

Human Services Legislation Affecting Low-Income Consumers March 15, 2011

The deadline to introduce bills for the regular legislative session was February 18, 2011. Some bills are still in “spot bill” form – without specific language. Following is a summary of some of the legislation affecting access to food, housing and basic needs for low-income Californians broken out by topic area.

Jessica Bartholow and Mike Herald are Western Center’s legislative advocates working on human services policy. If Western Center has already taken a formal position on a bill, it is noted.

California Work Opportunity and Responsibility to Kids (CalWORKs) Legislation

[AB 373\(Garrick\)](#) This is a spot bill concerning the California Work Opportunity and Responsibility to Kids (CalWORKs) program.

Location: Assembly Human Services

[AB 596\(Carter\)](#) This bill extends due process rights provided to participants in the California Work Opportunity and Responsibility to Kids (CalWORKs) program to recipients of subsidized child care administered by the State Department of Education (CDE).

Location: Assembly Education

[AB 756\(Mitchell\)](#) This bill would prevent the state or its contractor from entering into an agreement with a bank that will levy a surcharge against a California Work Opportunity and Responsibility to Kids (CalWORKs) program participant when they withdraw their monthly grant using the Electronic Benefit Transfer (EBT) system. AB 756 is sponsored by the Western Center on Law and Poverty.

Location: Assembly Human Services

Position: Sponsor

[SB 417\(Dutton\)](#) This bill would require the Department of Social Services to implement a policy to prevent the Electronic Benefits system from allowing CalWORKs grants to be used to purchase alcohol or tobacco products.

Location: Assembly Human Services

[SB 465\(Wright\)](#) This is a spot bill concerning CalFresh and Medi-Cal program applications.

Location: Assembly Human Services

[AB 493\(Perea\)](#) This bill would require the Department of Social Services and its contractor to make changes to the Electronic Benefit Transfer (EBT) system to prevent participants in the California

Work Opportunity and Responsibility to Kids (CalWORKs) program from accessing their basic needs grant outside of California.

Location: Assembly Human Services

[AB 728\(Grove\)](#) This is a spot bill pertaining to Work Opportunity and Responsibility to Kids (CalWORKs) welfare-to-work requirements.

Location: Assembly Human Services

[AB 730\(Grove\)](#) This bill would require participants of the California Work Opportunity and Responsibility to Kids (CalWORKs) program to undergo drug testing on a periodic basis, as a condition of continued eligibility. Additionally, AB 730 provides that all those failing a periodic drug test will be determined ineligible until they successfully complete a one-year drug treatment program.

Location: Assembly Human Services

[AB 833\(Yamada\)](#) This bill would revise the list of exceptions to the Maximum Aid Payment provisions of the California Work Opportunity and Responsibility to Kids (CalWORKs) program, also referred to as the Maximum Family Grant rule (MFG), to include an exception for a child who is disabled, pursuant to specified federal law.

Location: Assembly Human Services

Position: Support

[AB 924\(Logue\)](#) This is a spot bill pertaining to the California Work Opportunity and Responsibility to Kids (CalWORKs) program.

Location: Assembly Human Services

[AB 949\(Gorell\)](#) This bill double fines collected for fraudulently applying for and receiving money through the California Work Opportunity and Responsibility to Kids (CalWORKs) and provides that this additional money be given to the County District Attorney's office or the county's Special Investigative Unit (SIU) established for the purpose of investigating fraud in means tested programs.

Location: Assembly Human Services

[AB 959\(Jones\)](#) This bill would align reporting requirements for the California Work Opportunity and Responsibility to Kids (CalWORKs) program with the Medi-Cal and CalFresh programs by allowing for a re-instatement of aid if a report or required verification is turned in within 30 days following the due date.

Location: Assembly Human Services

[AB 1140\(Donnelly\)](#) This bill would reduce the maximum months that an individual is allowed to receive assistance through the California Work Opportunity and Responsibility to Kids (CalWORKs) program from the federally allowed 60-month period to 6-months.

Location: Assembly Human Services

[AB 1173\(Huber\)](#) This is a spot bill pertaining to the establishment of a pilot program that would reimburse a county for the operation of a county program that prevents or reduces fraud in the California Work Opportunity and Responsibility to Kids (CalWORKs) program and other county administered, public means tested programs.

Location: Not Yet Assigned

[AB 1182](#)([Hernández, Roger](#)) The bill would exclude the value of a licensed motor vehicle from consideration when determining or re-determining eligibility for the California Work Opportunity and Responsibility to Kids (CalWORKs) program.

Location: Not Yet Assigned

[SB 320](#)([Wright](#)) This bill would make a number of substantive changes to the state fair hearing process, aid paid pending and a claimants access to telephone hearings.

Location: Senate Human Services

[SB 480](#)([Vargas](#)) This bill would leverage federal options to provide assistance to victims of domestic violence and requesting basic needs grants or food assistance, thus improving their likelihood of becoming economically self-sufficient. It would do so by: (1) Ensuring that a DV victim need not count the income or assets of his or her abuser when applying for benefits; (2) Requiring caseworkers to give waivers of Welfare-to-Work requirements when a person has demonstrated that he/she is a DV Victim, (3) Ensuring that counties receive federal work participation rate (WPR) credit offered by the federal government in the case that a WPR penalty is assigned to the state. SB 480 is sponsored by Western Center.

Location: Senate Human Services

Position: Sponsor

[SB 925](#)([Anderson](#)) This is a spot bill to enact legislation relating to the detection and prosecution of persons who engage in fraud by applying for assistance they are not eligible to receive through the California Work Opportunity and Responsibility to Kids (CalWORKs) Program.

