

HOUSE BILL 1356

O1

(8lr2805)

ENROLLED BILL
—Appropriations/Finance—

Introduced by **Delegates Branch and Conway**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Family Investment Program Recipients - Child-Specific Benefit - Repeal**

3 FOR the purpose of repealing certain provisions prohibiting the payment of certain
4 temporary cash assistance benefits as a result of the birth of certain children
5 under certain circumstances; ~~requiring the Department of Human Resources to~~
6 ~~submit a certain report;~~ and generally relating to the receipt of temporary cash
7 assistance benefits by Family Investment Program (FIP) recipients.

8 ~~BY adding to~~
9 ~~Article — Human Services~~
10 ~~Section 5-312(g)~~
11 ~~Annotated Code of Maryland~~
12 ~~(2007 Volume)~~

13 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber / conference committee amendments.



1 Article – Human Services
 2 Section 5–313
 3 Annotated Code of Maryland
 4 (2007 Volume)

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 6 MARYLAND, That the Laws of Maryland read as follows:

7 **Article – Human Services**

8 ~~5–312.~~

9 ~~(G) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE DEPARTMENT~~
 10 ~~SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2–1246~~
 11 ~~OF THE STATE GOVERNMENT ARTICLE, INDICATING THE NUMBER OF~~
 12 ~~TEMPORARY CASH ASSISTANCE RECIPIENTS WHO RECEIVED AN INCREMENT IN~~
 13 ~~CASH BENEFITS UNDER THE FIP IN THE MOST RECENTLY COMPLETED FISCAL~~
 14 ~~YEAR AS THE RESULT OF THE BIRTH OF A CHILD 10 OR MORE MONTHS AFTER~~
 15 ~~THE RECIPIENT’S INITIAL APPLICATION FOR TEMPORARY CASH ASSISTANCE~~
 16 ~~BENEFITS.~~

17 5–313.

18 (a) [(1) This subsection does not apply to a birth resulting from rape or
 19 incest.

20 (2) Except as provided in paragraph (3) of this subsection, temporary
 21 cash assistance may not include the increment in cash benefits under the FIP for
 22 which a recipient would otherwise be eligible as a result of the birth of a child 10 or
 23 more months after the recipient’s initial application for temporary cash assistance
 24 benefits.

25 (3) Cash payments for a child may not be made to a family other than
 26 the child’s family unless the Social Services Administration has placed the child with
 27 the other family.

28 (4) If a recipient is ineligible for an increment in cash benefits under
 29 this subsection, the Department shall provide a child-specific benefit, not to exceed
 30 the value of the increment eliminated by this subsection, for the purchase of goods
 31 specified by the Department as suitable for the care of a minor.

32 (5) A local department may pay an administrative fee to a third party
 33 payee to cover the administrative costs of the third party payee for managing the
 34 child-specific benefit.

1 (6) The Secretary shall adopt regulations specifying the selection
2 criteria for third party payees under this subsection.

3 (b) (1) Except as provided in [paragraph (2)] **SUBSECTION (B)** of this
4 [subsection] **SECTION** and in regulations that the Secretary adopts, a local
5 department may not pay temporary cash assistance to:

6 [(i)] (1) a family that includes an adult who has received more
7 than 60 cumulative months of temporary cash assistance funded wholly or partly by
8 federal funds; or

9 [(ii)] (2) a family that includes an adult who:

10 [1.] (I) has received more than 24 cumulative months
11 of temporary cash assistance funded wholly or partly by federal funds; and

12 [2.] (II) who is not participating in a work activity.

13 [(2)] (B) The Secretary shall adopt regulations that establish:

14 [(i)] (1) standards and procedures under which a local
15 department may exempt a family from the limitation under [paragraph (1)(i)]
16 **SUBSECTION (A)(1)** of this [subsection] **SECTION** because of hardship; and

17 [(ii)] (2) a separate State program that:

18 [1.] (I) is funded entirely from State general funds that
19 may be counted toward any federal maintenance of effort requirement;

20 [2.] (II) pays temporary cash assistance to a family that
21 is exempted under item [(i)] (1) of this [paragraph] **SUBSECTION** but cannot receive
22 federal funds because of federal limitations; and

23 [3.] (III) is subject to all FIP requirements under this
24 subtitle.

25 [(3)] (C) The provisions of this [subsection] **SECTION** are subject to
26 federal law and regulation.

27 **SECTION 2. AND BE IT FURTHER ENACTED**, That this Act shall take effect
28 October 1, 2008.