

# HOUSE BILL 1356

O1

8lr2805  
CF SB 799

---

By: **Delegates Branch and Conway**

Introduced and read first time: February 8, 2008

Assigned to: Appropriations

---

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 15, 2008

---

## 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,

14 Article – Human Services

15 Section 5–313

16 Annotated Code of Maryland

17 (2007 Volume)

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

### 20 **Article – Human Services**

21 5–312.

---

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.



1           **(G) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE DEPARTMENT**  
2 **SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246**  
3 **OF THE STATE GOVERNMENT ARTICLE, INDICATING THE NUMBER OF**  
4 **TEMPORARY CASH ASSISTANCE RECIPIENTS WHO RECEIVED AN INCREMENT IN**  
5 **CASH BENEFITS UNDER THE FIP IN THE MOST RECENTLY COMPLETED FISCAL**  
6 **YEAR AS THE RESULT OF THE BIRTH OF A CHILD 10 OR MORE MONTHS AFTER**  
7 **THE RECIPIENT'S INITIAL APPLICATION FOR TEMPORARY CASH ASSISTANCE**  
8 **BENEFITS.**

9 5-313.

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

12           (2) Except as provided in paragraph (3) of this subsection, temporary  
13 cash assistance may not include the increment in cash benefits under the FIP for  
14 which a recipient would otherwise be eligible as a result of the birth of a child 10 or  
15 more months after the recipient's initial application for temporary cash assistance  
16 benefits.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Approved:

\_\_\_\_\_  
Governor.

\_\_\_\_\_  
Speaker of the House of Delegates.

\_\_\_\_\_  
President of the Senate.