

ENROLLED HOUSE
BILL NO. 2170

By: Seikel, Toure,
Pettigrew, Case,
Claunch, Coleman, Dank,
Ingmire, Liotta, Miller,
Newport and O'Neal of
the House

and

Cain, Brown and Williams
of the Senate

An Act relating to poor persons; amending Section 1, Chapter 346, O.S.L. 1995, Section 3, Chapter 346, O.S.L. 1995, Section 14, Chapter 346, O.S.L. 1995, as amended by Section 27, Chapter 353, O.S.L. 1996, Section 10, Chapter 346, O.S.L. 1995, Section 21, Chapter 346, O.S.L. 1995, Section 15, Chapter 346, O.S.L. 1995, Section 18, Chapter 346, O.S.L. 1995, Section 6, Chapter 346, O.S.L. 1995, Section 22, Chapter 346, O.S.L. 1995, Section 25, Chapter 346, O.S.L. 1995, Section 24, Chapter 346, O.S.L. 1995, Section 26, Chapter 346, O.S.L. 1995, and Section 27, Chapter 346, O.S.L. 1995 (56 O.S. Supp. 1996, Sections 230.1, 230.3, 230.9, 230.8, 230.12, 230.10, 230.13, 230.11, 230.6, 230.15, 230.16, 230.17 and 230.18), which relate to the Oklahoma Welfare Self Sufficiency Initiative; modifying name to the Statewide Temporary Assistance Responsibility System; providing for establishment of program; providing legislative intent; providing for components of program; modifying powers and duties of the Commission for Human Services and the Department of Human Services; clarifying and updating language; requiring implementation of certain projects and programs on a statewide basis; requiring certain collaboration; deleting certain residency requirements; requiring certain study for certain purpose; requiring seeking of maximum funding; requiring certain reports; providing for contents; providing for certain mandatory program components; defining work activities; specifying certain requirements; providing for release of certain confidentiality; requiring sharing of certain information; requiring certain releases; authorizing for individual development account; providing for uses; providing for treatment of certain resources; providing exception; removing certain exceptions to certain residence requirements for teen parents; limiting certain benefits; requiring participation in certain work activities; providing for granting of assistance in certain situations; providing for development of model approach for substance abuse assessments; providing for certain contracts; requiring

performance-based contracts; providing for certain factors for determination of amounts; providing sanctions for noncooperation of certain persons in certain situations; providing for establishment of employability assessment of certain persons; providing for certain literacy assessments; requiring utilization of certain resources; providing for content and purpose of personal responsibility agreement; adding and modifying contents; deleting certain outdated contents; authorizing imposition of certain sanctions; eliminating certain benefits; amending Section 3, Chapter 291, O.S.L. 1992, as amended by Section 13, Chapter 346, O.S.L. 1995 (56 O.S. Supp. 1996, Section 234.1), which relate to learnfare; expanding program statewide; providing for statewide network of child care resource and referral centers; providing framework and purpose; amending Section 3, Chapter 156, O.S.L. 1993, as amended by Section 1, Chapter 69, O.S.L. 1995 (56 O.S. Supp. 1996, Section 241.1), which relates to food stamps; providing for content; authorizing system when funds become available; prohibiting certain parents delinquent in certain payments from receipt of food stamps; providing for food stamp program; authorizing sanctions; providing for limitation of benefits; providing for structure and conditions of program; providing for One-stop Career/Employment Centers; providing for use; providing for certain partnerships and collaboration; providing for employment preparation and other services; providing for interorganizational linkage agreements; providing for joint establishment of certain eligibility criteria for Medicaid requirements; defining terms relating to benefits for aliens; providing legislative intent; providing for eligibility of certain aliens for certain public assistance; restricting certain assistance; providing for compliance with federal law; providing for opt-out of certain federal requirements; amending 70 O.S. 1991, Section 1210.552, which relates to certain coordinated education services; clarifying language; repealing Section 2, Chapter 346, O.S.L. 1995, Section 4, Chapter 346, O.S.L. 1995, Section 5, Chapter 346, O.S.L. 1995, Section 8, Chapter 346, O.S.L. 1995, and Section 23, Chapter 346, O.S.L. 1995 (56 O.S. Supp. 1996, Sections 230.2, 230.4, 230.5, 230.7 and 230.14), which relate to the Oklahoma Welfare Self Sufficiency Initiative; repealing 56 O.S. 1991, Sections 501, 502, 503, 504, 505, 506, 507, 508, 509, 510 and 511, which relate to the Community Workfare Experience Act; providing for noncodification; providing for codification; providing for recodification; providing effective dates; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 1, Chapter 346, O.S.L. 1995 (56 O.S. Supp. 1996, Section 230.1), is amended to read as follows:

