

SUBSTITUTE FOR  
HOUSE BILL NO. 6580

A bill to amend 1939 PA 280, entitled  
"The social welfare act,"  
by amending sections 57, 57b, 57f, and 57g (MCL 400.57, 400.57b,  
400.57f, and 400.57g), section 57 as added by 1995 PA 223, section  
57b as amended by 1999 PA 9, and sections 57f and 57g as amended by  
2001 PA 280, and by adding sections 57p, 57q, 57r, 57s, and 57t.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 57. (1) As used in this section and sections 57a to ~~57g~~

2   **57T:**

3           (a) "Adult-supervised household" means either of the  
4 following:

5           (i) The place of residence of a parent, stepparent, or legal  
6 guardian of a minor parent.

1           (ii) A living arrangement not described in subparagraph (i) that  
2 the ~~family independence agency~~ **DEPARTMENT** approves as a family  
3 setting that provides care and control of a minor parent and his or  
4 her child and supportive services including, but not limited to,  
5 counseling, guidance, or supervision.

6           (b) "Caretaker" means an individual who is acting as parent  
7 for a child in the absence or because of the disability of the  
8 child's parent or stepparent and who is the child's legal guardian,  
9 grandparent, great grandparent, great-great grandparent, sibling,  
10 stepsibling, aunt, great aunt, great-great aunt, uncle, great  
11 uncle, great-great uncle, nephew, niece, first cousin, or first  
12 cousin once-removed, a spouse of any person listed above, a parent  
13 of the putative father, or an unrelated individual aged 21 or older  
14 whose appointment as legal guardian of the child is pending.

15           (c) "Child" means an individual who is not emancipated under  
16 ~~Act No. 293 of the Public Acts of 1968, being sections 722.1 to~~  
17 ~~722.6 of the Michigan Compiled Laws— 1968 PA 293, MCL 722.1 TO~~  
18 **722.6**, who lives with a parent or caretaker, and who is either of  
19 the following:

20           (i) Under the age of 18.

21           (ii) Age 18 or 19, a full-time high school student, and  
22 reasonably expected to graduate from high school before the age of  
23 20.

24           (d) "Family" means 1 or more of the following:

25           (i) A household consisting of a child and either of the  
26 following:

27           (A) A parent or stepparent of the child.

1 (B) A caretaker of the child.

2 (ii) A pregnant woman.

3 (iii) A parent of a child in foster care.

4 (e) "Family independence assistance" means financial  
5 assistance provided to a family under the family independence  
6 program.

7 (f) "Family independence assistance group" means all those  
8 members of a program group who receive family independence  
9 assistance.

10 (g) "Family independence program" means the program of  
11 financial assistance established under section 57a.

12 (H) **"FAMILY SELF-SUFFICIENCY PLAN" MEANS A DOCUMENT DESCRIBED**  
13 **IN SECTION 57E THAT IS EXECUTED BY A FAMILY IN RETURN FOR RECEIVING**  
14 **FAMILY INDEPENDENCE ASSISTANCE.**

15 (I) ~~(h)~~ "Minor parent" means an individual under the age of  
16 18 who is not emancipated under ~~Act No. 293 of the Public Acts of~~  
17 ~~1968~~ **1968 PA 293, MCL 722.1 TO 722.6**, and who is either the  
18 biological parent of a child living in the same household or a  
19 pregnant woman.

20 (J) ~~(i)~~ "Payment standard" means the standard upon which  
21 family independence program benefits are based if the family  
22 independence assistance group has no net income.

23 (K) ~~(j)~~ "Program group" means a family and all those  
24 individuals living with a family whose income and assets are  
25 considered for purposes of determining financial eligibility for  
26 family independence assistance.

27 (L) ~~(k)~~ "Recipient" means an individual receiving family

1 independence assistance.

2 ~~—— (l) "Social contract" means a document described in section 57e~~  
 3 ~~that is executed by a family in return for the receipt of family~~  
 4 ~~independence assistance.~~

5 (m) "Substance abuse" means that term as defined in section  
 6 6107 of the public health code, ~~Act No. 368 of the Public Acts of~~  
 7 ~~1978, being section 333.6107 of the Michigan Compiled Laws 1978 PA~~  
 8 **368, MCL 333.6107.**

9 (n) "Substance abuse treatment" means outpatient or inpatient  
 10 services or participation in alcoholics anonymous or a similar  
 11 program.

