

**SUBSTITUTE FOR
SENATE BILL NO. 138**

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
by amending section 57b (MCL 400.57b), as added by 1995 PA 223.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 57b. (1) An individual who meets all of the following
2 requirements is eligible for family independence assistance:

3 (a) Is a member of a family or a family independence assist-
4 ance group.

5 (b) Is a member of a program group whose income and assets
6 are less than the income and asset limits set by the family inde-
7 pendence agency.

8 (c) In the case of a minor parent, meets the requirements of
9 subsection (2).

10 (d) Is a United States citizen, a permanent resident alien,
11 or a refugee.

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1 (e) Is a resident of this state as described in section 32.

2 (f) Meets any other eligibility criterion required for the
3 receipt of federal or state funds or determined by the family
4 independence agency to be necessary for the accomplishment of the
5 goals of the family independence program.

6 (2) A minor parent and the minor parent's child shall not
7 receive family independence assistance unless they live in an
8 adult-supervised household. The family independence assistance
9 shall be paid on behalf of the minor parent and child to an adult
10 in the adult-supervised household. Child care in conjunction
11 with participation in education, employment readiness, training,
12 or employment programs, which have been approved by the family
13 independence agency, shall be provided for the minor parent's
14 child. The minor parent and child shall live with the minor
15 parent's parent, stepparent, or legal guardian unless the family
16 independence agency determines that there is good cause for not
17 requiring the minor parent and child to live with a parent, step-
18 parent, or legal guardian. The family independence agency shall
19 determine the circumstances that constitute good cause, based on
20 a parent's, stepparent's, or guardian's unavailability or unwill-
21 ingness or BASED on a reasonable belief that there is physical,
22 sexual, or substance abuse, or domestic violence occurring in the
23 household, or THAT THERE IS other risk to the physical or emo-
24 tional health or safety of the minor parent or child. If the
25 family independence agency determines that there is good cause
26 for not requiring a minor parent to live with a parent,
27 stepparent, or legal guardian, the minor parent and child shall

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1 live in another adult-supervised household. A local office
2 director may waive the requirement set forth in this subsection
3 with respect to a minor parent who is at least 17 years of age,
4 attending secondary school full-time, and participating in a
5 service plan of the family independence agency or a teen parent-
6 ing program, if moving would require the minor parent to change
7 schools.

8 (3) THE FAMILY INDEPENDENCE AGENCY MAY REQUIRE SUBSTANCE
9 ABUSE TESTING AS A CONDITION FOR FAMILY INDEPENDENCE ASSISTANCE
10 UNDER THIS ACT. AS A CONDITION OF RECEIVING FAMILY INDEPENDENCE
11 ASSISTANCE UNDER THIS ACT, AN INDIVIDUAL DESCRIBED IN
12 SUBSECTION (1) WHO TESTS POSITIVE FOR SUBSTANCE ABUSE UNDER THIS
13 SUBSECTION SHALL AGREE TO AND PARTICIPATE IN SUBSTANCE ABUSE
14 ASSESSMENT AND SHALL COMPLY WITH A SUBSTANCE ABUSE TREATMENT
15 PLAN, IF APPROPRIATE. THE TREATMENT PLAN SHALL BECOME A PART OF
16 THE RECIPIENT'S SOCIAL CONTRACT UNDER SECTION 57E. THIS SUBSECTION
DOES NOT APPLY TO A PERSON WHO IS 65 YEARS OF AGE OR OLDER UNLESS
THAT PERSON HAS PRIMARY RESPONSIBILITY OF A MINOR CHILD FOR WHOM HE
OR SHE IS RECEIVING FAMILY INDEPENDENCE ASSISTANCE.
(4) IF AN INDIVIDUAL WHO IS OTHERWISE ELIGIBLE FOR FAMILY
INDEPENDENCE ASSISTANCE UNDER SUBSECTION (1) DOES NOT SUBMIT TO A
SUBSTANCE ABUSE TEST REQUIRED BY THE DEPARTMENT, THE INDIVIDUAL IS
NOT ELIGIBLE TO RECEIVE FAMILY INDEPENDENCE ASSISTANCE.
(5) THE FAMILY INDEPENDENCE AGENCY SHALL IMPLEMENT ON A PILOT
PROGRAM BASIS IN AT LEAST THREE COUNTIES, A SUBSTANCE ABUSE TESTING
PROGRAM AUTHORIZED BY SUBSECTION (3), INCLUDING RANDOM SUBSTANCE
ABUSE TESTING. IT IS THE INTENT OF THE LEGISLATURE THAT A STATEWIDE
PROGRAM OF SUBSTANCE ABUSE TESTING, INCLUDING RANDOM SUBSTANCE ABUSE
TESTING, BE IMPLEMENTED.

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