
**By: Senators Bromwell, Dorman, Astle, Della, Derr, Hafer, Madden, Pica, Roesser,
Trotter, Young, Miller, and Currie**

Introduced and read first time: February 27, 1996

Rule 32 suspended

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Welfare Innovation Act of 1996**

3 FOR the purpose of requiring the Secretary of Human Resources to implement and
4 supervise a certain program; requiring local departments of social services to
5 coordinate the delivery of certain services and administer a certain program;
6 providing for the allocation of certain funds for certain purposes to local
7 departments of social services; establishing certain eligibility standards for certain
8 benefits under the program; providing that the program include certain features;
9 providing for certain cash benefits; providing for certain changes in circumstances;
10 providing for a transitional assistance program; requiring the Secretary of Human
11 Resources to establish certain welfare demonstration projects and adopt certain
12 regulations; establishing a Joint Committee on Welfare Reform; providing for a
13 certain pilot project to be conducted jointly by the Department of Human
14 Resources, the Department of Housing and Community Development, and the
15 Department of Health and Mental Hygiene; requiring certain employers, within a
16 certain period of time, to submit certain information concerning certain employees
17 to the Secretary of Labor, Licensing, and Regulation and to the Child Support
18 Enforcement Administration; providing that certain provisions of this Act are
19 subject to certain contingencies; providing that certain reports be made to the
20 General Assembly; defining certain terms; making this Act subject to a certain
21 contingency; and generally relating to the administration and funding of a certain
22 program and the establishment of certain welfare demonstration projects.

23 BY renaming

24 Article 88A - Social Services Administration
25 to be Article 88A - Human Resources
26 Annotated Code of Maryland
27 (1995 Replacement Volume)

28 BY adding to

29 Article 88A - Human Resources
30 Section 44A through 53
31 Annotated Code of Maryland

2

1 (1995 Replacement Volume)

2 BY repealing and reenacting, with amendments,

3 Article 88A - Human Resources

4 Section 56

5 Annotated Code of Maryland

6 (1995 Replacement Volume)

7 BY repealing

8 Article 88A - Human Resources

9 Section 44A through 54, 55, 57, and 58

10 Annotated Code of Maryland

11 (1995 Replacement Volume)

12 BY repealing

13 Article 88A - Human Resources

14 Section 54A

15 Annotated Code of Maryland

16 (1995 Replacement Volume)

17 (As enacted by Chapter 491 of the Acts of the General Assembly of 1995)

18 BY adding to

19 Article - Labor and Employment

20 Section 8-626.1

21 Annotated Code of Maryland

22 (1991 Volume and 1995 Supplement)

23 BY adding to

24 Article - State Government

25 Section 2-10A-04

26 Annotated Code of Maryland

27 (1995 Replacement Volume)

28 Preamble

29 WHEREAS, The State of Maryland recognizes that for too many families, welfare

30 has become what it never was intended to be: a permanent way of life, and this system of

31 continuous income maintenance not only destroys all incentive for an individual to

32 become self-sufficient but often leads to intergenerational dependency;and

33 WHEREAS, The State's welfare system does not reward work or any effort to seek

34 and secure a job, and the total package of welfare benefits can be better than the package

35 of benefits the working poor can obtain, creating an incentive to stay on welfare; and

3

1 WHEREAS, The State's welfare system has numerous disincentives for the
2 maintenance of a two-parent family unit, and the role and responsibilities of the father
3 are largely ignored in the current system; and

4 WHEREAS, The State's role is to promote family and community responsibility for
5 nurturing children, not to take their place; and

6 WHEREAS, The General Assembly has established welfare reform as one of the
7 major human service priorities of State government, with the intended goal of achieving a
8 significant reduction in the number of citizens who are enrolled in the Aid to Families
9 with Dependent Children (AFDC) Program; and

10 WHEREAS, The State must transform a "one size fits all" welfare system that
11 fosters dependence, low self-esteem, and irresponsible behavior to one that rewards work
12 and fosters self-reliance, responsibility, and family stability; and

13 WHEREAS, Local departments of social services require flexibility and autonomy
14 to craft local solutions to their needs; and

15 WHEREAS, Volunteer, religious, and charitable organizations have historically
16 provided aid to the needy, and these organizations represent a critical means of
17 leveraging the reduced funding available for welfare programs; and

18 WHEREAS, Cooperative living arrangements can concentrate and maximize
19 resources as well as assist welfare recipients in developing living and other skills necessary
20 for gaining an independent and productive role in society; and

21 WHEREAS, The federal government has thus far been unsuccessful in replacing
22 the current welfare system on a national level; and

23 WHEREAS, Maryland is well-positioned to take the initiative in creating a system
24 that is just and compassionate but that holds individuals accountable for their actions;
25 and

26 WHEREAS, Legislative oversight is necessary to monitor the success of this
27 endeavor; now, therefore,

28 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
29 MARYLAND, That Article 88A - Social Services Administration of the Annotated Code
30 of Maryland be renamed to be Article 88A - Human Resources.

31 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
32 read as follows:

33 **Article 88A - Human Resources**

34 44A.

35 (A) IN THIS SUBTITLE THE FOLLOWING TERMS HAVE THE MEANINGS
36 INDICATED.

37 (B) "AFDC" MEANS AID TO FAMILIES WITH DEPENDENT CHILDREN.

4

1 (C) "COOPERATIVE LIVING PROJECT" MEANS A WELFARE DEMONSTRATION
2 PROJECT PROVIDING A SHARED LIVING ARRANGEMENT AS AN ALTERNATIVE TO
3 CASH ASSISTANCE.

4 (D) "DEPARTMENT" MEANS THE DEPARTMENT OF HUMAN RESOURCES.

5 (E) "GRANT DIVERSION" MEANS THE PAYMENT OF BUSINESSES FOR HIRING
6 RECIPIENTS.

7 (F) "INDIVIDUALIZED CASE-MANAGEMENT PROJECT" MEANS A WELFARE
8 DEMONSTRATION PROJECT PROVIDING COORDINATION AND INTENSIVE CASE
9 MANAGEMENT OF AFDC AND RELATED BENEFITS AND SERVICES.

10 (G) "LOCAL DEPARTMENT" MEANS A LOCAL DEPARTMENT OF SOCIAL
11 SERVICES IN A COUNTY OR IN BALTIMORE CITY CREATED OR CONTINUED UNDER
12 THE PROVISIONS OF § 13 OF THIS ARTICLE.

13 (H) "NONPROFIT ORGANIZATION" MEANS A RELIGIOUS, CHARITABLE, OR
14 VOLUNTEER ORGANIZATION EXEMPT FROM TAXATION UNDER § 501(C) OF THE
15 INTERNAL REVENUE CODE.

16 (I) "WORK ACTIVITY" MEANS ANY OF THE FOLLOWING:

17 (1) JOB SEARCH ACTIVITY;

18 (2) SUBSIDIZED EMPLOYMENT IN EITHER THE PUBLIC OR PRIVATE
19 SECTOR;

20 (3) GRANT DIVERSION;

21 (4) WORK EXPERIENCE;

22 (5) ON-THE-JOB TRAINING;

23 (6) COMMUNITY SERVICE; AND

24 (7) TRAINING DIRECTLY RELATED TO EMPLOYMENT.

25 (J) "RECIPIENT" MEANS ALL INDIVIDUALS IN AN AFDC CASE.

26 (K) "SECRETARY" MEANS THE SECRETARY OF HUMAN RESOURCES.

27 (L) "TEMPORARY CASH ASSISTANCE" MEANS THE CASH ASSISTANCE
28 COMPONENT OF THE AFDC PROGRAM FUNDED IN WHOLE OR IN PART THROUGH
29 TITLE IV, PART A, OF THE SOCIAL SECURITY ACT.

30 (M) "TRANSITIONAL ASSISTANCE" MEANS ASSISTANCE PROVIDED TO AN
31 AFDC RECIPIENT WHOSE TEMPORARY CASH ASSISTANCE HAS BEEN TERMINATED
32 FOR NONCOMPLIANCE WITH AFDC PROGRAM REQUIREMENTS.

33 45.

34 THE PRIMARY PURPOSE OF THIS SUBTITLE IS TO SUPPORT FAMILY EFFORTS TO
35 ACHIEVE AND MAINTAIN SELF-SUFFICIENCY THROUGH A PROGRAM OF
36 ASSISTANCE GEARED TO INDIVIDUAL FAMILY NEEDS.

5

1 46.

2 THE SECRETARY SHALL:

3 (1) ESTABLISH AND IMPLEMENT AN AFDC PROGRAM THAT MEETS THE
4 REQUIREMENTS OF THIS SUBTITLE AND OF FEDERAL LAW;

5 (2) SUPERVISE THE ADMINISTRATION OF THE AFDC PROGRAM UNDER
6 THIS SUBTITLE BY LOCAL DEPARTMENTS;

7 (3) COOPERATE WITH THE FEDERAL GOVERNMENT IN MATTERS OF
8 MUTUAL CONCERN PERTAINING TO FEDERAL FUNDING FOR THE AFDC PROGRAM;
9 AND

10 (4) ADOPT REGULATIONS NECESSARY OR DESIRABLE TO CARRY OUT
11 THE PROVISIONS OF THIS SUBTITLE.

12 47.

13 (A) IN PROVIDING ASSISTANCE UNDER THIS SUBTITLE, A LOCAL
14 DEPARTMENT SHALL, IN ACCORDANCE WITH THE REGULATIONS ADOPTED BY THE
15 SECRETARY:

16 (1) ESTABLISH PLANS FOR WORK ACTIVITIES AND SUPPORTIVE
17 SERVICES, INCLUDING CHILD CARE;

18 (2) COORDINATE THE DELIVERY OF SERVICES TO RECIPIENTS;

19 (3) DETERMINE PROGRAM ELIGIBILITY AND NOTIFY APPLICANTS AND
20 RECIPIENTS OF ELIGIBILITY DECISIONS;

21 (4) SOLICIT PARTICIPATION OF PRIVATE ORGANIZATIONS, NONPROFIT
22 ORGANIZATIONS, CHARITABLE ORGANIZATIONS, RELIGIOUS ORGANIZATIONS, AND
23 INSTITUTIONS OF POSTSECONDARY EDUCATION;

24 (5) TRAIN INTERESTED AND CAPABLE RECIPIENTS TO WORK AS CHILD
25 CARE PROVIDERS;

26 (6) ADMINISTER THE PROVISIONS OF THIS SUBTITLE;

27 (7) ACHIEVE THE PERFORMANCE REQUIREMENTS OF TITLE IV, PART A,
28 OF THE SOCIAL SECURITY ACT; AND

29 (8) MAINTAIN RECORDS AND REPORT TO THE DEPARTMENT AS THE
30 DEPARTMENT DIRECTS.