Section 230.1 A. ~~This Sections 1 through 26 of this act shall be known and may be cited as the "Oklahoma Welfare Self Sufficiency Initiative Statewide Temporary Assistance Responsibility System (STARS)".~~

B. 1. There is hereby established the Statewide Temporary Assistance Responsibility System (STARS) which shall consist of programs and services to be offered by the state with funds provided by the temporary assistance for needy families block grant authorized by Section 103 of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193, in addition to other monies appropriated by law.

2. The STARS shall consist of integrated and coordinated programs and services that will provide recipients with the necessary tools to enable them to make the transition from reliance on public assistance programs to becoming independent, self-sufficient citizens who are capable of supporting themselves and their families. Such programs and services include but are not limited to: career guidance and employment preparation, job referral, vocational and technical training, child care initiatives, literacy development, adult basic education, and medical assistance.

3. The Oklahoma Legislature further recognizes the importance of encouraging establishment of statewide, One-stop Career/Employment Centers that would link existing resources and federal and state programs for utilization by persons receiving temporary assistance, and underemployed and unemployed persons.

C. The Department of Human Services shall ~~carry~~ be responsible for:

1. Implementing the federal Temporary Assistance for Needy Families Act (TANF);

2. Carrying out the projects and programs specified in the Oklahoma Welfare Self Sufficiency Initiative and STARS. The Department shall implement the provisions of the Oklahoma Welfare Self Sufficiency Initiative STARS to the fullest extent permitted by law and in accordance with the terms and conditions granted specified by the federal government.;

~~C. The Department of Human Services shall:~~

~~1. Submit any federal waiver requests and apply for and otherwise seek to obtain any amendments and exemptions from federal statutes and rules as necessary to implement the provisions of the Oklahoma Welfare Self Sufficiency Initiative not later than January 1, 1996;~~

~~2. Expedite~~ 3. Expediting the acquisition of any federal waivers necessary to implement the provisions of ~~the Oklahoma Welfare Self Sufficiency Initiative~~ STARS through amendments, combined waivers, requests and in any other such manner authorized by federal law and ~~rules~~ regulations; and

~~3. Work~~ 4. Working in close and continuous coordination with appropriate federal officials and ~~prepare~~ preparing and ~~submit~~ submitting completely and in a timely manner all forms and data required by ~~such~~ federal officials to implement ~~the Oklahoma Welfare Self Sufficiency Initiative~~ STARS.

D. ~~Upon receipt of approval of any waivers, exemptions or amendments from the federal Department of Health and Human Services or prior to implementation of any of the programs provided for in the Oklahoma Welfare Self Sufficiency Initiative, the In~~

administering the STARS, the Department shall collaborate with the Oklahoma Employment Security Commission, the Department of Commerce, the State Department of Health and the State Department of Education and any other state or federal agency necessary to implement the provisions of the STARS.

E. In submitting any state plan or amendments to the state plan to the federal government in order to obtain a temporary assistance for needy families block grant or child care and development block grant, the Department shall seek the maximum block grant funding and federal contingency fund allocations that are available pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193.

F. The Commission for Human Services shall promulgate rules for developing any projects and programs ~~provided for in the to~~ implement the ~~Oklahoma Welfare Self Sufficiency Initiative~~ STARS.

