



1 A bill to be entitled
2 An act relating to public assistance; amending s.
3 414.065, F.S.; revising penalties for noncompliance
4 with work requirements for temporary cash assistance;
5 limiting the receipt of child-only benefits during
6 periods of noncompliance with work requirements;
7 providing applicability of work requirements before
8 expiration of the minimum penalty period; requiring
9 the Department of Children and Families to refer
10 sanctioned participants to appropriate free and low-
11 cost community services, including food banks;
12 amending s. 445.024, F.S.; requiring the Department of
13 Economic Opportunity, in cooperation with CareerSource
14 Florida, Inc., and the Department of Children and
15 Families, to develop and implement a work plan
16 agreement for participants in the temporary cash
17 assistance program; requiring the plan to identify
18 expectations, sanctions, and penalties for
19 noncompliance with work requirements; amending s.
20 402.82, F.S.; prohibiting the use of an electronic
21 benefits transfer card at specified locations;
22 requiring the Department of Children and Families to
23 impose a replacement fee for electronic benefits
24 transfer cards under certain circumstances; amending
25 s. 39.5085, F.S.; revising eligibility guidelines for



26 | the Relative Caregiver Program with respect to
27 | relative and nonrelative caregivers; amending ss.
28 | 414.14 and 414.175, F.S.; authorizing changes to
29 | public assistance policy and federal food assistance
30 | waivers to conform to federal law and simplify
31 | administration unless such changes increase program
32 | eligibility standards; creating s. 414.315, F.S.;
33 | requiring the Department of Children and Families to
34 | seek federal approval to establish food assistance
35 | program resource eligibility standards for all initial
36 | applications and recertifications; providing that such
37 | standards are subject to changes in federal
38 | regulations governing resource eligibility; requiring
39 | the department to obtain legislative authorization
40 | before seeking federal waivers to expand resource and
41 | income eligibility for food assistance; creating s.
42 | 414.393, F.S.; requiring the department, upon federal
43 | approval, to implement an asset verification service
44 | to verify eligibility for food assistance; amending s.
45 | 445.004, F.S.; requiring CareerSource Florida, Inc.,
46 | to include certain data relating to the performance
47 | outcomes of local workforce development boards and
48 | associated pilot programs in an annual report to the
49 | Governor and Legislature; providing legislative
50 | findings; providing definitions; requiring



51 CareerSource Florida, Inc., to contract with a vendor
52 to develop a pilot program to increase employment
53 among certain persons receiving temporary cash
54 assistance by a specified date; providing criteria for
55 selecting a vendor; providing criteria for selecting
56 local workforce boards to conduct the pilot program;
57 requiring CareerSource Florida, Inc., to submit a
58 comprehensive report on the outcome of the pilot
59 program to the Governor and Legislature by a specified
60 date; providing an appropriation; providing an
61 effective date.

62

63 Be It Enacted by the Legislature of the State of Florida:

64

65 Section 1. Subsection (1) and paragraph (a) of subsection
66 (2) of section 414.065, Florida Statutes, are amended to read:

67 414.065 Noncompliance with work requirements.—

68 (1) PENALTIES FOR NONPARTICIPATION IN WORK REQUIREMENTS
69 AND FAILURE TO COMPLY WITH ALTERNATIVE REQUIREMENT PLANS.—The
70 department shall establish procedures for administering
71 penalties for nonparticipation in work requirements and failure
72 to comply with the alternative requirement plan. If an
73 individual in a family receiving temporary cash assistance fails
74 to engage in work activities required in accordance with s.
75 445.024, the following penalties shall apply. Prior to the



76 | imposition of a sanction, the participant shall be notified
77 | orally or in writing that the participant is subject to sanction
78 | and that action will be taken to impose the sanction unless the
79 | participant complies with the work activity requirements. The
80 | participant shall be counseled as to the consequences of
81 | noncompliance and, if appropriate, shall be referred for
82 | services that could assist the participant to fully comply with
83 | program requirements. If the participant has good cause for
84 | noncompliance or demonstrates satisfactory compliance, the
85 | sanction may ~~shall~~ not be imposed. If the participant has
86 | subsequently obtained employment, the participant shall be
87 | counseled regarding the transitional benefits that may be
88 | available and provided information about how to access such
89 | benefits. The department shall administer sanctions related to
90 | food assistance consistent with federal regulations.