12 (o) **"SUPPLEMENTAL SECURITY INCOME" MEANS THE PROGRAM OF**  
 13 **SUPPLEMENTAL SECURITY INCOME PROVIDED UNDER TITLE XVI.**

14 (p) ~~(e)~~ "Work first" means the program of employment and  
 15 training administered by the ~~Michigan jobs commission~~ **DEPARTMENT**  
 16 **OF LABOR AND ECONOMIC GROWTH** for applicants and recipients of  
 17 family independence assistance.

18 (2) A reference in this act to "aid to dependent children" or  
 19 "aid to families with dependent children" means "family  
 20 independence **PROGRAM** assistance".

21 Sec. 57b. (1) Subject to section 57l, an individual who meets  
 22 all of the following requirements is eligible for family  
 23 independence assistance:

24 (a) Is a member of a family or a family independence  
 25 assistance group.

26 (b) Is a member of a program group whose income and assets are  
 27 less than the income and asset limits set by the ~~family~~

1 ~~independence agency~~ DEPARTMENT.

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

4 (d) Is a United States citizen, a permanent resident alien, or  
5 a refugee.

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

7 (f) Meets any other eligibility criterion required for the  
8 receipt of federal or state funds or determined by the ~~family~~  
9 ~~independence agency~~ DEPARTMENT to be necessary for the  
10 accomplishment of the goals of the family independence program.

11 (2) A minor parent and the minor parent's child shall not  
12 receive family independence assistance unless they live in an  
13 adult-supervised household. The family independence assistance  
14 shall be paid on behalf of the minor parent and child to an adult  
15 in the adult-supervised household. Child care in conjunction with  
16 participation in education, employment readiness, training, or  
17 employment programs, which have been approved by the ~~family~~  
18 ~~independence agency~~ DEPARTMENT, shall be provided for the minor  
19 parent's child. The minor parent and child shall live with the  
20 minor parent's parent, stepparent, or legal guardian unless the  
21 ~~family independence agency~~ DEPARTMENT determines that there is  
22 good cause for not requiring the minor parent and child to live  
23 with a parent, stepparent, or legal guardian. The ~~family~~  
24 ~~independence agency~~ DEPARTMENT shall determine the circumstances  
25 that constitute good cause, based on a parent's, stepparent's, or  
26 guardian's unavailability or unwillingness or based on a reasonable  
27 belief that there is physical, sexual, or substance abuse, or

1 domestic violence, occurring in the household, or that there is  
2 other risk to the physical or emotional health or safety of the  
3 minor parent or child. If the ~~family independence agency~~  
4 **DEPARTMENT** determines that there is good cause for not requiring a  
5 minor parent to live with a parent, stepparent, or legal guardian,  
6 the minor parent and child shall live in another adult-supervised  
7 household. A local office director may waive the requirement set  
8 forth in this subsection with respect to a minor parent who is at  
9 least 17 years of age, attending secondary school full-time, and  
10 participating in a **DEPARTMENT** service plan ~~of the family~~  
11 ~~independence agency~~ or a teen parenting program, if moving would  
12 require the minor parent to change schools.

13 (3) BEGINNING DECEMBER 31, 2006, IF A RECIPIENT WHO IS  
14 OTHERWISE ELIGIBLE FOR FAMILY INDEPENDENCE ASSISTANCE UNDER THIS  
15 SECTION IS CURRENTLY APPLYING FOR SUPPLEMENTAL SECURITY INCOME AND  
16 SEEKING EXEMPTION OR DEFERMENT FROM THE WORK FIRST PROGRAM, THE  
17 RECIPIENT SHALL BE EVALUATED AND ASSESSED AS PROVIDED IN THIS  
18 SECTION BEFORE A FAMILY SELF-SUFFICIENCY PLAN IS DEVELOPED UNDER  
19 SECTION 57E. BASED ON A REPORT RESULTING FROM THE EVALUATION AND  
20 ASSESSMENT, THE CASEWORKER SHALL MAKE A DETERMINATION AND REFERRAL  
21 AS FOLLOWS:

22 (A) A DETERMINATION THAT THE RECIPIENT IS WORK ELIGIBLE AND A  
23 REFERRAL TO THE WORK FIRST PROGRAM.

24 (B) A DETERMINATION THAT THE RECIPIENT IS WORK EXEMPT AND A  
25 REFERRAL TO A SHELTERED WORK ENVIRONMENT OR SUBSIDIZED EMPLOYMENT.