31 (B) (1) IN PROVIDING ASSISTANCE UNDER THIS SUBTITLE, THE LOCAL
32 DEPARTMENT MAY CONTRACT WITH CHARITABLE ORGANIZATIONS, PRIVATE
33 ORGANIZATIONS, RELIGIOUS ORGANIZATIONS, AND INSTITUTIONS OF
34 POSTSECONDARY EDUCATION.

35 (2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
36 PARAGRAPH, A RELIGIOUS ORGANIZATION MAY PARTICIPATE IN THE FAMILY
37 INVESTMENT PROGRAM ON THE SAME BASIS AS ANY OTHER NONGOVERNMENTAL
38 ENTITY.

6

1 (II) AN INDIVIDUAL MAY NOT BE REQUIRED TO ACCEPT
2 ASSISTANCE FROM A RELIGIOUS ORGANIZATION IF ACCEPTANCE WOULD VIOLATE
3 THE INDIVIDUAL'S BONA FIDE RELIGIOUS BELIEFS AND PRACTICES.

4 (C) (1) EACH YEAR THE DEPARTMENT SHALL ALLOCATE TO EACH LOCAL
5 DEPARTMENT FUNDS THAT THE LOCAL DEPARTMENT SHALL USE TO DEVELOP A
6 PROGRAM TO MEET THE UNIQUE CIRCUMSTANCES AND NEEDS OF THE LOCAL
7 JURISDICTION.

8 (2) FUNDS ALLOCATED PURSUANT TO THIS SUBSECTION SHALL BE
9 USED FOR:

10 (I) CHILD CARE;

11 (II) WORK ACTIVITIES;

12 (III) WELFARE AVOIDANCE;

13 (IV) EMERGENCY FUNDS;

14 (V) ADMINISTRATION; AND

15 (VI) OTHER SERVICES THAT THE SECRETARY DEEMS APPROPRIATE
16 FOR THE PROGRAM.

17 (3) THE SECRETARY SHALL ADOPT REGULATIONS FOR THE
18 ALLOCATION OF FUNDS UNDER THIS SUBSECTION TO EACH LOCAL DEPARTMENT
19 JURISDICTION PURSUANT TO A FORMULA THAT:

20 (I) IS BASED UPON RELEVANT FACTORS SUCH AS THE NUMBER OF
21 CASH ASSISTANCE CASES IN THE JURISDICTION AND THE NUMBER OF CHILDREN IN
22 POVERTY IN THE JURISDICTION; AND

23 (II) ENSURES THAT NO JURISDICTION'S ALLOCATION IS SUBJECT
24 TO EXTREME FLUCTUATIONS IN AMOUNT FROM YEAR TO YEAR BY LIMITING THE
25 PERCENTAGE BY WHICH THE ALLOTMENT MAY CHANGE IN ANY 1 YEAR.

26 48.

27 (A) A FAMILY IS POTENTIALLY ELIGIBLE FOR ASSISTANCE UNDER THIS
28 SUBTITLE ONLY IF THE FAMILY INCLUDES:

29 (1) A MINOR CHILD WHO RESIDES WITH A CUSTODIAL PARENT OR
30 OTHER ADULT CARETAKER RELATIVE OF THE CHILD; OR

31 (2) A PREGNANT INDIVIDUAL.

32 (B) ASSISTANCE SHALL BE PROVIDED UNDER THIS SUBTITLE ONLY IF THE
33 APPLICANT FOR OR RECIPIENT OF ASSISTANCE:

34 (1) RESIDES IN THIS STATE AT THE TIME OF APPLICATION FOR THE
35 ASSISTANCE;

7

1 (2) HAS APPLIED FOR CHILD SUPPORT SERVICES WITH THE
2 APPROPRIATE LOCAL CHILD SUPPORT ENFORCEMENT OFFICE AT THE TIME OF
3 APPLICATION FOR THE ASSISTANCE;

4 (3) UNLESS EXEMPT UNDER CRITERIA ESTABLISHED BY THE
5 SECRETARY, PARTICIPATES IN WORK REQUIRED UNDER THIS SUBTITLE; AND

6 (4) MEETS ALL OTHER AFDC PROGRAM REQUIREMENTS THAT THE
7 SECRETARY ESTABLISHES BY REGULATION.

8 49.

9 (A) EXCEPT FOR AN APPLICANT OR RECIPIENT WHO IS A SINGLE CHILD, THE
10 AFDC PROGRAM SHALL INCLUDE:

11 (1) AN ASSESSMENT OF ALL APPLICANTS OR RECIPIENTS THAT SHALL
12 CONSIDER:

13 (I) THE REASONS FOR APPLYING FOR OR CONTINUED RELIANCE
14 ON ASSISTANCE;

15 (II) THE EDUCATIONAL LEVEL, JOB SKILLS AND READINESS, AND
16 INTERESTS TO EVALUATE APPROPRIATE PROGRAM ACTIVITIES; AND

17 (III) PERSONAL AND FAMILY RESOURCES AVAILABLE TO
18 FACILITATE INDEPENDENCE;

19 (2) FOR A RECIPIENT, A ONE TIME ONLY WELFARE AVOIDANCE GRANT,
20 IN AN AMOUNT UP TO 6 MONTHS OF AFDC TEMPORARY CASH ASSISTANCE, TO MEET
21 IMMEDIATE NEEDS SO THAT A RECIPIENT CAN AVOID OTHERWISE ENTERING THE
22 AFDC PROGRAM;

23 (3) FOR A RECIPIENT, AN AGREEMENT BETWEEN THE DEPARTMENT
24 AND THE RECIPIENT THAT:

25 (I) REQUIRES THE RECIPIENT TO COOPERATE WITH THE CHILD
26 SUPPORT ENFORCEMENT AGENCY TO OBTAIN SUPPORT FROM AN ABSENT PARENT;

27 (II) REQUIRES THE RECIPIENT TO COMPLY WITH REASONABLE
28 REQUESTS FOR COOPERATION BY CASE MANAGEMENT WORKERS IN SEEKING AND
29 USING PROGRAMS AND COMMUNITY AND FAMILY RESOURCES THAT MAY BE
30 AVAILABLE TO THE RECIPIENT;

31 (III) SPECIFIES THE PROGRAM ACTIVITIES IN WHICH THE
32 RECIPIENT WILL PARTICIPATE; AND

33 (IV) SPECIFIES THE SUPPORTIVE SERVICES THAT THE LOCAL
34 DEPARTMENT WILL ASSIST IN PROVIDING AND THAT ARE NECESSARY FOR THE
35 RECIPIENT TO MEET THE RECIPIENT'S OBLIGATIONS UNDER THE PROGRAM; AND

36 (4) FOR A RECIPIENT:

37 (I) PROGRAM ACTIVITIES, TO THE EXTENT RESOURCES PERMIT;

8

1 (II) REFERRAL, AS APPROPRIATE, TO FAMILY PLANNING
2 COUNSELING AND SERVICES; AND

3 (III) AS A LAST RESORT, TEMPORARY CASH ASSISTANCE.

4 (B) FOR AN APPLICANT OR RECIPIENT WHO IS A SINGLE CHILD, THE AFDC
5 PROGRAM SHALL INCLUDE:

6 (1) REFERRAL OF THE APPLICANT OR RECIPIENT TO APPROPRIATE
7 SERVICES; AND

8 (2) AS A LAST RESORT, TEMPORARY CASH ASSISTANCE FOR THE
9 RECIPIENT.

10 (C) TO THE EXTENT RESOURCES PERMIT, NONCUSTODIAL PARENTS IN NEED
11 OF EMPLOYMENT SERVICES IN ORDER TO PAY CHILD SUPPORT OBLIGATIONS SHALL
12 BE SERVED IN THE PROGRAM.

13 (D) THE SECRETARY SHALL REVISE THE SCHEDULE OF PROGRAM
14 ASSISTANCE TO PREVENT A RECIPIENT WHO HAS ESTABLISHED ELIGIBILITY FROM
15 LOSING ELIGIBILITY SOLELY BECAUSE ONE OR MORE WAGE EARNERS IN THE
16 FAMILY UNIT WORKS MORE THAN 100 HOURS PER MONTH.

17 (E) THE SECRETARY SHALL REVISE THE RULES OF ELIGIBILITY TO EXEMPT
18 TWO-PARENT FAMILIES FROM A REQUIREMENT THAT THE PRINCIPAL WAGE
19 EARNER MUST HAVE WORKED FOR A SPECIFIED TIME PRIOR TO APPLYING FOR
20 AFDC.

21 (F) (1) THE SECRETARY SHALL REVISE THE RULES OF ELIGIBILITY TO
22 PERMIT A CHILD WHO IS LIVING WITH THE CHILD'S NATURAL PARENT AND A
23 STEPPARENT IN A HOUSEHOLD IN WHICH THE HOUSEHOLD INCOME EXCEEDS THE
24 STATE ELIGIBILITY STANDARD FOR ASSISTANCE TO BE ELIGIBLE TO RECEIVE
25 ASSISTANCE IF:

26 (I) THE REQUIREMENTS OF § 48 OF THIS SUBTITLE ARE MET;

27 (II) BASED UPON THE INCOME OF THE NATURAL PARENT AND
28 THAT PARENT'S CHILDREN, THE NATURAL PARENT AND THE CHILD WOULD BE
29 ELIGIBLE FOR ASSISTANCE; AND

30 (III) THE TOTAL INCOME OF THE STEPPARENT DOES NOT EXCEED
31 150% OF THE OFFICIAL POVERTY LEVEL, ADJUSTED FOR FAMILY SIZE, ESTABLISHED
32 UNDER THE FEDERAL COMMUNITY SERVICES BLOCK GRANT ACT.