~~E. G.~~ 1. The Department of Human Services is directed to file with the Speaker of the House of Representatives and the President Pro Tempore of the Senate a copy of ~~each~~ any waiver application or request for amendment or exemption filed with the federal government, copies of correspondence to and from the federal government explaining and elaborating upon said applications, and final documentation of any waivers, amendments, and exemptions granted by the federal government pursuant to the STARS.

2. On or before February 1, 1998, for the previous six-month period, and on or before February 1 of each year, for the previous fiscal year, the Department shall provide a written report on each project and program specified in the ~~Oklahoma Welfare Self Sufficiency Initiative~~ STARS to the Legislature and the Governor which identifies:

- ~~a. the status of the waiver,~~
- ~~b. number of active participants, and~~
- ~~c. demonstration projects which will be completed prior to the beginning of the next regular legislative session. The Department shall include in the report required by this section recommendations for statewide implementation of any such demonstration projects.~~

~~F. 1. Each provision of the Oklahoma Welfare Self Sufficiency Initiative, shall, regardless of whether it includes a specific provision for federal approval, be subject to federal approval, if required, and federal financial participation.~~

~~2. If the state fails to receive a waiver for any provision of the Oklahoma Welfare Self Sufficiency Initiative or would otherwise fail to receive federal financial participation in the implementation of such provision, then such provision shall not be implemented, except as otherwise required by the Legislature, or unless and until the full amount required for implementation of the provision without federal participation is appropriated by the Legislature.~~

~~G. 1. Except as specifically provided by the Oklahoma Welfare Self Sufficiency Initiative, the Department shall implement each project and program required by the Oklahoma Welfare Self Sufficiency Initiative as a demonstration project.~~

~~2. Except as otherwise provided by the Oklahoma Welfare Self Sufficiency Initiative, the Department shall not implement on a statewide basis any of the demonstration projects or programs provided for in the Oklahoma Welfare Self Sufficiency Initiative unless specifically authorized to do so by the Legislature~~

- a. total number of new applications received by the Department for TANF, food stamps and child care, and the number of cases actually certified,

- b. number of recipients who signed a personal responsibility agreement pursuant to the TANF program,
- c. number of cases closed by the Department and the reasons for the case closures,
- d. the number of persons who reapplied for benefits pursuant to the TANF program after a case had been closed,
- e. number of recipients who completed an employability assessment by level of education,
- f. the total number of recipients who completed an employability assessment, and the number who were initially referred for:
 - (1) literacy assessment,
 - (2) adult basic education or remediation classes,
 - (3) job skills development or vocational training,
 - (4) employment,
 - (5) other,
- g. of the total number of recipients assessed for literacy skills, the number who scored:
 - (1) at or below 6th grade level,
 - (2) at 7th or 8th grade level,
 - (3) at 9th or 10th grade level,
 - (4) above 10th grade level,
- h. number of sanctions imposed for violations of the provisions of the STARS or rules promulgated pursuant thereto or any other provision of law or rule relating to receipt of benefits by a recipient and the reasons for imposing the sanction,
- i. percentage of recipients in allowable work activities,
- j. number of recipients in each allowable work activity and the length of time spent in that activity,
- k. number of recipients employed by state agencies and contract service providers,
- l. number of recipients entering the workforce by occupation types,
- m. estimated average monthly earnings for employed aid recipients,
- n. average monthly number of hours worked by recipients,
- o. number of qualified aliens applying for assistance pursuant to the STARS and number of applications certified by the Department, and
- p. such other information deemed necessary by the Department.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 230.51 of Title 56, unless there is created a duplication in numbering, reads as follows:

The Statewide Temporary Assistance Responsibility System (STARS) shall, at a minimum, contain the following components:

1. The Temporary Assistance for Needy Families (TANF) program;
2. Child Care;
3. Food Stamps;
4. One-stop Career/Employment Centers;
5. Medicaid;
6. Assistance to Aliens; and
7. Supportive services.

I. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 230.52 of Title 56, unless there is created a duplication in numbering, reads as follows:

A. Except for specific exceptions, conditions or restrictions authorized by the Statewide Temporary Assistance Responsibility System (STARS) and rules promulgated by the Commission for Human Services pursuant thereto, the following are the minimum mandatory requirements for the Temporary Assistance for Needy Families (TANF) program:

1. A recipient shall be eligible to receive assistance pursuant to the TANF program only for a lifetime total of five (5) years. Child-only cases are not subject to the five-year limitation;

2. Single parents receiving temporary assistance pursuant to the TANF program shall participate in work activities for a minimum of twenty (20) hours per week during the month. Two-parent families receiving temporary assistance pursuant to the TANF program shall participate in work activities for a minimum of thirty-five (35) hours per week during the month;

3. A recipient must be engaged in one or more of the work activities set out in paragraph 4 of this subsection as soon as required by the Department of Human Services pursuant to the TANF program, but not later than twenty-four (24) months after certification of the application for assistance, unless the person is exempt from work requirements under rules promulgated by the Commission pursuant to the STARS;

4. The Department shall develop and describe categories of approved work activities for the TANF program recipients in accordance with this paragraph. Work activities that qualify in meeting the requirements include, but are not limited to:

- a. unsubsidized employment which is full-time employment or part-time employment that is not directly supplemented by federal or state funds,
- b. subsidized private sector employment which is employment in a private for-profit enterprise or a private not-for-profit enterprise that is directly supplemented by federal or state funds. Prior to receiving any subsidy or incentive, the employer shall enter into a written contract with the Department,
- c. subsidized public sector employment which is employment by an agency of a federal, state, or local governmental entity which is directly supplemented by federal or state funds. Prior to receiving any subsidy or incentive, the employer shall enter into a written contract with the Department,
- d. a program of work experience,
- e. on-the-job training,
- f. assisted job search which may include supervised or unsupervised job-seeking activities.
- g. job readiness assistance which may include, but is not limited to:
 - (1) orientation in the work environment and basic job-seeking and job retention skills,
 - (2) instruction in completing an application for employment and writing a resume, and
 - (3) instruction in conducting oneself during a job interview, including appropriate dress,
- h. job skills training which is directly related to employment in a specific occupation for which there is a written commitment by an employer to offer employment to a recipient who successfully completes the training. Job skills training includes, but is not limited to, customized training designed to meet

the needs of a specific employer or a specific industry,

- i. community service programs which are job-training activities provided in areas where sufficient public or private sector employment is not available. Such activities are linked to both education or training and activities that substantially enhance a recipient's employability,
- j. literacy and adult basic education programs,
- k. vocational-educational programs, not to exceed twelve (12) months for any individual, which are directed toward vocational-educational training and education directly related to employment,
- l. education programs which are directly related to specific employment opportunities, if a recipient has not received a high school diploma or General Equivalency Degree, and
- m. child care for other STARS recipients. The recipient must meet training and licensing requirements for child care providers as required by the Oklahoma Child Care Facilities Licensing Act;

5. Single, custodial parents with a child up to one (1) year of age may be exempt from work activities for a lifetime total exemption of twelve (12) months;

6. In order to receive assistance, unmarried teen parents of a minor child at least twelve (12) weeks of age must participate in educational activities or work activities approved by the state;

7. For single-parent families, except for teen parents, educational activities, other than vocational-technical training, do not count toward meeting the required twenty (20) hours of work activity. For two-parent families, educational activities, except vocational-technical training, do not count toward meeting the required thirty-five (35) hours of work activity;

8. A teen parent must live at home or in an approved, adult-supervised setting as specified in Section 6 of this act to receive TANF assistance;

9. A recipient must comply with immunization requirements established pursuant to the TANF program;

10. A recipient shall be subject to the increment in benefits for additional children established by Section 9 of this act;

11. The following recipient resources are exempt from resource determination criteria:

- a. an automobile with an equity allowance of not more than Five Thousand Dollars (\$5,000.00) pursuant to Section 4 of this act,
- b. individual development accounts established pursuant to Section 5 of this act in an amount not to exceed Two Thousand Dollars (\$2,000.00),
- c. the equity value of funeral arrangements owned by a recipient that does not exceed the limitation specified by Section 165 of Title 56 of the Oklahoma Statutes, and
- d. earned income disregards not to exceed One Hundred Twenty Dollars (\$120.00) and one-half (1/2) of the remainder of the earned income;