91 | (a)1. First noncompliance:

92 | a. Temporary cash assistance shall be terminated for the
93 | family for a minimum of 1 month ~~10 days~~ or until the individual
94 | who failed to comply does so, whichever is later. Upon meeting
95 | this requirement, temporary cash assistance shall be reinstated
96 | to the date of compliance or the first day of the month
97 | following the penalty period, whichever is later.

98 | b. Upon the first occurrence of noncompliance, temporary
99 | cash assistance for the child or children in a family who are
100 | under age 16 may be continued for the first month of the penalty



101 period through a protective payee as specified in subsection
102 (2).

103 2. Second noncompliance:

104 a. Temporary cash assistance shall be terminated for the
105 family for 3 months ~~1 month~~ or until the individual who failed
106 to comply does so, whichever is later. The individual shall be
107 required to comply with the required work activity upon
108 completion of the 3-month penalty period before reinstatement of
109 temporary cash assistance. Upon meeting this requirement,
110 temporary cash assistance shall be reinstated to the date of
111 compliance or the first day of the month following the penalty
112 period, whichever is later.

113 b. Upon the second occurrence of noncompliance, temporary
114 cash assistance for the child or children in a family who are
115 under age 16 may be continued for the first 3 months of the
116 penalty period through a protective payee as specified in
117 subsection (2).

118 3. Third noncompliance:

119 a. Temporary cash assistance shall be terminated for the
120 family for 6 ~~3~~ months or until the individual who failed to
121 comply does so, whichever is later. The individual shall be
122 required to comply with the required work activity upon
123 completion of the 6-month ~~3-month~~ penalty period, before
124 reinstatement of temporary cash assistance. Upon meeting this
125 requirement, temporary cash assistance shall be reinstated to



126 | the date of compliance or the first day of the month following
127 | the penalty period, whichever is later.

128 | b. Upon the third occurrence of noncompliance, temporary
129 | cash assistance for the child or children in a family who are
130 | under age 16 may be continued for the first 6 months of the
131 | penalty period through a protective payee as specified in
132 | subsection (2).

133 | 4. Fourth noncompliance:

134 | a. Temporary cash assistance shall be terminated for the
135 | family for 12 months or until the individual who failed to
136 | comply does so, whichever is later. The individual shall be
137 | required to comply with the required work activity upon
138 | completion of the 12-month penalty period and reapply before
139 | reinstatement of temporary cash assistance. Upon meeting this
140 | requirement, temporary cash assistance shall be reinstated to
141 | the first day of the month following the penalty period.

142 | b. Upon the fourth occurrence of noncompliance, temporary
143 | cash assistance for the child or children in a family who are
144 | under age 16 may be continued for the first 12 months of the
145 | penalty period through a protective payee as specified in
146 | subsection (2).

147 | 5. The sanctions imposed under subparagraphs 1.-4. do not
148 | prohibit a participant from complying with the work activity
149 | requirements during the penalty periods imposed by this
150 | paragraph.



151 (b) If a participant receiving temporary cash assistance
152 who is otherwise exempted from noncompliance penalties fails to
153 comply with the alternative requirement plan required in
154 accordance with this section, the penalties provided in
155 paragraph (a) shall apply.

156 (c) When a participant is sanctioned for noncompliance
157 with this section, the department shall refer the participant to
158 appropriate free and low-cost community services, including food
159 banks.

160
161 If a participant fully complies with work activity requirements
162 for at least 6 months, the participant shall be reinstated as
163 being in full compliance with program requirements for purpose
164 of sanctions imposed under this section.

