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**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

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Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: March 26, 1996

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Welfare Innovation Act of 1996**

3 FOR the purpose of creating a Family Investment Program, including a temporary cash  
4 assistance component; repealing provisions relating to the Aid to Families with  
5 Dependent Children program; renaming the Income Maintenance Administration  
6 to be the Family Investment Administration; instructing the publishers of the  
7 Annotated Code of Maryland to make certain corrections to the Code; changing  
8 certain terminology; requiring the Secretary of Human Resources to implement and  
9 supervise a certain program; ~~requiring local departments of social services to~~  
10 ~~coordinate the delivery of certain services and administer a certain program;~~  
11 ~~providing for the allocation of certain funds for certain purposes to local~~  
12 ~~departments of social services;~~ establishing certain eligibility standards for certain  
13 benefits under the program; providing that the program include certain features;  
14 providing for certain cash benefits; providing for certain changes in circumstances;  
15 providing for a transitional assistance program; requiring the Secretary of Human  
16 Resources to establish certain welfare demonstration projects and adopt certain  
17 regulations; establishing a Joint Committee on Welfare Reform; providing for a  
18 certain pilot project to be conducted jointly by the Department of Human  
19 Resources, the Department of Housing and Community Development, and the  
20 Department of Health and Mental Hygiene; clarifying that the suspension of a  
21 driver's license or privilege to drive for failure to pay child support is exempt from  
22 the general limitation that a driver's license or privilege to drive may not be  
23 suspended for more than one year; requiring that an individual be out of compliance  
24 with a certain court order in order to suspend driving privileges; limiting the issues  
25 that may be raised at a certain hearing; requiring certain employers, within a certain  
26 period of time, to submit certain information concerning certain employees to the

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1 Secretary of Labor, Licensing, and Regulation ~~and to the Child Support~~  
2 ~~Enforcement Administration~~; providing that certain provisions of this Act are  
3 subject to certain contingencies; providing that certain reports be made to the  
4 General Assembly; defining certain terms; ~~making this Act subject to a certain~~  
5 ~~contingency~~ providing for certain effective dates; and generally relating to the  
6 administration and funding of a certain program and the establishment of certain  
7 welfare demonstration projects.

8 BY renaming

9 Article 88A - Social Services Administration  
10 to be Article 88A - Department of Human Resources  
11 Annotated Code of Maryland  
12 (1995 Replacement Volume)

13 BY adding to

14 Article 88A - Department of Human Resources  
15 Section 44A through 53 to be under the new subtitle "Family Investment Program"  
16 Annotated Code of Maryland  
17 (1995 Replacement Volume)

18 BY repealing and reenacting, with amendments,

19 Article 88A - Department of Human Resources  
20 Section ~~56~~ 1A, 3, and 56  
21 Annotated Code of Maryland  
22 (1995 Replacement Volume)

23 BY repealing

24 Article 88A - Department of Human Resources  
25 Section 44A through 54, 55, 57, and 58 and the subtitle "Aid to Families with  
26 Dependent Children"; 65A and 65B  
27 Annotated Code of Maryland  
28 (1995 Replacement Volume)

29 BY repealing

30 Article 88A - Department of Human Resources  
31 Section 54A  
32 Annotated Code of Maryland  
33 (1995 Replacement Volume)  
34 (As enacted by Chapter 491 of the Acts of the General Assembly of 1995)

35 BY repealing and reenacting, without amendments,

36 Article - Family Law  
37 Section 10-101(b)  
38 Annotated Code of Maryland  
39 (1991 Replacement Volume and 1995 Supplement)

1 BY repealing and reenacting, with amendments,

2 Article - Family Law

3 Section 4-402, 4-606, 5-203, 12-201, and 14-204

4 Annotated Code of Maryland

5 (1991 Replacement Volume and 1995 Supplement)

6 BY repealing and reenacting, with amendments,

7 Article - Family Law

8 Section 10-119

9 Annotated Code of Maryland

10 (1991 Replacement Volume and 1995 Supplement)

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

12 BY repealing and reenacting, with amendments,

13 Article - Labor and Employment

14 Section 11-509

15 Annotated Code of Maryland

16 (1991 Volume and 1995 Supplement)

17 BY adding to

18 Article - Labor and Employment

19 Section 8-626.1

20 Annotated Code of Maryland

21 (1991 Volume and 1995 Supplement)

22 BY adding to

23 Article - State Government

24 Section 2-10A-04

25 Annotated Code of Maryland

26 (1995 Replacement Volume)

27 BY repealing and reenacting, without amendments,

28 Article - Transportation

29 Section 11-102

30 Annotated Code of Maryland

31 (1992 Replacement Volume and 1995 Supplement)

32 BY repealing and reenacting, with amendments,

33 Article - Transportation

34 Section 16-203

35 Annotated Code of Maryland

36 (1992 Replacement Volume and 1995 Supplement)

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

1 BY repealing and reenacting, with amendments,  
2 Article - Transportation  
3 Section 16-208(a)  
4 Annotated Code of Maryland  
5 (1992 Replacement Volume and 1995 Supplement)

6 Preamble

7 WHEREAS, The State of Maryland recognizes that for too many families, welfare  
8 has become what it never was intended to be: a permanent way of life, and this system of  
9 continuous income maintenance not only destroys all incentive for an individual to  
10 become self-sufficient but often leads to intergenerational dependency;and

11 WHEREAS, The State's welfare system does not reward work or any effort to seek  
12 and secure a job, and the total package of welfare benefits can be better than the package  
13 of benefits the working poor can obtain, creating an incentive to stay on welfare; and

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

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

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

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

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

28 WHEREAS, Volunteer, religious, and charitable organizations have historically  
29 provided aid to the needy, and these organizations represent a criticalmeans of  
30 leveraging the reduced funding available for welfare programs; and

31 WHEREAS, Cooperative living arrangements can concentrate and maximize  
32 resources as well as assist welfare recipients in developing living andother skills necessary  
33 for gaining an independent and productive role in society; and

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

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

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

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

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

8 **Article 88A - Department of Human Resources**

9 1A.

10 (a) The [Income Maintenance] FAMILY INVESTMENT Administration is  
11 established within the Department of Human Resources. [The income maintenance  
12 functions provided in the laws of this State for the Social Services Administration are  
13 transferred to the Income Maintenance Administration. The term "income maintenance  
14 functions" includes all] ALL OF the powers, duties, and responsibilities provided for the  
15 Social Services Administration in the following programs ARE TRANSFERRED TO THE  
16 FAMILY INVESTMENT ADMINISTRATION: [aid to families with dependent children and  
17 other] THE FAMILY INVESTMENT PROGRAM AND related cash benefit programs;  
18 [general public assistance; general public assistance to employables;] public assistance to  
19 adults; emergency assistance; food stamps; and medical assistance eligibility  
20 determinations. References to the "Social Services Administration", "State  
21 Department", or "State Administration" in the laws of this State that concern [income  
22 maintenance functions] THESE PROGRAMS are deemed to mean the [Income  
23 Maintenance]FAMILY INVESTMENT Administration.

24 (b) The Secretary of Human Resources shall appoint [a State] AN EXECUTIVE  
25 Director of [Income Maintenance] FAMILY INVESTMENT with the approval of the  
26 Governor. The EXECUTIVE Director shall be the head of the [Income Maintenance]  
27 FAMILY INVESTMENT Administration and shall hold office at the pleasure of the  
28 Secretary of Human Resources. All powers, duties, and responsibilities that pertain to  
29 [income maintenance programs and income maintenance personnel] PROGRAMS  
30 TRANSFERRED TO THE FAMILY INVESTMENT ADMINISTRATION AND THE  
31 PERSONNEL WHO ADMINISTER THEM WHICH ARE provided in the laws of this State for  
32 the State Director of Social Services are transferred to the [State] EXECUTIVE Director  
33 of [Income Maintenance] FAMILY INVESTMENT.

34 (c) The exercise of all authority, duties, and functions vested in the [Income  
35 Maintenance] FAMILY INVESTMENT Administration or the [State] EXECUTIVE  
36 Director of [Income Maintenance] FAMILY INVESTMENT under this article or any other  
37 law of this State shall be subject to the authority of the Secretary of Human Resources as  
38 set forth in Article 41 of this Code or elsewhere in the laws of this State.

39 3.

40 (a) (1) The State [Administration] DEPARTMENT shall be the central  
41 coordinating and directing agency of all social service and public assistance activities in  
42 this State, including [aid to families with dependent children,] THE FAMILY  
43 INVESTMENT PROGRAM, [general public assistance,] public assistance to adults, child

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1 welfare services, food stamps, and any other social service and public assistance activities  
 2 financed in whole or in part by the State [Administration] DEPARTMENT. For the  
 3 purposes of these powers, child welfare services being provided to persons under the age  
 4 of 18 may continue after their eighteenth birthday but not beyond their twenty-first  
 5 birthday.

6 (2) All of the activities of the local departments in the counties and in  
 7 Baltimore City, which the State [Administration] DEPARTMENT finances, in whole or in  
 8 part, shall be subject to the supervision, direction and control of the State  
 9 [Administration] DEPARTMENT.

10 (b) The State [Administration] DEPARTMENT may develop and implement an  
 11 automated statewide [income maintenance] system and related administrative  
 12 procedures to achieve effectively and efficiently the purposes of this title. In the  
 13 implementation of the system, the State [Administration] DEPARTMENT may assume  
 14 [income maintenance] functions that this article otherwise assigns to local units only to  
 15 the extent necessary for efficient implementation of the system. Such changes in  
 16 assignments and performance of functions will be effected by executive order,  
 17 promulgated by the Governor in accordance with Title 3, Subtitle 4 of the State  
 18 Government Article.

19 (c) The State Social Services Administration shall exercise supervision, as  
 20 hereinafter set forth, over all public and private institutions having the care, custody or  
 21 control of dependent, abandoned or neglected children, except those institutions under  
 22 the authority of the Department of Juvenile Justice and those agencies, persons, or  
 23 institutions designated by the Department of Juvenile Justice as provided for in § 2-114  
 24 of Article 83C.

25 (d) To enable the State Department to discharge properly the duties imposed  
 26 upon it, the State Department may of its own motion, or by the direction of the Governor  
 27 shall, cause charges to be formulated against any corporation, association, institution or  
 28 agency engaged in charitable or social services or welfare activities, except State-aided  
 29 hospitals, receiving financial assistance from the State or with which the State has  
 30 contracts, and cause a copy of such charges to be served on such corporation, association,  
 31 institution or agency. The State Department shall have power to issue summonses for  
 32 witnesses and documents, which summonses shall be duly served, as are other similar  
 33 writs, by any sheriff to whom the same shall be directed, and to administer oaths, and take  
 34 testimony which it shall cause to be transcribed and included in its report. The Governor,  
 35 with the approval of the Board of Public Works, is hereby authorized and empowered to  
 36 withhold, in whole or in part, further payments to any such institution or agency out of  
 37 current or future appropriations, upon recommendation of the State Department if in its  
 38 judgment the facts warrant, and by budget amendment to transfer any part of such  
 39 appropriation so withdrawn to any other institution or agency of a like nature, upon  
 40 recommendation of the State Department.