26 (C) A DETERMINATION THAT THE RECIPIENT IS WORK EXEMPT AND A  
27 REFERRAL TO A LEGAL SERVICES ORGANIZATION FOR SUPPLEMENTAL SECURITY

1 INCOME ADVOCACY.

2 (4) THE DEPARTMENT MAY CONTRACT WITH A LEGAL SERVICES  
3 ORGANIZATION TO ASSIST RECIPIENTS WITH THE PROCESS FOR APPLYING FOR  
4 SUPPLEMENTAL SECURITY INCOME. THE DEPARTMENT MAY ALSO CONTRACT WITH  
5 A NONPROFIT REHABILITATION ORGANIZATION TO PERFORM THE EVALUATION  
6 AND ASSESSMENT DESCRIBED UNDER SUBSECTION (3). IF THE DEPARTMENT  
7 CONTRACTS WITH EITHER A NONPROFIT LEGAL OR REHABILITATION SERVICES  
8 ORGANIZATION, UNIFORM CONTRACTS SHALL BE USED STATEWIDE THAT  
9 INCLUDE, BUT ARE NOT LIMITED TO, UNIFORM RATES AND PERFORMANCE  
10 MEASURES.

11 (5) THE DEPARTMENT SHALL CONTRACT WITH AN INDEPENDENT ENTITY  
12 TO CONDUCT ANNUAL AUDITING OF THE EVALUATION AND ASSESSMENT PROCESS  
13 REQUIRED UNDER THIS SECTION.

14 Sec. 57f. (1) The ~~family independence agency~~ DEPARTMENT  
15 shall enter into an agreement with the department of ~~career~~  
16 ~~development in order~~ LABOR AND ECONOMIC GROWTH to facilitate the  
17 administration of work first. The ~~family independence agency~~  
18 DEPARTMENT shall make information on the program available to the  
19 legislature.

20 (2) ~~Except as otherwise provided in subsection (3), every~~  
21 ~~member of a family independence assistance group shall be referred~~  
22 ~~to and shall participate in work first.~~ EXCEPT AS PROVIDED IN  
23 SECTION 57B, AT THE TIME THE DEPARTMENT DETERMINES THAT AN  
24 INDIVIDUAL IS ELIGIBLE TO RECEIVE FAMILY INDEPENDENCE ASSISTANCE  
25 UNDER THIS ACT, THE DEPARTMENT SHALL DETERMINE WHETHER THAT  
26 INDIVIDUAL IS ELIGIBLE TO PARTICIPATE IN THE WORK FIRST PROGRAM OR  
27 IF THE INDIVIDUAL IS EXEMPT FROM WORK FIRST PARTICIPATION UNDER

1 **THIS SECTION.** The particular activities in which the recipient is  
2 required or authorized to participate, the number of hours of work  
3 required, and other details of work first shall be developed by the  
4 department ~~of career development and the family independence~~  
5 ~~agency~~ **AND THE DEPARTMENT OF LABOR AND ECONOMIC GROWTH** and shall  
6 be set forth in the recipient's ~~social contract~~ **FAMILY SELF-**  
7 **SUFFICIENCY PLAN.** If a recipient has cooperated with work first,  
8 the recipient may enroll in a program approved by the local  
9 workforce development board. Any and all training or education with  
10 the exception of high school completion, ~~and~~ GED preparation, **AND**  
11 **LITERACY TRAINING** must be occupationally relevant and in demand in  
12 the labor market as determined by the local workforce development  
13 board and may be no more than 2 years in duration. Participants  
14 must make satisfactory progress while in training or education. **IF**  
15 **THE DEPARTMENT DETERMINES THAT AN INDIVIDUAL IS ELIGIBLE TO**  
16 **PARTICIPATE IN THE WORK FIRST PROGRAM AND RESIDES IN A COUNTY IN**  
17 **WHICH A JOBS EDUCATION TRAINING PROGRAM IS AVAILABLE, FAMILY**  
18 **INDEPENDENCE ASSISTANCE SHALL BE PAID TO THAT INDIVIDUAL FOR NOT**  
19 **LONGER THAN A CUMULATIVE TOTAL OF 48 MONTHS DURING THAT**  
20 **INDIVIDUAL'S LIFETIME. IF THE RECIPIENT IS MEETING ALL THE**  
21 **REQUIREMENTS OUTLINED IN HIS OR HER FAMILY SELF-SUFFICIENCY PLAN**  
22 **AND HAS NOT RECEIVED A PENALTY UNDER SECTION 57G AFTER DECEMBER 31,**  
23 **2006 AND LABOR MARKET CONDITIONS OR EMPLOYMENT BARRIERS PREVENT**  
24 **EMPLOYMENT PLACEMENT, A RECIPIENT MAY APPLY TO THE DEPARTMENT FOR**  
25 **AN EXTENSION OF FAMILY INDEPENDENCE ASSISTANCE BENEFITS FOR A**  
26 **PERIOD NOT TO EXCEED 12 MONTHS OVER THE 48-MONTH CUMULATIVE**  
27 **LIFETIME TOTAL. NOTHING IN THIS SUBSECTION PREVENTS THE DEPARTMENT**

