

An act to amend Sections 13277, 13278, 13279, 13280, 13282, and 13283 of, to amend the heading of Chapter 5.5 (commencing with Section 13275) of Part 3 of Division 9 of, to add Sections 13284 and 13285 to, to repeal Section 13281 of, and to repeal and add Sections 13275 and 13276 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. The heading of Chapter 5.5 (commencing with Section 13275) of Part 3 of Division 9 of the Welfare and Institutions Code is amended to read:

CHAPTER 5.5. ~~COUNTY ADMINISTRATION OF REFUGEE SOCIAL SERVICES AND TARGETED ASSISTANCE FUNDS~~ AND REFUGEE CASH ASSISTANCE

SEC. 2. Section 13275 of the Welfare and Institutions Code is repealed.

~~13275. The department shall require that a county's costs of administering any employment-related and English training program funded by the Refugee Social Services program funds derived from the federal Refugee Act of 1980, as amended, shall not exceed the percentage for county administrative costs permitted by the department in administering the Refugee Targeted Assistance Program.~~

SEC. 3. Section 13275 is added to the Welfare and Institutions Code, to read:

13275. For the purposes of this chapter, the following terms have the following meanings:

(a) "Eligible county" means a county or city and county designated as impacted using a formula developed by the department based upon the refugee arrivals in the county during the preceding 60-month period for which the department has data.

(b) "Qualified nonprofit organization" means a nonprofit organization that is exempt from federal income taxation pursuant to Section 501(c)(3) of the Internal Revenue Code and that satisfies any additional eligibility criteria established by the department.

(c) "Refugee social services" include, but are not limited to, English language and employment training, as funded through federal appropriations.

SEC. 4. Section 13276 of the Welfare and Institutions Code is repealed.

~~13276. (a) After setting aside the necessary state administrative funds, the department shall allocate all social services funds derived from the federal Refugee Act of 1980 (Public Law 96-212), as amended, that are required to be used for employment-related and English language training to each eligible county, in the same proportion that refugees on aid in each eligible county bears to the total refugees on aid in all eligible counties. The department shall assign differential weights for refugees based on the length of time that they have resided in the United States, as follows:~~

~~(1) For refugees who have resided in this country one year or less, the department shall use a weight of 1.50 for the purposes of calculating the allocation in this subdivision;~~

~~(2) For refugees who have resided in this country two years or less, but more than one year, the department shall use a weight of 1.25 for the purposes of calculating the allocation in this subdivision;~~

~~(3) For refugees who have resided in this country five years or less, but more than two years, the department shall use a weight of 1.00 for the purposes of calculating the allocation in this subdivision;~~

~~(b) After setting aside the necessary state administrative funds, the department shall allocate all federal targeted assistance received by the department to the counties designated by the federal government as eligible in the same way funds are allocated by the federal government in the final targeted assistance formula allocations to states.~~



~~(c) For the purposes of this section, "eligible county" means a county or city and county designated as impacted using a formula to be developed by the department based upon the refugee arrivals in the county during the preceding 60-month period for which the department has data.~~

SEC. 5. Section 13276 is added to the Welfare and Institutions Code, to read:

13276. (a) After setting aside the necessary state administrative funds, the department shall allocate appropriated federal funds for refugee social services programs to each eligible county and, if the department exercises its discretion pursuant to subdivision (b), to a qualified nonprofit organization, based on the number of refugees receiving aid in the eligible county or the number of refugees that reside in the eligible county. The department may, at its discretion, utilize funding adjustments based on the length of time that the refugees have resided in the United States.

(b) (1) Notwithstanding any other law, and to the extent permitted by federal law, the department may, at its discretion, contract with, or award grants to, qualified nonprofit organizations for the purpose of administering refugee social services programs within a county. An eligible county providing refugee social services pursuant to this chapter may continue to administer those services while a contractor or grantee is also providing refugee social services pursuant to this chapter within the county.

(2) If an eligible county and a qualified nonprofit organization are administering refugee social services simultaneously within the same county, the department shall, at its discretion, determine the amount of the funds to be distributed to the eligible county and qualified nonprofit organization.

(3) Contracts or grants awarded pursuant to this subdivision shall require reporting, monitoring, or audits of services provided, as determined by the department.

SEC. 6. Section 13277 of the Welfare and Institutions Code is amended to read:

13277. (a) The department shall notify each ~~county~~ eligible county's board of supervisors of the availability of funds described in ~~subdivisions (a) and (b)~~ subdivision (a) of Section 13276.

