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An act to amend Sections 11253, 11253.2, 11253.4, and 11390 of, and to amend and renumber Section 10831 of, the Welfare and Institutions Code, relating to public social services.



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

SECTION 1. Section 10831 of the Welfare and Institutions Code is amended and renumbered to read:

~~10831.~~

10830. (a) The department shall implement and maintain an automated, nonbiometric identity verification method in the CalWORKs program. It is the intent of the Legislature to codify additional details regarding this method so that recipients of aid, other than dependent children, will be required, as a condition of eligibility, to cooperate with this method.

(b) The department shall update the Legislature, no later than November 1, 2017, regarding options for the design, implementation, and maintenance of an automated, nonbiometric identity verification method in the CalWORKs program.

(c) The options developed under this section shall be for use in California counties and shall include procedures and a schedule for implementation.

(d) Prior to the update to the Legislature, the department shall do both of the following:

(1) Consult with stakeholders, including legislative staff, representatives of counties and county human services agencies, current or former CalWORKs clients, advocates for clients, and other stakeholders, as appropriate.

(2) Consider how any new methods of identity verification would impact applicant or recipient experiences and make application and eligibility practices more efficient.

(e) (1) A method implemented and maintained pursuant to this section shall be reviewed annually, with an update to the Legislature in the course of the annual spring budget subcommittee process, according to the following criteria:

(A) The extent to which the method improved identity verification and prevented duplicate aid.

(B) The extent to which the method improved the client experience.

(C) The extent to which the method aided in the efficiency and efficacy of the file clearance process.

(2) A method implemented and maintained pursuant to this section shall be evaluated, and a written report shall be submitted to the appropriate fiscal and policy committees of the Legislature, addressing the criteria in paragraph (1) by April 1, 2019.

(f) Notwithstanding any other law, contracts necessary pursuant to this section shall be exempt from both of the following:

(1) The personal services contracting requirements of Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the Government Code.

(2) The Public Contract Code and the State Contracting Manual. Contracts necessary pursuant to this section shall not be subject to the approval of the Department of General Services.

(g) Beginning in fiscal year 2018–19, any method implemented and maintained pursuant to this section shall only be operative in years in which funding is provided in the annual Budget Act for this purpose.

SEC. 2. Section 11253 of the Welfare and Institutions Code is amended to read:



11253. (a) Except as provided in subdivision (b), aid shall not be granted under this chapter to or on behalf of any child who has attained 18 years of age unless all of the following apply:

(1) The child is less than 19 years of age and is attending high school or the equivalent level of vocational or technical training on a full-time basis.

(2) The child can reasonably be expected to complete the educational or training program before ~~his or her~~ the child's 19th birthday.

(b) (1) On and after January 1, 2012, aid shall be granted under this chapter to or on behalf of any nonminor dependent, as defined in subdivision (v) of Section 11400, if the nonminor dependent is placed in the approved home of a relative under the supervision of the county child welfare or probation department or Indian tribe that has entered into an agreement pursuant to Section 10553.1, and the nonminor dependent otherwise is eligible pursuant to Section 11403.

(2) The eligible nonminor dependent shall be exempt from Chapter 4.6 (commencing with Section 10830) of Part 2 governing ~~the statewide fingerprint imaging system.~~ identity verification requirements.

(c) Notwithstanding any other law, payment of aid under this chapter may be made out of state if the nonminor dependent who is described in subdivision (b) is placed in the approved home of a relative who resides in another state.

SEC. 3. Section 11253.2 of the Welfare and Institutions Code is amended to read:

11253.2. (a) Notwithstanding any other law, an application for aid filed on behalf of a child to whom Section 309, 361.45, or 16519.5 applies shall be processed pursuant to an expedited process as determined by the department in consultation with the counties.

(b) Subdivision (a) ~~shall~~ does not apply if the person who applies for aid on behalf of a child described in subdivision (a) is also an applicant for or a recipient of benefits under this chapter.

(c) (1) Except as provided in paragraph (2), a person who applies for aid on behalf of a child described in subdivision (a) shall be exempt from Chapter 4.6 (commencing with Section 10830) of Part 2 governing ~~the statewide fingerprint imaging system.~~ identity verification requirements.

(2) A relative caregiver who is also an applicant for or a recipient of benefits under this chapter shall comply with ~~the statewide fingerprint imaging system requirements.~~ identity verification requirements.

SEC. 4. Section 11253.4 of the Welfare and Institutions Code is amended to read:

11253.4. (a) (1) On and after January 1, 2015, a child eligible for the Approved Relative Caregiver Funding Program in accordance with Section 11461.3 is not subject to the provisions of this chapter relating to CalWORKs, including, but not limited to, the provisions that relate to CalWORKs eligibility, welfare-to-work, time limits, or grant computation.

(2) All of the following shall apply to a child specified in paragraph (1):

(A) ~~He or she~~ The child shall receive the applicable regional CalWORKs grant for recipient in an assistance unit of one, pursuant to the exempt maximum aid payment set forth in Section 11450, and any changes to the CalWORKs grant amount shall apply to the grant described in this subparagraph.



