



## New Laws Impacting CalFresh 2016-18 Legislative Session

*October 1, 2018*

During the 2016-2018 Two-Year Legislative Session, several changes to the CalFresh program were made. Below we offer a summary of these changes and a link to the enacting legislation. Where a new Section of the code was added, we also include the new citation. Please note that, by linking to the legislation, you can also view the bill analysis, list of support and opposition, and the committee and floor vote counts.

### *Changes to CalFresh Impacting Eligibility and Grant Levels*

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- **Budget Act of 2018:** The Act, [AB 1811 Sections 38-41](#), ends the SSI cash-out. The implementation date is June-August 1, 2019. The administration expects that the majority of affected households will benefit from ending the SSI cash-out. However, some households currently receiving federal food benefits are expected to experience a reduction in their monthly CalFresh grant. As a result, the budget included a \$230 million one-time General Fund (to be used over multiple years) to provide “hold-harmless” benefits for those households, and to fund the necessary programmatic and automation changes to end the SSI cash-out. The implementing letters for the hold-harmless benefits can be found here: <http://www.cdss.ca.gov/Portals/9/ACL/2018/18-90.pdf?ver=2018-07-31-142643-887>
- **Budget Act of 2018:** The Act included funding for the CalFresh Fruits and Vegetables Pilot Program. Specifically, it provided \$9 million from the General Fund to conduct a three-year pilot project in which CalFresh food assistance recipients will be eligible to receive one dollar in additional food benefits (to be used for any CalFresh-eligible food item) for each one dollar purchase of California-grown fruits and vegetables. To learn more about this effort and monitor its implementation at this site provided by California Food Policy Advocates: <https://cfpa.net/invest-to-double-the-fresh-in-calfresh/>
- **AB 607 (Gloria):** Chapter 501, Statutes of 2017 enacted the Disaster CalFresh Program. This new law establishes various requirements to improve the disaster planning and response of the Department of Social Services and county human services agencies. The implementing letter can be found here: [ACL 18-17 \(February 28, 2018\)](#)
- **Riojas v. Vilsack:** Overturned a 30-year old regulation which denied SSI recipients who had a suspended status from receiving CalFresh. The implementing letter can be found here: <http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/coletters/ACWDL-RiojasVsUSDACase.pdf>
- California’s statewide waiver for the Able Bodied Adult Without Dependents (ABAWD) time limit expired. For more about how this impacts eligibility, see our one-pager here: <https://wclp.org/resource/calfresh-abawd-time-limit-sept-2018/>

## *Changes to CalFresh Outreach*

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- [Budget Act of 2017](#): The Act included trailer bill language that implemented [AB 453 \(Limón\)](#) to combat college student hunger by establishing a *Hunger Free Campus Initiative* to encourage colleges to implement several promising practices, such as: on-campus food distributions, meal plan fund donations, and CalFresh education and outreach. See Western Center's Factsheet about the Hunger Free Campus Initiative here: <https://wclp.org/resource/college-hunger-free-campus-initiative/>

## *Changes to CalFresh ABAWD Time Limit and the CalFresh Employment & Training Program*

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- [Budget Act of 2017](#): The Act included all three of [our proposed statutory changes](#) to prevent hunger during times of high unemployment and among people who are homeless when they are defined by the program rules to be Able Body Adults Without Dependents (ABAWD). It does this by:
  - *Ensuring Statewide Protection During Times of High Unemployment*: Federal law allows for a waiver of the 3-month-in-3-year-period ABAWD time limit during times of high unemployment. The budget will now require that all eligible counties accept the waiver.
  - *Protecting Californians Who Are Homeless from Hunger*: Federal law and guidance allows California to automatically exempt people who are homeless from the ABAWD time limit. The bill requires the Department to maximize these exemptions for people who are homeless.
  - *Establish a Process to Count Volunteer Work*: The ABAWD time limit applies to people employed less than 20 hours a week who are not otherwise exempt. But not being fully employed does not imply unwillingness to be fully employed, only that someone hasn't hired you to be fully employed. We are hopeful that the new statute will ensure participation in volunteer work is fully captured for CalFresh recipients subject to the ABAWD time limit and needing to report hours worked to retain their anti-hunger benefits.

