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An act to amend Sections 18900.5, 18900.6, 18900.7, and 18941 of the
Welfare and Institutions Code, relating to CalFresh.



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

SECTION 1. Section 18900.5 of the Welfare and Institutions Code is amended to read:

18900.5. (a) It is the intent of the Legislature in enacting this section that recipients of Supplemental Security ~~Income benefits and/or State Income/State~~ Supplementary Payment Program benefits provided in Chapter 3 (commencing with Section 12000) of Part 3, may receive CalFresh benefits if otherwise eligible. Households described in this section and Sections 18900.6 and 18900.7 shall include households receiving benefits under Chapter 10.1 (commencing with Section 18930) of this part. It is the intent of the Legislature to continue funding a hold harmless for populations described in Sections 18900.6 and 18900.7 beyond 2018–19, until natural program attrition within these populations negates the need for additional funding. It is the intent of the Legislature to provide ongoing funding for county administration for implementation of this section and funding for county administration for implementation of the hold harmless pursuant to Sections 18900.6 and 18900.7 for the duration of the hold harmless enacted by either of those sections.

(b) The department shall notify the federal Commissioner of Social Security and the Secretary of the United States Department of Agriculture that the Supplemental Security ~~Income benefits and/or State Income/State~~ Supplementary Payment Program benefits provided in Chapter 3 (commencing with Section 12000) of Part 3, do not include the bonus value of food stamps, as described in subdivision (g) of Section 2015 of Title 7 of the United States Code, effective June 1, 2019, unless the department notifies the Department of Finance that automation will not be complete by that date, in which case the department shall notify the Department of Finance of the date automation will be complete and the alternate implementation date, which shall be no later than August 1, 2019. No later than August 1, 2018, the department shall provide counties with instructions necessary to complete automation related to implementation of this section and Sections 18900.6 and 18900.7 by August 1, 2019.

(c) Subdivision (b) shall be implemented as follows:

(1) As of June 1, 2019, or the alternate implementation date described in subdivision (b), an individual who is otherwise eligible for CalFresh benefits and who is not in an existing CalFresh household as an excluded member, shall become eligible for CalFresh benefits notwithstanding that ~~he or she is~~ they are a recipient of Supplemental Security ~~Income benefits and/or State Income/State~~ Supplementary Payment Program benefits provided in Chapter 3 (commencing with Section 12000) of Part 3.

(2) (A) For all existing CalFresh households as of June 1, 2019, or the alternate implementation date described in subdivision (b), that as a result of subdivision (b) ~~will~~ include a previously excluded individual or individuals who receives Supplemental Security ~~Income benefits and/or State Income/State~~ Supplementary Payment Program benefits provided in Chapter 3 (commencing with Section 12000) of Part 3, the county welfare department shall implement this provision by adding that individual, or those individuals, to the existing CalFresh household, and determining continuing eligibility and benefits pursuant to Sections 18901, 18901.7, and Chapter 10.1 (commencing with Section 18930) of this part, at the next periodic report or ~~recertification~~ recertification, as described in Sections 18910 and 18910.1. This shall include households ~~which that~~



temporarily lose their eligibility on or before the date when the SSI individual(s) recipient would be added and have their benefits restored within 30 days of that date based on good cause or providing the necessary information to restore eligibility.

(B) Notwithstanding subparagraph (A), an existing CalFresh household described in that subparagraph ~~may, may request,~~ at any time following June 1, 2019, or the alternate implementation date described in subdivision (b), and before the next periodic report or recertification, ~~request~~ that a previously excluded individual or individuals who receive Supplemental Security Income benefits and/or State Income/State Supplementary Payment Program benefits provided in Chapter 3 (commencing with Section 12000) of Part 3, be added to the CalFresh household. Upon such a this request, the county welfare department ~~then~~ shall determine continuing eligibility and benefits pursuant to Sections 18901, 18901.7, and Chapter 10.1 (commencing with Section 18930) of this part.

(3) (A) ~~For all new CalFresh households~~ For a new CalFresh household enrolled within six calendar months of June 1, 2019, or the alternate implementation date described in subdivision (b), ~~consisting which consists~~ entirely of individuals receiving Supplemental Security Income benefits and/or State Income/State Supplementary Payment Program benefits provided in Chapter 3 (commencing with Section 12000) of ~~Part 3, and Part 3~~ and is eligible for a certification period of 24 or 36 months, the household's initial certification period may be no more than six months shorter than the maximum period allowable to help spread the workload of periodic reports and recertifications, and manage caseload relative to timeliness and accuracy standards.

(B) ~~For all CalFresh households not described above~~ For a CalFresh household that is not described in subparagraph (A), the household's certification period shall be the maximum allowed by federal law for the household type, unless the county is ~~complying~~ complies with subdivision (b) of Section 18910, or, on a case-by-case basis only, the household's individual circumstances require a shorter certification period.

