

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 6580

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

4 (a) Is a member of a family or a family independence
5 assistance group.

6 (b) Is a member of a program group whose income and assets are

1 less than the income and asset limits set by the ~~family~~
2 ~~independence agency~~ DEPARTMENT.

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

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

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

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

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

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

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

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

24 (B) A DETERMINATION THAT THE RECIPIENT IS EXEMPT FROM WORK
25 FIRST PARTICIPATION UNDER SECTION 57F AND A REFERRAL TO A SHELTERED
26 WORK ENVIRONMENT OR SUBSIDIZED EMPLOYMENT.

27 (C) A DETERMINATION THAT THE RECIPIENT IS EXEMPT FROM WORK

1 FIRST PARTICIPATION UNDER SECTION 57F AND A REFERRAL TO A LEGAL
2 SERVICES ORGANIZATION FOR SUPPLEMENTAL SECURITY INCOME ADVOCACY.

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

12 (5) THE AUDITOR GENERAL SHALL CONDUCT AN ANNUAL AUDIT OF THE
13 EVALUATION AND ASSESSMENT PROCESS REQUIRED UNDER THIS SECTION AND
14 SUBMIT A REPORT OF HIS OR HER FINDINGS TO THE LEGISLATURE.

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

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

1 **IF THE INDIVIDUAL IS EXEMPT FROM WORK FIRST PARTICIPATION UNDER**
2 **THIS SECTION.** The particular activities in which the recipient is
3 required or authorized to participate, the number of hours of work
4 required, and other details of work first shall be developed by the
5 department ~~of career development and the family independence~~
6 ~~agency~~ **AND THE DEPARTMENT OF LABOR AND ECONOMIC GROWTH** and shall
7 be set forth in the recipient's ~~social contract~~ **FAMILY SELF-**
8 **SUFFICIENCY PLAN.** If a recipient has cooperated with work first,
9 the recipient may enroll in a program approved by the local
10 workforce development board. Any and all training or education with
11 the exception of high school completion, ~~and~~ GED preparation, **AND**
12 **LITERACY TRAINING** must be occupationally relevant and in demand in
13 the labor market as determined by the local workforce development
14 board and may be no more than 2 years in duration. Participants
15 must make satisfactory progress while in training or education.

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

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

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

21 (c) The parent of a child under the age of 3 months. The
22 family independence agency may require a parent exempted from
23 participation in work first under this subdivision to participate
24 in family services, including, but not limited to, instruction in
25 parenting, nutrition, and child development beginning 6 weeks after
26 the birth of his or her child until the child is 3 months old as
27 fulfillment of that parent's social contract obligation under

1 section 57e(1) (c).

2 (d) An individual aged 65 or older.

3 (e) A recipient of supplemental security income.

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

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

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

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

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

20 **(G) BEGINNING APRIL 1, 2007, THE PARENT OF A CHILD UNDER THE**
21 **AGE OF 3 MONTHS. THE DEPARTMENT MAY REQUIRE A PARENT EXEMPTED FROM**
22 **PARTICIPATION IN WORK FIRST UNDER THIS SUBDIVISION TO PARTICIPATE**
23 **IN FAMILY SERVICES, INCLUDING, BUT NOT LIMITED TO, INSTRUCTION IN**
24 **PARENTING, NUTRITION, AND CHILD DEVELOPMENT BEGINNING 6 WEEKS AFTER**
25 **THE BIRTH OF HIS OR HER CHILD UNTIL THE CHILD IS 3 MONTHS OLD AS**
26 **FULFILLMENT OF THAT RECIPIENT'S FAMILY SELF-SUFFICIENCY PLAN**
27 **OBLIGATION UNDER SECTION 57E(1) (C).**

1 (H) BEGINNING APRIL 1, 2007, A RECIPIENT OF SUPPLEMENTAL
2 SECURITY INCOME.

3 (I) BEGINNING APRIL 1, 2007, AN INDIVIDUAL WHO MEETS 1 OR MORE
4 OF THE FOLLOWING CRITERIA TO THE EXTENT THAT THE INDIVIDUAL, BASED
5 ON MEDICAL EVIDENCE AND AN ASSESSMENT OF NEED BY THE DEPARTMENT, IS
6 SEVERELY RESTRICTED IN HIS OR HER ABILITY TO PARTICIPATE IN
7 EMPLOYMENT OR TRAINING ACTIVITIES:

8 (i) A RECIPIENT OF SOCIAL SECURITY DISABILITY, OR MEDICAL
9 ASSISTANCE DUE TO DISABILITY OR BLINDNESS.