41 (e) The State Department shall have further power to visit any State-aided  
 42 institution, organization, or agency engaged in social service or welfare activities, and  
 43 thoroughly to inspect the management, buildings and equipment thereof; but such visits  
 44 and inspections shall be made at reasonably convenient hours and with reasonable regard

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1 to the established discipline, regulations and customs of the said institution, organization  
2 or agency.

3 (f) The State [Administration] DEPARTMENT may designate existing agencies  
4 or organizations within the State as its agents as may in its discretion be desirable or  
5 necessary for the purpose of this article.

6 (g) Prior to the convening of each regular session of the General Assembly, the  
7 State [Administration] DEPARTMENT shall furnish to the [Secretary of Employment  
8 and Social Services and to the] Governor a report of its activities.

9 FAMILY INVESTMENT PROGRAM

10 44A.

11 (A) IN THIS SUBTITLE THE FOLLOWING TERMS HAVE THE MEANINGS  
12 INDICATED.

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

14 ~~(B)~~ (B) "COOPERATIVE LIVING PROJECT" MEANS A WELFARE  
15 DEMONSTRATION PROJECT PROVIDING A SHARED LIVING ARRANGEMENT AS AN  
16 ALTERNATIVE TO CASH ASSISTANCE.

17 ~~(C)~~ (C) "DEPARTMENT" MEANS THE DEPARTMENT OF HUMAN RESOURCES.

18 (D) "FIP" MEANS FAMILY INVESTMENT PROGRAM.

19 (E) "GRANT DIVERSION" MEANS THE PAYMENT OF BUSINESSES FOR HIRING  
20 RECIPIENTS.

21 (F) "INDIVIDUALIZED CASE-MANAGEMENT PROJECT" MEANS A WELFARE  
22 DEMONSTRATION PROJECT PROVIDING COORDINATION AND INTENSIVE CASE  
23 MANAGEMENT OF ~~AFDC~~ FIP AND RELATED BENEFITS AND SERVICES.

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

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

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

31 (1) JOB SEARCH ACTIVITY;

32 (2) SUBSIDIZED EMPLOYMENT IN EITHER THE PUBLIC OR PRIVATE  
33 SECTOR;

34 (3) GRANT DIVERSION;

35 (4) WORK EXPERIENCE;

36 (5) ON-THE-JOB TRAINING;

8

1 (6) COMMUNITY SERVICE; ~~AND~~

2 (7) TRAINING DIRECTLY RELATED TO EMPLOYMENT; AND

3 (8) EDUCATION DIRECTLY RELATED TO EMPLOYMENT.

4 (J) "RECIPIENT" MEANS ALL INDIVIDUALS IN AN ~~AFDC~~ FIP CASE.

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

6 (L) "TEMPORARY CASH ASSISTANCE" MEANS THE CASH ASSISTANCE  
7 COMPONENT OF THE ~~AFDC~~ FIP PROGRAM FUNDED IN WHOLE OR IN PART THROUGH  
8 TITLE IV, PART A, OF THE SOCIAL SECURITY ACT.

9 (M) "TRANSITIONAL ASSISTANCE" MEANS ASSISTANCE PROVIDED TO AN  
10 ~~AFDC~~ FIP RECIPIENT WHOSE TEMPORARY CASH ASSISTANCE HAS BEEN  
11 TERMINATED FOR NONCOMPLIANCE WITH ~~AFDC~~ FIP PROGRAM REQUIREMENTS.

12 45.

13 THE PRIMARY PURPOSE OF THIS SUBTITLE IS TO SUPPORT FAMILY EFFORTS TO  
14 ACHIEVE AND MAINTAIN SELF-SUFFICIENCY THROUGH ~~A PROGRAM OF~~  
15 ASSISTANCE SERVICES AND FINANCIAL AID GEARED TO INDIVIDUAL FAMILY  
16 NEEDS.

17 46.

18 THE SECRETARY SHALL:

19 (1) ESTABLISH AND IMPLEMENT AN ~~AFDC~~ FIP PROGRAM THAT MEETS  
20 THE REQUIREMENTS OF THIS SUBTITLE AND OF FEDERAL LAW;

21 (2) SUPERVISE THE ADMINISTRATION OF THE ~~AFDC~~ FIP PROGRAM  
22 UNDER THIS SUBTITLE BY LOCAL DEPARTMENTS;

23 (3) COOPERATE WITH THE FEDERAL GOVERNMENT IN MATTERS OF  
24 MUTUAL CONCERN PERTAINING TO FEDERAL FUNDING FOR THE ~~AFDC~~ FIP  
25 PROGRAM; AND

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

28 47.

29 ~~(A) IN PROVIDING ASSISTANCE UNDER THIS SUBTITLE, A LOCAL~~  
30 ~~DEPARTMENT SHALL, IN ACCORDANCE WITH THE REGULATIONS ADOPTED BY THE~~  
31 ~~SECRETARY:~~

32 ~~(1) ESTABLISH PLANS FOR WORK ACTIVITIES AND SUPPORTIVE~~  
33 ~~SERVICES, INCLUDING CHILD CARE;~~

34 ~~(2) COORDINATE THE DELIVERY OF SERVICES TO RECIPIENTS;~~

35 ~~(3) DETERMINE PROGRAM ELIGIBILITY AND NOTIFY APPLICANTS AND~~  
36 ~~RECIPIENTS OF ELIGIBILITY DECISIONS;~~



1                   ~~(4) SOLICIT PARTICIPATION OF PRIVATE ORGANIZATIONS, NONPROFIT~~  
2 ~~ORGANIZATIONS, CHARITABLE ORGANIZATIONS, RELIGIOUS ORGANIZATIONS, AND~~  
3 ~~INSTITUTIONS OF POSTSECONDARY EDUCATION;~~

4                   ~~(5) TRAIN INTERESTED AND CAPABLE RECIPIENTS TO WORK AS CHILD~~  
5 ~~CARE PROVIDERS;~~

6                   ~~(6) ADMINISTER THE PROVISIONS OF THIS SUBTITLE;~~

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

9                   ~~(8) MAINTAIN RECORDS AND REPORT TO THE DEPARTMENT AS THE~~  
10 ~~DEPARTMENT DIRECTS.~~

11                  ~~(B)-(1) (A)~~ IN PROVIDING ASSISTANCE UNDER THIS SUBTITLE, THE LOCAL  
12 DEPARTMENT MAY CONTRACT WITH CHARITABLE ORGANIZATIONS, PRIVATE  
13 ORGANIZATIONS, RELIGIOUS ORGANIZATIONS, AND INSTITUTIONS OF  
14 POSTSECONDARY EDUCATION.

15                  ~~(2)-(1) (B)~~ EXCEPT AS PROVIDED IN ~~SUBPARAGRAPH (H) OF THIS~~  
16 ~~PARAGRAPH SUBSECTION (C) OF THIS SECTION~~, A RELIGIOUS ORGANIZATION MAY  
17 PARTICIPATE IN THE FAMILY INVESTMENT PROGRAM ON THE SAME BASIS AS ANY  
18 OTHER NONGOVERNMENTAL ENTITY.

19                  ~~(H) (C)~~ AN INDIVIDUAL MAY NOT BE REQUIRED TO ACCEPT  
20 ASSISTANCE FROM A RELIGIOUS ORGANIZATION IF ACCEPTANCE WOULD VIOLATE  
21 THE INDIVIDUAL'S BONA FIDE RELIGIOUS BELIEFS AND PRACTICES.

22                  ~~(C)-(1) EACH YEAR THE DEPARTMENT SHALL ALLOCATE TO EACH LOCAL~~  
23 ~~DEPARTMENT FUNDS THAT THE LOCAL DEPARTMENT SHALL USE TO DEVELOP A~~  
24 ~~PROGRAM TO MEET THE UNIQUE CIRCUMSTANCES AND NEEDS OF THE LOCAL~~  
25 ~~JURISDICTION.~~

26                  ~~(2) FUNDS ALLOCATED PURSUANT TO THIS SUBSECTION SHALL BE~~  
27 ~~USED FOR:~~

28                   ~~(I) CHILD CARE;~~

29                   ~~(II) WORK ACTIVITIES;~~

30                   ~~(III) WELFARE AVOIDANCE;~~

31                   ~~(IV) EMERGENCY FUNDS;~~

32                   ~~(V) ADMINISTRATION; AND~~

33                   ~~(VI) OTHER SERVICES THAT THE SECRETARY DEEMS APPROPRIATE~~  
34 ~~FOR THE PROGRAM.~~

35                  ~~(3) THE SECRETARY SHALL ADOPT REGULATIONS FOR THE~~  
36 ~~ALLOCATION OF FUNDS UNDER THIS SUBSECTION TO EACH LOCAL DEPARTMENT~~  
37 ~~JURISDICTION PURSUANT TO A FORMULA THAT:~~  
SUBSECTION (C) OF THIS SECTION, A RELIGIOUS ORGANIZATION MAY  
17 PARTICIPAT

10

1 ~~(I) IS BASED UPON RELEVANT FACTORS SUCH AS THE NUMBER OF~~  
2 ~~CASH ASSISTANCE CASES IN THE JURISDICTION AND THE NUMBER OF CHILDREN IN~~  
3 ~~POVERTY IN THE JURISDICTION; AND~~

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

7 48.

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

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

12 (2) A PREGNANT INDIVIDUAL.

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

15 (1) RESIDES IN THIS STATE AT THE TIME OF APPLICATION FOR THE  
16 ASSISTANCE;

17 (2) (I) HAS APPLIED FOR CHILD SUPPORT SERVICES WITH THE  
18 APPROPRIATE LOCAL CHILD SUPPORT ENFORCEMENT OFFICE AT THE TIME OF  
19 APPLICATION FOR THE ASSISTANCE; AND

20 (II) COMPLIES WITH THE REQUIREMENTS OF THE LOCAL CHILD  
21 SUPPORT ENFORCEMENT OFFICE;

22 (3) UNLESS EXEMPT UNDER CRITERIA WHICH SHALL BE ESTABLISHED  
23 BY THE SECRETARY, PARTICIPATES IN WORK ACTIVITIES REQUIRED UNDER THIS  
24 SUBTITLE; AND

25 (4) MEETS ALL OTHER ~~AFDC~~ FIP PROGRAM REQUIREMENTS THAT THE  
26 SECRETARY ESTABLISHES BY REGULATION.