165 (2) CONTINUATION OF TEMPORARY CASH ASSISTANCE FOR
166 CHILDREN; PROTECTIVE PAYEES.—

167 (a) Upon the second or subsequent ~~third~~ occurrence of
168 noncompliance, subject to the limitations in paragraph (1)(a),
169 temporary cash assistance and food assistance for the child or
170 children in a family who are under age 16 may be continued. Any
171 such payments must be made through a protective payee or, in the
172 case of food assistance, through an authorized representative.
173 Under no circumstances shall temporary cash assistance or food
174 assistance be paid to an individual who has failed to comply
175 with program requirements.



176 Section 2. Subsections (3) through (7) of section 445.024,
177 Florida Statutes, are renumbered as subsections (4) through (8),
178 respectively, and a new subsection (3) is added to that section,
179 to read:

180 445.024 Work requirements.—

181 (3) WORK PLAN AGREEMENT.—For each individual who is not
182 otherwise exempt from work activity requirements, but before a
183 participant may receive temporary cash assistance, the
184 Department of Economic Opportunity, in cooperation with
185 CareerSource Florida, Inc., and the Department of Children and
186 Families, must:

187 (a) Inform the participant, in plain language, and require
188 the participant to assent to, in writing:

189 1. What is expected of the participant to continue to
190 receive temporary cash assistance benefits.

191 2. Under what circumstances the participant would be
192 sanctioned for noncompliance.

193 3. Potential penalties for noncompliance with work
194 requirements in s. 414.065, including how long benefits would
195 not be available to the participant.

196 (b) Work with the participant to develop strategies to
197 assist the participant in overcoming obstacles to compliance
198 with the work activity requirements.

199 Section 3. Paragraphs (g), (h), and (i) are added to
200 subsection (4) of section 402.82, Florida Statutes, and



201 subsection (5) is added to that section, to read:

202 402.82 Electronic benefits transfer program.—

203 (4) Use or acceptance of an electronic benefits transfer
204 card is prohibited at the following locations or for the
205 following activities:

206 (g) A medical marijuana treatment center or dispensing
207 organization.

208 (h) A cigar store or stand, pipe store, smoke shop, or
209 tobacco shop.

210 (i) A body piercing salon as defined in s. 381.0075(2)(b),
211 a tattoo establishment as defined in s. 381.00771, or a business
212 establishment primarily engaged in the practice of branding.

213 (5) The department shall impose a fee for the fifth and
214 each subsequent request for a replacement electronic benefits
215 transfer card that a participant requests within a 12-month
216 period. The fee must be equal to the cost to replace the
217 electronic benefits transfer card. The fee may be deducted from
218 the participant's benefits. The department may waive the
219 replacement fee upon a showing of good cause, such as the
220 malfunction of the card or extreme financial hardship.

221 Section 4. Paragraph (a) of subsection (1) and paragraph
222 (a) of subsection (2) of section 39.5085, Florida Statutes, are
223 amended to read:

224 39.5085 Relative Caregiver Program.—

225 (1) It is the intent of the Legislature in enacting this



226 section to:

227 (a) Provide for the establishment of procedures and
228 protocols that serve to advance the continued safety of children
229 by acknowledging the valued resource uniquely available through
230 grandparents, relatives of children, and specified nonrelatives
231 of children pursuant to sub-subparagraph (2) (a) 1.c. ~~subparagraph~~
232 ~~(2) (a) 3.~~

233 (2) (a) The Department of Children and Families shall
234 establish, ~~and operate,~~ and implement the Relative Caregiver
235 Program ~~pursuant to eligibility guidelines established in this~~
236 ~~section as further implemented~~ by rule of the department.

237 1. The Relative Caregiver Program shall, within the limits
238 of available funding, provide financial assistance to:

239 a.1. Relatives who are within the fifth degree by blood or
240 marriage to the parent or stepparent of a child and who are
241 caring full-time for that dependent child in the role of
242 substitute parent as a result of a court's determination of
243 child abuse, neglect, or abandonment and subsequent placement
244 with the relative under this chapter.

245 b.2. Relatives who are within the fifth degree by blood or
246 marriage to the parent or stepparent of a child and who are
247 caring full-time for that dependent child, and a dependent half-
248 brother or half-sister of that dependent child, in the role of
249 substitute parent as a result of a court's determination of
250 child abuse, neglect, or abandonment and subsequent placement



251 with the relative under this chapter.