1 **FROM PROVIDING ASSISTANCE TO INDIVIDUALS WHO ARE DETERMINED TO BE**  
2 **EXEMPT.**

3 (3) The following individuals are exempt from participation in  
4 work first:

5 (a) A child under the age of 16.

6 (b) A child aged 16 or older, or a minor parent, who is  
7 attending elementary or secondary school full-time.

8 (c) The parent of a child under the age of 3 months. The  
9 family independence agency may require a parent exempted from  
10 participation in work first under this subdivision to participate  
11 in family services, including, but not limited to, instruction in  
12 parenting, nutrition, and child development beginning 6 weeks after  
13 the birth of his or her child until the child is 3 months old as  
14 fulfillment of that parent's social contract obligation under  
15 section 57e(1)(c).

16 (d) An individual aged 65 or older.

17 (e) A recipient of supplemental security income.

18 (f) An individual who meets 1 or more of the following  
19 criteria to the extent that the individual, based on medical  
20 evidence and an assessment of need by the ~~family independence~~  
21 ~~agency~~ **DEPARTMENT**, is severely restricted in his or her ability to  
22 participate in employment or training activities:

23 (i) A recipient of social security disability, or medical  
24 assistance due to disability or blindness.

25 (ii) An individual suffering from a physical or mental  
26 impairment that meets federal supplemental security income  
27 disability standards, except that no minimum duration is required.

1           (iii) The spouse of an individual described in subparagraph (i)  
2 or (ii) who is the full-time caregiver of that individual.

3           (iv) A parent or caretaker of a child who is suffering from a  
4 physical or mental impairment that meets the federal supplemental  
5 security income disability standards, except that no minimum  
6 duration is required.

7           (v) **AN INDIVIDUAL WITH LOW INTELLECTUAL CAPACITY OR LEARNING**  
8 **DISABILITIES THAT IMPEDE COMPREHENSION AND PREVENT SUCCESS IN**  
9 **ACQUIRING BASIC READING, WRITING, AND MATH SKILLS, INCLUDING, BUT**  
10 **NOT LIMITED TO, AN INDIVIDUAL WITH AN INTELLIGENCE QUOTIENT LESS**  
11 **THAN 80.**

12           (vi) **AN INDIVIDUAL WITH DOCUMENTED CHRONIC MENTAL HEALTH**  
13 **PROBLEMS THAT CANNOT BE CONTROLLED THROUGH TREATMENT OR MEDICATION.**

14           (vii) **AN INDIVIDUAL WITH PHYSICAL LIMITATIONS ON HIS OR HER**  
15 **ABILITY TO PERFORM ROUTINE MANUAL LABOR TASKS, INCLUDING, BUT NOT**  
16 **LIMITED TO, BENDING OR LIFTING, COMBINED WITH INTELLECTUAL CAPACITY**  
17 **OR LEARNING DISABILITIES.**

18           (4) In addition to those individuals exempt under subsection  
19 (3), the family independence agency may grant a temporary exemption  
20 from participation in work first, not to exceed 90 days, to an  
21 individual who is suffering from a documented short-term mental or  
22 physical illness, limitation, or disability that severely restricts  
23 his or her ability to participate in employment or training  
24 activities. An individual with a documented mental or physical  
25 illness, limitation, or disability that does not severely restrict  
26 his or her ability to participate in employment or training  
27 activities shall be required to participate in work first at a

1 medically permissible level.

2 (5) An individual is not disabled for purposes of this section  
3 if substance abuse is a contributing factor material to the  
4 determination of disability.