27 49.

28 (A) EXCEPT FOR AN APPLICANT OR RECIPIENT WHO IS A SINGLE CHILD, THE  
29 ~~AFDC~~ FIP PROGRAM SHALL INCLUDE:

30 (1) AN ASSESSMENT OF ALL APPLICANTS OR RECIPIENTS THAT SHALL  
31 CONSIDER:

32 (I) THE REASONS FOR APPLYING FOR OR CONTINUED RELIANCE  
33 ON ASSISTANCE;

34 (II) THE EDUCATIONAL LEVEL, JOB SKILLS AND READINESS, AND  
35 INTERESTS TO EVALUATE APPROPRIATE ~~PROGRAM~~ WORK ACTIVITIES; AND

36 (III) PERSONAL AND FAMILY RESOURCES AVAILABLE TO  
37 FACILITATE INDEPENDENCE;

11

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

5 (2) FOR AN APPLICANT OR RECIPIENT, WELFARE AVOIDANCE GRANTS  
6 THAT:

7 (I) MEET IMMEDIATE NEEDS SO THAT AN APPLICANT OR  
8 RECIPIENT CAN AVOID WELFARE ASSISTANCE;

9 (II) MAY BE GRANTED AS DEEMED APPROPRIATE BY THE  
10 DEPARTMENT;

11 (III) MAY NOT COVER THE SAME TYPE OF IMMEDIATE NEED MET  
12 BY ANY PREVIOUS WELFARE AVOIDANCE GRANT UNLESS THE DEPARTMENT HAS  
13 DETERMINED THAT THE CURRENT IMMEDIATE NEED REPRESENTS A NEW AND  
14 VERIFIED EMERGENCY; AND

15 (IV) MAY NOT DUPLICATE PERIODS OF TEMPORARY CASH  
16 ASSISTANCE.

17 (3) FOR A RECIPIENT, AN AGREEMENT BETWEEN THE DEPARTMENT  
18 AND THE RECIPIENT THAT:

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

21 (II) REQUIRES THE RECIPIENT TO COMPLY WITH REASONABLE  
22 REQUESTS FOR COOPERATION BY CASE MANAGEMENT WORKERS IN SEEKING AND  
23 USING PROGRAMS AND COMMUNITY AND FAMILY RESOURCES THAT MAY BE  
24 AVAILABLE TO THE RECIPIENT;

25 (III) SPECIFIES THE ~~PROGRAM~~ WORK ACTIVITIES IN WHICH THE  
26 RECIPIENT WILL PARTICIPATE; AND

27 (IV) SPECIFIES THE SUPPORTIVE SERVICES THAT THE LOCAL  
28 DEPARTMENT WILL ASSIST IN PROVIDING AND THAT ARE NECESSARY FOR THE  
29 RECIPIENT TO MEET THE RECIPIENT'S OBLIGATIONS UNDER THE PROGRAM; ~~AND~~

30 (4) FOR A RECIPIENT:

31 (I) ~~PROGRAM~~ SUPPORTIVE SERVICES ACTIVITIES, TO THE EXTENT  
32 RESOURCES PERMIT;

33 (II) REFERRAL, AS APPROPRIATE, TO FAMILY PLANNING  
34 COUNSELING AND SERVICES; AND

35 (III) AS A LAST RESORT, TEMPORARY CASH ASSISTANCE; AND

36 (5) FOR AN APPLICANT, A CHILD CARE VOUCHER;

37 (I) IF THE APPLICANT IS REQUIRED TO PARTICIPATE IN JOB  
38 SEARCH ACTIVITY AS A CONDITION OF ELIGIBILITY; OR

12

1 (II) IF THE PROVISION OF CHILD CARE WILL ELIMINATE THE NEED  
2 FOR THE APPLICANT TO RECEIVE ANY CASH ASSISTANCE UNDER THIS PROGRAM.~~Y-~~

~~3 (B) FOR AN APPLICANT OR RECIPIENT WHO IS A SINGLE CHILD, THE AFDC FIP~~  
4 PROGRAM SHALL INCLUDE:

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

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

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

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

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

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

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

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

~~29 (III) THE TOTAL INCOME OF THE STEPPARENT DOES NOT EXCEED~~  
30 ~~150% OF THE OFFICIAL POVERTY LEVEL, ADJUSTED FOR FAMILY SIZE, ESTABLISHED~~  
31 ~~UNDER THE FEDERAL COMMUNITY SERVICES BLOCK GRANT ACT.~~

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

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

38 ~~(II) REDUCED BY 50% OF THE STATE ELIGIBILITY STANDARD FOR~~  
39 ~~THE ASSISTANCE UNIT IF THE TOTAL INCOME OF THE STEPPARENT IS AT LEAST~~  
40 ~~100%, BUT NOT MORE THAN 150%, OF THE OFFICIAL POVERTY LEVEL, ADJUSTED FOR~~

13

1 ~~FAMILY SIZE, ESTABLISHED UNDER THE FEDERAL COMMUNITY SERVICES BLOCK~~  
2 ~~GRANT ACT.~~

3 (II) COMPUTED WITH REGARD TO THE INCOME OF THE  
4 STEPARENT IF THE TOTAL INCOME OF THE STEPPARENT EQUALS OR EXCEEDS  
5 100% OF THE OFFICIAL POVERTY LEVEL, ADJUSTED FOR FAMILY SIZE, ESTABLISHED  
6 UNDER THE FEDERAL COMMUNITY SERVICES BLOCK GRANT ACT.

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

11 ~~(H)~~ (G) THE SECRETARY SHALL REVISE THE SCHEDULE OF PROGRAM  
12 ASSISTANCE TO:

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

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

15 ~~(I) A STUDENT;~~

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

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

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

24 50.

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

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

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

32 (2) EXCEPT FOR CHILD SUPPORT ACCRUED ON BEHALF OF THE CHILD  
33 FOR WHOM A CHILD-SPECIFIC BENEFIT IS PAID PURSUANT TO SUBSECTION (D)(5) OF  
34 THIS SECTION, THE APPLICANT OR RECIPIENT ASSIGNS TO THE STATE ALL RIGHT,  
35 TITLE, AND INTEREST IN SUPPORT FROM ANY OTHER PERSON THAT THE APPLICANT  
36 OR RECIPIENT HAS ON BEHALF OF ANY INTENDED OR POTENTIAL RECIPIENT FOR  
37 WHOM THE APPLICANT OR RECIPIENT IS APPLYING FOR OR RECEIVING ASSISTANCE,  
38 INCLUDING ANY RIGHT ACCRUED WHEN THE ASSIGNMENT IS EXECUTED;

14

1 (3) THE APPLICANT OR RECIPIENT IS A MINOR PARENT; AND THE  
2 MINOR PARENT LIVES:

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

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

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

10 (4) IN THE CASE OF AN APPLICANT OR RECIPIENT WHO IS AN  
11 IMMIGRANT, FOR A PERIOD OF 5 YEARS FROM THE DATE OF THE IMMIGRANT'S  
12 ENTRY INTO THE UNITED STATES OR ANY OTHER PERIOD OF TIME WHICH FEDERAL  
13 LAW MAY REQUIRE, THE APPLICANT OR RECIPIENT IS A LEGAL IMMIGRANT, ~~THE~~  
14 ~~LEGAL IMMIGRANT'S~~ WHOSE INCOME AND RESOURCES SHALL BE DEEMED TO  
15 INCLUDE THE INCOME AND RESOURCES OF ANY SPONSOR WHO EXECUTED AN  
16 AFFIDAVIT OF SUPPORT PURSUANT TO § 213A OF THE IMMIGRATION AND  
17 NATURALIZATION ACT IN BEHALF OF THE LEGAL IMMIGRANT.

18 (C) ALL RECIPIENTS MEETING THE REQUIREMENTS OF THE PROGRAM SHALL  
19 BE ENTITLED TO CASH ASSISTANCE BENEFITS.

20 ~~(D)~~ (D) A LOCAL DEPARTMENT SHALL PAY TEMPORARY CASH ASSISTANCE  
21 BEGINNING 14 DAYS AFTER THE APPLICATION OF A QUALIFIED RECIPIENT.

22 ~~(E)~~ (E) (1) THIS SUBSECTION DOES NOT APPLY TO A BIRTH RESULTING  
23 FROM RAPE OR INCEST.

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

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

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

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



16

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

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

4 (4) SUBJECT TO THE APPROVAL OF THE SECRETARY, THE  
5 CASEWORKER, IN CONJUNCTION WITH THE RECIPIENT, SHALL SELECT THE  
6 NONPROFIT ORGANIZATION DESCRIBED UNDER PARAGRAPH (2) OF THIS  
7 SUBSECTION.

8 (5) NO PORTION OF THE FUNDS PROVIDED THROUGH TRANSITIONAL  
9 ASSISTANCE MAY BE USED FOR THE FURTHERANCE OF SECTARIAN RELIGIOUS  
10 INSTRUCTION.

11 (H) EXCEPT AS LIMITED BY FEDERAL REQUIREMENTS, TEMPORARY CASH  
12 ASSISTANCE SHALL BE DETERMINED WITH DUE REGARD TO THE AVAILABLE  
13 RESOURCES AND NECESSARY EXPENDITURES OF THE FAMILY AND THE  
14 CONDITIONS EXISTING IN EACH CASE AND SHALL BE SUFFICIENT, WHEN ADDED TO  
15 ALL OTHER INCOME AND SUPPORT AVAILABLE TO THE CHILD, TO PROVIDE THE  
16 CHILD WITH A REASONABLE SUBSISTENCE COMPATIBLE WITH DECENCY AND  
17 HEALTH.

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

20 **Article 88A - Department of Human Resources**

21 51.

22 (A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION AND IN  
23 REGULATIONS ADOPTED BY THE SECRETARY, A LOCAL DEPARTMENT MAY NOT PAY  
24 TEMPORARY CASH ASSISTANCE TO:

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

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

28 (I) HAS RECEIVED MORE THAN 24 MONTHS OF TEMPORARY CASH  
29 ASSISTANCE; AND

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

31 (B) THE SECRETARY SHALL ESTABLISH A REPRESENTATIVE PAYEE OR A  
32 VOUCHER PROGRAM OF BENEFITS FOR THE MINOR CHILDREN IN A FAMILY THAT  
33 INCLUDES AN ADULT WHO HAS RECEIVED MORE THAN 60 MONTHS OF TEMPORARY  
34 CASH ASSISTANCE.

35 (C) THE PROVISIONS OF THIS SECTION ARE SUBJECT TO FEDERAL LAW AND  
36 REGULATION.