12. An applicant who applies and is otherwise eligible to receive TANF benefits but who has resided in this state less than twelve (12) months shall be subject to Section 8 of this act;

13. The recipient shall enter into a personal responsibility agreement with the Department for receipt of assistance pursuant to Section 16 of this act;

14. a. As a condition of participating in the STARS, all recipients are deemed to have given authorization for the release of any and all information necessary to allow all state and federal agencies to meet the program needs of the recipient.

b. The recipient shall be provided a release form to sign in order to obtain the required information. Failure to sign the release form may result in case closure; and

15. The recipient shall comply with all other conditions and requirements of the STARS, and rules of the Commission promulgated pursuant thereto.

B. 1. Agencies of this state involved in providing services to recipients pursuant to the STARS shall exchange information as necessary for each agency to accomplish objectives and fulfill obligations created or imposed by the STARS and rules promulgated pursuant thereto.

2. Information received pursuant to the STARS shall be maintained by the applicable agency and, except as otherwise provided by this subsection, shall be disclosed only in accordance with any confidentiality provisions applicable to the agency originating the information.

3. The various agencies of the state shall execute operating agreements to facilitate information exchanges pursuant to the STARS.

C. In implementing the TANF program, the Department shall:

1. Provide assistance to aliens pursuant to Section 26 of this act;

2. Provide for the closure of the TANF case when the adult recipient refuses to cooperate with agreed upon work activities or other case requirements pursuant to the TANF program;

3. Provide for the sanctioning of parents who do not require their minor children to attend school; and

4. Deny temporary assistance to fugitive felons.

D. In order to ensure that the needy citizens of this state are receiving necessary benefits, the Department shall maintain a listing of all recipients receiving public assistance. The listing shall reflect each recipient's income, social security number, and the programs in which the recipient is participating including, but not limited to, TANF, food stamps, child care, and medical assistance.

E. The Department is hereby authorized to establish a grant diversion program and emergency assistance services.

SECTION 4. AMENDATORY Section 3, Chapter 346, O.S.L. 1995 (56 O.S. Supp. 1996, Section 230.3), is amended to read as follows:

Section 230.3 The Department of Human Services, ~~in accordance with the terms and conditions of a waiver granted by the federal Department of Health and Human Services,~~ shall implement a demonstration project under which the Department is authorized to exclude an automobile with an equity allowance of not more than Five Thousand Dollars (\$5,000.00) from the determination of resources available to meet the needs of an applicant for or recipient of benefits under the Aid to Families with Dependent Children (AFDC) Temporary Assistance for Needy Families (TANF) program.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 230.54 of Title 56, unless there is created a duplication in numbering, reads as follows:

A. As used in the Temporary Assistance for Needy Families (TANF) program, an "individual development account" means an account established by a recipient under the TANF program and rules promulgated by the Commission for Human Services pursuant thereto for any of the following:

1. Paying for postsecondary education expenses;
2. Setting aside funds for the purchase of a first home to be used as the recipient's primary residence;
3. Contributing to a business capitalization account; and
4. Any other uses authorized by the TANF program.

B. The Commission for Human Services shall promulgate rules that enable recipients to fund individual development accounts for the purposes in subsection A of this section that are consistent with the requirements in Section 404(h) of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193. The Commission shall also promulgate rules that sanction recipients who misuse or abuse the spending down of funds contained in the individual development account for purposes not authorized pursuant to the TANF program.

C. Funds deposited in an individual development account shall not be counted as resources by the Department of Human Services in determining financial eligibility for assistance or services pursuant to the TANF program.