5 (6) THIS SECTION DOES NOT APPLY AFTER SEPTEMBER 30, 2011.

6 Sec. 57g. ~~(1) The family independence agency shall develop a~~  
7 ~~system of penalties to be imposed if a recipient fails to comply~~  
8 ~~with applicable rules or the provisions of this section. Penalties~~  
9 ~~may be cumulative and may include reduction of the grant, removal~~  
10 ~~of an individual from the family independence assistance group, and~~  
11 ~~termination of assistance to the family.~~

12 ~~—— (2) A penalty shall not be imposed if the recipient has~~  
13 ~~demonstrated that there was good cause for failing to comply. The~~  
14 ~~family independence agency shall determine the circumstances that~~  
15 ~~constitute good cause based on factors that are beyond the control~~  
16 ~~of a recipient.~~

17 ~~—— (3) Recipients who are willing to participate in activities~~  
18 ~~leading to self sufficiency but who require child care or~~  
19 ~~transportation in order to participate shall not be penalized if~~  
20 ~~the family independence agency determines that child care or~~  
21 ~~transportation is not reasonably available or provided to them.~~

22 ~~—— (4) The system of penalties developed under subsection (1)~~  
23 ~~shall include both of the following:~~

24 ~~—— (a) Family independence program benefits shall be terminated~~  
25 ~~if a recipient fails, without good cause, to comply with applicable~~  
26 ~~child support requirements including efforts to establish paternity~~  
27 ~~and obtain child support. The assistance group is ineligible for~~

1 ~~family independence program assistance for not less than 1 calendar~~  
 2 ~~month. After assistance has been terminated for not less than 1~~  
 3 ~~calendar month, assistance may be restored if the noncompliant~~  
 4 ~~recipient complies with child support requirements including the~~  
 5 ~~action to establish paternity and obtain child support.~~

6 ~~—— (b) For any instance of noncompliance, before determining that~~  
 7 ~~a penalty shall be imposed, the family independence agency shall~~  
 8 ~~determine if good cause for noncompliance exists. The family~~  
 9 ~~independence agency shall notify the recipient that he or she has~~  
 10 ~~10 days to demonstrate good cause for noncompliance. If good cause~~  
 11 ~~is not determined to exist, assistance shall be terminated. After~~  
 12 ~~termination, the assistance group is ineligible for family~~  
 13 ~~independence program assistance for not less than 1 calendar month.~~

14 ~~—— (5) For the purposes of this section, "noncompliance" means 1~~  
 15 ~~or more of the following:~~

16 ~~—— (a) A recipient quits a job.~~

17 ~~—— (b) A recipient is fired for misconduct or for absenteeism~~  
 18 ~~without good cause.~~

19 ~~—— (c) A recipient voluntarily reduces the hours of employment or~~  
 20 ~~otherwise reduces earnings.~~

21 ~~—— (d) A recipient does not participate in work first activities.~~

22 (1) ~~(6) If~~ **BEGINNING APRIL 1, 2007, IF** a recipient does not  
 23 meet ~~the recipient's~~ **HIS OR HER** individual ~~social contract~~  
 24 **PERSONAL RESPONSIBILITY PLAN** requirements **AND IS THEREFORE**  
 25 **NONCOMPLIANT**, the ~~family independence agency may impose a penalty~~  
 26 **DEPARTMENT SHALL IMPOSE THE PENALTIES DESCRIBED UNDER THIS SECTION.**  
 27 **THE DEPARTMENT SHALL IMPLEMENT A SCHEDULE OF PENALTIES FOR**

1 INSTANCES OF NONCOMPLIANCE AS DESCRIBED IN THIS SUBSECTION. THE  
2 PENALTIES SHALL BE AS FOLLOWS:

3 (A) FOR THE FIRST INSTANCE OF NONCOMPLIANCE, THE RECIPIENT IS  
4 INELIGIBLE TO RECEIVE FAMILY INDEPENDENCE PROGRAM ASSISTANCE FOR  
5 NOT LESS THAN 3 CALENDAR MONTHS.

6 (B) FOR THE SECOND INSTANCE OF NONCOMPLIANCE, THE RECIPIENT IS  
7 INELIGIBLE TO RECEIVE FAMILY INDEPENDENCE PROGRAM ASSISTANCE FOR  
8 NOT LESS THAN 3 CALENDAR MONTHS.