33 (2) THE AMOUNT OF ASSISTANCE TO BE PAID UNDER PARAGRAPH (1)
34 OF THIS SUBSECTION SHALL BE:

35 (I) COMPUTED WITHOUT REGARD TO THE INCOME OF THE
36 STEPPARENT IF THE TOTAL INCOME OF THE STEPPARENT DOES NOT EXCEED 100%
37 OF THE OFFICIAL POVERTY LEVEL, ADJUSTED FOR FAMILY SIZE, ESTABLISHED
38 UNDER THE FEDERAL COMMUNITY SERVICES BLOCK GRANT ACT; AND

1 (II) REDUCED BY 50% OF THE STATE ELIGIBILITY STANDARD FOR
2 THE ASSISTANCE UNIT IF THE TOTAL INCOME OF THE STEPPARENT IS AT LEAST
3 100%, BUT NOT MORE THAN 150%, OF THE OFFICIAL POVERTY LEVEL, ADJUSTED FOR
4 FAMILY SIZE, ESTABLISHED UNDER THE FEDERAL COMMUNITY SERVICES BLOCK
5 GRANT ACT.

6 (G) THE SECRETARY SHALL REVISE THE SCHEDULE OF PROGRAM
7 ASSISTANCE TO ALLOW OWNERSHIP OF AN AUTOMOBILE WITH A MAXIMUM EQUITY
8 VALUE OF UP TO \$5,000 WITHOUT IT COUNTING AS AN ASSET FOR PURPOSES OF
9 AFDC AND FOOD STAMP ELIGIBILITY.

10 (H) THE SECRETARY SHALL REVISE THE SCHEDULE OF PROGRAM
11 ASSISTANCE TO:

12 (1) PERMIT RECIPIENTS AND THEIR CHILDREN TO SAVE UP TO \$5,000;

13 (2) DISREGARD THE EARNED INCOME OF A DEPENDENT CHILD WHO IS:

14 (I) A STUDENT;

15 (II) IN A JOB TRAINING PARTNERSHIP ACT PROGRAM; OR

16 (III) IN A JOB OPPORTUNITIES AND BASIC SKILLS TRAINING
17 PROGRAM; AND

18 (3) PERMIT A DEPENDENT CHILD OVER THE AGE OF 17 YEARS, WHO IS A
19 FULL-TIME STUDENT IN SECONDARY SCHOOL OR THE EQUIVALENT, TO BE
20 ELIGIBLE FOR INCLUSION IN THE AFDC GRANT IF THE EDUCATION PROGRAM IS
21 EXPECTED TO BE COMPLETED IN THE CALENDAR YEAR THE CHILD TURNS 20 YEARS
22 OF AGE.

23 50.

24 (A) THE PROVISIONS OF THIS SECTION ARE NOT INTENDED TO CREATE
25 INCENTIVES FOR INDIVIDUALS TO SEEK TEMPORARY CASH ASSISTANCE BENEFITS
26 INSTEAD OF EMPLOYMENT.

27 (B) A LOCAL DEPARTMENT SHALL PROVIDE TEMPORARY CASH ASSISTANCE
28 ONLY IF:

29 (1) THE RECIPIENT MEETS THE CONDITIONS FOR PARTICIPATION IN
30 THE AFDC PROGRAM SET FORTH IN § 48 OF THIS SUBTITLE;

31 (2) THE APPLICANT OR RECIPIENT ASSIGNS TO THE STATE ALL RIGHT,
32 TITLE, AND INTEREST IN SUPPORT FROM ANY OTHER PERSON THAT THE APPLICANT
33 OR RECIPIENT HAS ON BEHALF OF ANY INTENDED OR POTENTIAL RECIPIENT FOR
34 WHOM THE APPLICANT OR RECIPIENT IS APPLYING FOR OR RECEIVING ASSISTANCE,
35 INCLUDING ANY RIGHT ACCRUED WHEN THE ASSIGNMENT IS EXECUTED;

36 (3) THE APPLICANT OR RECIPIENT IS A MINOR PARENT, THE MINOR
37 PARENT LIVES:

38 (I) WITH A PARENT, LEGAL GUARDIAN, CUSTODIAN, OR OTHER
39 ADULT RELATIVE WHO WILL BE THE PAYEE OF THE MINOR PARENT;

10

1 (II) IN AN ADULT-SUPERVISED GROUP LIVING ARRANGEMENT
2 THAT SHALL PROVIDE A PROTECTIVE PAYEE; OR

3 (III) INDEPENDENTLY, IF A SOCIAL SERVICE WORKER CONFIRMS
4 THAT THE MINOR PARENT OR CHILD'S PHYSICAL SAFETY OR EMOTIONAL HEALTH
5 WOULD OTHERWISE BE IN JEOPARDY; AND

6 (4) THE APPLICANT OR RECIPIENT IS A LEGAL IMMIGRANT, THE LEGAL
7 IMMIGRANT'S INCOME AND RESOURCES SHALL BE DEEMED TO INCLUDE THE
8 INCOME AND RESOURCES OF ANY SPONSOR WHO EXECUTED AN AFFIDAVIT OF
9 SUPPORT PURSUANT TO § 213A OF THE IMMIGRATION AND NATURALIZATION ACT IN
10 BEHALF OF THE LEGAL IMMIGRANT.

11 (C) A LOCAL DEPARTMENT SHALL PAY TEMPORARY CASH ASSISTANCE
12 BEGINNING 14 DAYS AFTER THE APPLICATION OF A QUALIFIED RECIPIENT.

13 (D) (1) THIS SUBSECTION DOES NOT APPLY TO A BIRTH RESULTING FROM
14 RAPE OR INCEST.

15 (2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION,
16 TEMPORARY CASH ASSISTANCE MAY NOT INCLUDE THE INCREMENT IN CASH
17 BENEFITS UNDER THE PROGRAM FOR WHICH A RECIPIENT WOULD OTHERWISE BE
18 ELIGIBLE AS A RESULT OF THE BIRTH OF A CHILD 10 OR MORE MONTHS AFTER THE
19 RECIPIENT'S INITIAL APPLICATION FOR TEMPORARY CASH ASSISTANCE BENEFITS.

20 (3) CASH PAYMENTS FOR A CHILD MAY NOT BE MADE TO A FAMILY
21 OTHER THAN THE CHILD'S FAMILY UNLESS THE SOCIAL SERVICES ADMINISTRATION
22 HAS PLACED THE CHILD WITH THE OTHER FAMILY.

23 (4) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A SINGLE
24 CUSTODIAL PARENT WHO IS INELIGIBLE FOR AN INCREMENT IN CASH BENEFITS AS
25 PROVIDED BY THIS SUBSECTION SHALL RECEIVE THE TOTAL VALUE OF ALL CHILD
26 SUPPORT PAYMENTS DUE AND COLLECTED FOR THAT CHILD.

27 (5) THE DEPARTMENT SHALL PROVIDE FOR A RECIPIENT INELIGIBLE
28 FOR AN INCREMENT IN CASH BENEFITS UNDER THIS SUBSECTION A CHILD-SPECIFIC
29 BENEFIT NOT TO EXCEED, WHEN COMBINED WITH ANY CHILD SUPPORT PAYMENTS
30 MADE UNDER PARAGRAPH (4) OF THIS SUBSECTION, THE VALUE OF THE
31 INCREMENT ELIMINATED BY THIS SUBSECTION FOR THE PURCHASE OF GOODS
32 SPECIFIED BY THE DEPARTMENT AS SUITABLE FOR THE CARE OF A MINOR.

33 (E) THE SECRETARY SHALL ESTABLISH BY REGULATION A SCHEDULE OF
34 REDUCTIONS AND TERMINATIONS OF TEMPORARY CASH ASSISTANCE FOR
35 NONCOMPLIANCE WITH PROGRAM REQUIREMENTS.

36 (F) (1) AFTER TERMINATION OF TEMPORARY CASH ASSISTANCE UNDER
37 THIS SECTION, THE RECIPIENT MAY RECEIVE TRANSITIONAL ASSISTANCE.

38 (2) IF THE CASEWORKER DETERMINES THAT THE LOCAL DEPARTMENT
39 SHALL PROVIDE TRANSITIONAL ASSISTANCE, THE AFDC BENEFIT THAT WOULD
40 HAVE BEEN PAID TO THE RECIPIENT SHALL BE PAID INSTEAD TO A NONPROFIT
41 ORGANIZATION ON BEHALF OF THE RECIPIENT FOR A PERIOD OF UP TO 3 MONTHS.

11

1 (3) THE NONPROFIT ORGANIZATION SHALL PROVIDE TRANSITIONAL
2 ASSISTANCE TO THE RECIPIENT IN ONE OR MORE OF THE FOLLOWING FORMS:

3 (I) COUNSELING;

4 (II) HOUSING;

5 (III) CHILD CARE;

6 (IV) HOUSEHOLD SUPPLIES AND EQUIPMENT;

7 (V) DIRECT ASSISTANCE OTHER THAN A CASH PAYMENT; AND

8 (VI) ANY OTHER NONCASH ASSISTANCE THAT MAY BE NECESSARY
9 TO ASSIST THE RECIPIENT TO MAKE THE TRANSITION FROM WELFARE.

10 (4) SUBJECT TO THE APPROVAL OF THE SECRETARY, THE
11 CASEWORKER, IN CONJUNCTION WITH THE RECIPIENT, SHALL SELECT THE
12 NONPROFIT ORGANIZATION DESCRIBED UNDER PARAGRAPH (2) OF THIS
13 SUBSECTION.

14 (5) NO PORTION OF THE FUNDS PROVIDED THROUGH TRANSITIONAL
15 ASSISTANCE MAY BE USED FOR THE FURTHERANCE OF SECTARIAN RELIGIOUS
16 INSTRUCTION.

17 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland
18 read as follows:

19 **Article 88A - Human Resources**

20 51.

21 EXCEPT AS PROVIDED IN REGULATIONS ADOPTED BY THE SECRETARY, A
22 LOCAL DEPARTMENT MAY NOT PAY TEMPORARY CASH ASSISTANCE TO:

23 (1) A FAMILY THAT INCLUDES AN ADULT WHO HAS RECEIVED MORE
24 THAN 60 MONTHS OF TEMPORARY CASH ASSISTANCE; OR

25 (2) A FAMILY THAT INCLUDES AN ADULT WHO:

26 (I) HAS RECEIVED MORE THAN 24 MONTHS OF TEMPORARY CASH
27 ASSISTANCE; AND

28 (II) WHO IS NOT PARTICIPATING IN A WORK ACTIVITY.

29 SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland
30 read as follows:

31 **Article 88A - Human Resources**

32 52.

