

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

HOUSE BILL NO. 1492

By: Williams

AS INTRODUCED

An Act relating to poor persons; providing for certain revisions of certain schedules; providing standards of eligibility; providing for application of act; specifying certain exceptions; setting certain requirements for certain assistance; authorizing certain payments without certain restrictions; providing for certain retained benefits; authorizing additional grants; requiring certain community service; providing for codification; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 231.1 of Title 56, unless there is created a duplication in numbering, reads as follows:

A. The Commission for Human Services shall revise the schedule of benefits to be paid to a recipient family under the program of Aid to Families with Dependent Children (AFDC) pursuant to the provisions of this act.

B. For families receiving benefits pursuant to the AFDC program on July 1, 1993, the Commission shall eliminate the increment in

benefits under the program for which that family would otherwise be eligible as a result of the birth of another child:

1. During the period in which the family is eligible for AFDC benefits; or

2. During a temporary period in which the family or adult recipient is ineligible for AFDC benefits pursuant to a penalty imposed by the Department of Human Services for failure to comply with benefit eligibility requirements, subsequent to which the family or adult recipient is again eligible for benefits.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 231.2 of Title 56, unless there is created a duplication in numbering, reads as follows:

A. Except as provided in subsection B of this section, if a person applying for aid is under eighteen (18) years of age, has never married and is pregnant or has a dependent child in his or her care, the person is not eligible for aid unless he or she lives in a place maintained by his or her parent, legal guardian or other adult relative as the parent's, guardian's or other adult relative's own home or lives in a foster home, maternity home or other supportive living arrangement supervised by an adult.

B. Subsection A of this section shall not apply in any of the following situations:

1. The person applying for aid has no parent or legal guardian whose whereabouts are known;

2. No parent or legal guardian of the person applying for aid allows the person to live in the home of that parent or legal guardian;

3. The Department determines that the physical or emotional health or safety of the person applying for aid or the dependent child would be jeopardized if the person and the dependent child lived with the person's parent or guardian; and

4. The person applying for aid lived apart from his or her parent or legal guardian for at least one (1) year before the birth of any dependent child or before the person applied for aid.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 231.3 of Title 56, unless there is created a duplication in numbering, reads as follows:

The Commission for Human Services shall revise the rules and standards governing the Aid to Families with Dependent Children program to permit the program to provide full benefits to a family whose income does not exceed the poverty level as designated by the latest Federal Decennial Census in which the parents are married and reside in the same household, without placing restrictions on the employment of either parent.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 231.4 of Title 56, unless there is created a duplication in numbering, reads as follows:

The Department of Human Services shall revise applicable standards and rules which will allow:

1. Recipients of medical assistance and child care benefits under the state Medicaid program who become employed to continue to receive such assistance and benefits for twelve (12) months following the initial date of employment unless:

- a. the employer provides medical assistance or child care benefits, or
- b. the monthly salary received from the employer exceeds the monthly allowance of assistance pursuant to the Aid to Families with Dependent Children program plus the cost of child care and medical assistance to which the recipient would be entitled;

2. For the indexing of benefits on a phased basis for recipients who become employed.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 231.5 of Title 56, unless there is created a duplication in numbering, reads as follows:

A. Persons eighteen (18) years of age or less who are supporting their minor children and are eligible for benefits pursuant to the Aid to Families with Dependent Children program, shall be entitled to receive in addition to such benefits a Fifty Dollar (\$50.00) grant supplement each month if such person:

1. Is attending classes leading towards a diploma or GED; and
2. Has had no more than four (4) absences in a month of which no more than two (2) such absences may be unexcused.

B. Any person eighteen (18) years of age or less who has not graduated from high school shall receive a Fifty Dollar (\$50.00) per month reduction in benefits if such person is not attending classes leading towards a diploma or GED.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 231.6 of Title 56, unless there is created a duplication in numbering, reads as follows:

Any recipient of benefits pursuant to the Aid to Families with Dependent Children program who is employable and who has received such benefits continuous for at least six (6) months shall be required to perform community service without compensation not less than three (3) days a week until such benefits are terminated.

SECTION 7. This act shall become effective July 1, 1993.

SECTION 8. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.