9 (C) FOR THE THIRD INSTANCE OF NONCOMPLIANCE, THE RECIPIENT IS  
10 INELIGIBLE TO RECEIVE FAMILY INDEPENDENCE PROGRAM ASSISTANCE FOR 12  
11 CALENDAR MONTHS.

12 ~~—— (7) After termination for noncompliance, the assistance group~~  
13 ~~is ineligible for family independence program assistance for not~~  
14 ~~less than 1 calendar month. After assistance has been terminated~~  
15 ~~for not less than 1 calendar month, family independence program~~  
16 ~~assistance may be approved if the recipient completes a willingness~~  
17 ~~to comply test. For purposes of this section, "willingness to~~  
18 ~~comply" means participating in work first or other self sufficiency~~  
19 ~~activities for up to 40 hours within 10 working days. At the time~~  
20 ~~any penalty is imposed under this section, the family independence~~  
21 ~~agency shall provide the recipient written notice of his or her~~  
22 ~~option to immediately reapply for family independence program~~  
23 ~~benefits and that he or she may complete a "willingness to comply~~  
24 ~~test" during the penalty period.~~

25 ~~—— (8) The family independence agency shall submit a report for~~  
26 ~~the period between February 1, 2002 and December 31, 2002 to the~~  
27 ~~legislature, the house and senate fiscal agencies, and the~~

1 ~~appropriate house and senate standing committees that handle family~~  
 2 ~~and children's issues, that contains all of the following~~  
 3 ~~information for that time period:~~

4 ~~—— (a) The number of sanctions imposed and reapplications made.~~

5 ~~—— (b) The number of family independence program cases reopened.~~

6 ~~—— (c) The number of referrals to emergency shelters by the~~  
 7 ~~department.~~

8 ~~—— (d) The number of sanctions imposed on families with at least~~  
 9 ~~1 disabled parent.~~

10 ~~—— (e) The number of sanctions imposed on families with disabled~~  
 11 ~~children.~~

12 (2) FOR THE PURPOSES OF THIS SECTION, "NONCOMPLIANCE" MEANS 1  
 13 OR MORE OF THE FOLLOWING:

14 (A) A RECIPIENT QUILTS A JOB.

15 (B) A RECIPIENT IS FIRED FOR MISCONDUCT OR FOR ABSENTEEISM.

16 (C) A RECIPIENT VOLUNTARILY REDUCES THE HOURS OF EMPLOYMENT OR  
 17 OTHERWISE REDUCES EARNINGS.

18 (D) A RECIPIENT DOES NOT PARTICIPATE IN WORK FIRST ACTIVITIES.

19 (E) A RECIPIENT IS NONCOMPLIANT WITH HIS OR HER SELF-  
 20 SUFFICIENCY PLAN.

21 (3) FOR ALL INSTANCES OF NONCOMPLIANCE RESULTING IN  
 22 TERMINATION OF FAMILY INDEPENDENCE ASSISTANCE FOR ANY PERIOD OF  
 23 TIME DESCRIBED IN SUBSECTION (1), BOTH OF THE FOLLOWING APPLY:

24 (A) FAMILY INDEPENDENCE PROGRAM ASSISTANCE MAY BE APPROVED TO  
 25 BEGIN AT THE CONCLUSION OF THE PENALTY PERIOD IF THE RECIPIENT  
 26 ATTENDS A JOINT MEETING WITH HIS OR HER FAMILY INDEPENDENCE  
 27 SPECIALIST CASEWORKER AND A WORK FIRST PROGRAM CASEWORKER AND THE

1 FAMILY SELF-SUFFICIENCY PLAN IS REVIEWED, MODIFIED AS NECESSARY,  
2 AND APPROVED BY THE FAMILY INDEPENDENCE SPECIALIST CASEWORKER AND  
3 THE WORK FIRST PROGRAM CASEWORKER. THE REEVALUATION REQUIRED UNDER  
4 THIS SUBDIVISION SHALL INCLUDE A DISCUSSION AND OFFICIAL WARNING  
5 REGARDING PENALTIES THAT MAY BE IMPOSED FOR FUTURE INSTANCES OF  
6 NONCOMPLIANCE.

7 (B) THE PERIOD OF TIME THE RECIPIENT IS INELIGIBLE TO RECEIVE  
8 FAMILY INDEPENDENCE PROGRAM ASSISTANCE APPLIES TOWARD THE  
9 RECIPIENT'S 48-MONTH CUMULATIVE LIFETIME TOTAL.

