SB115

156382-4

By Senators Orr, Taylor, Beason, Allen, Scofield and Pittman

RFD: Fiscal Responsibility and Accountability

First Read: 14-JAN-14
ENROLLED, An Act,

To amend Sections 38-4-2, 38-4-4 and 38-11A-2 Code of Alabama 1975, relating to public assistance and the eligibility for means-tested public benefits to include the income of a cohabiting partner when determining eligibility for Temporary Assistance for Needy Families (TANF); to require that an applicant for TANF apply for at least three positions of unsubsidized employment prior to applying for TANF cash assistance from the Department of Human Resources; and to provide that TANF recipients who voluntarily terminate employment shall be ineligible for receiving TANF cash assistance.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 38-4-2, 38-4-4, and 38-11A-2 Code of Alabama 1975, are hereby amended to read as follows:

"§38-4-2.

(a) Applications for Temporary Assistance for Needy Families (TANF) cash assistance shall be made to the county department in the manner prescribed by the state department and shall contain such information as the state department may require; provided, that nothing contained in this chapter shall be construed as requiring the signing of a pauper's oath
on the part of any person making application for assistance hereunder. An investigation and record shall be promptly made by the county department of the circumstances of the applicant. Upon the completion of the investigation the county director shall determine whether the applicant is eligible for assistance under the provisions of this chapter and the rules and regulations of the state department and the amount of assistance he shall receive. The county director shall give notice in writing to the applicant of the action taken on his application or any subsequent change in payments.

"(b) Within maximum matchable payments in which the federal government will participate as prescribed in the Federal Social Security Act, the amount of assistance to which any person described in Section 38-4-1 shall be entitled shall, under the rules and regulations of the state department, be determined upon the basis of the amount of total income and resources received by such person the applicant, the husband or wife of the applicant and/or the cohabiting partner of the applicant, as provided by rules promulgated by the Department of Human Resources, except as provided in Section 38-4-1, and such other conditions existing in each case as will determine the need for assistance for such person as provided in this chapter. The amount of such assistance shall be determined with due regard to the conditions existing in each case, subject to the funds
available, and the rules and regulations and standards of the state department and the provisions of this chapter.

"(c) No provision of this section shall affect in any manner the amount paid to a widow of a Confederate veteran now or hereafter placed on the pension rolls of this state.

"§38-4-4.

"If at any time the recipient of public assistance, or the husband or wife of such recipient, and/or the cohabiting partner of the recipient, as provided by rules promulgated by the Department of Human Resources, shall become possessed of any income or resources in excess of that owned or being received at the date of the application, it shall be the duty of the recipient immediately to notify the county department of the facts in the case. The county department, upon the notification or upon otherwise learning the facts, shall, after investigation, continue, reduce or cancel the amount of the grant as the facts may warrant. Its action in this respect shall be subject to appeal and review as provided in this chapter. For the purposes of this section, where aid to dependent children is the form of public assistance involved, the near relative, as defined in the Federal Social Security Act, shall report the acquisition of income and resources.

"§38-11A-2.
"(a) The Department of Human Resources shall establish and administer a welfare employment program for persons applying for, or receiving, public assistance in the State of Alabama. The department shall develop program policy, criteria, requirements, and procedures and issue rules and regulations for governance of the program, insofar as federal guidelines permit, and shall assume program management responsibilities including budget planning, cost accounting, data collecting and reporting, evaluation and assessment of program performance, and standards for effective use of distributed funds. The program shall include development of employment strategies, employment-related programs and activities and family support services directed toward affecting the intent and goals of this chapter.

"(b) As a condition of eligibility for Temporary Assistance for Needy Families (TANF) an applicant shall have applied for at least three positions of unsubsidized employment prior to completing the application process and comply with job search preparation, education, and other employment activities as required by the Department.

"(c) Recipients of TANF cash assistance who voluntarily terminate employment or refuse employment without good cause shall be ineligible for TANF cash assistance."

Section 2. Notwithstanding the provisions in Section 1, TANF cash assistance and eligibility requirements shall
conform with federal eligibility requirement standards as provided for in Title IV, Part A, of the Social Security Act.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming law.
President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB115
Senate 26-FEB-14
I hereby certify that the within Act originated in and passed the Senate, as amended.
Patrick Harris
Secretary

House of Representatives
Amended and passed 02-APR-14

Senate concurred in House amendment 03-APR-14

By: Senator Orr