10 (ii) AN INDIVIDUAL SUFFERING FROM A PHYSICAL OR MENTAL
11 IMPAIRMENT THAT MEETS FEDERAL SUPPLEMENTAL SECURITY INCOME
12 DISABILITY STANDARDS, EXCEPT THAT NO MINIMUM DURATION IS REQUIRED.

13 (iii) THE SPOUSE OF AN INDIVIDUAL DESCRIBED IN SUBPARAGRAPH (i)
14 OR (ii) WHO IS THE FULL-TIME CAREGIVER OF THAT INDIVIDUAL.

15 (iv) A PARENT OR CARETAKER OF A CHILD WHO IS SUFFERING FROM A
16 PHYSICAL OR MENTAL IMPAIRMENT THAT MEETS THE FEDERAL SUPPLEMENTAL
17 SECURITY INCOME DISABILITY STANDARDS, EXCEPT THAT NO MINIMUM
18 DURATION IS REQUIRED.

19 (v) AN INDIVIDUAL WITH LOW INTELLECTUAL CAPACITY OR LEARNING
20 DISABILITIES THAT IMPEDE COMPREHENSION AND PREVENT SUCCESS IN
21 ACQUIRING BASIC READING, WRITING, AND MATH SKILLS, INCLUDING, BUT
22 NOT LIMITED TO, AN INDIVIDUAL WITH AN INTELLIGENCE QUOTIENT LESS
23 THAN 80.

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

26 (vii) AN INDIVIDUAL WITH PHYSICAL LIMITATIONS ON HIS OR HER
27 ABILITY TO PERFORM ROUTINE MANUAL LABOR TASKS, INCLUDING, BUT NOT

1 LIMITED TO, BENDING OR LIFTING, COMBINED WITH INTELLECTUAL CAPACITY
2 OR LEARNING DISABILITIES.

3 (4) In addition to those individuals exempt under subsection
4 (3), the ~~family independence agency~~ DEPARTMENT may grant a
5 temporary exemption from participation in work first, not to exceed
6 90 days, to an individual who is suffering from a documented short-
7 term mental or physical illness, limitation, or disability that
8 severely restricts his or her ability to participate in employment
9 or training activities. An individual with a documented mental or
10 physical illness, limitation, or disability that does not severely
11 restrict his or her ability to participate in employment or
12 training activities shall be required to participate in work first
13 at a medically permissible level.

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

17 (6) THE DEPARTMENT MAY PROMULGATE RULES IN ACCORDANCE WITH THE
18 ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO
19 24.328, IDENTIFYING EXEMPTIONS UNDER THIS SECTION. THE DIRECTOR OF
20 THE DEPARTMENT MAY GRANT EXEMPTIONS FOR EXTENUATING CIRCUMSTANCES
21 BEYOND THE EXEMPTIONS PROVIDED FOR IN THIS SECTION. THE DEPARTMENT
22 SHALL ANNUALLY PROVIDE TO THE LEGISLATURE, AT THE SAME TIME AS THE
23 GOVERNOR'S DEPARTMENTAL BUDGET PROPOSAL, A REPORT OF THE NUMBER OF
24 EXEMPTIONS ISSUED UNDER THIS SECTION AND THE INDIVIDUAL REASON FOR
25 THOSE EXEMPTIONS.

26 (7) THIS SECTION DOES NOT APPLY AFTER SEPTEMBER 30, 2011.

27 Sec. 57g. (1) The ~~family independence agency~~ DEPARTMENT

1 shall develop a system of penalties to be imposed if a recipient
2 fails to comply with applicable rules or the provisions of this
3 section. Penalties may be cumulative and may include reduction of
4 the grant, removal of an individual from the family independence
5 assistance group, and termination of assistance to the family.

6 (2) A penalty shall not be imposed if the recipient has
7 demonstrated that there was good cause for failing to comply. The
8 ~~family independence agency~~ **DEPARTMENT** shall determine the
9 circumstances that constitute good cause based on factors that are
10 beyond the control of a recipient.

11 (3) Recipients who are willing to participate in activities
12 leading to self-sufficiency but who require child care or
13 transportation in order to participate shall not be penalized if
14 the ~~family independence agency~~ **DEPARTMENT** determines that child
15 care or transportation is not reasonably available or provided to
16 them.

17 (4) The system of penalties developed under subsection (1)
18 shall include both of the following:

19 (a) Family independence program benefits shall be terminated
20 if a recipient fails, without good cause, to comply with applicable
21 child support requirements including efforts to establish paternity
22 and obtain child support. The assistance group is ineligible for
23 family independence program assistance for not less than 1 calendar
24 month. After assistance has been terminated for not less than 1
25 calendar month, assistance may be restored if the noncompliant
26 recipient complies with child support requirements including the
27 action to establish paternity and obtain child support.