10 (4) FOR THE FIRST INSTANCE THAT A CASEWORKER DETERMINES A  
11 RECIPIENT TO BE NONCOMPLIANT, ALL OF THE FOLLOWING SHALL OCCUR:

12 (A) THE DEPARTMENT SHALL NOTIFY THE RECIPIENT IN WRITING  
13 WITHIN 3 BUSINESS DAYS OF DETERMINING THAT THE RECIPIENT IS  
14 NONCOMPLIANT. THE NOTIFICATION SHALL INCLUDE ALL OF THE FOLLOWING:

15 (i) THE REASON THE RECIPIENT HAS BEEN DETERMINED TO BE  
16 NONCOMPLIANT.

17 (ii) THE PENALTY THAT WILL BE IMPOSED FOR THE NONCOMPLIANCE.

18 (iii) AN OPPORTUNITY FOR THE RECIPIENT TO MEET IN PERSON WITH  
19 THE CASEWORKER WITHIN 10 BUSINESS DAYS OF THE DETERMINATION THAT  
20 THE RECIPIENT IS NONCOMPLIANT.

21 (B) IF THE RECIPIENT MEETS WITH A CASEWORKER WITHIN 10  
22 BUSINESS DAYS, THE CASEWORKER AND THE RECIPIENT SHALL REVIEW AND  
23 MODIFY THE FAMILY SELF-SUFFICIENCY PLAN AS DETERMINED NECESSARY BY  
24 THE CASEWORKER. THE CASEWORKER SHALL DISCUSS AND PROVIDE AN  
25 OFFICIAL WARNING REGARDING PENALTIES THAT SHALL BE IMPOSED IF THE  
26 RECIPIENT CONTINUES TO BE NONCOMPLIANT. THE CASEWORKER SHALL INFORM  
27 THE RECIPIENT THAT HE OR SHE MUST VERIFY COMPLIANCE WITH HIS OR HER

1 SELF-SUFFICIENCY PLAN WITHIN 10 BUSINESS DAYS.

2 (C) IF THE RECIPIENT FAILS TO MEET WITH THE CASEWORKER WITHIN  
3 10 BUSINESS DAYS OF THE DETERMINATION THAT THE RECIPIENT IS  
4 NONCOMPLIANT, THE RECIPIENT IS SUBJECT TO THE PROVISIONS OF  
5 SUBSECTION (1) (A).

6 (D) IF THE RECIPIENT FAILS TO VERIFY COMPLIANCE UNDER  
7 SUBDIVISION (B), THE RECIPIENT IS SUBJECT TO THE PROVISIONS OF  
8 SUBSECTION (1) (A).

9 (5) THE MEETING DESCRIBED IN SUBSECTION (4) IS ONLY AVAILABLE  
10 FOR THE FIRST TIME A CASEWORKER DETERMINES THE RECIPIENT TO BE  
11 NONCOMPLIANT REGARDLESS OF WHETHER THAT RECIPIENT BECOMES SUBJECT  
12 TO THE PROVISIONS OF SUBSECTION (1) (A).

13 (6) THIS SECTION DOES NOT APPLY AFTER SEPTEMBER 30, 2011.

14 SEC. 57P. (1) ANY MONTH IN WHICH ANY OF THE FOLLOWING OCCURS  
15 SHALL NOT BE COUNTED TOWARD THE CUMULATIVE TOTAL OF 48 MONTHS IN A  
16 LIFETIME FOR FAMILY INDEPENDENCE ASSISTANCE:

17 (A) INDIVIDUALS WHO HAVE BEEN TEMPORARILY EXEMPTED FROM WORK  
18 FIRST UNDER SECTION 57F(3) (C) AND (4).

19 (B) THE RECIPIENT IS EMPLOYED AND MEETING THE REQUIREMENTS OF  
20 HIS OR HER SELF-SUFFICIENCY PLAN.

21 (C) THE UNEMPLOYMENT RATE IN THE COUNTY IN WHICH THE RECIPIENT  
22 RESIDES IS HIGHER THAN 9%.

23 (D) COMPLIANCE WITH CERTAIN FAMILY INDEPENDENCE PROGRAM  
24 REQUIREMENTS ARE WAIVED UNDER SECTION 56I(1) (C).