33 (A) ALL ASSISTANCE GRANTED UNDER THIS SUBTITLE SHALL BE SUBJECT TO
34 PERIODIC RECERTIFICATION.

12

1 (B) DURING A CERTIFICATION PERIOD, THE DEPARTMENT MAY AT ANY TIME
2 CANCEL, SUSPEND, OR REVOKE ASSISTANCE IF:

3 (1) THE RECIPIENT'S CIRCUMSTANCES HAVE ALTERED SUFFICIENTLY
4 TO WARRANT CANCELLATION, SUSPENSION, OR REVOCATION; OR

5 (2) THE RECIPIENT HAS FAILED TO COMPLY WITH PROGRAM
6 REQUIREMENTS.

7 (C) IF THE SECRETARY DETERMINES THAT THE FUNDS AVAILABLE FOR THE
8 AFDC PROGRAM ARE INSUFFICIENT TO MAKE PAYMENTS IN ACCORDANCE WITH
9 THE AMOUNT OF ASSISTANCE OTHERWISE ESTABLISHED BY LAW, THE SECRETARY
10 SHALL PROVIDE FOR A UNIFORM METHOD OF ADJUSTING INDIVIDUAL PAYMENTS.

11 (D) (1) ALL ASSISTANCE GRANTED UNDER THIS SUBTITLE IS SUBJECT TO
12 ALL FUTURE AMENDMENT OR REPEAL OF THIS SUBTITLE.

13 (2) A RECIPIENT DOES NOT HAVE A RIGHT TO COMPENSATION BY
14 REASON OF THE RECIPIENT'S ASSISTANCE HAVING BEEN AFFECTED BY
15 AMENDMENT OR REPEAL OF THIS SUBTITLE.

16 53.

17 (A) (1) THE SECRETARY SHALL ESTABLISH DEMONSTRATION PROJECTS
18 THROUGH GRANTS TO NONPROFIT ORGANIZATIONS.

19 (2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE
20 SECRETARY SHALL ALLOCATE TO DEMONSTRATION PROJECTS UNDER THIS
21 SECTION AT LEAST 5% OF THE STATE'S AFDC BUDGET.

22 (II) NOT MORE THAN 8% OF THE FUNDING ALLOCATED FOR
23 DEMONSTRATION PROJECTS UNDER THIS SECTION SHALL BE ALLOCATED TO A
24 SINGLE DEMONSTRATION PROJECT.

25 (3) (I) AT LEAST FIVE OF THE DEMONSTRATION PROJECTS UNDER
26 THIS SECTION SHALL BE LOCATED IN COUNTIES OTHER THAN THE TWO COUNTIES
27 WITH THE LARGEST NUMBERS OF AFDC RECIPIENTS.

28 (II) AT LEAST THREE OF THE DEMONSTRATION PROJECTS SHALL
29 BE LOCATED AT OR NEAR AN ELEMENTARY OR SECONDARY SCHOOL AND SHALL
30 INCLUDE SCHOOL-BASED RESOURCES IN THE SERVICES PROVIDED TO
31 DEMONSTRATION PROJECT PARTICIPANTS.

32 (4) THE FUNDS ALLOCATED TO DEMONSTRATION PROJECTS UNDER
33 THIS SECTION MAY NOT BE USED IN THE FURTHERANCE OF SECTARIAN RELIGIOUS
34 INSTRUCTION OR WORSHIP.

35 (B) (1) THIS SUBSECTION SHALL APPLY ONLY TO MONEY EARNED BY, OR
36 CHILD SUPPORT MONEY COLLECTED ON BEHALF OF, A PARTICIPANT WHILE IN A
37 COOPERATIVE LIVING PROJECT.

38 (2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, UP
39 TO A MAXIMUM AMOUNT TO BE DETERMINED BY THE SECRETARY:

13

1 (I) 50% OF ANY MONEY SHALL BE HELD ON BEHALF OF A
2 PARTICIPANT IN A SAVINGS ACCOUNT BY THE SECRETARY, TO BE RELEASED WHEN
3 THE PARTICIPANT IS NO LONGER AN AFDC RECIPIENT; AND

4 (II) 50% OF THE MONEY SHALL BE IMMEDIATELY AVAILABLE FOR
5 USE BY THE PARTICIPANT.

6 (C) (1) A NONPROFIT ORGANIZATION OPERATING A DEMONSTRATION
7 PROJECT UNDER THIS SECTION SHALL SEEK, FROM INSTITUTIONS OF
8 POSTSECONDARY EDUCATION, VOLUNTEER ASSISTANCE FOR TUTORING AND
9 MENTORING PARTICIPANTS IN THE DEMONSTRATION PROJECT.

10 (2) INSTITUTIONS OF POSTSECONDARY EDUCATION SHALL COOPERATE
11 WITH NONPROFIT ORGANIZATIONS SEEKING VOLUNTEERS UNDER PARAGRAPH (1)
12 OF THIS SUBSECTION.

13 (D) (1) A COOPERATIVE LIVING PROJECT SHALL PROVIDE FOR ITS
14 PARTICIPANTS:

15 (I) ON-SITE CHILD CARE;

16 (II) COMMUNAL DINING FACILITIES;

17 (III) JOB READINESS PROGRAMS; AND

18 (IV) ANY OTHER SUPPORT SERVICES THAT MAY BE NECESSARY TO
19 MOVE PARTICIPANTS TOWARD ECONOMIC SELF-SUFFICIENCY.

20 (2) A COOPERATIVE LIVING PROJECT MAY PROVIDE FOR ITS
21 PARTICIPANTS:

22 (I) LIVING QUARTERS; AND

23 (II) RECREATION PROGRAMS.

24 (3) PARTICIPANTS IN THE COOPERATIVE LIVING PROJECT SHALL BE
25 CHOSEN FROM VOLUNTEERS ELIGIBLE FOR AFDC BENEFITS.

26 (4) PARTICIPANTS IN THE COOPERATIVE LIVING PROJECT SHALL
27 ENTER INTO AN AGREEMENT WITH THE NONPROFIT ORGANIZATION OPERATING
28 THE COOPERATIVE LIVING PROJECT TO:

29 (I) ATTEND A MINIMUM OF ONE COMMUNAL MEAL PER DAY;

30 (II) SHARE IN RESPONSIBILITIES FOR MEAL PREPARATION AND
31 THE CLEANING AND MAINTENANCE OF THE DEMONSTRATION PROJECT FACILITY;

32 (III) WHILE UNEMPLOYED, ASSIST IN PROVIDING CHILD CARE FOR
33 CHILDREN OF PARTICIPANTS IN THE COOPERATIVE LIVING PROJECT; AND

34 (IV) WORK TOWARDS ECONOMIC SELF-SUFFICIENCY.

35 (E) (1) THE SECRETARY SHALL ESTABLISH INDIVIDUALIZED
36 CASE-MANAGEMENT PROJECTS.

14

1 (2) THE SECRETARY SHALL PROVIDE TO EACH INDIVIDUALIZED
2 CASE-MANAGEMENT PROJECT IN BENEFITS OR THEIR CASH EQUIVALENT:

3 (I) THE FOOD STAMPS, AFDC, HOUSING, MEDICAL, AND OTHER
4 BENEFITS TO WHICH EACH PARTICIPANT IN THE INDIVIDUALIZED
5 CASE-MANAGEMENT PROJECT WOULD OTHERWISE BE ELIGIBLE; AND

6 (II) THE PROPORTIONAL ADMINISTRATIVE COSTS ASSOCIATED
7 WITH PROVIDING THE BENEFITS DESCRIBED UNDER SUBPARAGRAPH (I) OF THIS
8 PARAGRAPH.

9 (3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE
10 NONPROFIT ORGANIZATION OPERATING THE INDIVIDUALIZED
11 CASE-MANAGEMENT PROJECT SHALL COORDINATE THE PROVISION OF FOOD,
12 HOUSING, MEDICAL, AND OTHER BENEFITS TO PARTICIPANTS IN THE
13 DEMONSTRATION PROJECT.

14 (II) THE TOTAL VALUE TO THE PARTICIPANT OF THE BENEFITS
15 THAT THE NONPROFIT ORGANIZATION PROVIDES MAY NOT BE LESS THAN THE
16 VALUE TO THE PARTICIPANT OF THE BENEFITS THAT THE PARTICIPANT WOULD
17 OTHERWISE HAVE RECEIVED FROM STATE AGENCIES.

18 (4) TOTAL COSTS OF THE INDIVIDUALIZED CASE-MANAGEMENT
19 PROJECTS MAY NOT EXCEED THE AMOUNT, IN BENEFIT PAYMENTS AND RELATED
20 ADMINISTRATION, THAT THE STATE WOULD OTHERWISE HAVE INCURRED IN
21 PROVIDING BENEFITS FOR THE PARTICIPANTS IN THE INDIVIDUALIZED
22 CASE-MANAGEMENT PROJECTS.

23 (F) THE SECRETARY SHALL ADOPT REGULATIONS:

24 (1) ESTABLISHING REQUIREMENTS FOR A DEMONSTRATION PROJECT
25 TO PERFORM, FOR PARTICIPANTS IN THE DEMONSTRATION PROJECT:

26 (I) INTAKE EVALUATION;

27 (II) SUPPORT SERVICES;

28 (III) CASE MANAGEMENT; AND

29 (IV) DISCHARGE PLANNING; AND

30 (2) FOR THE ESTABLISHMENT AND MAINTENANCE OF SAVINGS
31 ACCOUNTS FOR DEMONSTRATION PROJECT PARTICIPANTS.

32 (G) THE SECRETARY, IN CONJUNCTION WITH THE SECRETARY OF HOUSING
33 AND COMMUNITY DEVELOPMENT AND THE SECRETARY OF HEALTH AND MENTAL
34 HYGIENE, SHALL ADOPT REGULATIONS PROVIDING, IN ACCORDANCE WITH THIS
35 SECTION, FOR THE TRANSFER TO NONPROFIT ORGANIZATIONS OPERATING
36 INDIVIDUALIZED CASE-MANAGEMENT PROJECTS THE BENEFITS OR THE CASH
37 EQUIVALENT OF FOOD STAMPS, HOUSING, MEDICAL, AND OTHER BENEFITS TO
38 WHICH A PARTICIPANT IN AN INDIVIDUALIZED CASE-MANAGEMENT PROJECT
39 WOULD OTHERWISE BE ELIGIBLE.