252 ~~c.3.~~ Nonrelatives who are willing to assume custody and
253 care of a dependent child in the role of substitute parent as a
254 result of a court's determination of child abuse, neglect, or
255 abandonment and subsequent placement with the nonrelative
256 caregiver under this chapter. The court must find that a
257 proposed placement under this subparagraph is in the best
258 interest of the child.

259 2. The relative or nonrelative caregiver may not receive a
260 Relative Caregiver Program payment if the parent or stepparent
261 of the child resides in the home. However, a relative or
262 nonrelative may receive the payment for a minor parent who is in
263 his or her care and for the minor parent's child, if both the
264 minor parent and the child have been adjudicated dependent and
265 meet all other eligibility requirements. If the caregiver is
266 currently receiving the payment, the payment must be terminated
267 no later than the first day of the following month after the
268 parent or stepparent moves into the home. Before the payment is
269 terminated, the caregiver must be given 10 days' notice of
270 adverse action.

271
272 The placement may be court-ordered temporary legal custody to
273 the relative or nonrelative under protective supervision of the
274 department pursuant to s. 39.521(1)(b)3., or court-ordered
275 placement in the home of a relative or nonrelative as a



276 permanency option under s. 39.6221 or s. 39.6231 or under former
277 s. 39.622 if the placement was made before July 1, 2006. The
278 Relative Caregiver Program shall offer financial assistance to
279 caregivers who would be unable to serve in that capacity without
280 the caregiver payment because of financial burden, thus exposing
281 the child to the trauma of placement in a shelter or in foster
282 care.

283 Section 5. Section 414.14, Florida Statutes, is amended to
284 read:

285 414.14 Public assistance policy simplification.—To the
286 extent possible, the department shall align the requirements for
287 eligibility under this chapter with the food assistance program
288 and medical assistance eligibility policies and procedures to
289 simplify the budgeting process and reduce errors. If the
290 department determines that s. 414.075, relating to resources, or
291 s. 414.085, relating to income, is inconsistent with federal law
292 governing the food assistance program or medical assistance, and
293 that conformance to federal law would simplify administration of
294 the Temporary Cash Assistance Program or reduce errors without
295 materially increasing the cost of the program to the state, the
296 secretary of the department may propose a change in the resource
297 or income requirements of the program by rule, providing that
298 such change does not increase income or resource eligibility
299 standards for the program.

300 Section 6. Subsection (2) of section 414.175, Florida



301 Statutes, is amended to read:

302 414.175 Review of existing waivers.—

303 (2) The department shall review federal law, including
304 revisions to federal food assistance program requirements. If
305 the department determines that federal food assistance waivers
306 will further the goals of this chapter, including simplification
307 of program policies or program administration, the department
308 may obtain waivers if this can be accomplished within available
309 resources, providing that such waiver does not increase income
310 or resource eligibility standards for the food assistance
311 program above the levels set by federal regulations in 7 C.F.R.
312 s. 273.

313 Section 7. Section 414.315, Florida Statutes, is created
314 to read:

315 414.315 Food assistance program resource eligibility
316 standards.—

317 (1) The department shall seek federal approval to
318 implement the following resource eligibility standards that
319 apply to all initial applications or recertifications for food
320 assistance:

321 (a) A household that does not include an elderly or
322 disabled member may not exceed the maximum allowable resources,
323 including both liquid and nonliquid assets, of \$2,250.

324 (b) A household that includes one or more members who are
325 disabled or one or more members who are age 60 or over may not



326 exceed the maximum allowable resources, including both liquid
327 and nonliquid assets, of \$3,250.

328 (2) The resource eligibility standards established in
329 subsection (1) are subject to any changes to the federal
330 regulations governing resource eligibility for food assistance
331 in 7 C.F.R. s. 273.8 and any applicable cost-of-living
332 adjustment.