25 (2) THIS SECTION DOES NOT APPLY AFTER SEPTEMBER 30, 2011.

26 SEC. 57Q. THE DEPARTMENT SHALL DEVELOP AND IMPLEMENT A PLAN TO  
27 INCREMENTALLY INCREASE THE EARNED INCOME DISREGARD FOR FAMILY

1 INDEPENDENCE PROGRAM RECIPIENTS FROM \$200.00 PLUS 20% TO NOT MORE  
2 THAN 67% OF EARNED INCOME BY SEPTEMBER 30, 2010.

3 SEC. 57R. THE DEPARTMENT SHALL IMPLEMENT THE JOBS, EDUCATION,  
4 AND TRAINING (JET) PROGRAM STATEWIDE BY SEPTEMBER 30, 2007.

5 SEC. 57S. THE DEPARTMENT SHALL PAY \$10.00 PER MONTH FOR 6  
6 MONTHS TO INDIVIDUALS WHO LEAVE FAMILY INDEPENDENCE PROGRAMS DUE TO  
7 NO LONGER MEETING THE FINANCIAL ELIGIBILITY CRITERIA BASED ON  
8 EARNED INCOME, IF THOSE INDIVIDUALS CONTINUE TO MEET THE FEDERAL  
9 GUIDELINES FOR WORK PARTICIPATION.

10 SEC. 57T. (1) THE DEPARTMENT SHALL PROVIDE A QUARTERLY REPORT  
11 OF EXEMPTIONS UNDER SECTION 57F BY DISTRICT OFFICE AND BY CRITERIA  
12 TO ALL OF THE FOLLOWING:

13 (A) THE SENATE AND HOUSE STANDING COMMITTEES DEALING WITH  
14 APPROPRIATIONS FOR HUMAN SERVICES.

15 (B) THE SENATE AND HOUSE FISCAL AGENCIES.

16 (C) THE MAJORITY LEADER OF THE SENATE AND THE SPEAKER OF THE  
17 HOUSE OF REPRESENTATIVES.

18 (2) THE DEPARTMENT SHALL PROVIDE A REPORT BY DISTRICT OFFICE  
19 ON THE NUMBER OF SANCTIONS ISSUED, THE NUMBER OF COMPLIANCE  
20 EXCEPTIONS GRANTED, AND THE SUCCESS RATE OF RECIPIENTS GIVEN THE  
21 COMPLIANCE EXCEPTION UNDER SECTION 57G.

22 (3) THE DEPARTMENT SHALL REQUIRE DISTRICT MANAGERS TO TRACK  
23 PERFORMANCE OF CASEWORKERS WITH REGARD TO SANCTIONS UNDER SECTION  
24 57G.

25 (4) THE DEPARTMENT SHALL REQUIRE REPORTING BY COUNTY OFFICE ON  
26 REFERRALS TO NONPROFIT REHABILITATION ORGANIZATIONS UNDER SECTION  
27 57B AND THE FOLLOWING:

1 (A) REFERRALS PENDING LESS THAN 90 DAYS.

2 (B) REFERRALS PENDING 90 TO 180 DAYS.

3 (C) REFERRALS PENDING 180 TO 365 DAYS.

4 (5) THE DEPARTMENT SHALL REQUIRE A QUARTERLY REPORT ON CASES  
5 IN WHICH THE RECIPIENT HAS APPLIED FOR SUPPLEMENTAL SECURITY INCOME  
6 UNDER SECTION 57B AS FOLLOWS:

7 (A) THE NUMBER OF CASES ASSESSED.

8 (B) THE NUMBER OF CASES REFERRED TO WORK FIRST.

9 (C) THE NUMBER OF CASES PLACED IN SUBSIDIZED EMPLOYMENT.

10 (D) THE NUMBER OF CASES REFERRED TO LEGAL SERVICES ADVOCACY  
11 PROGRAMS AND THE NUMBER OF CASES GRANTED SUPPLEMENTAL SECURITY  
12 INCOME.

13 (6) THE DEPARTMENT SHALL REPORT THE PROGRESS OF THE PLAN  
14 REQUIRED UNDER SECTION 57Q AND ITS IMPLEMENTATION PROGRESS ANNUALLY  
15 BY APRIL 1.

16 Enacting section 1. This amendatory act does not take effect  
17 unless House Bill No. 6587 of the 93rd Legislature is enacted into  
18 law.