(d) The provisions of this section and Sections 18900.6 and 18900.7 shall be implemented by the department in consultation with stakeholders and counties. ~~Additionally, beginning July 1, 2018, and continuing quarterly~~ Beginning July 1, 2018, and quarterly thereafter through June 2019, or the alternate implementation date described in subdivision (b), the department shall convene discussions with the Legislature regarding implementation.

~~(e) This section shall be inoperative during any fiscal year in which funding is not appropriated in the annual Budget Act to support increased state and county administrative costs resulting from this section.~~

SEC. 2. Section 18900.6 of the Welfare and Institutions Code is amended to read:

18900.6. (a) There is hereby created the SSI/SSP Cash-In Supplemental Nutrition Benefit (SNB) ~~Program described in this section.~~ Program.

(b) The department shall use state funds appropriated for this program to provide nutrition benefits to continuing CalFresh households that were eligible for and receiving CalFresh benefits as of June 1, 2019, or the alternate implementation date described in subdivision (b) of Section 18900.5, but for whom the household's monthly CalFresh benefit was reduced when a previously excluded individual ~~or individuals were~~ was added to the household pursuant to paragraph (2) of subdivision (c) of Section 18900.5.



(c) (1) The amount of nutrition benefits provided to each household ~~will~~ shall be based on a supplemental nutrition benefit table developed by the department.

(2) The benefit table described in paragraph (1) shall be issued annually and based on all of the following:

(A) The projected number of households described in subdivision (b).

(B) The size of households described in subdivision (b), as determined when the previously excluded individual ~~or individuals were~~ was added to the household pursuant to paragraph (2) of subdivision (c) of Section 18900.5.

(C) The number of previously excluded individuals added to the household pursuant to paragraph (2) of subdivision (c) of Section 18900.5.

(D) The total funding appropriated for purposes of this section in the annual Budget Act.

(d) The table-based nutrition benefits provided pursuant to this section shall be delivered on a monthly basis through the electronic benefits transfer system created pursuant to Section 10072, in the same manner as CalFresh benefits, ~~and and~~ to the extent permitted by federal ~~law~~ law, shall not be considered income for any means-tested program.

(e) These supplemental nutrition benefits shall be provided to the household ~~only as long as if~~ the household continues to receive ~~CalFresh~~, CalFresh benefits, and includes the individual ~~or individuals~~ added to the household pursuant to paragraph (2) of subdivision (c) of Section 18900.5.

(f) A household whose CalFresh benefits are restored, consistent with current law, following discontinuance for failure to provide the necessary documentation or information required to determine continuing eligibility, ~~will~~ shall also have their SNB restored, without proration, back to the original date of discontinuance of the CalFresh benefits. If a household is discontinued for any other reason and reapplies for benefits, the supplemental benefit provisions outlined in this section shall not apply.

(g) ~~Households that are eligible for and receive~~ A household that is eligible for and receives SNB under this section shall not at any point be eligible for transitional nutrition benefits as created in Section 18900.7, regardless of a change in household circumstances.

(h) The department shall develop client notices for the SNB ~~program~~ program, as appropriate.

(i) Supplemental nutrition benefits authorized pursuant to this section are not entitlement benefits, and the department shall provide benefits under this section only to the extent funding for purposes of this section is appropriated in the annual Budget Act.

(j) This section shall be inoperative during any fiscal year in which funding is not appropriated in the annual Budget Act to support increased state and county administrative costs resulting from this section.

(k) 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 department may implement this section by all-county letters or similar instructions.

SEC. 3. Section 18900.7 of the Welfare and Institutions Code is amended to read:



18900.7. (a) There is hereby created the SSI/SSP Cash-In Transitional Nutrition Benefit (TNB) ~~Program described in this section.~~ Program.

(b) The department shall use state funds appropriated for this program to provide transitional nutrition benefits to former CalFresh households that were eligible for and receiving CalFresh benefits as of June 1, 2019, or the alternate implementation date described in subdivision (b) of Section 18900.5, but became ineligible for CalFresh benefits when a previously excluded individual ~~or individuals~~ receiving Supplemental Security ~~Income benefits and/or State~~ Income/State Supplementary Payment Program benefits provided in Chapter 3 (commencing with Section 12000) of Part 3, was added to the household pursuant to paragraph (2) of subdivision (c) of Section 18900.5.

(c) (1) The amount of transitional nutrition benefits provided to each household ~~will~~ shall be based on a transitional nutrition benefit table developed by the department.

(2) The benefit table described in paragraph (1) shall be issued annually ~~and be~~ based on all of the following:

(A) The projected number of households described in subdivision (b).

(B) Household size as determined when the previously excluded individual ~~or individuals were~~ was added to the household pursuant to paragraph (2) of subdivision (c) of Section 18900.5.

(C) The number of previously excluded individuals added to the household pursuant to paragraph (2) of subdivision (c) of Section 18900.5.