333 (3) Unless expressly required by federal law, the
334 department shall obtain specific authorization from the
335 Legislature before seeking, applying for, accepting, or renewing
336 any waiver for food assistance which expands resource
337 eligibility beyond the limits established in subsection (1).

338 (4) This section does not apply to those households that
339 are federally required to be categorically eligible for food
340 assistance under 7 C.F.R. 273.2.

341 Section 8. Section 414.393, Florida Statutes, is created
342 to read:

343 414.393 Applicant asset verification.—Upon federal
344 approval to implement the resource eligibility standards in s.
345 414.315, the department shall implement an asset verification
346 service for the purpose of determining eligibility for the food
347 assistance program.

348 Section 9. Paragraphs (c) and (d) are added to subsection
349 (7) of section 445.004, Florida Statutes, and subsection (13) is
350 added to that section, to read:



351 445.004 CareerSource Florida, Inc.; creation; purpose;
352 membership; duties and powers.—

353 (7) By December 1 of each year, CareerSource Florida,
354 Inc., shall submit to the Governor, the President of the Senate,
355 the Speaker of the House of Representatives, the Senate Minority
356 Leader, and the House Minority Leader a complete and detailed
357 annual report setting forth:

358 (c) For each local workforce development board,
359 participant statistics and employment outcomes, by program, for
360 individuals subject to mandatory work requirements due to
361 receipt of temporary cash assistance or food assistance under
362 chapter 414, including:

- 363 1. Individuals served.
364 2. Services received.
365 3. Activities in which individuals participated.
366 4. Types of employment secured.
367 5. Individuals securing employment but remaining in each
368 program.
369 6. Individuals exiting programs due to employment.
370 7. Employment status at 3 months, 6 months, and 12 months
371 after exiting the program, for the past 3 years.

372 (d) Interim outcomes of any pilot program implemented by a
373 local workforce development board selected pursuant to
374 subsection (13).

375 (13) The Legislature finds that some mandatory work



376 registrants in the Temporary Cash Assistance Program face
377 significant barriers to employment, which must be addressed with
378 services beyond those offered under a traditional workforce
379 program. To address this problem, CareerSource Florida, Inc., in
380 consultation with the department, shall implement a pilot
381 program to increase unsubsidized employment and earned income
382 among such registrants while reducing their reliance on public
383 assistance. The pilot program may not serve registrants who are
384 assessed as work ready or who do not face significant barriers
385 to employment.

386 (a) For the purposes of this subsection, "significant
387 barriers to employment" means at least one critical barrier or
388 three or more stand-alone barriers.

389 1. "Critical barriers" include substance abuse, mental
390 illness, physical or mental disability, domestic violence,
391 homelessness, and a criminal record affecting employment.

392 2. "Stand-alone barriers" include significant job skill
393 deficiencies; significant soft-skill deficiencies, such as
394 communication, time management, and problem-solving skills;
395 child welfare system involvement; and a negative or nonexistent
396 employment history.

397 (b) CareerSource Florida, Inc., in consultation with the
398 department, shall contract with a vendor by October 31, 2017, to
399 develop the pilot program according to the following guidelines:

400 1. The vendor must have expertise in the design and



401 development of workforce programs.

402 2. The program design shall be based on the best available
403 research and shall include, at a minimum:

404 a. A comprehensive assessment to identify significant
405 barriers to employment, which shall be updated on an ongoing
406 basis. Such an assessment may collect information about the
407 registrant's educational attainment, level of literacy and
408 numeracy, basic skills, work experience, receipt of public
409 benefits, and other indicators of significant barriers.

410 b. An individual responsibility plan based on the
411 assessment, which includes a comprehensive service strategy to
412 address barriers to employment, whether sequentially or
413 simultaneously.

414 c. Intensive case management, including, but not limited
415 to, ongoing one-on-one guidance, motivation, and support for
416 registrants by assessing their needs and barriers, identifying
417 resources, and advising on career and training opportunities.
418 Intensive case management also includes collaborative work with
419 community partners to provide comprehensive services to
420 registrants which are designed to address their barriers and
421 achieve program goals.