(b) (1) ~~Any A~~ county administering refugee ~~employment~~ social services funds shall designate an agency ~~shall be that is~~ responsible for developing and implementing a plan for the provision of services funded by refugee ~~employment~~ social services funds.

(2) Until October 1, 1990, paragraph (1) does not apply to any county on whose behalf the department is administering the refugee employment social services funds.

~~(c) Any county which receives funds pursuant to the Refugee Targeted Assistance program shall designate an agency which shall be responsible for implementing a plan for the provision of services funded by those funds.~~

~~(d) The plans required by subdivisions (b) and (c) shall be in accordance with subdivisions (e) and (f) and Sections 13278 and 13279.~~

~~(e) (1) Each county shall administer refugee employment social services funds and funds received pursuant to the Refugee Targeted Assistance program according to a plan or plans developed by the county and approved by the department.~~

(c) (1) The plan developed pursuant to subdivision (b) shall be in accordance with Sections 13278 and 13279.

(2) The plan or plans developed pursuant to paragraph (1) shall be developed in accordance with guidelines which are issued by the department and which developed pursuant to subdivision (b) shall reflect the full intent of this chapter that the funding



for, and provision of, refugee social services shall lead to the earliest possible successful self-sufficiency and social integration for all refugee recipients of aid; refugee social services, in accordance with guidelines issued by the department.

(3) Any plan ~~or plans developed pursuant to paragraph (1)~~ developed pursuant to subdivision (b) shall, at a minimum, meet all of the following requirements:

(A) Each ~~county~~ eligible county's board of supervisors shall ensure that the county planning process is designed in such a way as to facilitate refugee participation and public input in that process.

(B) The plan ~~or plans~~ shall include a description of how social services and target assistance funds derived from the federal Refugee Act of 1980 (Public Law 96-212), as amended, and allocated to the county by the department available funds will be used to provide services to refugees.

(C) The plan ~~or plans~~ shall specifically address how services will be delivered to refugees receiving aid in each county.

(D) ~~(i)~~ The plan ~~or plans~~ shall provide for the priority consideration for funding refugee community-based organizations if they demonstrate the capacity to implement the proposed programs, which capacity shall be comparable to that of other competitors who qualify for funding.

~~(ii) Clause (i) does not apply to any county which uses those funds to pay for services for refugees participating in the program authorized under Article 3.2 (commencing with Section 11320) of Chapter 2 of the supplemental services component authorized by subdivision (c) of Section 13280.~~

~~(f)~~

~~(d)~~ Any plan ~~or plans approved pursuant to Section 11320.2 which described in Section 11321.6 that~~ is developed by any county ~~which that~~ elects to utilize these funds to pay for any service provided to, or any activity performed on behalf of, any refugee participating in the program authorized by Article 3.2 (commencing with Section 11320) of Chapter 2 shall meet the requirements of ~~subdivision (e) and~~ Section 13280.

~~(g)~~

~~(e)~~ (1) Prior to October 1, 1990, the department shall discontinue administering refugee employment social services funds for a county pursuant to the request of the county.

(2) Commencing October 1, 1990, the department shall discontinue administering refugee employment social services funds on behalf of the county.

~~(h) For purposes of this section, "refugee employment social services funds" means social services funds derived from the federal Refugee Act of 1980 (Public Law 96-212), as amended, which are required to be used for employment-related training for eligible refugees.~~

SEC. 7. Section 13278 of the Welfare and Institutions Code is amended to read:  
13278. Commencing October 1, 1990, ~~the a~~ county shall, to the extent permitted by federal law, utilize funds as described in Section 13276 to pay for the costs of any services provided to, or activity performed on behalf of, any refugee participating in the program authorized under Article 3.2 (commencing with Section 11320) of Chapter 2 if that cost is allowed under a plan ~~approved in accordance with Section 11320.2 described in Section 11321.6~~ and federal requirements for refugee employment-related and English language training funds; social services programs. The plan shall be developed with significant participation ~~by by,~~ and input ~~from from,~~ refugee community



organizations, voluntary agencies, and other local public and private entities involved in the refugee resettlement process.

SEC. 8. Section 13279 of the Welfare and Institutions Code is amended to read:

13279. ~~(a) Employment-related and English training~~ Refugee social services programs shall be available to recipients of Refugee Cash Assistance and refugees receiving county general assistance in those counties which are designated as impacted, pursuant to paragraph (2) of subdivision (c) of Section 13276, eligible counties. If the county does not provide these services under the program authorized under Article 3.2 (commencing with Section 11320) of Chapter 2, a portion of the funds allocated to the county in accordance with Section 13276 may be used to provide services to recipients of refugee cash assistance and refugee recipients of general assistance based on federal requirements and service needs, as outlined in the county plan developed pursuant to subdivisions (b) and (c) subdivision (b) of Section 13277.