(D) The total funding appropriated for purposes of this section in the annual Budget Act.

(d) The transitional nutrition benefits described in this section shall be delivered through the electronic benefits transfer system created pursuant to Section 10072, ~~and~~ and, to the extent permitted by federal ~~law~~ law, shall not be considered income for any means-tested program.

(e) ~~Households~~ A household that is eligible for TNB shall be initially certified for one 12-month period ~~and then households~~ may be recertified for additional six-month periods through a recertification process developed by the department, following consultation with counties and stakeholders, ~~so long as~~ if the household continues to meet ~~all both~~ of the following criteria:

(1) ~~include~~ (A) The household includes at least one individual added to the household pursuant to paragraph (2) of subdivision (c) of Section 18900.5.

~~(2) That individual or individuals continue~~

(B) This individual continues to receive Supplemental Security ~~Income benefits and/or State~~ Income/State Supplementary Payment Program benefits provided in Chapter 3 (commencing with Section 12000) of Part 3.

~~(3) The household~~

(2) The household remains ineligible for CalFresh benefits.

(f) The department shall develop client notices for the TNB ~~program~~ program, as appropriate.

(g) If a household is discontinued for failure to provide the documentation or information required to determine continuing eligibility for TNB, the benefits shall be restored, without proration, ~~back~~ to the original date of discontinuance of TNB, if all documentation and information required to determine continuing eligibility is provided to the county within 30 days of the date of discontinuance from TNB. If the household



is discontinued for any other reason and reapplies for benefits, the transitional benefit provisions outlined in this section shall not apply.

(h) Households that are eligible for and receive TNB under this section shall not at any point be eligible for supplemental nutrition benefits, as created in Section 18900.6, regardless of a change in household circumstances.

(i) Transitional nutrition benefits authorized pursuant to this section are not entitlement benefits, and the department shall provide benefits under this section only to the extent funding for purposes of this section is appropriated in the annual Budget Act.

(j) This section shall be inoperative during any fiscal year in which funding is not appropriated in the annual Budget Act to support increased state and county administrative costs resulting from this section.

(k) 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 department may implement this section by all-county letters or similar instructions.

SEC. 4. Section 18941 of the Welfare and Institutions Code is amended to read:

18941. (a) Benefits provided under this chapter shall be equivalent to the benefits provided under the SSI/SSP program, Chapter 3 (commencing with Section 12000) of Part 3, except that the schedules for individuals and couples shall be reduced ten dollars (\$10) per individual and twenty dollars (\$20) per couple per month.

(b) Notwithstanding subdivision (a), commencing on the date that the Supplemental Security ~~Income~~ benefits and/or State ~~Income~~/State Supplementary Payment Program benefits provided in Chapter 3 (commencing with Section 12000) of Part 3 do not include the bonus value of food stamps, as described in subdivision (g) of Section 2015 of Title 7 of the United States Code, pursuant to subdivision (b) of Section 18900.5, benefits provided under this chapter shall be equivalent to the benefits provided under the SSI/SSP program (Chapter 3 (commencing with Section 12000) of Part 3).

~~(c) The benefits authorized pursuant to subdivision (b) are not entitlement benefits and shall only be provided if funding is appropriated in the annual Budget Act for this purpose.~~

SEC. 5. 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.



LEGISLATIVE COUNSEL'S DIGEST

Bill No. _____
as introduced, _____
General Subject: CalFresh.

Existing federal law provides for the federal Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county. Existing law makes a recipient of Supplemental Security Income/State Supplementary Payment Program (SSI/SSP) benefits eligible for CalFresh benefits on and after a specified date if the recipient is otherwise eligible for CalFresh benefits. Existing law makes those provisions relating to SSI/SSP benefits and CalFresh eligibility inoperative during any fiscal year in which funding is not appropriated in the annual Budget Act.

Existing law establishes the SSI/SSP Cash-In Supplemental Nutrition Benefit (SNB) Program and the SSI/SSP Cash-In Transitional Nutrition Benefit (TNB) Program to provide nutrition benefits to a CalFresh household that became ineligible or had its benefits reduced when a previously excluded SSI/SSP recipient was added to the household under the new eligibility provisions. Existing law also requires the State Department of Social Services to establish and supervise a county- or county-consortia-administered program to provide cash assistance to aged, blind, and disabled legal immigrants who are not citizens of the United States, but authorizes these benefits to be provided only if funding is appropriated in the annual Budget Act for this purpose.

This bill would delete the above-referenced inoperative provisions and funding restrictions, thereby making those benefits available without regard to an appropriation in the annual Budget Act. By expanding eligibility for, and imposing new administrative duties on counties in connection with, the programs described above, this bill would impose a state-mandated local program. The bill would authorize the State Department of Social Services to implement the SNB and TNB programs by means of all-county letters or similar instructions, and would make technical, nonsubstantive changes to those provisions.

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.



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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. State-mandated local program: yes.



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