These and other ABAWD Policies can be found here: [ACL 18-08 January 26, 2018](#)

- [SB 282 \(Wiener\)](#): Chapter 355, Statutes of 2017, among other things, requires the Department of Social Services to seek approval for a CalFresh Employment & Training subsidized job program through a waiver request to the USDA FNS. The waiver request currently pending. The implementing letter can be found here: [ACL 18-24 \(March 15, 2018\)](#)
- [AB 415 \(Chiu\)](#): Chapter 340, Statutes of 2017 clarified that the Department of Social Services and Counties can work with social enterprise entities for CalFresh Employment and Training and CalWORKs subsidized jobs. The implementing letter can be found here: [http://www.cdss.ca.gov/Portals/9/ACIN/2018/I-34\\_18%20.pdf?ver=2018-06-12-130523-873](http://www.cdss.ca.gov/Portals/9/ACIN/2018/I-34_18%20.pdf?ver=2018-06-12-130523-873)
- [AB 563 \(Arambula\)](#): Chapter 343, Statutes of 2017 established that someone subject to the Able Bodied Adult without Dependents (ABAWD) 3-month time limit and related work requirement cannot also be required to work in a mandatory CalFresh Employment & Training (CFET) program as a condition of eligibility. It also clarified that the Department of Social Services may prioritize use of federal CFET funding to achieve equity goals and may contract directly with an CFET provider. The implementing letter can be found here: [ACL 18-11 \(January 25, 2018\)](#)

- [AB 1892 \(Jones-Sawyer\)](#): Chapter 381, Statutes of 2018 extends CFET programs to a broader group of CalFresh recipients and clarifies rules for reimbursement of broadband expenses. The implementing letter has not yet been issued.

### *Changes to CalFresh Application Procedures and EBT Benefit Issuance*

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- [SB 278 \(Wiener\)](#): Chapter 388, Statutes of 2017, requires the Department of Social Services to establish a cost-effective threshold for their collection of CalFresh overissuances or to issue a report to the Legislature by January 2019 as to why they cannot.
- [SB 282 \(Wiener\)](#): Chapter 355, Statutes of 2017, codified the CalFresh Restaurant Meal Program (RMP) for elderly, disabled or homeless recipients in state law. The implementing letter can be found here: [ACL 18-24 \(March 15, 2018\)](#)
- [SB 360 \(Skinner\)](#): Chapter 390, Statutes of 2017 established that any amount of CalFresh overissuance that happened after the county should have acted on an EIVES report (as defined in federal law) shall be counted as a county error. The implementing letter can be found here: [ACL 18-22 \(March 29, 2018\)](#)
- [SB 1339 \(Monning\)](#), Chapter 801 of 2016, made improvements to The Inter-County Transfer (ICT) Process Messages The implementing letter can be found here: [ACL 17-58E \(December 5, 2017\)](#) & [ACL 17-58 \(June 23, 2017\)](#)
- [AB 214 \(Weber\)](#): Chapter 134, Statutes of 2017 addressed college student hunger by defining terms used in the CalFresh program to determine eligibility and by clarifying law concerning the CalFresh RMP on College Campuses. Western Center's white paper about California's work to end College Student Hunger can be found here: <https://wclp.org/resource/responding-to-the-college-hunger-crisis-new-laws-to-prevent-hunger-in-california/> The implementing letter for AB 214 can be found here: [ACL 18-27 \(April 2, 2018\)](#)
- [AB 323 \(Berman\)](#): Chapter 68, Statutes of 2017 amended the law that requires a county to provide a written list of emergency food providers to CalFresh applicants who request it by allowing a county to instead provide a 211 referral. See Western Center's research on county food referrals: [http://wclp.org/wpcontent/uploads/2016/09/ConnectingTheDotsToEndChildhoodHunger\\_WCLPSeptember2016\\_Final.pdf](http://wclp.org/wpcontent/uploads/2016/09/ConnectingTheDotsToEndChildhoodHunger_WCLPSeptember2016_Final.pdf).
- [AB 1894 \(Weber\)](#): Chapter 746, Statutes of 2018 addresses college student hunger by allowing the California State University (CSU) Chancellor to apply for the CalFresh RMP on all CSU College Campuses even if the county does not participate in RMP.
- [AB 1957 \(Berman\)](#): Chapter 384, Statutes of 2018, modernizes state laws governing communication for public social services by requiring the Department of Social Services to issue regulations for automated text-message communication, while ensuring the rights of applicants and recipients are protected. The implementing letter has not yet been issued.

- [AB 2030 \(Limón\)](#): Chapter 485, Statutes of 2018, requires the Department of Social Services to make improvements to application and reporting forms, and to computer eligibility files, to ensure that disability accommodation or domestic abuse status is immediately visible to county workers each time they are serving a public benefits applicant or recipient.
- [AB 3224 \(Thurmond\)](#), Chapter 179, Statutes of 2018, codifies current federal regulation and state practice by requiring that eligibility decisions in CalWORKs, CalFresh and Medi-Cal be made by someone who is a civil servant or merit employee.

*For more information about Western Center's CalFresh advocacy*, please see our website at [www.wclp.org](http://www.wclp.org), or contact: Jessica Bartholow at [jbartholow@wclp.org](mailto:jbartholow@wclp.org); Rebecca Miller at [rmiller@wclp.org](mailto:rmiller@wclp.org); or Mike Herald at [mherald@wclp.org](mailto:mherald@wclp.org).