

Act No. 138  
Public Acts of 2024  
Approved by the Governor  
October 8, 2024  
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October 8, 2024  
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**STATE OF MICHIGAN  
102ND LEGISLATURE  
REGULAR SESSION OF 2024**

Introduced by Senator Anthony

## **ENROLLED SENATE BILL No. 932**

AN ACT to amend 1939 PA 280, entitled “An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates,” by amending sections 57e, 57g, 57p, and 57r (MCL 400.57e, 400.57g, 400.57p, and 400.57r), sections 57e, 57p, and 57r as amended by 2011 PA 131 and section 57g as amended by 2014 PA 375.

*The People of the State of Michigan enact:*

Sec. 57e. (1) Each family receiving family independence program assistance shall execute a family self-sufficiency plan outlining the responsibilities of members of the family independence program assistance group, the contractual nature of family independence program assistance, and the focus on the goal of attaining self-

sufficiency. The family self-sufficiency plan must be developed by the department and the adult family members of the family independence program assistance group with the details of PATH program participation to be included in the family self-sufficiency plan being developed by the department, the Michigan economic development corporation or a successor entity, and the adult family members of the family independence program assistance group. Except as described in section 57b, the department shall complete a thorough assessment to facilitate development of the family self-sufficiency plan, including consideration of referral to a life skills program, and determination as to whether the family independence program assistance group's adult members are eligible to participate in the PATH program or are exempt from PATH program participation under section 57f. The family self-sufficiency plan must identify compliance goals that are to be met by members of the family independence program assistance group and goals and responsibilities of the members of the family independence program assistance group, the department, and the PATH program. The family self-sufficiency plan must reflect the individual needs and abilities of the particular family, and include at least all of the following:

(a) The obligation of each adult and each child aged 16 or older who is not attending elementary or secondary school full-time to participate in the PATH program unless exempt under section 57f.

(b) The obligation of each minor parent who has not completed secondary school to attend school.

(c) Except as provided in section 57f(3) and (4), the obligation of each adult to engage in employment, PATH program activities, education or training, community service activities, or self-improvement activities, as determined appropriate by the department.

(d) The obligation to cooperate in the establishment of paternity and to assign child and spousal support to the department as required by federal law and to cooperate in the procurement of child support, if applicable.

(e) The obligation of a recipient who fails to comply with compliance goals due to substance abuse to participate in substance abuse treatment and submit to any periodic drug testing required by the treatment program.

(f) If the recipient is determined to be eligible to participate in the PATH program, the obligation that the requirements of the family self-sufficiency plan must, at a minimum, meet federal guidelines for work participation. Exceptions may be granted if it is determined that the recipient or a family member in the recipient's household has a disability that needs reasonable accommodation as required by section 504 of title V of the rehabilitation act of 1973, 29 USC 794, subtitle A of title II of the Americans with disabilities act of 1990, 42 USC 12131 to 12134, or another identified barrier that interferes with the recipient's ability to participate in required activities. Reasonable accommodation must be made to adjust the number of required hours or the types of activities required to take the identified limitations into account.

(g) The obligation that the recipient must enroll in a GED preparation program, a high school completion program, or a literacy training program, if the department determines the resources are available and the assessment and plan demonstrate that these issues present a barrier to the recipient meeting the requirements in his or her family self-sufficiency plan. This basic educational skills training must be combined with other occupational skills training, whenever possible, to ensure that it can be counted toward federal work participation requirements.

(h) Notification to the recipient of the 60-month lifetime cumulative total for collecting family independence program assistance.

(i) A prohibition on using family independence program assistance to purchase lottery tickets, alcohol, or tobacco, for gambling, or for illegal activities or any other nonessential items.

(j) Information regarding sanctions that must be imposed under section 57g for noncompliance.

(k) Any other obligation the department determines is necessary to enable the family to achieve independence.

(2) The department shall monitor each family's compliance with the family self-sufficiency plan.

Sec. 57g. (1) Except as provided in subsection (5), if a recipient does not meet the recipient's individual family self-sufficiency plan requirements and is therefore noncompliant, the department shall impose the penalties described under this section. The department shall implement a schedule of penalties for instances of noncompliance as described in this subsection. The penalties imposed under this subsection are as follows:

(a) For the first instance of noncompliance, the family is ineligible to receive family independence program assistance for not less than 3 calendar months.