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



17

1 **Article 88A - Department of Human Resources**

2 52.

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

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

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

9 (2) THE RECIPIENT HAS FAILED TO COMPLY WITH PROGRAM  
10 REQUIREMENTS.

11 (C) IF THE SECRETARY DETERMINES THAT THE FUNDS AVAILABLE FOR THE  
12 ~~AFDC FIP~~ PROGRAM ARE INSUFFICIENT TO MAKE PAYMENTS IN ACCORDANCE WITH  
13 THE AMOUNT OF ASSISTANCE OTHERWISE ESTABLISHED BY LAW, THE SECRETARY  
14 SHALL:

15 (1) PROVIDE FOR A UNIFORM METHOD OF ADJUSTING INDIVIDUAL  
16 PAYMENTS;

17 (2) NOTIFY THE JOINT COMMITTEE ON WELFARE REFORM; AND

18 (3) SUBMIT EMERGENCY REGULATIONS, AS PROVIDED IN TITLE 10,  
19 SUBTITLE 1 OF THE STATE GOVERNMENT ARTICLE, TO IMPLEMENT THE  
20 ADJUSTMENT.

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

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

26 53.

27 (A) (1) THE SECRETARY SHALL ESTABLISH DEMONSTRATION PROJECTS  
28 THROUGH GRANTS TO NONPROFIT ORGANIZATIONS WHICH SHALL JOINTLY  
29 DEVELOP PROPOSALS FOR THESE DEMONSTRATION PROJECTS WITH LOCAL  
30 DEPARTMENTS OF SOCIAL SERVICES.

31 (2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE  
32 SECRETARY SHALL ALLOCATE TO DEMONSTRATION PROJECTS UNDER THIS  
33 SECTION AT LEAST ~~5% OF THE STATE'S AFDC BUDGET~~ 10% OF THE TOTAL SAVINGS  
34 THAT, AS OF JULY 1, THE FAMILY INVESTMENT PROGRAM ANTICIPATES ACHIEVING  
35 DURING THE CURRENT FISCAL YEAR THROUGH CASELOAD REDUCTIONS OR OTHER  
36 REDUCTIONS IN THE TOTAL AMOUNT OF CASH ASSISTANCE BENEFITS PAID TO  
37 FAMILIES COMPARED TO THE TOTAL AMOUNT OF CASH ASSISTANCE BENEFITS  
38 BUDGETED.

18

1 (II) NOT MORE THAN ~~8%~~ 50% OF THE FUNDING ALLOCATED FOR  
2 DEMONSTRATION PROJECTS UNDER THIS SECTION SHALL BE ALLOCATED TO A  
3 SINGLE DEMONSTRATION PROJECT.

4 (III) THE FUNDS ALLOCATED FOR DEMONSTRATION PROJECTS  
5 UNDER THIS SECTION ARE INCENTIVE FUNDS OVER AND ABOVE ANY TRANSFER OF  
6 PROGRAM BENEFITS TO A THIRD PARTY.

7 (3) ~~(4)~~ AT LEAST FIVE ONE OF THE DEMONSTRATION PROJECTS  
8 UNDER THIS SECTION SHALL BE LOCATED IN COUNTIES OTHER THAN THE TWO  
9 COUNTIES WITH THE LARGEST NUMBERS OF ~~AFDC~~ FIP RECIPIENTS.

10 ~~(4)~~ (1) AT LEAST ~~THREE~~ ONE OF THE DEMONSTRATION  
11 PROJECTS SHALL BE LOCATED AT OR NEAR AN ELEMENTARY OR SECONDARY  
12 SCHOOL AND SHALL INCLUDE SCHOOL-BASED RESOURCES IN THE SERVICES  
13 PROVIDED TO DEMONSTRATION PROJECT PARTICIPANTS.

14 (II) DEMONSTRATION PROJECTS LOCATED AT OR NEAR AN  
15 ELEMENTARY OR SECONDARY SCHOOL SHALL, TO THE EXTENT FEASIBLE,  
16 INCORPORATE A PARENTING EDUCATION COMPONENT WHICH ENCOURAGES  
17 PARENT INVOLVEMENT IN THE DEVELOPMENT OF THEIR CHILDREN.

18 ~~(4)~~ (5) THE FUNDS ALLOCATED TO DEMONSTRATION PROJECTS  
19 UNDER THIS SECTION MAY NOT BE USED IN THE FURTHERANCE OF SECTARIAN  
20 RELIGIOUS INSTRUCTION OR WORSHIP.

21 (6) SAVINGS ALLOCABLE TO DEMONSTRATION PROJECTS UNDER THE  
22 PROVISIONS OF PARAGRAPH (2) OF THIS SUBSECTION SHALL, IF FEASIBLE, BE USED  
23 FOR DEMONSTRATION PROJECTS IN THE SUBDIVISIONS WHICH GENERATED THE  
24 SAVINGS.

25 (7) THE SECRETARY SHALL AWARD GRANTS FOR THESE  
26 DEMONSTRATION PROJECTS THROUGH A COMPETITIVE BID PROCESS WHICH  
27 INCLUDES:

28 (I) THE ISSUANCE OF A REQUEST FOR PROPOSALS; AND

29 (II) THE ESTABLISHMENT OF AN EVALUATION PANEL TO REVIEW  
30 COMPETING PROPOSALS AND TO MAKE A RECOMMENDATION TO THE SECRETARY  
31 CONCERNING WHICH PROPOSALS HAVE THE GREATEST PROGRAMMATIC AND  
32 FINANCIAL MERIT.

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

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

38 ~~(1) 50% OF ANY MONEY SHALL BE HELD ON BEHALF OF A~~  
39 ~~PARTICIPANT IN A SAVINGS ACCOUNT BY THE SECRETARY, TO BE RELEASED WHEN~~  
40 ~~THE PARTICIPANT IS NO LONGER AN AFDC RECIPIENT; AND~~

19

1 ~~(H) 50% OF THE MONEY SHALL BE IMMEDIATELY AVAILABLE FOR~~  
2 ~~USE BY THE PARTICIPANT.~~

3 (B) THE REQUEST FOR PROPOSALS FOR THESE DEMONSTRATION PROJECTS  
4 SHALL REQUIRE OFFERORS TO SPECIFY THE WAYS IN WHICH THE PROPOSED  
5 DEMONSTRATION PROJECT WILL CREATE INCENTIVES FOR INCREASED  
6 EMPLOYMENT AND CHILD SUPPORT COLLECTIONS.

7 (C) (1) ~~A NONPROFIT ORGANIZATION OPERATING A DEMONSTRATION~~  
8 PROJECT NONPROFIT ORGANIZATIONS OPERATING DEMONSTRATION PROJECTS  
9 JOINTLY DEVELOPED WITH LOCAL DEPARTMENTS OF SOCIAL SERVICES UNDER  
10 THIS SECTION SHALL SEEK, FROM INSTITUTIONS OF POSTSECONDARY EDUCATION,  
11 VOLUNTEER ASSISTANCE FOR TUTORING AND MENTORING PARTICIPANTS IN THE  
12 DEMONSTRATION PROJECT.

13 (2) INSTITUTIONS OF POSTSECONDARY EDUCATION SHALL COOPERATE  
14 WITH NONPROFIT ORGANIZATIONS SEEKING VOLUNTEERS UNDER PARAGRAPH (1)  
15 OF THIS SUBSECTION.

16 (3) INSTITUTIONS OF POSTSECONDARY EDUCATION MAY PROVIDE  
17 SCHOOL CREDITS TO STUDENTS WHO PARTICIPATE IN DEMONSTRATION PROJECTS  
18 UNDER THIS SECTION WITH SATISFACTORY RESULTS.

19 (D) (1) A COOPERATIVE LIVING PROJECT SHALL PROVIDE FOR ITS  
20 PARTICIPANTS:

21 (I) ON-SITE CHILD CARE;

22 (II) COMMUNAL DINING FACILITIES;

23 (III) JOB READINESS PROGRAMS; AND

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

26 (2) A COOPERATIVE LIVING PROJECT MAY PROVIDE FOR ITS  
27 PARTICIPANTS:

28 (I) LIVING QUARTERS; ~~AND~~

29 (II) RECREATION PROGRAMS; AND

30 (III) INDIVIDUALIZED CASE MANAGEMENT.

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

33 (4) PARTICIPANTS IN THE COOPERATIVE LIVING PROJECT SHALL  
34 ENTER INTO AN AGREEMENT WITH THE NONPROFIT ORGANIZATION OPERATING  
35 THE COOPERATIVE LIVING PROJECT TO:

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

20

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

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

5 (IV) WORK TOWARDS ECONOMIC SELF-SUFFICIENCY.

6 ~~(E) (1) THE SECRETARY SHALL ESTABLISH INDIVIDUALIZED~~  
7 ~~CASE-MANAGEMENT PROJECTS.~~

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

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

13 ~~(II) THE PROPORTIONAL ADMINISTRATIVE COSTS ASSOCIATED~~  
14 ~~WITH PROVIDING THE BENEFITS DESCRIBED UNDER SUBPARAGRAPH (I) OF THIS~~  
15 ~~PARAGRAPH.~~

16 (E) (1) IF A DEMONSTRATION PROJECT OFFERS INDIVIDUALIZED CASE  
17 MANAGEMENT, THE DEPARTMENT AND THE OFFERORS SHALL DEVELOP  
18 MECHANISMS WHEREBY:

19 (I) THE DEPARTMENT ISSUES TEMPORARY CASH ASSISTANCE,  
20 FOOD STAMPS, AND MEDICAL ASSISTANCE; AND

21 (II) THE VOLUNTEERS FOR THE PROJECT TRANSFER THEIR  
22 TEMPORARY CASH ASSISTANCE AND FOOD STAMP BENEFITS TO THE  
23 DEMONSTRATION PROJECT.

24 (2) PARTICIPANTS IN THE INDIVIDUALIZED CASE MANAGEMENT  
25 PROJECTS SHALL BE CHOSEN FROM VOLUNTEERS WHO ARE:

26 (I) ELIGIBLE FOR FIP BENEFITS; AND

27 (II) DETERMINED BY INDIVIDUAL ASSESSMENT TO BE ABLE TO  
28 BENEFIT FROM THE PROGRAM.

29 (3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE  
30 NONPROFIT ORGANIZATION OPERATING THE INDIVIDUALIZED  
31 CASE-MANAGEMENT PROJECT SHALL COORDINATE THE PROVISION OF FOOD,  
32 ~~HOUSING, MEDICAL,~~ AND OTHER BENEFITS TO PARTICIPANTS IN THE  
33 DEMONSTRATION PROJECT.

