

Date of Hearing: April 27, 2022

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Chris Holden, Chair

AB 2277 (Reyes) – As Introduced February 16, 2022

Policy Committee: Human Services

Vote: 8 - 0

Urgency: No

State Mandated Local Program: Yes

Reimbursable: Yes

SUMMARY:

This bill requires, instead of allows, a county to waive a California Work Opportunity and Responsibility to Kids (CalWORKs) program requirement for a recipient who has been identified as a past or present victim of abuse when it has been determined good cause exists.

FISCAL EFFECT:

- 1) Unknown General Fund costs, potentially in millions of dollars, for CalWORKs assistance to the extent additional recipients would qualify for waivers under the provisions of this measure. According to the California Department of Social Services (CDSS), there are nearly 10,000 CalWORKs domestic violence cases. If half of those cases are determined to show good cause exists and are granted a time waiver for the three-month minimum, the cost of the waivers would be \$4.5 million, assuming a monthly grant of \$300 per case. Actual costs would depend on the number of qualified cases, actual grant levels and the costs of other waivers required to be provided under this bill.
- 2) Unknown, but likely significant administrative costs to counties for additional workload to provide waivers for all CalWORKs recipients who are victims of abuse. These costs are potentially reimbursable by the state, subject to a determination by the Commission on State Mandates.

COMMENTS:

- 1) **Purpose.** This bill seeks to bring statewide uniformity to the use of CalWORKs program waivers for abuse victims in order to ensure CalWORKs recipients who are victims of abuse are not placed at further risk or unfairly penalized by CalWORKs requirements. This bill accomplishes this by requiring, rather than allowing, counties to waive certain CalWORKs requirements for a victim of abuse when good cause exists.

According to the author, “Requiring counties to provide waivers will allow survivors of domestic violence to receive the assistance they need through an efficient and expedited process. [This bill] will seek to help survivors across the state regardless of which county they reside in.”

- 2) **Domestic Violence Waivers.** The federal Temporary Assistance for Needy Families (TANF) program allows a state to implement a special program, within its TANF program (CalWORKs in California), to serve victims of domestic violence and to waive program

requirements for such individuals. Federal regulations grant states broad flexibility in determining and providing these program waivers.

Existing state law, per federal regulations, allows, but does not require, a county to waive certain program requirements for a CalWORKs recipient who has been identified as a past or present victim of abuse. State regulations outline which program requirements a county can waive, including work requirements and time limits, as well as which requirements a county cannot waive, including asset and income requirements. Regulations also require each county to develop criteria for waiving requirements, but allow each county to establish the duration of work and time limit waivers as long as the waivers comply with state and federal regulations.

According to CDSS monthly reports, in November 2021 (the most recent month with all counties reporting), 527 families (not including two-parent families) received a waiver of program rules due to domestic abuse. From that data, 47 counties reported granting zero waivers during the month of November. There is no data for the number of families who applied for a waiver but did not receive one. Without such data, it is difficult to determine if some counties regularly deny waivers.

This bill requires, rather than allows, a county to waive program requirements for a CalWORKs recipient who has been identified as a victim of abuse when good cause exists.

3) **Prior Legislation.**

AB 557 (Rubio), Chapter 691, Statutes of 2017, among other things, provides that a CalWORKs applicant or recipient who is in a domestic violence situation that results in school nonparticipation or the failure to cooperate constitutes good cause for purposes of a CalWORKs program waiver.

AB 1653 (Garcia), of the 2013-14 Legislative Session, would have required the development and dissemination of a standard, statewide notice about waivers of CalWORKs requirements for applicants and recipients who are victims of domestic violence. AB 1653 was held on the Senate Appropriations Committee Suspense File.

Analysis Prepared by: Jennifer Swenson / APPR. / (916) 319-2081