Location: Senate Rules

CalFresh and Emergency Food Assistance Program (EFAP) Legislation

[AB 6](#)([Fuentes](#)) This bill adopts simplified, semi-annual reporting for CalWORKs and CalFresh, eliminates finger imaging for CalWORKs and CalFresh and adopts the CalFresh 'Heat & Eat' Federal option to simplify and expand use of the standard utility allowance in the CalFresh program.

Location: Assembly Human Services

Position: Support

[AB 69](#)([Beall](#)) This bill would require the State Department of Social Services to seek a demonstration project to use existing information maintained by the Social Security Administration regarding low-income social security benefit recipients in order to facilitate enrollment of eligible recipients into the CalFresh program.

Location: Assembly Human Services

[AB 152](#)([Fuentes](#)) This bill seeks to increase consumption of healthy foods among low-income people by establishing a tax credit for California agricultural products donated to food banks, limiting food purchased with state generated funds through the Emergency Food Assistance Program (EFAP) to only be purchased locally and directing the State Department of Public Health to seek federal and local funding to promote healthy eating.

Location: Assembly Health Committee

[AB 402\(Skinner\)](#) This bill would authorize a school district or a county superintendent of schools to incorporate into the School Meal Program application packet specified notifications and a request for the parent's consent for the household information provided on the School Meal Program application to be shared with the local agency that determines eligibility for the CalFresh program so that they may assist the county in enrolling into CalFresh.

Location: Assembly Education

[AB 594\(Yamada\)](#) The bill would establish the California Department of Adult and Aging Services in the California Health and Human Services Agency, for the purpose of maintaining individuals in their own homes by integrating services under a single department, to establish stronger, more focused leadership for home and community based services for all older adults and persons with disabilities.

Location: Assembly Human Services

[AB 808\(Skinner\)](#) This bill ensures that CalFresh recipients will be assisted in their recertification or reinstatement of benefits following the transitional benefit period of families leaving the California Work Opportunity and Responsibility to Kids (CalWORKs).

Location: Assembly Human Services

Position: Support

[AB 828\(Swanson\)](#) This bill would end the CalFresh lifetime ban for all people with prior drug-related offenses. AB 828 is sponsored by Western Center on Law and Poverty.

Location: Assembly Human Services

Position: Sponsor

[AB 1400\(Committee on Human Services\)](#) This bill would delete statutory references to the Food Stamp program and instead refer to CalFresh, and also make conforming changes.

Location: Senate Human Services

Position: Support

[SB 43\(Liu\)](#) This bill takes steps to make CalFresh work requirements more meaningful and less harmful during economic downturns. It will remove mandatory requirements in the CalFresh Employment and Training (E&T) Program when the state or a sub-region is federally determined to have a work surplus. It will also increase options for meeting the E&T work requirement when unemployment is not high and require the Department of Social Services to collect information about the effectiveness of E&T Programs. SB 43 is sponsored by Western Center.

Location: Senate Human Services

Position: Sponsor

[SB 471\(Rubio\)](#) The bill would require the Department of Social Services to seek all necessary federal approvals and, if secured, implement restrictions in the types of foods that low-income people can purchase using CalFresh, formerly known as food stamps, benefits. This bill would also require the department to prohibit the use of CalFresh benefits at restaurants, including fast-food restaurants.

Location: Assembly Human Services

Foster Care and Former Foster Youth

AB 212(Beall) The California Fostering Connections to Success Act of 2010 extended specified foster care benefits to youth up to 19, 20, and 21 years of age, if specified conditions are met, commencing January 1, 2012. AB 212 would establish similar provisions authorizing certain Kin-GAP recipients to continue to receive Kin-GAP aid after 18 years of age, if they are attending high school or vocational or technical training, as specified.

Location: Assembly Human Services

AB 791(Ammiano) This bill ensures that foster youth are provided a copy of their birth certificate upon declining to order reunification services.

Location: Assembly Judiciary

Other Human Services or Poverty Alleviation Related Legislation

AB 138(Beall) This bill would require the California Department of Aging to report data from the Elder Economic Security Standard Index (Elder Index), if specific conditions are met, for each service area included in the state plan.

Location: Assembly Aging & Long Term Care

Position: Support

AB 234(Wieckowski) This is a spot bill pertaining to increasing access to healthy food in all neighborhoods and for people with minimal income.

Location: Not Yet Assigned

AB 509(Skinner) This is a spot bill that seeks to expand points of access to the federal Earned Income Tax Credit (EITC).

Location: Not Yet Assigned

AB 581(John A. Pérez) This bill would create the California Healthy Food Financing Initiative for the purpose of expanding access to healthy foods in underserved communities and, to the extent practicable, to leverage other funding, as specified. It would also require the Department of Food and Agriculture, in consultation with the State Department of Public Health and the State Department of Social Services, to prepare recommendations, to be presented upon request to the Legislature, regarding actions that need to be taken to promote food access in the state.

Location: Assembly Agriculture

SB 930(Evans) This bill would delete the requirements pertaining to obtaining fingerprint images of recipients and providers in the In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons are provided with services in order to permit them to remain in their own homes and avoid institutionalization. This bill would delete the requirements and prohibitions relating to the use of a post office box address by an IHSS provider.

Location: Assembly Human Services

Position: Support

About Western Center on Law and Poverty

Western Center on Law and Poverty (WCLP) serves as a support center for California's legal aid community and leads the way in large-scale impact litigation, administrative advocacy, budget advocacy and legislative advocacy in an effort to ensure that low-income Californians can easily access safe and affordable housing, adequate health care, and a broad spectrum of safety net services. www.wclp.org