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**AB-826 Emergency food assistance: COVID-19.** (2019-2020)

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CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

**ASSEMBLY BILL**

**NO. 826**

**Introduced by Assembly Member Santiago**  
**(Coauthors: Assembly Members Carrillo, Reyes, Luz Rivas, Robert Rivas, and Blanca Rubio)**  
**(Coauthor: Senator Archuleta)**

**February 20, 2019**

An act to add Chapter 15.5 (commencing with Section 18996.5) to Part 6 of Division 9 of the Welfare and Institutions Code, relating to public social services, and declaring the urgency thereof, to take effect immediately.

**LEGISLATIVE COUNSEL'S DIGEST**

AB 826, Santiago. Emergency food assistance: COVID-19.

Existing law establishes and requires the State Department of Social Services to administer the CalFood Program to provide food and funding to food banks whose primary function is to facilitate the distribution of food to low-income households, as specified.

This bill would establish a program to provide emergency food assistance. The program would require, upon the appropriation of funds by the Legislature for this purpose, or upon a determination by the Governor that specified funds available to the Governor may be used for this purpose, the department to contract with a

Feeding America partner state organization with the capacity to provide a food assistance benefit statewide, or another nonprofit entity that the department deems appropriate, to issue food assistance benefits in the form of a one-time use, prepaid card preloaded with \$600 for use at retailers that sell groceries. The bill would require the cards to be issued on 2 different distribution periods at least one month apart to any adult who self-attests to eligibility for specified assistance programs. The bill would specify the procedures for administering this program.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

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

**SECTION 1.** Chapter 15.5 (commencing with Section 18996.5) is added to Part 6 of Division 9 of the Welfare and Institutions Code, to read:

### CHAPTER 15.5. Emergency Food Assistance For All

**18996.5.** (a) (1) Upon the appropriation of funds by the Legislature for this purpose, or upon a determination by the Governor that funds available to the Governor may be used for this purpose, the State Department of Social Services shall contract with a Feeding America partner state organization with the capacity to provide a food assistance benefit statewide, or another nonprofit entity that the department deems appropriate, which shall issue the benefits pursuant to this chapter. The contract shall include all of the contractor's costs to administer the program, as well as the administrative expenses for subcontracting nonprofits as specified in subdivision (e) of this section, and shall require the department to advance all administrative expenses to the contractor.

(2) The department shall procure the prepaid cards that will be provided pursuant to subdivisions (c) and (d) and ensure their availability to the contractor.

(3) The department shall have the emergency authority to expedite all contracts necessary to distribute benefits issued pursuant to this chapter.

(b) A person is eligible for the food assistance benefit issued pursuant to this chapter if that person is an adult who self-attests to eligibility for at least one of these three benefits:

(1) Federal Emergency Food Assistance Program (7 C.F.R. Parts 250 and 251).

(2) The Disaster Relief Assistance for Immigrants (DRAI) Project.

(3) Immigrant legal services provided for in Section 13303.

(c) Food assistance benefits provided pursuant to this chapter shall be issued in the form of a prepaid card that shall be limited to use at retailers that sell groceries.

(d) The food assistance benefits pursuant to this chapter shall be issued on a one-time use, prepaid card preloaded with six hundred dollars (\$600). The subcontracting nonprofits shall issue the food assistance benefits on two different distribution periods at least one month apart.

(e) The contractor described in subdivision (a) may subcontract with local nonprofit organizations to issue food assistance benefits, including all of the following:

(1) Existing Emergency Food Assistance Program (EFAP) providers under contract with the department.

(2) Members of the California Association of Food Banks.

(3) Nonprofit organizations that contracted with the department for the Disaster Relief Assistance for Immigrants (DRAI) Project.

(f) The food assistance benefits issued pursuant to this chapter shall be allocated by the department through the formula used in the federal Emergency Food Assistance Program. In consultation with the department, the contractor shall adjust county allocations and local administrative expenses based on the subcontracting nonprofits in subdivision (e) that elect to participate.

(g) The administrative expenses for participating nonprofits subcontracted pursuant to subdivision (e) shall be 15 percent of the total appropriation to the department. Administrative costs include, but are not limited to,

ensuring language access for applicants and recipients of the food assistance benefits issued pursuant to this chapter and the training of staff of the nonprofit entities identified in subdivision (e).

(h) A subcontracting nonprofit described in subdivision (e) that issues food assistance benefits pursuant to this chapter shall maintain all of the following records, and make them available to the department and the contractor upon request:

- (1) The total number of cards received, and the date received.
- (2) The total number of cards issued during each distribution period.
- (3) The dates of each distribution period.

(i) The food assistance benefit issued pursuant to this chapter is a disaster benefit, and is not a public social service administered by the department under Section 10950. Section 10950 does not apply to this chapter.

**SEC. 2.** This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to facilitate the immediate delivery of food assistance during the COVID-19 public health emergency, it is necessary that this act go into effect immediately.