34 (II) THE TOTAL VALUE TO THE PARTICIPANT OF THE BENEFITS  
35 THAT THE NONPROFIT ORGANIZATION PROVIDES MAY NOT BE LESS THAN THE  
36 VALUE TO THE PARTICIPANT OF THE TEMPORARY CASH ASSISTANCE AND FOOD  
37 STAMP BENEFITS THAT THE PARTICIPANT WOULD OTHERWISE HAVE RECEIVED  
38 FROM STATE AGENCIES THE DEPARTMENT.

21

1 ~~(4) TOTAL COSTS OF THE INDIVIDUALIZED CASE MANAGEMENT~~  
2 ~~PROJECTS MAY NOT EXCEED THE AMOUNT, IN BENEFIT PAYMENTS AND RELATED~~  
3 ~~ADMINISTRATION, THAT THE STATE WOULD OTHERWISE HAVE INCURRED IN~~  
4 ~~PROVIDING BENEFITS FOR THE PARTICIPANTS IN THE INDIVIDUALIZED~~  
5 ~~CASE MANAGEMENT PROJECTS.~~

6 (F) THE SECRETARY SHALL ADOPT REGULATIONS:

7 ~~(1) ESTABLISHING REQUIREMENTS FOR A DEMONSTRATION PROJECT~~  
8 ~~TO PERFORM, FOR PARTICIPANTS IN THE DEMONSTRATION PROJECT:~~

9 ~~(1) INTAKE EVALUATION;~~

10 ~~(2) SUPPORT SERVICES;~~

11 ~~(3) CASE MANAGEMENT; AND~~

12 ~~(4) DISCHARGE PLANNING; AND.~~

13 ~~(2) FOR THE ESTABLISHMENT AND MAINTENANCE OF SAVINGS~~  
14 ~~ACCOUNTS FOR DEMONSTRATION PROJECT PARTICIPANTS.~~

15 ~~(G) THE SECRETARY, IN CONJUNCTION WITH THE SECRETARY OF HOUSING~~  
16 ~~AND COMMUNITY DEVELOPMENT AND THE SECRETARY OF HEALTH AND MENTAL~~  
17 ~~HYGIENE, SHALL ADOPT REGULATIONS PROVIDING, IN ACCORDANCE WITH THIS~~  
18 ~~SECTION, FOR THE TRANSFER TO NONPROFIT ORGANIZATIONS OPERATING~~  
19 ~~INDIVIDUALIZED CASE MANAGEMENT PROJECTS THE BENEFITS OR THE CASH~~  
20 ~~EQUIVALENT OF FOOD STAMPS, HOUSING, MEDICAL, AND OTHER BENEFITS TO~~  
21 ~~WHICH A PARTICIPANT IN AN INDIVIDUALIZED CASE MANAGEMENT PROJECT~~  
22 ~~WOULD OTHERWISE BE ELIGIBLE.~~

23 (G) THE SECRETARY SHALL ENCOURAGE AND FACILITATE ANY  
24 DEMONSTRATION PROJECTS, IN ADDITION TO THE DEMONSTRATION PROJECTS  
25 FUNDED THROUGH SAVINGS IDENTIFIED IN SUBSECTION (A) OF THIS SECTION,  
26 WHICH ARE SUPPORTED THROUGH:

27 (1) THE VOLUNTARY TRANSFER OF TEMPORARY CASH ASSISTANCE  
28 AND FOOD STAMP BENEFITS TO THE DEMONSTRATION PROJECT;

29 (2) THE TRANSFER OF ADMINISTRATIVE COSTS FROM THE LOCAL  
30 DEPARTMENT OF SOCIAL SERVICES; AND

31 (3) ANY NONSTATE FUNDS AVAILABLE TO THE PROJECT.

32 [56.] 54.

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

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

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

1 (4) (i) "Qualified employment opportunity employee" means an  
2 individual who is a resident of Maryland and who ~~for six 3 months~~ ~~IMMEDIATELY~~  
3 before the individual's employment with a business entity was a ~~Maryland resident and a~~  
4 recipient of [benefits] TEMPORARY CASH ASSISTANCE from the State under the Aid to  
5 Families with Dependent Children Program OR THE FAMILY INVESTMENT PROGRAM  
6 AND WHO FOR 6 MONTHS BEFORE THE INDIVIDUAL'S EMPLOYMENT WITH A  
7 BUSINESS ENTITY WAS A MARYLAND RESIDENT.

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

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

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

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

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

25 (1) 30% of up to the first \$6,000 of the wages paid to the qualified  
26 employment opportunity employee during the first year of employment;

27 (2) 20% of up to the first \$6,000 of the wages paid to the qualified  
28 employment opportunity employee during the second year of employment; and

29 (3) 10% of up to the first \$6,000 of the wages paid to the qualified  
30 employment opportunity employee during the third year of employment.

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

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

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

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

23

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

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

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

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

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

12 (i) Voluntarily terminates employment with the employer;

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

14 (iii) Is terminated for cause.

15 (4) A business entity may claim a credit reduced by the proportion of a year  
16 that an employee did not work if the employment is less than a year because the  
17 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 (f) If the credit allowed under this section in any taxable year exceeds the total  
22 tax otherwise payable by the business entity for that taxable year, a business entity may  
23 apply the excess as a credit for succeeding taxable years until the earlier of:

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

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

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

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

32 [Aid to Families With Dependent Children]

33 [44A.

34 It is hereby declared that the primary purpose of aid given under this subtitle is the  
35 strengthening of family life through services and financial aid, whereby families may be

24

1 assisted to maximum self-support in homes meeting the requirements for child care  
2 established by law in this State.]

3 [45.

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

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

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

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

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

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

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

39 [46.

40 The State Department shall:

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



25

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

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

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

9 (e) Make such reports, in such form and containing such information, as the  
10 federal government may from time to time require, and comply with such provisions as  
11 the federal government may from time to time find necessary to assure the correctness  
12 and verification of such reports;

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

14 [47.

15 Local units shall have the duties and responsibilities as prescribed in this article,  
16 and shall:

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

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

21 [48.

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

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

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

29 (3) Lives in a family home in which there is no reasonable indication of  
30 neglect, as that term is defined in the law applicable to juvenile causes in the county or  
31 Baltimore City where the child resides, which meets the standards of care and health  
32 fixed by the laws of this State and any rules and regulations adopted pursuant to them,  
33 and in which, if possible, the child's particular religious faith is fostered and protected  
34 except that if an otherwise eligible child is living in a home in which there is indicated  
35 neglect or which does not appear to meet the standards of care and health, assistance  
36 shall be given or continued as follows:

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

26

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

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

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

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

11 [48A.

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

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

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

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

25 [49.

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

31 [50.

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

35 [51.

36 Whenever a local unit receives a notification of the dependency of a child or an  
37 application for assistance, a record shall promptly be made of the circumstances  
38 establishing the dependency of the child and the facts supporting the application made  
39 under this subtitle, and such other information as may be required by the State  
40 Department. Each local unit and the State Department and the officers and authorized

27

1 employees thereof shall have the power to administer oaths and affirmations, conduct  
2 examinations, subpoena witnesses, require the attendance of witnesses and the  
3 production of books, records and papers, and may make application to the circuit court of  
4 the county to compel the attendance of witnesses and the production of such books,  
5 records and papers.]

6 [52.

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

18 [53.

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

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

35 [54.

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

41 [54A.

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

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

28

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

29

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

4 (iii) A recipient may not be exempt from required participation  
5 because of a medically certified disabling condition that continues formore than 12  
6 months unless:

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

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

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

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

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

13 2. Technical and financial eligibility for AFDC;

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

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

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

20 6. Any other need for support services necessary for  
21 participation in the pilot.

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

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

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

30 (iii) Specifies the training and employment activities in which the  
31 recipient will participate.

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

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

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

30

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

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

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

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

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

13 (ii) The recipient fulfills the work requirements provided in this  
14 subsection.

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

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

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

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

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

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

29 (3) Whenever the Department grants an extension, the Department must  
30 make an affirmative finding that good cause exists, including a statement specifying the  
31 statutory or regulatory authority for the extension and the facts upon which the extension  
32 is granted.

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

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

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

31

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

36 (i) A laid off employee;

37 (ii) An employee on strike; or

32

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

2 (g) (1) The Secretary shall establish a schedule of benefit reductions and  
3 terminations for noncompliance with the training and work requirements of the pilot. The  
4 schedule shall include the benefit reductions and terminations provided for in this  
5 subsection.

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

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

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

14 1. Reapplies for AFDC benefits; and

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

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

19 (i) Medical assistance; and

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

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

27 (6) The Secretary shall establish by regulation exemptions from the benefit  
28 reductions or terminations for noncompliance with the training and work-related  
29 requirements of the pilot.

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

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

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

37 (i) Counseling;

38 (ii) Housing;



33

1 (iii) Child care;

2 (iv) Household supplies and equipment;

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

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

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

8 (11) The third party may be:

9 (i) A religious organization that is exempt from taxation under §  
10 501(c)(3) of the U.S. Internal Revenue Code.

11 (ii) A volunteer group; or

12 (iii) A charitable organization that is exempt from taxation under §  
13 501(c)(3) of the U.S. Internal Revenue Code.

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

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

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

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

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

23 (3) The Department and the Department of Health and Mental Hygiene  
24 shall provide family planning referrals at the offices of local departments of social  
25 services.

26 (i) The Secretary shall revise the schedule of program assistance to allow, once  
27 eligibility for a recipient is otherwise established, that the recipient will not lose eligibility  
28 solely because one or more wage earners in the family unit works more than 100 hours per  
29 month.

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

33 (k) The Secretary shall revise the schedule of program assistance so that:

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

34

1 (2) The amount of assistance given under this subtitle is equal to the lesser  
2 of:

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

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

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

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

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

15 (iii) The total income of the stepparent does not exceed 150 percent of  
16 the official poverty level, adjusted for family size, established under the federal  
17 Community Services Block Grant Act.

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

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

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

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

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

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

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

34 (i) A student;

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

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

35

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

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

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

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

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

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

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

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

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

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

26 (ii) Parenting skills.

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

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

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

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

36

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

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

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

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

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

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

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

18 (ii) For existing recipients on the effective date of the federal waiver  
19 required to implement the provisions of this section, the first redetermination of  
20 eligibility for AFDC benefits that occurs after the effective date of the approved federal  
21 waiver.

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

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

26 (i) Rape; or

27 (ii) Incest.

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

32 (ii) The value of child support payments made under subparagraph (i)  
33 of this paragraph may not be counted as income for the purposes of AFDC eligibility and  
34 grant determination.