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

10 (5) For the purposes of this section, "noncompliance" means 1
11 or more of the following:

12 (a) A recipient quits a job.

13 (b) A recipient is fired for misconduct or for absenteeism
14 without good cause.

15 (c) A recipient voluntarily reduces the hours of employment or
16 otherwise reduces earnings.

17 (d) A recipient does not participate in work first activities.

18 (6) If a recipient does not meet the recipient's individual
19 social contract requirements, the ~~family independence agency~~
20 **DEPARTMENT** may impose a penalty.

21 (7) After termination for noncompliance, the assistance group
22 is ineligible for family independence program assistance for not
23 less than 1 calendar month. After assistance has been terminated
24 for not less than 1 calendar month, family independence program
25 assistance may be approved if the recipient completes a willingness
26 to comply test. For purposes of this section, "willingness to
27 comply" means participating in work first or other self-sufficiency

1 activities for up to 40 hours within 10 working days. At the time
2 any penalty is imposed under this section, the ~~family independence~~
3 ~~agency~~ **DEPARTMENT** shall provide the recipient written notice of
4 his or her option to immediately reapply for family independence
5 program benefits and that he or she may complete a "willingness to
6 comply test" during the penalty period.

7 (8) The ~~family independence agency~~ **DEPARTMENT** shall submit a
8 report for the period between February 1, 2002 and December 31,
9 2002 to the legislature, the house and senate fiscal agencies, and
10 the appropriate house and senate standing committees that handle
11 family and children's issues, that contains all of the following
12 information for that time period:

13 (a) The number of sanctions imposed and reapplications made.

14 (b) The number of family independence program cases reopened.

15 (c) The number of referrals to emergency shelters by the
16 department.

17 (d) The number of sanctions imposed on families with at least
18 1 disabled parent.

19 (e) The number of sanctions imposed on families with disabled
20 children.

21 (9) **SUBSECTIONS (1) TO (8) DO NOT APPLY AFTER MARCH 31, 2007.**

22 **SUBSECTIONS (10) TO (15) APPLY BEGINNING APRIL 1, 2007.**

23 (10) **BEGINNING APRIL 1, 2007, IF A RECIPIENT DOES NOT MEET HIS**
24 **OR HER INDIVIDUAL FAMILY SELF-SUFFICIENCY PLAN REQUIREMENTS AND IS**
25 **THEREFORE NONCOMPLIANT, THE DEPARTMENT SHALL IMPOSE THE PENALTIES**
26 **DESCRIBED UNDER THIS SECTION. THE DEPARTMENT SHALL IMPLEMENT A**
27 **SCHEDULE OF PENALTIES FOR INSTANCES OF NONCOMPLIANCE AS DESCRIBED**

1 IN THIS SUBSECTION. THE PENALTIES SHALL BE AS FOLLOWS:

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

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

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

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

13 (A) A RECIPIENT QUILTS A JOB.

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

15 (C) A RECIPIENT DOES NOT PARTICIPATE IN WORK FIRST ACTIVITIES.

16 (D) A RECIPIENT IS NONCOMPLIANT WITH HIS OR HER FAMILY SELF-
17 SUFFICIENCY PLAN.

18 (12) IF THE FAMILY INDEPENDENCE SPECIALIST CASEWORKER AND THE
19 WORK FIRST PROGRAM CASEWORKER AGREE THAT GOOD CAUSE EXISTS FOR THE
20 RECIPIENT'S NONCOMPLIANCE, A PENALTY SHALL NOT BE IMPOSED. FOR THE
21 PURPOSE OF THIS SUBSECTION, GOOD CAUSE IS 1 OR MORE OF THE
22 FOLLOWING:

23 (A) THE RECIPIENT SUFFERS FROM A TEMPORARY DEBILITATING
24 ILLNESS OR INJURY OR AN IMMEDIATE FAMILY MEMBER HAS A DEBILITATING
25 ILLNESS OR INJURY AND THE RECIPIENT IS NEEDED IN THE HOME TO CARE
26 FOR THE FAMILY MEMBER.

27 (B) THE RECIPIENT LACKS CHILD CARE AS DESCRIBED IN SECTION

1 407(E) (2) OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY
2 RECONCILIATION ACT OF 1996, PUBLIC LAW 104-193, 42 USC 607(E) (2).

