

# HOUSE BILL 1356

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CF SB 799

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By: **Delegates Branch and Conway**

Introduced and read first time: February 8, 2008

Assigned to: Appropriations

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## A BILL ENTITLED

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; and generally relating to the receipt of temporary  
6 cash assistance benefits by Family Investment Program (FIP) recipients.

7 BY repealing and reenacting, with amendments,  
8 Article – Human Services  
9 Section 5–313  
10 Annotated Code of Maryland  
11 (2007 Volume)

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

14 **Article – Human Services**

15 5–313.

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

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (3) Cash payments for a child may not be made to a family other than  
2 the child's family unless the Social Services Administration has placed the child with  
3 the other family.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5                                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 October 1, 2008.