15

1 [56.] 54.

2 (a) (1) In this section the following words have the meanings indicated.

3 (2) "Business entity" means a person conducting or operating a trade or
4 business in Maryland.

5 (3) "Qualified child care expenses" means State regulated childcare
6 expenses that are incurred by a business entity to enable a qualified employment
7 opportunity employee of the business to be gainfully employed.

8 (4) (i) "Qualified employment opportunity employee" means an
9 individual who is a resident of Maryland and who [for six months] IMMEDIATELY
10 before the individual's employment with a business entity was a Maryland resident and a
11 recipient of [benefits] CASH ASSISTANCE from the State under the Aid to Families with
12 Dependent Children Program.

13 (ii) "Qualified employment opportunity employee" does not include
14 an individual who is the spouse of, or has any of the relationships specified in § 152 (a) (1)
15 through (8) of the Internal Revenue Code to, a person who controls, directly or indirectly,
16 more than 50% of the ownership of the business entity.

17 (5) "Wages" means wages, within the meaning of § 51(c)(1), (2), and (3) of
18 the Internal Revenue Code without regard to § 51(c)(4) of the Internal Revenue Code,
19 that are paid by a business entity to an employee for services performed in a trade or
20 business of the employer.

21 (b) (1) Except as provided in subsection (e) of this section, a business entity
22 may claim a tax credit in the amounts determined under subsections (c) and (d) of this
23 section for the wages and qualified child care expenses with respect to a qualified
24 employment opportunity employee that are paid in the taxable year for which the
25 business entity claims the credit.

26 (2) The same tax credit cannot be applied more than once against different
27 taxes by the same taxpayer.

28 (c) For each taxable year, for the wages paid to each qualified employment
29 opportunity employee, a credit is allowed in an amount equal to:

30 (1) 30% of up to the first \$6,000 of the wages paid to the qualified
31 employment opportunity employee during the first year of employment;

32 (2) 20% of up to the first \$6,000 of the wages paid to the qualified
33 employment opportunity employee during the second year of employment; and

34 (3) 10% of up to the first \$6,000 of the wages paid to the qualified
35 employment opportunity employee during the third year of employment.

36 (d) For each taxable year, for child care provided or paid for by a business entity
37 for the children of a qualified employment opportunity employee of the business entity, a
38 credit is allowed in an amount equal to:

16

1 (1) Up to \$600 of the qualified child care expenses incurred for each
2 qualified employment opportunity employee during the first year of employment;

3 (2) Up to \$500 of the qualified child care expenses incurred for each
4 qualified employment opportunity employee during the second year of employment; and

5 (3) Up to \$400 of the qualified child care expenses incurred for each
6 qualified employment opportunity employee during the third year of employment.

7 (e) (1) A business entity may not claim the credit under this section for an
8 employee:

9 (i) Who is hired to replace a laid-off employee or to replace an
10 employee who is on strike; or

11 (ii) For whom the business entity simultaneously receives federal or
12 State employment training benefits.

13 (2) A business entity may not claim the credit under this section until it has
14 notified the appropriate government agency that the qualified employment opportunity
15 employee has been hired.

16 (3) A business entity may not claim the credit under this section for an
17 employee whose employment lasts less than one year unless the employee:

18 (i) Voluntarily terminates employment with the employer;

19 (ii) Is unable to continue employment due to death or a disability; or

20 (iii) Is terminated for cause.

21 (4) A business entity may claim a credit reduced by the proportion of a year
22 that an employee did not work if the employment is less than a year because the
23 employee:

24 (i) Voluntarily terminates employment with the employer;

25 (ii) Is unable to continue employment due to death or a disability; or

26 (iii) Is terminated for cause.

27 (f) If the credit allowed under this section in any taxable year exceeds the total
28 tax otherwise payable by the business entity for that taxable year, a business entity may
29 apply the excess as a credit for succeeding taxable years until the earlier of:

30 (1) The full amount of the excess is used; or

31 (2) The expiration of the fifth taxable year after the taxable year in which
32 the wages or qualified child care expenses for which the credit is claimed are paid.

33 (g) If a credit is claimed under this section, the claimant must make the addition
34 required in § 10-205 or § 10-306 of the Tax - General Article.

17

1 (h) The Comptroller in cooperation with the Department of Labor, Licensing,
2 and Regulation and the Department of Human Resources shall administer the credit
3 under this section.

4 [44A.

5 It is hereby declared that the primary purpose of aid given under this subtitle is the
6 strengthening of family life through services and financial aid, whereby families may be
7 assisted to maximum self-support in homes meeting the requirements for child care
8 established by law in this State.]

9 [45.

10 (a) As used in this subtitle: "State Department" means the "State Department of
11 Social Services."

12 (b) The term "local units" means the local departments of social services in the
13 counties and in Baltimore City created or continued under the provisions of § 13 of this
14 article.

15 (b-1) "County" shall be construed to include the City of Baltimore, unless otherwise
16 specified or unless the context clearly indicates otherwise.

17 (c) "Dependent child" means a needy person who: (1) (i) is under the age of
18 eighteen years; or (ii) is under the age of 19 years and is a full-time student enrolled in a
19 program at a secondary school or in the equivalent level of vocational or technical
20 training and who reasonably may be expected to complete the program or training before
21 attaining the age of 19; (2) has been deprived of parental support or care by reason of the
22 death, continued absence from the home, or physical or mental incapacity of a parent;
23 and (3) is living with his father, mother, grandfather, grandmother, brother, sister,
24 stepfather, stepmother, stepbrother, stepsister, uncle, aunt, niece, nephew, or first cousin,
25 and/or any and all other relatives as the laws of the federal government governing federal
26 aid to families with dependent children may from time to time include, in a place of
27 residence maintained by one or more of such relatives as his or their own home. "Person"
28 shall include a person born out of wedlock; for the purpose of clause (2), such person
29 shall be considered the child of both parents although paternity has not been established
30 by legal proceedings or otherwise, or is in fact unknown; for the purposes of clause (3)
31 such person shall be treated as if it were legitimate in determining relationships through
32 its mother, and also through its father, when the paternity of such person is established to
33 the satisfaction of the local unit by such proof as it deems adequate. Support from
34 relatives shall be regarded as a potential resource and evaluated as to amount and
35 availability, as determined by rule and regulation of the State Department.

36 (d) In the event that future federal legislation makes available grants in aid to the
37 states for all needy children, the limitations set forth in this section may be rendered null
38 and void by rule and regulation of the State Department, if it is found desirable to
39 conform thereto.

40 (e) "Assistance" means money payments with respect to a dependent child or
41 children, and payments necessary for services for such children, including the specified
42 relative or relatives with whom the dependent child or children is living.

18

1 (f) No provisions of this section shall be repealed by any other Maryland law
2 unless this section is specifically referred to in such repeal.]

3 [46.

4 The State Department shall:

5 (a) Supervise the administration of assistance to dependent children under this
6 article by local units;

7 (b) Make such rules and regulations and take such action as may be necessary or
8 desirable for carrying out the provisions of this subtitle. All rules and regulations made by
9 the State Department shall be binding upon the counties or Baltimore City, and shall be
10 complied with by the respective local units;

11 (c) Prescribe the form of and print and supply to local units such forms as it may
12 deem necessary and advisable;

13 (d) Cooperate with the federal government in matters of mutual concern
14 pertaining to assistance to dependent children;

15 (e) Make such reports, in such form and containing such information, as the
16 federal government may from time to time require, and comply with such provisions as
17 the federal government may from time to time find necessary to assure the correctness
18 and verification of such reports;

19 (f) Exercise all of the powers and perform the duties defined by this article.]

20 [47.

21 Local units shall have the duties and responsibilities as prescribed in this article,
22 and shall:

23 (1) Administer the provisions of this subtitle in the respective counties and
24 in Baltimore City; and

25 (2) Report to the State Department at such time and in such manner and
26 form as the State Department may from time to time direct.]

27 [48.

28 Assistance shall be given under this subtitle on condition that the applicant for or
29 recipient of the assistance:

30 (1) Resides in this State at the time of application for such assistance;

31 (2) Assigns to the State any right, title, and interest in support from any
32 other person that the applicant or recipient has in his own behalf or in behalf of any other
33 family member for whom he is applying for or receiving assistance, including any right
34 accrued when the assignment is executed;

35 (3) Lives in a family home in which there is no reasonable indication of
36 neglect, as that term is defined in the law applicable to juvenile causes in the county or
37 Baltimore City where the child resides, which meets the standards of care and health
38 fixed by the laws of this State and any rules and regulations adopted pursuant to them,

19

1 and in which, if possible, the child's particular religious faith is fostered and protected
2 except that if an otherwise eligible child is living in a home in which there is indicated
3 neglect or which does not appear to meet the standards of care and health, assistance
4 shall be given or continued as follows:

5 (i) During a period of 90 days in which the local unit is investigating
6 the home, helping the child's parents or custodian to eliminate the indicated neglect or
7 substandard conditions of care and health, or assisting the parent or custodian to make
8 plans for the child;

9 (ii) Pending investigation and determination of neglect by the juvenile
10 court on petition filed by the local unit or others;

11 (iii) When, after determining that neglect exists, the court shall permit
12 the child to remain in the home under supervision of a probation officer or the local unit
13 pending placement elsewhere or while intensive efforts are being made to ameliorate the
14 conditions resulting in the child's neglect; and

15 (iv) During such time as the local unit, after the expiration of the
16 ninety-day period, shall inadvertently fail to file the petition alleging neglect or the court,
17 for any reason, shall fail to dispose of the petition; and

18 (4) Meets the other requirements determined by the Administration.]

19 [48A.

20 If upon investigation it is determined by a local unit that there is reasonable cause
21 to believe that a child for whom assistance is sought or is being paid is neglected, the local
22 unit shall:

23 (1) Fully inform the person having the child in care as to the nature of the
24 apparent neglect and the conditions under which assistance may be given or continued;

25 (2) Afford the person having the child in care a sufficient period, not
26 exceeding ninety days, in which to either eliminate indicated neglect or substandard
27 conditions of health and care, or to make plans for the child; and

28 (3) At the expiration of such period, and in any event no later than ninety
29 days after its commencement, if the child remains in the person's home and the
30 conditions of apparent neglect have not been corrected, file a petition in the appropriate
31 juvenile court alleging neglect; and said petition may be filed notwithstanding the
32 person's withdrawing his application for public assistance.]

