

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Children, Families &
 2 Seniors Subcommittee
 3 Representative Gaetz offered the following:
 4

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:
 7 Section 1. Paragraph (d) of subsection (3), and subsection
 8 (11) of section 414.095, Florida Statutes, are amended to read:
 9 414.095 Determining eligibility for temporary cash
 10 assistance.—

11 (3) ELIGIBILITY FOR NONCITIZENS.—A "qualified noncitizen"
 12 is an individual who is admitted to the United States as a
 13 refugee under s. 207 of the Immigration and Nationality Act or
 14 who is granted asylum under s. 208 of the Immigration and
 15 Nationality Act; a noncitizen whose deportation is withheld
 16 under s. 243(h) or s. 241(b)(3) of the Immigration and
 17 Nationality Act; a noncitizen who is paroled into the United

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18 States under s. 212(d)(5) of the Immigration and Nationality
19 Act, for at least 1 year; a noncitizen who is granted
20 conditional entry pursuant to s. 203(a)(7) of the Immigration
21 and Nationality Act as in effect prior to April 1, 1980; a Cuban
22 or Haitian entrant; or a noncitizen who has been admitted as a
23 permanent resident. In addition, a "qualified noncitizen"
24 includes an individual who, or an individual whose child or
25 parent, has been battered or subject to extreme cruelty in the
26 United States by a spouse, a parent, or other household member
27 under certain circumstances, and has applied for or received
28 protection under the federal Violence Against Women Act of 1994,
29 Pub. L. No. 103-322, if the need for benefits is related to the
30 abuse and the batterer no longer lives in the household. A
31 "nonqualified noncitizen" is a nonimmigrant noncitizen,
32 including a tourist, business visitor, foreign student, exchange
33 visitor, temporary worker, or diplomat. In addition, a
34 "nonqualified noncitizen" includes an individual paroled into
35 the United States for less than 1 year. A qualified noncitizen
36 who is otherwise eligible may receive temporary cash assistance
37 to the extent permitted by federal law. The income or resources
38 of a sponsor and the sponsor's spouse shall be included in
39 determining eligibility to the maximum extent permitted by
40 federal law.

41 (d) The income of an illegal noncitizen or ineligible
42 noncitizen who is a mandatory member of a family, ~~less a pro~~
43 ~~rata share for the illegal noncitizen or ineligible noncitizen,~~

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44 counts in full in determining a family's eligibility to
45 participate in the program.

46 (11) DISREGARDS.—

47 (a) As an incentive to employment, the first \$200 plus
48 one-half of the remainder of earned income shall be disregarded.
49 In order to be eligible for earned income to be disregarded, the
50 individual must be:

- 51 1. A current participant in the program; or
- 52 2. Eligible for participation in the program without the
53 earnings disregard.

54 (b) A child's earned income shall be disregarded if the
55 child is a family member, attends high school or the equivalent,
56 and is less than 19 years of age ~~or younger~~.

57 Section 2. For the purpose of incorporating the amendments
58 made by this act to sections 414.095, Florida Statutes, in
59 references thereto, subsection (1) of section 414.045, Florida
60 Statutes, is reenacted to read:

61 414.045 Cash assistance program.—Cash assistance families
62 include any families receiving cash assistance payments from the
63 state program for temporary assistance for needy families as
64 defined in federal law, whether such funds are from federal
65 funds, state funds, or commingled federal and state funds. Cash
66 assistance families may also include families receiving cash
67 assistance through a program defined as a separate state
68 program.

69 (1) For reporting purposes, families receiving cash

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70 assistance shall be grouped into the following categories. The
71 department may develop additional groupings in order to comply
72 with federal reporting requirements, to comply with the data-
73 reporting needs of the board of directors of CareerSource
74 Florida, Inc., or to better inform the public of program
75 progress.

76 (a) *Work-eligible cases.*—Work-eligible cases shall
77 include:

78 1. Families containing an adult or a teen head of
79 household, as defined by federal law. These cases are generally
80 subject to the work activity requirements provided in s. 445.024
81 and the time limitations on benefits provided in s. 414.105.

82 2. Families with a parent where the parent's needs have
83 been removed from the case due to sanction or disqualification
84 shall be considered work-eligible cases to the extent that such
85 cases are considered in the calculation of federal participation
86 rates or would be counted in such calculation in future months.

87 3. Families participating in transition assistance
88 programs.

89 4. Families otherwise eligible for temporary cash
90 assistance which receive diversion services, a severance
91 payment, or participate in the relocation program.

92 (b) *Child-only cases.*—Child-only cases include cases that
93 do not have an adult or teen head of household as defined in
94 federal law. Such cases include:

95 1. Children in the care of caretaker relatives, if the

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96 caretaker relatives choose to have their needs excluded in the
97 calculation of the amount of cash assistance.

98 2. Families in the Relative Caregiver Program as provided
99 in s. 39.5085.

100 3. Families in which the only parent in a single-parent
101 family or both parents in a two-parent family receive
102 supplemental security income (SSI) benefits under Title XVI of
103 the Social Security Act, as amended. To the extent permitted by
104 federal law, individuals receiving SSI shall be excluded as
105 household members in determining the amount of cash assistance,
106 and such cases shall not be considered families containing an
107 adult. Parents or caretaker relatives who are excluded from the
108 cash assistance group due to receipt of SSI may choose to
109 participate in work activities. An individual whose ability to
110 participate in work activities is limited who volunteers to
111 participate in work activities shall be assigned to work
112 activities consistent with such limitations. An individual who
113 volunteers to participate in a work activity may receive child
114 care or support services consistent with such participation.

115 4. Families in which the only parent in a single-parent
116 family or both parents in a two-parent family are not eligible
117 for cash assistance due to immigration status or other
118 limitation of federal law. To the extent required by federal
119 law, such cases shall not be considered families containing an
120 adult.

121 5. To the extent permitted by federal law and subject to

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122 appropriations, special needs children who have been adopted
123 pursuant to s. 409.166 and whose adopting family qualifies as a
124 needy family under the state program for temporary assistance
125 for needy families. Notwithstanding any provision to the
126 contrary in s. 414.075, s. 414.085, or s. 414.095, a family
127 shall be considered a needy family if:

128 a. The family is determined by the department to have an
129 income below 200 percent of the federal poverty level;

130 b. The family meets the requirements of s. 414.095(2) and
131 (3) related to residence, citizenship, or eligible noncitizen
132 status; and

133 c. The family provides any information that may be
134 necessary to meet federal reporting requirements specified under
135 Part A of Title IV of the Social Security Act.

136
137 Families described in subparagraph 1., subparagraph 2., or
138 subparagraph 3. may receive child care assistance or other
139 supports or services so that the children may continue to be
140 cared for in their own homes or in the homes of relatives. Such
141 assistance or services may be funded from the temporary
142 assistance for needy families block grant to the extent
143 permitted under federal law and to the extent funds have been
144 provided in the General Appropriations Act.

145 Section 3. This act shall take effect July 1, 2016.
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T I T L E A M E N D M E N T

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to the temporary cash assistance program;
amending s. 414.095, F.S.; revising the consideration of income
from illegal noncitizen or ineligible noncitizen family members
in determining eligibility for temporary cash assistance;
reenacting s. 414.045, F.S.; incorporate the amendments made to
s. 414.095, F.S., in references thereto; providing an effective
date.