35 (6) (i) The Secretary shall provide for a recipient ineligible for grant  
36 assistance under paragraphs (2) or (3) of this subsection a child-specific benefit not to  
37 exceed, when combined with any child support payments made under subparagraph (5),  
38 the monthly or quarterly value of the increment eliminated by paragraphs (2) and (3) of

37

1 this subsection for the purchase of goods specified by the Secretary assuitable for the  
2 care of a minor.

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

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

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

9 3. A voucher system consistent with federal requirements  
10 concerning the family cap.

11 (w) (1) On or before January 1 of each year that the pilot is effective, the  
12 Secretary shall submit an evaluation report of the pilot to the Governor and, subject to §  
13 2-1312 of the State Government Article, the General Assembly.

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

16 (i) Protecting the future of all children;

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

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

21 (iv) Reducing poverty in the State; and

22 (v) Building economic opportunities for recipients in the community  
23 in which they live.

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

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

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

32 (3) The Evaluation Committee shall consist of:

33 (i) Two members of the Senate of Maryland, appointed by the  
34 President of the Senate;

35 (ii) Two members of the House of Delegates, appointed by the  
36 Speaker of the House;

38

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

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

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

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

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

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

15 [55.

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

21 [57.

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

26 [58.

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

31 [65A.

32 (a) The Social Services Administration shall promptly establish, implement and  
33 modify as necessary a program of State funded assistance payments to residents of the  
34 State of Maryland who are temporarily in need but not eligible for any other State or  
35 federal category of assistance; such program to be known as general public assistance.

36 (b) The program established in paragraph (a) shall be in effect in all political  
37 subdivisions of this State and shall be administered by the local units in conformity with  
38 rules and regulations of the Social Services Administration.

1 (c) Eligibility and all other requirements, not set forth in this subtitle, shall be  
2 established by rules and regulations promulgated by the Social Services Administration.

3 (d) Support from children shall be regarded as a potential resource and evaluated  
4 as to amount and availability, as determined by rule and regulation of the State  
5 Administration.

6 (e) The Administration may not consider monetary or in-kind contributions that  
7 are up to the difference between the State's standard of need and the sum of the total  
8 grant and the amount of food stamps, whether received on a onetime or continuing basis,  
9 as income or as a potential resource in determining:

10 (1) An individual's eligibility for assistance; or

11 (2) The amount of assistance that an individual receives.

12 (f) An applicant may not make an assignment or transfer of property for the  
13 purpose of rendering himself eligible for assistance under this section at any time within  
14 3 years immediately prior to the filing of application for assistance or the receipt of  
15 assistance pursuant to the provisions of this article.]

16 [65B.

17 (a) The State Administration promptly shall establish and implement and, as  
18 necessary, modify a program of general public assistance to employables. The program  
19 shall provide State and locally funded assistance payments to employable residents of this  
20 State, who temporarily require assistance.

21 (b) The program shall be in effect in any political subdivision that elects to  
22 participate and enters into an agreement with the State Administration that describes the  
23 operation of the program in the subdivision and sets forth the financial responsibility of  
24 each party to the agreement.

25 (c) (1) The State Administration shall adopt rules and regulations establishing  
26 eligibility and other requirements not set forth in this section.

27 (2) Support from children shall be considered as a potential resource and  
28 the amount and availability shall be evaluated in accordance with the rules and  
29 regulations of the State Administration.

30 (3) An applicant for assistance may not transfer or assign property to  
31 become eligible for the assistance at any time within the three years immediately before  
32 filing the application for or receiving the assistance.

33 (4) The Administration may not consider monetary or in-kind contributions  
34 that are up to the difference between the State's standard of need and the sum of the  
35 total grant and the amount of food stamps, whether received on a onetime or continuing  
36 basis, as income or as a potential resource in determining:

37 (i) An individual's eligibility for assistance; or

38 (ii) The amount of assistance that an individual receives.]

40

1 **Article - Family Law**

2 4-402.

3 (a) To implement the policies set forth in this subtitle, the Secretary shall  
4 establish in each local department of social services a program of services to families with  
5 children. The program shall be available to:

6 (1) those families who are receiving [aid to families with dependent  
7 children] TEMPORARY CASH ASSISTANCE or supplemental security income; and

8 (2) those families whose gross income is 80% or less of this State's median  
9 income adjusted for family size in accordance with rules and regulations adopted by the  
10 Social Services Administration.

11 (b) For purposes of this subtitle, services to families with children are:

12 (1) functional services to help a family resolve a situational crisis brought on  
13 by catastrophe, deprivation of income, lack of shelter, physical illness, mental illness,  
14 death, desertion, or abandonment;

15 (2) family counseling:

16 (i) to resolve marital conflict, familial conflict, and parent-child  
17 relationship problems; and

18 (ii) to teach child care and development and parenting skills;

19 (3) information and referral services to teach families how to locate and use  
20 community services, including health care services; and

21 (4) home management services to teach the management of household  
22 duties and responsibilities, including budgeting skills.

23 4-606.

24 (a) To assist displaced homemakers in becoming gainfully employed, the center  
25 shall provide them with:

26 (1) counseling;

27 (2) training;

28 (3) skills;

29 (4) services; and

30 (5) education.

31 (b) To the extent the center has the resources available, the center may also  
32 provide these services to persons who are at least 30 years old and:

33 (1) who satisfy the criteria for displaced homemakers under § 4-601(2), (3),  
34 (4), and (5) of this subtitle; or



41

1 (2) who have depended on Aid to Families with Dependent Children OR  
2 TEMPORARY CASH ASSISTANCE for at least 24 months.

3 5-203.

4 (a) (1) The parents are the joint natural guardians of their minor child.

5 (2) A parent is the sole natural guardian of the minor child if the other  
6 parent:

7 (i) dies;

8 (ii) abandons the family; or

9 (iii) is incapable of acting as a parent.

10 (b) The parents of a minor child:

11 (1) are jointly and severally responsible for the child's support, care,  
12 nurture, welfare, and education; and

13 (2) have the same powers and duties in relation to the child.

14 (c) If one or both parents of an unemancipated minor child is a minor, the  
15 parents of that minor parent are jointly and severally responsible for any child support for  
16 a grandchild that is a recipient of [Aid to Families with Dependent Children]  
17 TEMPORARY CASH ASSISTANCE to the extent that the minor parent has insufficient  
18 financial resources to fulfill the child support responsibility of the minor parent.

19 (d) (1) If the parents live apart, a court may award custody of a minor child to  
20 either parent or joint custody to both parents.

21 (2) Neither parent is presumed to have any right to custody that is superior  
22 to the right of the other parent.

23 10-101.

24 (b) "Administration" means the Child Support Enforcement Administration of  
25 the Department of Human Resources.

26 10-119.

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

28 (2) "License" has the meaning stated in § 11-128 of the Transportation  
29 Article.

30 (3) "Motor Vehicle Administration" means the Motor Vehicle  
31 Administration of the Department of Transportation.

32 (b) (1) Subject to the provisions of subsection (c) of this section, the  
33 Administration shall notify the Motor Vehicle Administration of any obligor who is 60  
34 days or more [in arrears] OUT OF COMPLIANCE WITH THE MOST RECENT ORDER OF  
35 THE COURT in making child support payments if:

1 (i) the Administration has accepted an assignment of support under  
2 Article 88A, § 48(2) of the Code; or

3 (ii) the recipient of support payments has filed an application for  
4 support enforcement services with the Administration.

5 (2) Upon notification by the Administration under this subsection, the  
6 Motor Vehicle Administration:

7 (i) shall suspend the obligor's license or privilege to drive in the State;  
8 and

9 (ii) may issue a work-restricted license or work-restricted privilege to  
10 drive in the State in accordance with § 16-203 of the Transportation Article.

11 (c) (1) Before supplying any information to the Motor Vehicle Administration  
12 under this section, the Administration shall:

13 (i) send written notice of the proposed action to the obligor, including  
14 notice of the obligor's right to contest the accuracy of the reported arrearage by  
15 requesting an investigation; and

16 (ii) give the obligor a reasonable opportunity to contest the accuracy of  
17 the information.

18 (2) (i) Upon receipt of a request for investigation from the obligor, the  
19 Administration shall conduct an investigation as to the accuracy of thereported  
20 arrearage.

21 (ii) Upon completion of the investigation, the Administration shall  
22 notify the obligor of the results of the investigation and the obligor's right to appeal to the  
23 Office of Administrative Hearings.

24 (3) (i) An appeal under this section shall be conducted in accordance  
25 with Title 10, Subtitle 2 of the State Government Article.

26 (ii) An appeal shall be made in writing and shall be received by the  
27 Office of Administrative Hearings within 20 days after the notice to the obligor of the  
28 results of the investigation.

29 (4) If, after the investigation or appeal to the Office of Administrative  
30 Hearings, the Administration finds that it erred in making a decision, the Administration  
31 may not send any information about the obligor to the Motor Vehicle Administration.

32 (5) The Administration may not send any information about an obligor to  
33 the Motor Vehicle Administration if:

34 (i) the Administration reaches an agreement with the obligor  
35 regarding a scheduled payment of the obligor's child support arrearage or a court issues  
36 an order for a scheduled payment of the child support arrearage; and

37 (ii) the obligor is complying with the agreement or court order.

1 (d) If after information about an obligor is supplied to the Motor Vehicle  
2 Administration the obligor's arrearage is paid in full or the obligor has demonstrated  
3 good faith by paying the ordered amount of support for 6 consecutive months, the  
4 Administration shall notify the Motor Vehicle Administration to reinstate the obligor's  
5 license or privilege to drive.

6 (e) The Secretary of Human Resources, in cooperation with the Secretary of  
7 Transportation and the Office of Administrative Hearings, shall adopt regulations to  
8 implement this section.

9 12-201.

10 (a) In this subtitle the following words have the meanings indicated.

11 (b) "Income" means:

12 (1) actual income of a parent, if the parent is employed to full capacity; or

13 (2) potential income of a parent, if the parent is voluntarily impoverished.

14 (c) (1) "Actual income" means income from any source.

15 (2) For income from self-employment, rent, royalties, proprietorship of a  
16 business, or joint ownership of a partnership or closely held corporation, "actual income"  
17 means gross receipts minus ordinary and necessary expenses required to produce income.

18 (3) "Actual income" includes:

19 (i) salaries;

20 (ii) wages;

21 (iii) commissions;

22 (iv) bonuses;

23 (v) dividend income;

24 (vi) pension income;

25 (vii) interest income;

26 (viii) trust income;

27 (ix) annuity income;

28 (x) Social Security benefits;

29 (xi) workers' compensation benefits;

30 (xii) unemployment insurance benefits;

31 (xiii) disability insurance benefits;

32 (xiv) alimony or maintenance received; and

1 (xv) expense reimbursements or in-kind payments received by a parent  
 2 in the course of employment, self-employment, or operation of a business to the extent  
 3 the reimbursements or payments reduce the parent's personal living expenses.

