fire, or condemnation. These  
18 circumstances shall be verified by a third-party governmental or  
19 private health and human services agency, except that domestic  
20 violence may also be verified by a sworn statement by the victim,  
21 as provided under Section 11495.25. Homeless assistance payments  
22 based on these specific circumstances may not be received more  
23 often than once in any 12-month period. In addition, if the domestic  
24 violence is verified by a sworn statement by the victim, the  
25 homeless assistance payments shall be limited to two periods of  
26 not more than 16 consecutive calendar days of temporary assistance  
27 and two payments of permanent assistance. A county may require  
28 that a recipient of homeless assistance benefits who qualifies under  
29 this paragraph for a second time in a 24-month period participate  
30 in a homelessness avoidance case plan as a condition of eligibility  
31 for homeless assistance benefits. The county welfare department  
32 shall immediately inform recipients who verify domestic violence  
33 by a sworn statement pursuant to clause (iii) of the availability of  
34 domestic violence counseling and services, and refer those  
35 recipients to services upon request.

36 (iv) If a county requires a recipient who verifies domestic  
37 violence by a sworn statement to participate in a homelessness  
38 avoidance case plan pursuant to clause (iii), the plan shall include  
39 the provision of domestic violence services, if appropriate.



1 (v) If a recipient seeking homeless assistance based on domestic  
2 violence pursuant to clause (iii) has previously received homeless  
3 avoidance services based on domestic violence, the county shall  
4 review whether services were offered to the recipient and consider  
5 what additional services would assist the recipient in leaving the  
6 domestic violence situation.

7 (vi) The county welfare department shall report to the  
8 department through a statewide homeless assistance payment  
9 indicator system, necessary data, as requested by the department,  
10 regarding all recipients of aid under this paragraph.

11 (F) The county welfare departments, and all other entities  
12 participating in the costs of the AFDC program, have the right in  
13 their share to any refunds resulting from payment of the permanent  
14 housing. However, if an emergency requires the family to move  
15 within the 12-month period specified in subparagraph (E), the  
16 family shall be allowed to use any refunds received from its  
17 deposits to meet the costs of moving to another residence.

18 (G) Payments to providers for temporary shelter and permanent  
19 housing and utilities shall be made on behalf of families requesting  
20 these payments.

21 (H) The daily amount for the temporary shelter special need for  
22 homeless assistance may be increased if authorized by the current  
23 year's Budget Act by specifying a different daily allowance and  
24 appropriating the funds therefor.

25 (I) No payment shall be made pursuant to this paragraph unless  
26 the provider of housing is a commercial establishment, shelter, or  
27 person in the business of renting properties who has a history of  
28 renting properties.

29 (g) The department shall establish rules and regulations ensuring  
30 the uniform application statewide of this subdivision.

31 (h) The department shall notify all applicants and recipients of  
32 aid through the standardized application form that these benefits  
33 are available and shall provide an opportunity for recipients to  
34 apply for the funds quickly and efficiently.

35 (i) Except for the purposes of Section 15200, the amounts  
36 payable to recipients pursuant to Section 11453.1 shall not  
37 constitute part of the payment schedule set forth in subdivision  
38 (a).

39 The amounts payable to recipients pursuant to Section 11453.1  
40 shall not constitute income to recipients of aid under this section.

(j) For children receiving Kin-GAP pursuant to Article 4.5 (commencing with Section 11360) or Article 4.7 (commencing with Section 11385) there shall be paid, exclusive of any amount considered exempt as income, an amount of aid each month, which, when added to the child's income, is equal to the rate specified in Sections 11364 and 11387.

(k) (1) This section shall become operative on April 1, 2013. A county shall implement the semiannual reporting requirements in accordance with the act that added this section no later than October 1, 2013.

(2) Upon implementation described in paragraph (1), each county shall provide a certificate to the director certifying that semiannual reporting has been implemented in the county.

(3) Upon filing the certificate described in paragraph (2), a county shall comply with the semiannual reporting provisions of this section.

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.