3 (C) EITHER EMPLOYMENT OR TRAINING COMMUTING TIME IS MORE THAN
4 2 HOURS PER DAY OR IS MORE THAN 3 HOURS PER DAY WHEN THERE ARE
5 UNIQUE AND COMPELLING CIRCUMSTANCES, SUCH AS A SALARY AT LEAST
6 TWICE THE APPLICABLE MINIMUM WAGE OR THE JOB IS THE ONLY AVAILABLE
7 JOB PLACEMENT WITHIN A 3-HOUR COMMUTE PER DAY, NOT INCLUDING THE
8 TIME NECESSARY TO TRANSPORT A CHILD TO CHILD CARE FACILITIES.

9 (D) TRANSPORTATION IS NOT AVAILABLE TO THE RECIPIENT AT A
10 REASONABLE COST.

11 (E) THE EMPLOYMENT OR PARTICIPATION INVOLVES ILLEGAL
12 ACTIVITIES.

13 (F) THE RECIPIENT IS PHYSICALLY OR MENTALLY UNFIT TO PERFORM
14 THE JOB, AS DOCUMENTED BY MEDICAL EVIDENCE OR BY RELIABLE
15 INFORMATION FROM OTHER SOURCES.

16 (G) THE RECIPIENT IS ILLEGALLY DISCRIMINATED AGAINST ON THE
17 BASIS OF AGE, RACE, DISABILITY, GENDER, COLOR, NATIONAL ORIGIN, OR
18 RELIGIOUS BELIEFS.

19 (H) CREDIBLE INFORMATION OR EVIDENCE ESTABLISHES 1 OR MORE
20 UNPLANNED OR UNEXPECTED EVENTS OR FACTORS THAT REASONABLY COULD BE
21 EXPECTED TO PREVENT, OR SIGNIFICANTLY INTERFERE WITH, THE
22 RECIPIENT'S COMPLIANCE WITH EMPLOYMENT AND TRAINING REQUIREMENTS.

23 (I) THE RECIPIENT QUIT EMPLOYMENT TO OBTAIN COMPARABLE
24 EMPLOYMENT.

25 (13) FOR ALL INSTANCES OF NONCOMPLIANCE RESULTING IN
26 TERMINATION OF FAMILY INDEPENDENCE ASSISTANCE FOR ANY PERIOD OF
27 TIME DESCRIBED IN SUBSECTION (10), THE PERIOD OF TIME THE RECIPIENT

1 IS INELIGIBLE TO RECEIVE FAMILY INDEPENDENCE PROGRAM ASSISTANCE
2 APPLIES TOWARD THE RECIPIENT'S 48-MONTH CUMULATIVE LIFETIME TOTAL.

3 (14) BEGINNING APRIL 1, 2007, FOR THE FIRST INSTANCE THAT A
4 FAMILY INDEPENDENCE SPECIALIST CASEWORKER DETERMINES A RECIPIENT TO
5 BE NONCOMPLIANT, ALL OF THE FOLLOWING SHALL OCCUR:

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

9 (i) THE REASON THE RECIPIENT HAS BEEN DETERMINED TO BE
10 NONCOMPLIANT.

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

12 (iii) AN OPPORTUNITY FOR THE RECIPIENT TO MEET IN PERSON WITH
13 THE FAMILY INDEPENDENCE SPECIALIST CASEWORKER WITHIN 10 BUSINESS
14 DAYS OF THE DETERMINATION THAT THE RECIPIENT IS NONCOMPLIANT.

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

26 (C) IF THE RECIPIENT FAILS TO MEET WITH THE FAMILY
27 INDEPENDENCE SPECIALIST CASEWORKER WITHIN 10 BUSINESS DAYS OF THE

1 DETERMINATION THAT THE RECIPIENT IS NONCOMPLIANT, THE RECIPIENT IS
2 SUBJECT TO THE PROVISIONS OF SUBSECTION (10) (A) .

3 (D) IF THE RECIPIENT FAILS TO VERIFY COMPLIANCE UNDER
4 SUBDIVISION (B), THE RECIPIENT IS SUBJECT TO THE PROVISIONS OF
5 SUBSECTION (10) (A) .

6 (15) THE MEETING DESCRIBED IN SUBSECTION (14) IS ONLY
7 AVAILABLE FOR THE FIRST TIME A FAMILY INDEPENDENCE SPECIALIST
8 CASEWORKER DETERMINES THE RECIPIENT TO BE NONCOMPLIANT REGARDLESS
9 OF WHETHER THAT RECIPIENT BECOMES SUBJECT TO THE PROVISIONS OF
10 SUBSECTION (10) (A) .

11 (16) THIS SECTION DOES NOT APPLY AFTER SEPTEMBER 30, 2011.