(b) For the second instance of noncompliance, the family is ineligible to receive family independence program assistance for not less than 6 calendar months.

(c) For the third instance of noncompliance, the family is permanently ineligible to receive family independence program assistance.

(2) For the purposes of subsections (1) to (4), “noncompliance” means 1 or more of the following:

(a) A recipient quits a job.

(b) A recipient is fired for misconduct or absenteeism.

(c) A recipient voluntarily reduces employment hours or earnings.

(d) A recipient refuses a bona fide offer of employment or additional hours up to 40 hours per week.

(e) A recipient does not participate in PATH program activities.

(f) A recipient is noncompliant with the recipient’s family self-sufficiency plan.

(g) A recipient states orally or in writing the recipient’s intent not to comply with family independence program or PATH program requirements.

(h) A recipient refuses employment support services if the refusal prevents participation in an employment or self-sufficiency related activity.

(3) For any instance of noncompliance, the recipient shall receive notice of the noncompliance. The recipient has not less than a 12-day negative action period before the penalties prescribed in this section are imposed. If the recipient demonstrates good cause for the noncompliance during this period and if the family independence specialist caseworker and the PATH program caseworker agree that good cause exists for the recipient’s noncompliance, a penalty must not be imposed. For the purpose of this subsection, good cause is 1 or more of the following:

(a) The recipient suffers from a temporary debilitating illness or injury or an immediate family member has a debilitating illness or injury and the recipient is needed in the home to care for the family member.

(b) The recipient lacks child care as described in section 607(e)(2) of the personal responsibility and work opportunity reconciliation act of 1996, 42 USC 607.

(c) Either employment or training commuting time is more than 2 hours per day or is more than 3 hours per day when there are unique and compelling circumstances, such as a salary at least twice the applicable minimum wage or the job is the only available job placement within a 3-hour commute per day, not including the time necessary to transport a child to child care facilities.

(d) Transportation is not available to the recipient at a reasonable cost.

(e) The employment or participation involves illegal activities.

(f) The recipient is physically or mentally unfit to perform the job, as documented by medical evidence or by reliable information from other sources.

(g) The recipient is illegally discriminated against on the basis of age, race, disability, gender, color, national origin, or religious beliefs.

(h) Credible information or evidence establishes 1 or more unplanned or unexpected events or factors that reasonably could be expected to prevent, or significantly interfere with, the recipient’s compliance with employment and training requirements.

(i) The recipient quit employment to obtain comparable employment.

(4) For all instances of noncompliance resulting in termination of family independence program assistance for any period of time described in subsection (1), the period of time the recipient is ineligible to receive family independence program assistance applies toward the recipient’s 60-month cumulative lifetime total.

(5) Family independence program assistance benefits must be denied or terminated if a recipient fails, without good cause, to comply with applicable child support requirements including efforts to establish paternity, and assign or obtain child support. The family independence program assistance group is ineligible for family independence program assistance for not less than 1 calendar month. After family independence program assistance has been terminated for not less than 1 calendar month, family independence program assistance may be restored if the noncompliant recipient complies with child support requirements including the action to establish paternity and obtain child support. As used in this subsection, “good cause” includes an instance in which efforts to establish paternity or assign or obtain child support would harm the child or in which there is danger of physical or emotional harm to the child or the recipient.

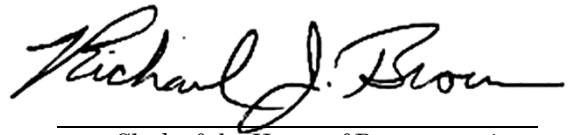
Sec. 57p. Any month in which a recipient has been exempted from the PATH program under section 57f(3) or (4)(b) is not counted toward the cumulative total of 60 months in a lifetime for family independence program assistance. Any month in which a recipient has been exempted from the PATH program under section 57f(4)(e) or (f) may, in the department’s discretion, be excluded from the count toward the cumulative total of 60 months in a lifetime for family independence program assistance.

Sec. 57r. Beginning October 1, 2007, family independence program assistance must be paid to an individual for not longer than a cumulative total of 48 months during that individual's lifetime. Beginning on the effective date of the amendatory act that added this sentence, family independence program assistance must be paid to an individual for not longer than a cumulative total of 60 months during the individual's lifetime.



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Secretary of the Senate



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Clerk of the House of Representatives

Approved \_\_\_\_\_

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Governor