(B) Notwithstanding any other law, the CalWORKs grant of the child shall be paid by the county with payment responsibility as described in subdivision (b) of Section 11461.3, rather than the county of residence of the child, unless the child resides in the county with payment responsibility.

(C) For an assistance unit described in subparagraph (A), eligibility shall be determined in accordance with paragraph (3) of subdivision (a) of Section 672 of Title 42 of the United States Code and state law implementing those requirements for the purposes of Article 5 (commencing with Section 11400).

(D) (i) Article 7 (commencing with Section 11476.6), as modified by subdivisions (g) and (h) of Section 11461.3, ~~shall apply~~ applies to an assistance unit described in subparagraph (A).

(ii) This subparagraph is intended by the Legislature to clarify existing law.

(b) (1) Except as provided in paragraph (2), a person who is an approved relative caregiver with whom a child eligible in accordance with Section 11461.3 is placed shall be exempt from Chapter 4.6 (commencing with Section 10830) of Part 2 governing ~~the statewide fingerprint imaging system.~~ identity verification requirements.

(2) An approved relative caregiver who is also an applicant for or a recipient of benefits under this chapter shall comply with ~~the statewide fingerprint imaging system requirements.~~ identity verification requirements.

(c) Notwithstanding Sections 11004 and 11004.1 or any other law, overpayments to an assistance unit described in subparagraph (A) of paragraph (2) of subdivision (a) shall be collected in accordance with subdivision (d) of Section 11461.3.

(d) If an approved relative caregiver with whom a child eligible in accordance with Section 11461.3 is placed is also an applicant for or a recipient of benefits under this chapter, all of the following shall apply:

(1) The applicant or recipient and each eligible child, excluding any child eligible in accordance with Section 11461.3, shall receive aid in an assistance unit separate from the assistance unit described in subparagraph (A) of paragraph (2) of subdivision (a), and the CalWORKs grant of the assistance unit shall be paid by the county of residence of the assistance unit.

(2) For purposes of calculating the grant of the assistance unit, the number of eligible needy persons on which the grant is based pursuant to paragraph (1) of subdivision (a) of Section 11450 ~~shall does~~ not include any child eligible in accordance with Section 11461.3.

(3) For purposes of calculating minimum basic standards of adequate care for the assistance unit, any child eligible in accordance with Section 11461.3 shall be included as an eligible needy person in the same family pursuant to paragraph (2) of subdivision (a) of Section 11452.

SEC. 5. Section 11390 of the Welfare and Institutions Code is amended to read:

11390. (a) A person who is a kinship guardian under this article, and who has met the requirements of Section 361.4, ~~shall be is~~ exempt from Chapter 4.6 (commencing with Section 10830) of Part 2 governing ~~the statewide fingerprint imaging system.~~ identity verification requirements. A guardian who is also an applicant for or a recipient of benefits under the ~~CalWORKS~~ CalWORKs program, Chapter 2 (commencing with Section 11200) of Part 3, CalFresh, Chapter 10 (commencing with Section 18900) of Part 6 shall comply with ~~the statewide fingerprint imaging system requirements~~ identity verification requirements applicable to those programs.



(b) Any exemptions exercised pursuant to this section shall be implemented in accordance with Section 11393.

(c) Income to the child, including the Kin-GAP payment, shall not be considered income to the kinship guardian for purposes of determining the kinship guardian's eligibility for any other aid program, unless required by federal law as a condition of the receipt of federal financial participation.

(d) Each county that formally had court-ordered jurisdiction under Section 300 or Section 601 or 602 over a child receiving benefits under the Kin-GAP Program shall be responsible for paying the child's aid regardless of where the child actually resides.

(e) Notwithstanding any other ~~provision of law~~, when a child receiving benefits under the AFDC-FC foster care program becomes eligible for benefits under the Kin-GAP Program during any month, the child shall continue to receive benefits under the AFDC-FC foster care program, as appropriate, to the end of that calendar month, and Kin-GAP payments shall begin the first day of the following month.

(f) All of the following shall apply to any child or nonminor in receipt of Kin-GAP benefits:

(1) ~~He or she~~ The child is eligible to request and receive independent living services pursuant to Section 10609.3.

(2) ~~He or she~~ The child may retain cash savings, not to exceed ten thousand dollars (\$10,000), including interest, pursuant to Section 11155.5.

(3) ~~He or she~~ The child shall have earned income disregarded pursuant to Section 11008.15.



LEGISLATIVE COUNSEL'S DIGEST

Bill No. _____
as introduced, _____
General Subject: CalWORKs: identity verification.

Existing law provides for 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 and individuals. Existing law requires the State Department of Social Services to implement and maintain an automated, nonbiometric identity verification method in the CalWORKs program.

This bill would remove obsolete references to a former statewide fingerprint imaging system and instead reference identity verification requirements for purposes CalWORKs eligibility requirements. The bill would make other technical changes.

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

