

SENATE BILL 799

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8lr2687
CF HB 1356

By: **Senators Exum, Garagiola, and Gladden**

Introduced and read first time: February 6, 2008

Assigned to: Rules

Re-referred to: Finance, February 14, 2008

Committee Report: Favorable

Senate action: Adopted

Read second time: March 19, 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; 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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.