12 SEC. 57Q. THE DEPARTMENT SHALL DEVELOP AND IMPLEMENT A PLAN TO
13 INCREMENTALLY INCREASE THE EARNED INCOME DISREGARD FOR FAMILY
14 INDEPENDENCE PROGRAM RECIPIENTS FROM \$200.00 PLUS 20% TO NOT MORE
15 THAN 67% OF EARNED INCOME BY SEPTEMBER 30, 2010.

16 SEC. 57R. BEGINNING OCTOBER 1, 2007, IF THE DEPARTMENT
17 DETERMINES THAT AN INDIVIDUAL IS ELIGIBLE TO PARTICIPATE IN THE
18 WORK FIRST PROGRAM AND RESIDES IN A COUNTY IN WHICH A JOBS,
19 EDUCATION AND TRAINING (JET) PROGRAM IS AVAILABLE, FAMILY
20 INDEPENDENCE ASSISTANCE SHALL BE PAID TO THAT INDIVIDUAL FOR NOT
21 LONGER THAN A CUMULATIVE TOTAL OF 48 MONTHS DURING THAT
22 INDIVIDUAL'S LIFETIME. IF THE RECIPIENT IS MEETING ALL THE
23 REQUIREMENTS OUTLINED IN HIS OR HER FAMILY SELF-SUFFICIENCY PLAN,
24 HAS NOT RECEIVED MORE THAN 2 PENALTIES UNDER SECTION 57G AFTER
25 DECEMBER 31, 2006, HAS NOT RECEIVED ANY PENALTIES UNDER SECTION 57G
26 IN THE PRECEDING 12 MONTHS, AND LABOR MARKET CONDITIONS OR
27 EMPLOYMENT BARRIERS PREVENT EMPLOYMENT PLACEMENT, THE RECIPIENT MAY

1 APPLY TO THE DEPARTMENT FOR AN EXTENSION OF FAMILY INDEPENDENCE
2 ASSISTANCE BENEFITS FOR A PERIOD NOT TO EXCEED 12 MONTHS OVER THE
3 48-MONTH CUMULATIVE LIFETIME TOTAL. NOTHING IN THIS SUBSECTION
4 PREVENTS THE DEPARTMENT FROM PROVIDING ASSISTANCE TO INDIVIDUALS
5 WHO ARE DETERMINED TO BE EXEMPT FROM WORK FIRST PARTICIPATION UNDER
6 SECTION 57F.

7 SEC. 57T. THE DEPARTMENT SHALL IMPLEMENT THE JOBS, EDUCATION
8 AND TRAINING (JET) PROGRAM STATEWIDE BY SEPTEMBER 30, 2007.

9 SEC. 57U. (1) THE DEPARTMENT SHALL PROVIDE A REPORT OF
10 EXEMPTIONS UNDER SECTION 57F BY DISTRICT OFFICE AND BY CRITERIA.

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

15 (3) THE DEPARTMENT SHALL REQUIRE DISTRICT MANAGERS TO TRACK
16 PERFORMANCE OF CASEWORKERS WITH REGARD TO SANCTIONS UNDER SECTION
17 57G.

18 (4) THE DEPARTMENT SHALL REQUIRE REPORTING BY COUNTY OFFICE ON
19 REFERRALS TO NONPROFIT REHABILITATION ORGANIZATIONS UNDER SECTION
20 57B AND THE FOLLOWING:

21 (A) REFERRALS PENDING LESS THAN 90 DAYS.

22 (B) REFERRALS PENDING 90 TO 180 DAYS.

23 (C) REFERRALS PENDING 180 TO 365 DAYS.

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

27 (A) THE NUMBER OF CASES ASSESSED.

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

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

3 (D) THE NUMBER OF CASES REFERRED TO LEGAL SERVICES ADVOCACY
4 PROGRAMS AND THE NUMBER OF CASES GRANTED SUPPLEMENTAL SECURITY
5 INCOME.

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

9 (7) EXCEPT FOR THE REPORTING REQUIREMENT PROVIDED IN
10 SUBSECTION (6), ALL THE REPORTS REQUIRED UNDER THIS SECTION SHALL
11 BE PROVIDED ON A QUARTERLY BASIS TO ALL OF THE FOLLOWING:

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

14 (B) THE SENATE AND HOUSE FISCAL AGENCIES.

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

17 Enacting section 1. This amendatory act does not take effect
18 unless all of the following bills of the 93rd Legislature are
19 enacted into law:

20 (a) Senate Bill No. 1500.

21 (b) Senate Bill No. 1501.

22 (c) House Bill No. 6587.