4 (4) Based on the circumstances of the case, the court may consider the  
 5 following items as actual income:

6 (i) severance pay;

7 (ii) capital gains;

8 (iii) gifts; or

9 (iv) prizes.

10 (5) "Actual income" does not include benefits received from means-tested  
 11 public assistance programs, including [Aid to Families with Dependent Children,]  
 12 TEMPORARY CASH ASSISTANCE, Supplemental Security Income, food stamps, and  
 13 [General Public Assistance] TRANSITIONAL EMERGENCY, MEDICAL, AND HOUSING  
 14 ASSISTANCE.

15 (d) "Adjusted actual income" means actual income minus:

16 (1) preexisting reasonable child support obligations actually paid;

17 (2) except as provided in § 12-204(a)(2) of this subtitle, alimony or  
 18 maintenance obligations actually paid; and

19 (3) the actual cost of providing health insurance coverage for a child for  
 20 whom the parents are jointly and severally responsible.

21 (e) "Combined adjusted actual income" means the combined monthly adjusted  
 22 actual incomes of both parents.

23 (f) "Potential income" means income attributed to a parent determined by the  
 24 parent's employment potential and probable earnings level based on, but not limited to,  
 25 recent work history, occupational qualifications, prevailing job opportunities, and  
 26 earnings levels in the community.

27 (g) "Ordinary and necessary expenses" does not include amounts allowable by the  
 28 Internal Revenue Service for the accelerated component of depreciation expenses or  
 29 investment tax credits or any other business expenses determined by the court to be  
 30 inappropriate for determining actual income for purposes of calculating child support.

31 (h) (1) "Extraordinary medical expenses" means uninsured expenses over \$100  
 32 for a single illness or condition.

33 (2) "Extraordinary medical expenses" includes uninsured, reasonable, and  
 34 necessary costs for orthodontia, dental treatment, asthma treatment, physical therapy,  
 35 treatment for any chronic health problem, and professional counseling or psychiatric  
 36 therapy for diagnosed mental disorders.

45

1 (i) (1) "Shared physical custody" means that each parent keeps the child or  
2 children overnight for more than 35% of the year and that both parents contribute to the  
3 expenses of the child or children in addition to the payment of child support.

4 (2) Subject to paragraph (1) of this subsection, the court may base a child  
5 support award on shared physical custody:

6 (i) solely on the amount of visitation awarded; and

7 (ii) regardless of whether joint custody has been granted.

8 (j) "Adjusted basic child support obligation" means an adjustment of the basic  
9 child support obligation for shared physical custody.

10 (k) "Basic child support obligation" means the base amount due for child support  
11 based on the combined adjusted actual incomes of both parents.

12 14-204.

13 (a) Subject to the provisions of subsection (b) of this section, the Secretary shall  
14 establish a fee schedule based on financial ability to pay under which the individual who  
15 receives protective services, or the individual's legally responsible relative shall reimburse  
16 the federal, State, or local government for the services provided.

17 (b) An individual may not be charged a fee for protective services if:

18 (1) federal law or federal regulations prohibit an income eligibility test for  
19 the protective service; or

20 (2) the recipient is eligible for continuing financial aid under:

21 (i) the federal program of Supplemental Security Income;

22 (ii) the federal-State program of [aid to families with dependent  
23 children] TEMPORARY CASH ASSISTANCE; or

24 (iii) the State program of [general public assistance] TRANSITIONAL  
25 EMERGENCY, MEDICAL, AND HOUSING ASSISTANCE.

26 **Article - State Government**

27 2-10A-04.

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

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

30 (2) OF THE 10 MEMBERS:

31 (I) FIVE SHALL BE MEMBERS OF THE SENATE APPOINTED BY THE  
32 PRESIDENT OF THE SENATE; AND

33 (II) FIVE SHALL BE MEMBERS OF THE HOUSE OF DELEGATES  
34 APPOINTED BY THE SPEAKER OF THE HOUSE.

46

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

3 (D) THE PRESIDENT AND THE SPEAKER SHALL JOINTLY APPOINT A SENATOR  
4 AND A DELEGATE EACH TO SERVE AS ~~COCHAIRMAN~~ CO-CHAIRMAN.

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

7 (F) THE COMMITTEE SHALL PROVIDE OVERSIGHT AND STUDY, AS  
8 NECESSARY, OF ISSUES RELATING TO THE PROVISION OF ~~AFDC~~ FIP AND RELATED  
9 BENEFITS AND SERVICES, INCLUDING:

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

11 (2) THE PROVISION OF MEDICAL BENEFITS TO THE ~~AFDC~~ FIP-ELIGIBLE  
12 POPULATION;

13 (3) CURRENT WELFARE DEMONSTRATION PROJECTS; AND

14 (4) DEVELOPMENT AND IMPLEMENTATION OF ADDITIONAL WELFARE  
15 DEMONSTRATION PROJECTS.

16 (G) THE SECRETARY OF HUMAN RESOURCES, IN CONJUNCTION WITH THE  
17 SECRETARY OF HOUSING AND COMMUNITY DEVELOPMENT AND THE SECRETARY  
18 OF HEALTH AND MENTAL HYGIENE, SHALL:

19 (1) COOPERATE FULLY WITH THE COMMITTEE;

20 (2) KEEP THE COMMITTEE FULLY INFORMED AS TO THE DELIVERY IN  
21 THE STATE OF ~~AFDC~~ FIP AND RELATED SERVICES; AND

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

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

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

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

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

33 SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
34 read as follows:

47

1 **Article - Labor and Employment**

2 8-626.1.

3 (A) WITHIN 14 DAYS OF AN EMPLOYEE'S BEGINNING EMPLOYMENT, THE  
4 EMPLOYEE'S EMPLOYER SHALL SUBMIT TO THE SECRETARY ~~AND TO THE CHILD~~  
5 SUPPORT ENFORCEMENT ADMINISTRATION:

6 (1) THE NAME, ADDRESS, AND SOCIAL SECURITY NUMBER OF THE  
7 EMPLOYEE; AND

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

10 (B) EMPLOYERS MAY REPORT THE REQUIRED INFORMATION BY MAIL OR  
11 OTHER MEANS AUTHORIZED BY REGULATION.

12 (C) (1) ANY EMPLOYER WHO FAILS TO REPORT AS REQUIRED:

13 (I) SHALL BE GIVEN A WRITTEN WARNING FOR THE FIRST  
14 VIOLATION; AND

15 (II) SHALL BE SUBJECT TO A CIVIL PENALTY OF UP TO \$200 PER  
16 MONTH FOR EACH MONTH IN WHICH A SUBSEQUENT VIOLATION OCCURS.

17 (2) ALL VIOLATIONS OCCURRING IN A SINGLE MONTH TO THE SAME  
18 EMPLOYER SHALL BE CONSIDERED A SINGLE VIOLATION.

19 SECTION 6. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
20 read as follows:

21 **Article - Labor and Employment**

22 11-509.

23 (a) In this section, "classroom training" means training conducted in a classroom  
24 or in an institutional setting with funds provided under the federal act [or with State or  
25 federal funds provided to implement the Family Support Act of 1988] including  
26 institutional training with private sector employers but not including on-the-job training  
27 as defined in the federal act.

28 (b) To the extent that State funds are made available under § 11-508 of this  
29 subtitle, the Secretary of Labor, Licensing, and Regulation may provide payments as  
30 training allowances to provide for support services such as transportation and child care  
31 to individuals who require such services in order to participate in classroom training  
32 programs.

33 (c) (1) A payment to an individual under this section shall be based on the  
34 actual costs of the service needs, or an approximation of these costs under a flat rate  
35 system. The payment system shall be established by the Secretary for all State programs  
36 and by the Private Industry Council and administrating agency for a local program in a  
37 service delivery area.

1                   (2) Any flat rate payment system shall provide 2 tiers of allowance  
 2 payments. One tier shall address recipients in need of services other than child care. A  
 3 higher rate shall be provided for those in need of child care. The flatrates may be  
 4 computed on a per diem or a weekly basis.

5                   (3) A training allowance to an individual under this section may not exceed  
 6 \$100 a week.

7                   (4) Allowance payments may be provided to participants that areenrolled in  
 8 either the federal act Title II-A program, OR the federal act Title IIIprogram [or in the  
 9 job opportunities and basic skills training program] based solely on their need for  
 10 support services.

11                  (d) In order to be eligible for a training allowance under this section, an  
 12 individual must:

13                   (1) meet the eligibility requirements set forth in the federal act for  
 14 participation in a Title II-A or a Title III program [or the eligibility requirements set  
 15 forth in the Family Support Act of 1988 for participation in the job opportunities and  
 16 basic skills training program];

17                   (2) be enrolled in and actively attending a classroom training program; and

18                   (3) not be receiving unemployment compensation, but may be receiving [aid  
 19 to families with dependent children, general public assistance,] CASH OR OTHER  
 20 FINANCIAL ASSISTANCE UNDER THE FAMILY INVESTMENT PROGRAM OR THE  
 21 TRANSITIONAL EMERGENCY, MEDICAL, AND HOUSING ASSISTANCE PROGRAM, or  
 22 similar federal or State cash payments.

23                  (e) (1) Funds shall be allocated to each service delivery area by multiplying the  
 24 total amount of authorized funds by a ratio derived by dividing the funds allocated to  
 25 each service delivery area under Title II-A and III of the federal act by the sum of the  
 26 funds allocated to all service delivery areas under Title II-A of the federal act plus the  
 27 total amount of funds allocated to the Department of Labor, Licensing, and Regulation  
 28 and all service delivery areas under Title III of the federal act.

29                   (2) Funds shall be allocated to the Department of Labor, Licensing, and  
 30 Regulation by multiplying the total amount of authorized funds by a ratio derived by  
 31 dividing the funds allocated to the Department under Title III of the federal act by the  
 32 sum of the funds allocated to all service delivery areas under Title II-A of the federal act  
 33 plus the total amount of funds allocated to the Department and all service delivery areas  
 34 under Title III of the federal act.

35                   (3) Funds used for monitoring, auditing, and disbursement of training  
 36 allowances shall not exceed 5 percent of the funds authorized under this section.

37                  (f) The Secretary of Labor, Licensing, and Regulation shall submit to the State  
 38 council for review and comment the Department's plan for the financial assistance  
 39 program established by this section to supplement available federal funds under the Job  
 40 Training Partnership Act [and State and federal funds provided to implement the Family  
 41 Support Act of 1988].



1 (g) The Secretary of Labor, Licensing, and Regulation may adopt rules and  
2 regulations to administer this section.