~~(b) Those funds received pursuant to the Refugee Targeted Assistance program which a county designates as funds needed to meet other locally determined extreme and unusual refugee needs, in accordance with federal requirements governing the use of targeted assistance funds, are not subject to subdivision (a).~~

SEC. 9. Section 13280 of the Welfare and Institutions Code is amended to read:

13280. (a) (1) In counties receiving federal refugee social services ~~or federal targeted assistance funding, or both,~~ funding, the county welfare department shall include in its ~~GAIN CalWORKs~~ plan a section ~~which that~~ specifically addresses the provision of services for refugee applicants for, and recipients of, aid pursuant to Chapter 2 (commencing with Section 11200) and the orderly transition of those applicants and recipients into the ~~GAIN CalWORKs~~ program.

(2) County staff responsible for the administration of ~~Chapter 2 CalWORKs~~ shall work in conjunction with county staff responsible for the administration of refugee programs, as well as with representatives of local mutual assistance associations, voluntary agencies and other organizations involved in refugee resettlement to ensure that the section of the ~~GAIN CalWORKs~~ plan specified in paragraph (1) reflects the needs of the refugee applicants for, and recipients of, aid under the ~~Aid to Families with Dependent Children Temporary Assistance for Needy Families (TANF)~~ program, the services are delivered in accordance with the provisions of ~~that the~~ section of the county's ~~GAIN~~ plan which is CalWORKs plan specified in paragraph (1), and that this transition occurs as quickly as possible within resources available to the ~~GAIN CalWORKs~~ program.

(b) The department shall annually reevaluate that section of the county's ~~GAIN CalWORKs~~ plan which is developed pursuant to paragraph (1) of subdivision (a). This reevaluation shall be made in conjunction with the county's development of its annual overall ~~GAIN CalWORKs~~ plan update and will be subject to approval of the department.

~~(c) If a county submits a plan for statutory reductions, as defined in subdivision (h) of Section 11320.21, the county shall assess the effects of these reductions on the provision of GAIN services to refugees and discuss these effects in its statutory reduction plan.~~

~~(d)~~

~~(c)~~ (1) A county may maintain within the ~~GAIN CalWORKs~~ program a supplemental services component for refugees who would otherwise be temporarily excepted from the full range of ~~GAIN CalWORKs~~ services. These services shall



complement regular services provided through Article 3.2 (~~commencing with Section 11320~~) of Chapter 2, to prepare the refugee for self-sufficiency or eventual transition into the GAIN CalWORKs program and shall be funded through federal funds provided by the federal Office of Refugee Resettlement, refugee social services funds. County boards of supervisors may determine how the services are administered, subject to federal funding requirements.

(2) Any county ~~which that~~ elects to implement the supplemental services component authorized by ~~paragraph (1)~~ this subdivision shall fully describe the component in the section of its GAIN CalWORKs plan required by paragraph (1) of subdivision (a). The description shall specify the types of services planned to meet the special needs of refugees. Those services shall be in accordance with the department's ~~guidelines governing the use of federal refugee social services and targeted assistance funds.~~ guidelines.

(3) The GAIN CalWORKs refugee supplemental employment services authorized by ~~paragraph (1)~~ this subdivision for refugee AFDC TANF applicants and recipients, to the extent permitted by federal law, shall meet the requirements of the Job Opportunities and Basic Skills Training program under Title IV-F of the federal Social Security Act (Part F (~~commencing with Section 681~~) of Subchapter 4 of Chapter 7 of Title 42 of the United States Code), federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) and shall be subject to the approval of the department.

(4) Refugee AFDC TANF applicants and recipients who are referred for participation in the supplemental services component authorized by ~~paragraph (1)~~ this subdivision shall participate in the component services as a condition of eligibility under Chapter 2 (~~commencing with Section 11200~~) and shall be subject to the sanctions specified by ~~Section 11320.6, 11327.5~~ if the services meet the requirements of the Job Opportunities and Basic Skills Training program under Title IV-F of the federal Social Security Act (Part F (~~commencing with Section 681~~) of Subchapter 4 of Chapter 7 of Title 42 of the United States Code), federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193), and are determined by the county to prepare a refugee for self-sufficiency.