422 3. The program may include other elements to address
423 significant barriers, such as a combination of job search
424 assistance, basic skills training, vocational education,
425 strategies that connect registrants to relevant career



426 opportunities by supporting their efforts to obtain educational
427 certificates or industry certification, and transitional
428 employment subsidies to achieve the desired improvements in
429 employment and earnings.

430 (c) CareerSource Florida, Inc., in consultation with the
431 department, shall select at least three local workforce boards
432 to conduct the pilot program based on a board's:

433 1. Commitment to effectively serve the target population;

434 2. Established record of innovation in the delivery of
435 workforce services, preferably to the target population;

436 3. Existing strong community partnerships, including
437 partnerships with nonprofit entities and community colleges, to
438 provide workforce services; and

439 4. Commitment to implement the program for the target
440 population while continuing to serve other Temporary Cash
441 Assistance Program mandatory work registrants.

442 (d) The local workforce boards selected for the pilot
443 program shall contract with vendors to implement the program.
444 The local workforce board shall give preference to vendors with
445 a demonstrated commitment to innovation in providing workforce
446 services or in serving populations with significant barriers.

447 (e) CareerSource Florida, Inc., shall submit a report to
448 the Governor, the President of the Senate, and the Speaker of
449 the House of Representatives by December 15, 2020. The report
450 shall include the program design; participating entities;



451 participant demographics, including, but not limited to,
452 barriers identified; and the case management processes,
453 assessment processes, and services provided to participants, as
454 compared to those available under the local workforce board's
455 traditional workforce program. The report shall also include an
456 analysis of the effect of the program on participants' barriers
457 to employment, employment outcomes, household income, reliance
458 on public assistance, and other measures of household well-being
459 and self-sufficiency.

460 Section 10. (1) For fiscal year 2017-2018, the sum of
461 \$3,342,525 in nonrecurring funds is appropriated from the
462 Federal Grants Trust Fund to the Department of Children and
463 Families to contract with a vendor to develop an asset
464 verification service for food assistance programs pursuant to s.
465 414.393, Florida Statutes, as created by this act, and the sum
466 of \$300,000 in nonrecurring funds is appropriated from the
467 Federal Grants Trust Fund to the Department of Children and
468 Families to perform the technology modifications necessary to
469 implement the asset verification service.

470 (2) This section shall take effect July 1, 2017, if
471 CS/CS/CS/HB 581 or similar legislation relating to an asset
472 verification service for food assistance programs is not adopted
473 during the same legislative session or an extension thereof and
474 fails to become a law.

475 Section 11. (1) For fiscal year 2017-2018, the sum of



476 \$500,000 in nonrecurring funds is appropriated from the Welfare
477 Transition Trust Fund to the Department of Economic Opportunity
478 for distribution to CareerSource Florida, Inc., to contract for
479 development of a program to serve temporary cash assistance work
480 registrants with significant barriers to employment pursuant to
481 this act, including, but not limited to, providing the initial
482 program design, evaluation design, training curricula
483 development and delivery of training, implementation oversight,
484 development of informational materials for participants, and
485 technical assistance; and for distribution to selected local
486 workforce boards for startup expenses incurred by vendors
487 implementing the program, including, but not limited to,
488 information technology updates, program coordination, and staff
489 training. Case management and direct services for all temporary
490 cash assistance recipients shall be provided within current
491 resources.

492 (2) This section shall take effect July 1, 2017, if
493 CS/CS/CS/HB 581 or similar legislation relating to public
494 assistance programs is not adopted during the same legislative
495 session or an extension thereof and fails to become a law.

496 Section 12. For fiscal year 2017-2018, the sum of \$952,360
497 in nonrecurring funds from the Federal Grants Trust Fund is
498 appropriated to the Department of Children and Families for the
499 purpose of performing the technology modifications necessary to
500 implement changes to the disbursement of temporary cash



CS/CS/HB 23, Engrossed 1

2017

501 assistance benefits and the replacement of electronic benefits
502 transfer cards pursuant to this act.

503 Section 13. This act shall take effect July 1, 2017.