33 [49.

34 The amount of assistance which shall be granted for any dependent child shall be
35 determined by the local units with due regard to the available resources and necessary
36 expenditures of the family and the conditions existing in each case and shall be sufficient,
37 when added to all other income and support available to the child, to provide such child
38 with a reasonable subsistence compatible with decency and health.]

20

1 [50.

2 Application for assistance under this subtitle shall be made to the local unit in
3 which the dependent child resides. The application shall be made in the form and manner
4 prescribed by the State Department.]

5 [51.

6 Whenever a local unit receives a notification of the dependency of a child or an
7 application for assistance, a record shall promptly be made of the circumstances
8 establishing the dependency of the child and the facts supporting the application made
9 under this subtitle, and such other information as may be required by the State
10 Department. Each local unit and the State Department and the officers and authorized
11 employees thereof shall have the power to administer oaths and affirmations, conduct
12 examinations, subpoena witnesses, require the attendance of witnesses and the
13 production of books, records and papers, and may make application to the circuit court of
14 the county to compel the attendance of witnesses and the production of such books,
15 records and papers.]

16 [52.

17 The local unit shall decide whether the child is eligible for assistance under the
18 provisions of this subtitle and determine, in accordance with the rules and regulations of
19 the State Department, the amount of such assistance and the date on which such
20 assistance shall begin. It shall make an award which shall be binding upon the county or
21 Baltimore City as the case may be, and be complied with until such an award is modified
22 or vacated. The local unit shall notify the applicant of its decision. Such assistance shall
23 be paid monthly to the applicant upon order of the local unit out of any funds available
24 for said purpose. Should the fund or funds available be insufficient to make payment in
25 accordance with the amount of assistance established to be needed, the State Department
26 shall, by rule and regulation, provide for a uniform method of adjusting individual
27 payments.]

28 [53.

29 If an application is not acted upon by the local unit within a reasonable time after
30 the filing of the application, or is denied in whole or in part, or if any award of assistance
31 is modified or cancelled under any provision of this subtitle, the applicant or recipient
32 may appeal to the State Department in the manner and form prescribed by the State
33 Department. The State Department shall, upon receipt of such an appeal, give the
34 applicant or recipient reasonable notice and opportunity for a fair hearing. The State
35 Department may also, upon its own motion, review any decision of a local unit, and may
36 consider any application upon which a decision has not been made by the local unit within
37 a reasonable time. The State Department may make such additional investigation as it
38 may deem necessary, and shall make such decision as to the granting of assistance and the
39 amount of assistance to be granted as in its opinion is justified and in conformity with the
40 provisions of this subtitle. Applicants or recipients affected by such decisions of the State
41 Department shall, upon request, be given reasonable notice and opportunity for a fair
42 hearing by the State Department.

43 All decisions of the State Department shall be final and shall be binding upon the
44 county or Baltimore City involved and shall be complied with by the local units.]

21

1 [54.

2 All assistance granted under this subtitle shall be reconsidered as frequently as may
3 be required. The amount of assistance may be changed or assistance may be entirely
4 withdrawn if the child's circumstances have altered sufficiently to warrant such action.
5 The local unit may at any time cancel and revoke assistance for cause and it may for cause
6 suspend assistance for such period as it may deem proper.]

7 [54A.

8 (a) (1) In this section the following terms have the meanings indicated.

9 (2) "AFDC" means Aid to Families with Dependent Children.

10 (3) "Benefit" means cash assistance received under the program of Aid to
11 Families with Dependent Children established under Title IV, Part A, of the Social
12 Security Act.

13 (4) "Business" means any for-profit or nonprofit corporation.

14 (5) "Community service" means the performance of work for a political
15 subdivision of the State, a private nonprofit agency or institution, or other activity which
16 benefits the public, as defined by the Secretary.

17 (6) "Community work experience program" means a program established by
18 the Department under the pilot to provide work experience to a recipient who was unable
19 to obtain full-time paid employment through the pilot. This program is designed to
20 improve the employability of the participant.

21 (7) "Department" means the Department of Human Resources.

22 (8) "Grant diversion program" means a program that pays businesses for
23 hiring AFDC recipients.

24 (9) "Pilot" means a welfare reform pilot program.

25 (10) "Recipient" means all individuals in an Aid to Families with Dependent
26 Children case.

27 (11) "Secretary" means Secretary of Human Resources.

28 (b) (1) The Secretary shall create and establish a welfare reform pilot program.

29 (2) The Secretary shall select project areas in Baltimore City and Prince
30 George's and Anne Arundel Counties in which to implement the pilot.

31 (3) Except as otherwise indicated, the provisions of this section shall only
32 apply to the pilot program.

33 (4) The provisions of this section are not intended to create incentives for
34 individuals to seek AFDC benefits instead of employment.

35 (c) (1) A recipient shall participate in the pilot to the extent required by this
36 section and the waiver requirements of the U.S. Department of Health and Human
37 Services and the U.S. Department of Agriculture.

22

1 (2) A recipient shall be subject to the pilot requirement for the life of the
2 project, even if the recipient moves to a nonpilot site in this State.

3 (3) A recipient may not be required to participate in the pilot training and
4 work requirements if the recipient meets the criteria for exemption from required
5 participation in Project Independence, with the following changes:

6 (i) A recipient is not required to participate if the recipient is caring
7 for a child 3 years of age or older;

8 (ii) After selection for participation in the pilot, a recipient will not
9 later be exempt from required participation as a result of caring for any children under
10 the age of 6 years; and

11 (iii) A recipient may not be exempt from required participation
12 because of a medically certified disabling condition that continues for more than 12
13 months unless:

14 1. The recipient applies for supplementary security income; and

15 2. The application is pending or in the appeal stage.

16 (d) (1) (i) Applicants for assistance under or current recipients assigned to
17 the pilot program shall be referred to a case worker for a family assessment.

18 (ii) All applicants or recipients shall be assessed regarding:

19 1. Reasons for applying for or continued reliance on assistance;

20 2. Technical and financial eligibility for AFDC;

21 3. Any medically certified disability that would preclude
22 participation in employment and training activities;

23 4. Suitability for use of the welfare avoidance grant, as specified
24 in subsection (o) of this section;

25 5. Educational level, job skills and readiness, aptitudes, and
26 interests that will determine the appropriate training or employment activity; and

27 6. Any other need for support services necessary for
28 participation in the pilot.

29 (2) As a result of the assessment, the Department and a recipient shall sign
30 an agreement that:

31 (i) Requires the recipient to comply with reasonable requests for
32 cooperation by case management workers in applying for programs or resources that may
33 be available to the recipient;

34 (ii) Requires the Department to provide supportive services, including
35 transportation and child care, necessary for the recipient to meet the recipient's
36 obligations under the pilot; and

23

1 (iii) Specifies the training and employment activities in which the
2 recipient will participate.

3 (3) Under the pilot, in order to establish eligibility for AFDCbenefits, a
4 recipient shall:

5 (i) Cooperate with the local child support enforcement office if the
6 paternity of any of the recipient's children has not been established; and

7 (ii) Participate in job search and life skills activities as defined by
8 Project Independence for 1 week.

9 (4) If assessed as job-ready, a recipient shall continue supervised job search
10 activities for the next 11 weeks following participation in the job search and life skills
11 activities required under paragraph (3)(ii) of this subsection, including life skills training.

12 (5) If a recipient's participation in a training or employment activity is
13 unsatisfactory or if the recipient is assessed as not job-ready, the recipient shall receive
14 more intensive case management services.

15 (6) A recipient may only be required to participate in job search, job
16 training, and other pilot program requirements to the extent that necessary child care
17 resources and transportation are available.

18 (e) (1) A recipient may not receive more than 3 monthly benefit payments,
19 unless:

20 (i) An extension is granted for good cause; or

21 (ii) The recipient fulfills the work requirements provided in this
22 subsection.

23 (2) For purposes of this subsection, good cause exists if:

24 (i) A recipient, with the assistance of the Department, is unable to
25 find necessary and suitable child care;

26 (ii) A recipient has a verified illness which prevents the recipient from
27 participating in the work requirements;

28 (iii) A recipient has complied with all pilot program requirements and
29 has not completed an education or training program;

30 (iv) The recipient is pursuing or agrees to pursue an educational or
31 training program for which the recipient is eligible and otherwise suited, provided that
32 the completion of the program will substantially improve the recipient's prospects of
33 obtaining permanent employment in a full-time, unsubsidized job, and the recipient
34 provides periodic evidence to the Department of satisfactory progress; or

35 (v) A recipient meets any other specific criteria as defined by the
36 Secretary by regulation.

37 (3) Whenever the Department grants an extension, the Department must
38 make an affirmative finding that good cause exists, including a statement specifying the

24

1 statutory or regulatory authority for the extension and the facts upon which the extension
2 is granted.

3 (4) A recipient shall fulfill the work requirements of this subsection in one
4 of the following ways:

5 (i) By working at least 30 hours per week for a business that
6 participates in a grant diversion program;

7 (ii) By participating in a community work experience program, under
8 which the recipient shall perform community service interspersed with job search
9 activities and shall be required to work a minimum of 20 hours per week;

10 (iii) By working part time in an unsubsidized job and participating in a
11 community work experience program for a minimum of 20 hours per week; or

12 (iv) By working full time in an unsubsidized job.

13 (5) A recipient may only be required to participate in the work requirements
14 of this subsection to the extent that necessary child care resources, work placement
15 resources, and transportation are available.

16 (6) Contingent on the receipt of a federal waiver providing for at least 50
17 percent federal matching funds, a recipient who obtains full-time, unsubsidized
18 employment shall, if health insurance is not provided by the employer, receive up to 2
19 years of medical assistance coverage from the date of employment.

20 (7) The amounts paid to a recipient under the grant diversion program shall
21 be considered to be earned income, as defined in § 32 (c)(2) of the Internal Revenue
22 Code, for purposes of the earned income tax credit to the extent allowed by law.

23 (f) (1) The Secretary shall create and establish a grant diversion program as
24 part of the pilot under this section.

25 (2) The Secretary shall solicit participation in the grant diversion program
26 from businesses willing to hire AFDC recipients.

27 (3) The Secretary shall pay businesses for their participation in the grant
28 diversion program from State and federal funds that have been appropriated for AFDC
29 payments and food stamps.