(5) Refugee AFDC TANF recipients already participating in a GAIN CalWORKs component provided through Article 3.2 (~~commencing with Section 11320~~) of Chapter 2 shall not be removed from that component for the purpose of participating in the supplemental services component authorized by ~~paragraph (1) of subdivision (a).~~ (1).

(e)

(d) Any county ~~which that~~ elects to implement the supplemental services component authorized by paragraph (1) of subdivision (c) shall provide the supportive services described in subdivision (e) of ~~Section 11320.3, 11323.2~~. These supportive services shall be funded with ~~federal~~ refugee social services funds. ~~GAIN CalWORKs~~ supportive services funds shall not be used to fund those supportive services.

(f)

(e) This section shall be implemented only in counties where federal refugee social services funds ~~or targeted assistance funds, or both,~~ are available to the county. SEC. 10. Section 13281 of the Welfare and Institutions Code is repealed.

13281. ~~Refugee social services funding which is identified as Refugee Mutual Assistance Incentive funds shall be allocated by the department to eligible counties in~~



~~accordance with the formula specified in Section 13276 and used to fund mutual assistance associations to provide social adjustment and cultural orientation services.~~

SEC. 11. Section 13282 of the Welfare and Institutions Code is amended to read:

13282. The requirements established by this chapter shall be applicable only so long as federal funds are available ~~from the federal Refugee Act of 1980 (Public Law 96-212), as amended, for its purposes.~~

SEC. 12. Section 13283 of the Welfare and Institutions Code is amended to read:

13283. Notwithstanding any other provision of law, the department shall ensure that noncitizen victims of trafficking, domestic violence, and other serious crimes, as defined in subdivision (b) of Section 18945, have access to refugee cash assistance, and ~~refugee employment~~ social services set forth in this chapter, to the same extent as individuals who are admitted to the United States as refugees under Section 1157 of Title 8 of the United States Code. These individuals shall be subject to the same work requirements and exemptions as other participants, provided that compliance with these requirements is authorized by law. An exemption from these requirements shall be available if physical or psychological trauma related to or arising from the victimization impedes their ability to comply. Assistance and services under ~~this subdivision~~ section shall be paid from state funds to the extent federal funding is unavailable.

SEC. 13. Section 13284 is added to the Welfare and Institutions Code, to read:

13284. (a) Notwithstanding any other law, and to the extent permitted by federal law, the department may, in its discretion, contract with, or issue grants to, qualified nonprofit organizations for the purpose of administering federally funded refugee cash assistance within a county. An eligible county providing refugee cash assistance pursuant to this section may continue to administer the refugee cash assistance while a contractor or grantee is also providing refugee cash assistance pursuant to this section within the county.

(b) The department shall require that qualified nonprofit organizations awarded contracts or grants pursuant to this section report, monitor, or audit the services provided, as determined by the department.

SEC. 14. Section 13285 is added to the Welfare and Institutions Code, to read:

13285. (a) Notwithstanding any other law, contracts or grants awarded by the department to a qualified nonprofit organization pursuant to this chapter 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.

(b) Notwithstanding any other law, contracts or grants awarded by the department to a qualified nonprofit organization pursuant to this chapter shall not be subject to the approval of the Department of General Services.

SEC. 15. 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 State Department of Social Services may implement and administer Chapter 5.5 (commencing with Section 13275) of Part 3 of



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Division 9 of the Welfare and Institutions Code, which is amended by this act, through all-county letters or similar instruction.

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## LEGISLATIVE COUNSEL'S DIGEST

Bill No.  
as introduced, \_\_\_\_\_.  
General Subject: Public social services: refugees.

Existing law prohibits a county's costs in administering employment-related and English language training programs funded by the Refugee Social Services program funds derived from the federal Refugee Act of 1980 from exceeding the percentage for county administrative costs permitted by the department in administering the Refugee Targeted Assistance program.

This bill would repeal those provisions.

Existing law requires the department, after setting aside state administrative funds, to allocate social services funds derived from the federal Refugee Act of 1980 and federally targeted assistance to eligible counties, to be used by the county, pursuant to a plan developed by the county, to provide services to refugees that lead to the earliest possible self-sufficiency for the refugees.

This bill would additionally authorize the department, to the extent permitted by federal law, to contract with, or award grants to, qualified nonprofit organizations for the administration of refugee social services and refugee cash assistance. The bill would also make conforming changes and update the terminology and references used in the provisions relating to refugee social services. The bill would authorize the department to implement and administer all provisions relating to refugee social services and refugee cash assistance through all-county letters or similar instruction.

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