3 (h) The Secretary of Labor, Licensing, and Regulation shall report to the  
4 Governor and, subject to § 2-1312 of the State Government Article, to the General  
5 Assembly on the number of individuals served and the levels and total amount of  
6 payments under this section.

7 **Article - Transportation**

8 11-102.

9 "Administration" means the Motor Vehicle Administration.

10 16-203.

11 (a) In this section, "Child Support Enforcement Administration" means the Child  
12 Support Enforcement Administration of the Department of Human Resources.

13 (b) On notification by the Child Support Enforcement Administration in  
14 accordance with § 10-119 of the Family Law Article that an obligor is 60 days or more [in  
15 arrears] OUT OF COMPLIANCE WITH THE MOST RECENT ORDER OF THE COURT in  
16 making child support payments, the Administration:

17 (1) Shall suspend an obligor's license or privilege to drive in the State; and

18 (2) May issue a work-restricted license or work-restricted privilege to drive.

19 (c) (1) Prior to the suspension of a license or the privilege to drive in the State  
20 and the issuance of a work-restricted license or work-restricted privilege to drive under  
21 subsection (b) of this section, the Administration shall:

22 (1) Send] SEND written notice of the proposed action to the obligor,  
23 including notice of the obligor's right to contest the accuracy of the information]; and].

24 (2) [Give the obligor a reasonable opportunity to contest the accuracy of  
25 the information] ANY CONTEST UNDER THIS SUBSECTION SHALL BE LIMITED TO  
26 WHETHER THE ADMINISTRATION HAS MISTAKEN THE IDENTITY OF THE OBLIGOR  
27 OR THE INDIVIDUAL WHOSE LICENSE OR PRIVILEGE TO DRIVE HAS BEEN  
28 SUSPENDED.

29 (d) (1) An obligor may appeal a decision of the Administration to suspend the  
30 obligor's license or privilege to drive.

31 (2) At a hearing under this subsection, the issue shall be limited to whether  
32 the Administration has mistaken the identity of the obligor or the individual whose  
33 license or privilege to drive has been suspended.

34 (e) The Administration shall reinstate an obligor's license or privilege to drive in  
35 the State if:

36 (1) The Administration receives a court order to reinstate the license or  
37 privilege to drive; or

1 (2) The Child Support Enforcement Administration notifies the  
 2 Administration that:

3 (i) The individual whose license or privilege to drive was suspended is  
 4 not in arrears in making child support payments;

5 (ii) The obligor has paid the support arrearage in full; or

6 (iii) The obligor has demonstrated good faith by paying the ordered  
 7 amount of support for 6 consecutive months.

8 (f) The Secretary of Transportation, in cooperation with the Secretary of Human  
 9 Resources and the Office of Administrative Hearings, shall adopt regulations to  
 10 implement this section.

11 16-208.

12 (a) (1) Except as provided in paragraph (2) of this subsection and §16-206(b)  
 13 of this subtitle, the Administration may not suspend a license or privilege to drive for a  
 14 period of more than 1 year.

15 (2) Subject to the provisions of paragraph (3) of this subsection, after notice  
 16 and hearing, the Administration may suspend for an indefinite period the license or  
 17 privilege of any individual who cannot drive safely because of his physical or mental  
 18 condition.

19 (3) If the Administration suspends or revokes a license of an individual  
 20 based upon evaluation of competent medical evidence that the individual's driving may be  
 21 adversely affected by the individual's epilepsy, the period of suspension or revocation may  
 22 not exceed 90 days unless the individual experiences a seizure within 90 days after the  
 23 period of suspension or revocation begins.

24 (4) If the Administration refuses to issue or renew the license of an  
 25 individual based upon evaluation of competent medical evidence that the individual's  
 26 driving may be adversely affected by the individual's epilepsy, the period of the refusal to  
 27 issue or renew the license may not exceed 90 days unless the individual experiences a  
 28 seizure within 90 days after the refusal to issue or renew the license.

29 (5) After the period of suspension, revocation, or refusal to issue or renew a  
 30 license under paragraph (3) or (4) of this subsection, and if an individual is otherwise  
 31 eligible, the Administration:

32 (i) Shall immediately issue to the individual a noncommercial Class C  
 33 or Class M license;

34 (ii) Subject to the provisions of paragraph (6) of this subsection, may,  
 35 upon request, immediately issue to the individual a license other than a noncommercial  
 36 Class C or Class M license; and

37 (iii) Subject to the provisions of paragraph (6) of this subsection, shall,  
 38 upon request, issue to the individual a license other than a noncommercial Class C or  
 39 Class M license after a period not to exceed nine months.

51

1 (6) Before the Administration issues a license to an individual under  
2 paragraph (5)(ii) or (iii) of this subsection, the Administration may:

3 (i) Require the individual to be tested; and

4 (ii) Restrict the license issued to the individual after the individual  
5 becomes eligible to drive following a period of suspension, revocation, or refusal to issue  
6 or renew a license under paragraph (3) or (4) of this subsection by:

7 1. Designating the specific class of commercial or  
8 noncommercial license to be issued to the individual;

9 2. Designating the endorsements permitted on the individual's  
10 license; and

11 3. Imposing any other restriction authorized under § 16-113 of  
12 this title.

13 (7) The Administration shall adopt regulations to administer the provisions  
14 of paragraphs (3) through (6) of this subsection.

15 (8) This subsection does not apply to or affect the suspension of any license:

16 (i) For failure to comply with the required security provisions of Title  
17 17 of this article;

18 (ii) For failure to appear at a hearing as provided in Title 12, Subtitle  
19 2 of this article;

20 (iii) For failure to obey a citation, as provided in Title 26 of this article;  
21 [or]

22 (iv) For failure to pay a fine in accordance with the court's directive as  
23 provided in Title 27 of this article; OR

24 (V) FOR FAILURE TO PAY CHILD SUPPORT, AS PROVIDED IN §  
25 16-203 OF THIS TITLE.

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

31 SECTION 7. AND BE IT FURTHER ENACTED, That the Secretary of Human  
32 Resources shall report to the General Assembly on the first full year of operation of the  
33 Family Investment Program before the start of the 1998 Session of the General Assembly.

34 SECTION 6- 8. AND BE IT FURTHER ENACTED, That for existing recipients of  
35 Aid to Families with Dependent Children on the effective date of this Act, the provisions  
36 of Article 88A, § 50(d), as enacted by this Act, shall apply to any child born 10 or more  
37 months after the first recertification of eligibility for temporary cash assistance benefits  
38 that occurs after the effective date of this Act.

1           SECTION 7- ~~9~~. AND BE IT FURTHER ENACTED, That Section 3 of this Act  
 2 may not take effect until the United States establishes lifetime limitson the receipt of  
 3 benefits under the current Aid to Families with Dependent Children Program, or any  
 4 successor to that program. The lifetime limits so established by the United States, if at  
 5 variance with those established by this Act, shall take precedence overthose in this Act.  
 6 The Secretary of Human Resources shall notify the Department of Legislative Reference  
 7 when this contingency has been satisfied. If the United States has not,by December 31,  
 8 1997, established the lifetime limits, Section 3 of this Act, with no further action required  
 9 by the General Assembly, shall be null and void and of no force and effect.

10           SECTION 8- ~~10~~. AND BE IT FURTHER ENACTED, That, if on the effective date  
 11 of this Act, amendments to the federal Social Security Act have not been made that  
 12 repeal federal funding for the Aid to Families with Dependent Children Program and  
 13 that make federal funds available for a program satisfying the provisions of this Act, the  
 14 Secretary of Human Resources shall pursue waivers of provisions of the Social Security  
 15 Act necessary to carry out this Act. If the required waivers have not been approved by the  
 16 U.S. Department of Health and Human Services and the U.S. Department ofAgriculture  
 17 on or before December 31, 1996, the Secretary of Human Resources shall identify those  
 18 provisions of this Act that require such waivers may not be implementedfor which  
 19 waivers were not approved and those provisions shall be null and void and of no force and  
 20 effect as of January 1, 1997.

21           SECTION 11. AND BE IT FURTHER ENACTED, That any savings the Family  
 22 Investment Program, as of July 1 of each year, anticipates achieving during the current  
 23 fiscal year through caseload reductions or other reductions in the total amount of cash  
 24 benefits actually paid to families compared to the total amount of cashassistance benefits  
 25 to families budgeted shall be available for reallocation within the budget of the  
 26 Department to support activities through local departments of social services as follows:

27                   (1) 10% of the savings to the demonstration projects created in§ 53 of  
 28 Article 88A of the Code as enacted by this Act; and

29                   (2) the balance of the savings to child care, work activities, welfare  
 30 avoidance, emergency funds for applicants and recipients, administration to the extent  
 31 that additional administrative costs are required to effectively implement this program, or  
 32 any other direct service to applicants or recipients that the Secretarydeems appropriate  
 33 to further the purposes of this Act.

34           SECTION 12. AND BE IT FURTHER ENACTED, That the Secretary of  
 35 Human Resources, the Secretary of Housing and Community Development, and the  
 36 Secretary of Health and Mental Hygiene shall jointly develop a pilot project to administer  
 37 "second chance homes" to provide supervised living arrangements and health care to  
 38 needy teen parents and their children. The pilot project shall begin onor before  
 39 December 31, 1996, and shall operate for no more than 3 years. The Secretary of Human  
 40 Resources, the Secretary of Housing and Community Development, and the Secretary of  
 41 Health and Mental Hygiene shall report to the General Assembly on the success of the  
 42 first year of operation of the pilot project before the start of the 1998 Session of the  
 43 General Assembly.

44           SECTION 13. AND BE IT FURTHER ENACTED, That this Act is not intended  
 45 to require any additional commitment of funds or resources from county or municipal

1 governments to implement or administer the Family Investment Program or its  
2 component parts. The programs established by this Act are State programs, and are  
3 intended to be supported through State and federal funding.

4 SECTION 14. AND BE IT FURTHER ENACTED, That the Income  
5 Maintenance Administration be renamed the Family Investment Administration and that  
6 any reference in law or elsewhere to the Income Maintenance Administration shall be  
7 deemed to refer to the Family Investment Administration.

8 SECTION 15. AND BE IT FURTHER ENACTED, That, subject to the approval  
9 of the Director of the Department of Legislative Reference, the publishers of the  
10 Annotated Code of Maryland shall change any and all references to the "Income  
11 Maintenance Administration" in the Annotated Code of Maryland that are rendered  
12 incorrect by this Act.

13 SECTION 16. AND BE IT FURTHER ENACTED, That Section 5 of this Act  
14 shall take effect October 1, 1996.

15 SECTION 9-17. AND BE IT FURTHER ENACTED, That, subject to the  
16 provisions of ~~Section 7~~ Sections 9 and 16 of this Act, this Act shall take effect July 1, 1996.