30 (4) Payments to a business for its participation in the grant diversion
31 program are subject to the following conditions:

32 (i) Pursuant to paragraph (5), the recipient shall be placed in a job
33 and work at least 30 hours per week;

34 (ii) The recipient shall be employed for 1 month prior to the first
35 payment;

36 (iii) The business shall be paid once per month for participating in the
37 program;

25

1 (iv) The payments to the business by the State each month shall not
2 exceed the amount of the State and federal share of the recipient's AFDC grant and food
3 stamps for that month; and

4 (v) The business may continue to receive a payment for hiring a
5 recipient for up to 6 months from the date of hire for that recipient.

6 (5) A placement made in accordance with paragraph (4) of this subsection
7 may not replace:

8 (i) A laid off employee;

9 (ii) An employee on strike; or

10 (iii) An employee receiving State or federal training assistance.

11 (g) (1) The Secretary shall establish a schedule of benefit reductions and
12 terminations for noncompliance with the training and work requirements of the pilot. The
13 schedule shall include the benefit reductions and terminations provided for in this
14 subsection.

15 (2) Once an individual is found to be not in compliance, the social services
16 caseworker shall investigate the reasons for the noncompliance and provide assistance.

17 (3) (i) For the first cumulative 6 months of noncompliance, the individual
18 not in compliance shall be removed from the calculation of AFDC benefits until the
19 individual is in compliance.

20 (ii) If after a total of 6 months the individual is still not in compliance,
21 the AFDC case shall be closed and the family shall be ineligible for future AFDC benefits
22 unless the individual:

23 1. Reapplies for AFDC benefits; and

24 2. Complies with the requirements of the pilot for 30 days prior
25 to receiving AFDC benefits.

26 (4) In any case where AFDC benefits are reduced or terminated under this
27 subsection, the family shall retain eligibility for:

28 (i) Medical assistance; and

29 (ii) Food stamps at a benefit level that does not exceed the food stamp
30 benefit based on the total amount of AFDC benefits that the recipient would otherwise
31 have been entitled to as income if a benefit reduction or termination was not imposed
32 under this subsection.

33 (5) In any case where AFDC benefits are resumed under this subsection,
34 the individual or family may not recover any grants that the individual or family would
35 have received if the benefit reduction or termination was not imposed.

36 (6) The Secretary shall establish by regulation exemptions from the benefit
37 reductions or terminations for noncompliance with the training and work related
38 requirements of the pilot.

26

1 (7) After termination of AFDC benefits under this subsection, the recipient
2 may receive transitional assistance.

3 (8) If the case worker determines that transitional assistance is to be
4 provided, the AFDC benefit that would have been paid to the recipient shall be paid
5 instead to a third party on behalf of the recipient for a period of up to 3 months.

6 (9) The third party shall provide transitional assistance to the recipient in
7 one or more of the following forms:

8 (i) Counseling;

9 (ii) Housing;

10 (iii) Child care;

11 (iv) Household supplies and equipment;

12 (v) Direct assistance other than a cash payment; or

13 (vi) Any other assistance as may be necessary to assist the recipient to
14 make the transition from welfare.

15 (10) The third party shall be selected by the case worker in conjunction with
16 the recipient and shall be approved by the Secretary.

17 (11) The third party may be:

18 (i) A religious organization that is exempt from taxation under §
19 501(c)(3) of the U.S. Internal Revenue Code.

20 (ii) A volunteer group; or

21 (iii) A charitable organization that is exempt from taxation under §
22 501(c)(3) of the U.S. Internal Revenue Code.

23 (12) No portion of the funds provided through transitional assistance may be
24 used for the furtherance of sectarian religious instruction.

25 (h) (1) The Department shall, as appropriate, refer the recipient to family
26 planning counseling and services.

27 (2) Family planning counseling and services may not be offered or
28 conducted in a manner that:

29 (i) Will have a coercive effect on the recipient; or

30 (ii) Will violate the recipient's bona fide religious beliefs and practices
31 or confidentiality.

32 (3) The Department and the Department of Health and Mental Hygiene
33 shall provide family planning referrals at the offices of local departments of social
34 services.

35 (i) The Secretary shall revise the schedule of program assistance to allow, once
36 eligibility for a recipient is otherwise established, that the recipient will not lose eligibility

27

1 solely because one or more wage earners in the family unit works more than 100 hours per
2 month.

3 (j) The Secretary shall revise the rules of eligibility to permit two-parent families
4 to be exempt from the requirement that the principal wage earner must have worked for
5 a specified time prior to applying for AFDC.

6 (k) The Secretary shall revise the schedule of program assistance sothat:

7 (1) Countable earned income under the AFDC Program is subtracted from
8 the sum of full State AFDC standard of need specified in the regulations related to the
9 Maryland standards of need for AFDC and AFDC-UP and allowable amounts to be paid
10 based on available funds; and

11 (2) The amount of assistance given under this subtitle is equalto the lesser
12 of:

13 (i) 85% of the deficit between the full AFDC standard of need
14 specified in the regulations referred to in paragraph (1) of this subsection and a
15 recipient's countable income; or

16 (ii) The maximum payment specified in the regulations referred to in
17 paragraph (1) of this subsection made to a family of the same size without any income.

18 (l) (1) The Secretary shall revise the rules of eligibility to permit a child who is
19 living with the child's natural parent and a stepparent in a household in which the
20 household income exceeds the State eligibility standard for assistance to be eligible to
21 receive assistance if:

22 (i) The requirements of § 48 of this subtitle are met;

23 (ii) Based upon the income of the natural parent and that parent's
24 children, the natural parent and the child would be eligible for assistance; and

25 (iii) The total income of the stepparent does not exceed 150 percent of
26 the official poverty level, adjusted for family size, established underthe federal
27 Community Services Block Grant Act.

28 (2) The amount of assistance to be paid under paragraph (1) of this
29 subsection shall be:

30 (i) Computed without regard to the income of the stepparent if the
31 total income of the stepparent does not exceed 100 percent of the official poverty level,
32 adjusted for family size, established under the federal Community Services Block Grant
33 Act; and

34 (ii) Reduced by 50 percent of the State eligibility standard for the
35 assistance unit if the total income of the stepparent is at least 100 percent, but not more
36 than 150 percent, of the official poverty level, adjusted for family size, established under
37 the federal community services block grant.

28

1 (m) The Secretary shall revise the schedule of program assistance to allow
2 ownership of an automobile with a maximum equity value of up to \$5,000 without it
3 counting as an asset for purposes of AFDC and food stamp eligibility.

4 (n) The Secretary shall revise the schedule of program assistance to:

5 (1) Permit recipients and their children to save up to \$5,000;

6 (2) Disregard the earned income of a dependent child who is:

7 (i) A student;

8 (ii) In a job training partnership act program; or

9 (iii) In a job opportunities and basic skills training program; and

10 (3) Permit a dependent child over the age of 17 years, who is a full-time
11 student in secondary school or the equivalent, to be eligible for inclusion in the AFDC
12 grant if the education program is expected to be completed in the calendar year the child
13 turns 20 years of age.

14 (o) The Secretary shall establish a schedule of program assistance for a
15 one-time-only welfare avoidance grant of up to 3 months of AFDC cash benefits for
16 eligible applicants. These grants are intended to meet immediate needs so that a recipient
17 can avoid continued welfare assistance.

18 (p) (1) Except for a control group, the provisions of this subsection shall apply
19 to all AFDC recipients in the State.

20 (2) The Secretary shall revise the rules of eligibility with regard to minor
21 parents to include the following provisions:

22 (i) Except as provided in subparagraph (ii) of this paragraph, a minor
23 parent shall be required to live:

24 1. With a parent, legal guardian, custodian, or other adult
25 relative who will be the protective payee of the minor parent; or

26 2. In an adult supervised group living arrangement that shall
27 provide a protective payee; and

28 (ii) A minor parent may be exempt from the requirements of
29 subparagraph (i) of this paragraph if a social service worker confirms that the minor
30 parent or child's physical safety or emotional health would be in jeopardy.

31 (q) (1) Custodial parents under the age of 20 years shall be required to attend
32 classes on:

33 (i) Family health, unless attendance would violate their bona fide
34 religious beliefs and practices; and

35 (ii) Parenting skills.

29

1 (2) Failure to consistently attend class as provided under paragraph (1) of
2 this subsection shall result in the removal of the custodial parent from the calculation of
3 the AFDC benefit.

4 (r) The Secretary shall revise the rules of eligibility so that noncustodial parents
5 in need of education and job training in order to pay child support obligations shall be
6 served in Project Independence, to the extent resources permit.

7 (s) (1) The Secretary, through Project Independence, shall train interested and
8 appropriate recipients in child care provider skills in order to meet the growing need for
9 child care services in the State.

10 (2) To the extent practicable, the Secretary shall utilize these trained
11 individuals to provide community-based child care services to present and former AFDC
12 recipients.

13 (t) (1) The provisions of this subsection shall apply to all AFDC recipients in
14 the State.

15 (2) The Secretary shall revise the schedule of program assistance by
16 requiring benefits to be paid beginning 14 days after the application date.

17 (u) (1) The provisions of this subsection shall apply to all AFDC recipients in
18 the State.

19 (2) The Secretary shall revise the schedule of program assistance by
20 requiring State-only assistance for pregnant women who have no other children to be
21 paid beginning 14 days after the application date.

22 (v) (1) Except for a control group, the provisions of this subsection shall apply
23 to all AFDC recipients in the State.

24 (2) Except as provided in paragraph (4) of this subsection, the Secretary
25 shall revise the schedule of AFDC benefits to be paid to a recipient under the AFDC
26 program by eliminating the increment in cash benefits under the program for which a
27 recipient would otherwise be eligible as a result of the birth of a dependent child 10 or
28 more months after:

29 (i) The recipient's initial application for AFDC benefits; or

30 (ii) For existing recipients on the effective date of the federal waiver
31 required to implement the provisions of this section, the first redetermination of
32 eligibility for AFDC benefits that occurs after the effective date of the approved federal
33 waiver.

34 (3) AFDC benefit payments may not be made to any other family for that
35 child unless placed in that home by the Social Services Administration.

36 (4) This subsection does not apply if the birth of a dependent child is the
37 result of:

38 (i) Rape; or

39 (ii) Incest.

30

1 (5) (i) Notwithstanding any other provision of law, a single custodial
2 parent who is ineligible for grant assistance under paragraphs (2) and (3) of this
3 subsection shall receive the total value of all child support payments due and collected for
4 that dependent child.

5 (ii) The value of child support payments made under subparagraph (i)
6 of this paragraph may not be counted as income for the purposes of AFDCeligibility and
7 grant determination.

8 (6) (i) The Secretary shall provide for a recipient ineligible for grant
9 assistance under paragraphs (2) or (3) of this subsection a child-specific benefit not to
10 exceed, when combined with any child support payments made under subparagraph (5),
11 the monthly or quarterly value of the increment eliminated by paragraphs (2) and (3) of
12 this subsection for the purchase of goods specified by the Secretary assuitable for the
13 care of a minor.

14 (ii) The Secretary may arrange for the child-specific benefit to be
15 provided through:

16 1. A segregated account on the recipient's electronicbenefit
17 transfer system card, if found to be feasible in accordance with law;

18 2. The transitional assistance program contained in subsection
19 (g) of this section without being required to impose a time limit; or

20 3. A voucher system consistent with federal requirements
21 concerning the family cap.

22 (w) (1) On or before January 1 of each year that the pilot is effective, the
23 Secretary shall submit an evaluation report of the pilot to the Governor and, subject to §
24 2-1312 of the State Government Article, the General Assembly.

25 (2) The evaluation report shall assess the pilot for its effectiveness and
26 success in achieving the following objectives:

27 (i) Protecting the future of all children;

28 (ii) Addressing a recipient's basic needs, not just in addressing a
29 recipient's employability status;

30 (iii) Bringing recipients into the mainstream of the economic, social,
31 and civic life of the community in which they live;

32 (iv) Reducing poverty in the State; and

33 (v) Building economic opportunities for recipients in the community
34 in which they live.

35 (3) The Secretary shall include in the evaluation report the plans of the
36 Secretary for improving the effectiveness and success of the pilot in achieving the
37 objectives listed in paragraph (2) of this subsection.

38 (x) (1) On or before July 1, 1995, the Secretary shall establish an evaluation
39 committee.

31

1 (2) The Evaluation Committee shall assist the Secretary and the General
2 Assembly in monitoring and evaluating the success or failure of the pilot and any welfare
3 reform initiatives implemented in conjunction with or in addition to the pilot.

4 (3) The Evaluation Committee shall consist of:

5 (i) Two members of the Senate of Maryland, appointed by the
6 President of the Senate;

7 (ii) Two members of the House of Delegates, appointed by the
8 Speaker of the House;

9 (iii) Two individuals who are AFDC recipients, appointed by the
10 Governor; and to the extent possible, one of whom shall be a participant in the pilot
11 program;

12 (iv) One individual who is a former AFDC recipient, appointed by the
13 Governor;

14 (v) Two individuals, one of whom is from a pilot county, who are
15 directors of local departments of social services, appointed by the Governor from a list
16 submitted by the Maryland Association of Local Social Service Directors;

17 (vi) One individual who is a representative of the Department,
18 appointed by the Governor; and

19 (vii) Five members of the general public, representative of different
20 geographic areas of the State, appointed by the Governor.

21 (y) The Secretary shall adopt any regulations necessary to carry out the provisions
22 of this section.]

23 [55.

24 Any child qualified for and receiving assistance pursuant to the provisions of this
25 subtitle, in any county of this State, who moves or is taken to another county in this State
26 shall be entitled to receive assistance in the county to which he has moved or been taken,
27 and the local unit of the county from which he has moved shall transfer all necessary
28 records relating to the child to the local unit of the county to which he has moved.]

29 [57.

30 Each local unit shall keep such records and accounts in relation to assistance to
31 dependent children as the State Department shall prescribe. The State Department shall
32 allocate to each local unit such amounts, not in excess of the total amount available for
33 such purpose, and upon such conditions as said State Department may prescribe.]

34 [58.

35 All assistance granted under this subtitle shall be deemed to be granted and to be
36 held subject to the provisions of any amendment or repealing act that may hereafter be
37 passed, and no recipient shall have any claim for compensation, or otherwise, by reason of
38 his assistance being affected in any way by any amendment or repealing act.]

32

1 **Article - State Government**

2 2-10A-04.

3 (A) THERE IS A JOINT COMMITTEE ON WELFARE REFORM.

4 (B) (1) THE COMMITTEE CONSISTS OF 10 MEMBERS.

5 (2) OF THE 10 MEMBERS:

6 (I) FIVE SHALL BE MEMBERS OF THE SENATE APPOINTED BY THE
7 PRESIDENT OF THE SENATE; AND

8 (II) FIVE SHALL BE MEMBERS OF THE HOUSE OF DELEGATES
9 APPOINTED BY THE SPEAKER OF THE HOUSE.

10 (C) THE MEMBERS OF THE COMMITTEE SERVE AT THE PLEASURE OF THE
11 PRESIDING OFFICER WHO APPOINTED THEM.

12 (D) THE PRESIDENT AND THE SPEAKER SHALL JOINTLY APPOINT A SENATOR
13 AND A DELEGATE EACH TO SERVE AS COCHAIRMAN.

14 (E) THE DEPARTMENT OF LEGISLATIVE REFERENCE AND THE DEPARTMENT
15 OF FISCAL SERVICES SHALL PROVIDE STAFF ASSISTANCE TO THE COMMITTEE.

16 (F) THE COMMITTEE SHALL PROVIDE OVERSIGHT AND STUDY, AS
17 NECESSARY, OF ISSUES RELATING TO THE PROVISION OF AFDC AND RELATED
18 BENEFITS AND SERVICES, INCLUDING:

19 (1) THE PROVISION OF FOOD STAMPS AND HOUSING BENEFITS;

20 (2) THE PROVISION OF MEDICAL BENEFITS TO THE AFDC-ELIGIBLE
21 POPULATION;

22 (3) CURRENT WELFARE DEMONSTRATION PROJECTS; AND

23 (4) DEVELOPMENT AND IMPLEMENTATION OF ADDITIONAL WELFARE
24 DEMONSTRATION PROJECTS.

25 (G) THE SECRETARY OF HUMAN RESOURCES, IN CONJUNCTION WITH THE
26 SECRETARY OF HOUSING AND COMMUNITY DEVELOPMENT AND THE SECRETARY
27 OF HEALTH AND MENTAL HYGIENE, SHALL:

28 (1) COOPERATE FULLY WITH THE COMMITTEE;

29 (2) KEEP THE COMMITTEE FULLY INFORMED AS TO THE DELIVERY IN
30 THE STATE OF AFDC AND RELATED SERVICES; AND

31 (3) SUBMIT AN ANNUAL REPORT, SUBJECT TO § 2-1312 OF THIS TITLE, TO
32 THE COMMITTEE ON OR BEFORE OCTOBER 1 OF EACH YEAR THAT INCORPORATES
33 THE INFORMATION DESCRIBED IN SUBSECTION (F) OF THIS SECTION.

34 (H) THE REPORT REQUIRED UNDER SUBSECTION (G)(3) OF THIS SECTION
35 SHALL INCLUDE:

33

1 (1) EVALUATIONS OF ANY DEMONSTRATION PROJECTS CURRENTLY IN
2 OPERATION; AND

3 (2) DESCRIPTIONS OF ANY PLANS OF THE SECRETARY OF HUMAN
4 RESOURCES TO ESTABLISH ADDITIONAL DEMONSTRATION PROJECTS.

5 (I) THE COMMITTEE SHALL SUBMIT AN ANNUAL REPORT TO THE GENERAL
6 ASSEMBLY ON OR BEFORE JANUARY 1 OF EACH YEAR.

7 **Article - Labor and Employment**

8 8-626.1.

9 WITHIN 14 DAYS OF AN EMPLOYEE'S BEGINNING EMPLOYMENT, THE
10 EMPLOYEE'S EMPLOYER SHALL SUBMIT TO THE SECRETARY AND TO THE CHILD
11 SUPPORT ENFORCEMENT ADMINISTRATION:

12 (1) THE NAME, ADDRESS, AND SOCIAL SECURITY NUMBER OF THE
13 EMPLOYEE; AND

14 (2) A COPY OF THE EMPLOYEE'S WITHHOLDING ALLOWANCE
15 CERTIFICATE REQUIRED BY THE INTERNAL REVENUE SERVICE.

16 SECTION 5. AND BE IT FURTHER ENACTED, That 3 years after the effective
17 date of this Act, the Secretary of Human Resources shall seek an outside evaluation of
18 the effectiveness of the demonstration projects operated under the provisions of this Act.
19 Within 60 days after receiving the evaluation, but no later than July 1, 2000, the Secretary
20 shall report to the Joint Committee on Welfare Reform in order to review the evaluation.

21 SECTION 6. AND BE IT FURTHER ENACTED, That for existing recipients of
22 Aid to Families with Dependent Children on the effective date of this Act, the provisions
23 of Article 88A, § 50(d), as enacted by this Act, shall apply to any child born 10 or more
24 months after the first recertification of eligibility for temporary cash assistance benefits
25 that occurs after the effective date of this Act.

26 SECTION 7. AND BE IT FURTHER ENACTED, That Section 3 of this Act may
27 not take effect until the United States establishes lifetime limits on the receipt of benefits
28 under the current Aid to Families with Dependent Children Program. The Secretary of
29 Human Resources shall notify the Department of Legislative Reference when this
30 contingency has been satisfied. If the United States has not, by December 31, 1997,
31 established the lifetime limits, Section 3 of this Act, with no further action required by the
32 General Assembly, shall be null and void and of no force and effect.

33 SECTION 8. AND BE IT FURTHER ENACTED, That, if on the effective date of
34 this Act, amendments to the federal Social Security Act have not been made that repeal
35 federal funding for the Aid to Families with Dependent Children Program and that make
36 federal funds available for a program satisfying the provisions of this Act, the Secretary of
37 Human Resources shall pursue waivers of provisions of the Social Security Act necessary
38 to carry out this Act. If the required waivers have not been approved by the U.S.
39 Department of Health and Human Services and the U.S. Department of Agriculture on
40 or before December 31, 1996, the provisions of this Act that require such waivers may not
41 be implemented.

1 SECTION 9. AND BE IT FURTHER ENACTED, That, subject to the provisions
2 of Section 7 of this Act, this Act shall take effect July 1, 1996.