SECTION 6. AMENDATORY Section 14, Chapter 346, O.S.L. 1995, as amended by Section 27, Chapter 353, O.S.L. 1996 (56 O.S. Supp. 1996, Section 230.9), is amended to read as follows:

Section 230.9 A. Except as provided in subsection B of this section, if a person applying for benefits under the ~~Aid to Families with Dependent Children (AFDC)~~ Temporary Assistance for Needy Families (TANF) program is a minor, has never married and is pregnant or has a dependent child in such minor's care, the minor shall not be eligible for benefits unless the minor lives in a ~~place maintained by the minor's parent, legal guardian or other adult relative as the parent's, legal guardian's or other adult relative's own home, or unless the minor lives in foster placement, a maternity home or other supportive living arrangement supervised by an adult setting.~~

B. Subsection A of this section shall not apply if:

1. ~~The minor applying for benefits has no parent, legal guardian or adult relative, or none whose whereabouts are known;~~
2. ~~No parent, legal guardian or adult relative of the minor applying for benefits allows such minor to live in the home of that parent, legal guardian or adult relative;~~
3. ~~The Department determines that the physical or emotional health or safety of the minor applying for benefits or of the minor's dependent child would be jeopardized if the minor and the minor's dependent child lived with the minor's parent, legal guardian or adult relative;~~
4. ~~The minor applying for benefits lived apart from the minor's parent, legal guardian or adult relative for at least one (1) year before the birth of any dependent child of the minor or before the minor applied for benefits; or~~
5. ~~The~~ the minor person is legally emancipated pursuant to Chapter 4 of Title 10 of the Oklahoma Statutes.

C. The Department shall develop programs, in conjunction with the State Department of Health or any other appropriate federal,

state or local entity, to encourage teens in Oklahoma to abstain from sexual activity.

SECTION 7. AMENDATORY Section 10, Chapter 346, O.S.L. 1995 (56 O.S. Supp. 1996, Section 230.8), is amended to read as follows:

Section 230.8 In order to establish an incentive program for the immunization of minor children pursuant to the State Department of Health immunization schedule, the Department of Human Services, ~~in accordance with the terms and conditions of a waiver granted by the federal Department of Health and Human Services,~~ shall eliminate benefits for recipients under the ~~Aid to Families with Dependent Children (AFDC)~~ Temporary Assistance for Needy Families (TANF) program if, upon recertification of a recipient for the ~~AFDC TANF~~ program, the recipient fails to show proof of immunization for the recipient's minor children except for good cause established by rules promulgated by the Commission for Human Services. Proof of immunization shall be accomplished by presentation of the vaccination record by the recipient issued by the local health officer or a physician.

SECTION 8. AMENDATORY Section 21, Chapter 346, O.S.L. 1995 (56 O.S. Supp. 1996, Section 230.12), is amended to read as follows:

Section 230.12 ~~A. Any person who applies and is otherwise eligible to receive benefits pursuant to the Aid to Families with Dependent Children (AFDC) program who has resided in this state less than twelve (12) months on a continuous basis and who is unable to demonstrate to the satisfaction of the The Department of Human Services that such person was employed for at least thirteen (13) weeks after moving to this state shall receive the lesser of payments in an amount equal to:~~

- ~~1. The amount received by persons similarly situated residing in this state for twelve (12) months or less; or~~
- ~~2. The benefits such person received or would have received in the last state of residence pursuant to the AFDC state.~~

~~B. Any person who is otherwise eligible and who has resided in this state on a continuous basis for twelve (12) months or more may receive the authorized full level of benefits.~~

~~C. To be eligible to receive benefits pursuant to the AFDC program, an applicant shall provide verification as to length of residence in this state and, if a resident of this state less than twelve (12) months, the previous state of residence.~~

~~D. The provisions of this section shall only apply to new applications for benefits pursuant to the AFDC or after implementation of the provisions of this section shall study the feasibility of implementing a residency requirement, including a differential in benefits for receipt of public assistance for persons who have resided in this state for less than one (1) year on a continuous basis.~~

SECTION 9. AMENDATORY Section 15, Chapter 346, O.S.L. 1995 (56 O.S. Supp. 1996, Section 230.10), is amended to read as follows:

Section 230.10 ~~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 section.~~

~~B. 1. Except as otherwise provided in paragraph 4 subsection D of this subsection section, for families receiving benefits pursuant to the AFDC Temporary Assistance for Needy Families (TANF) program, the Commission for Human Services shall provide that the increment~~

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

~~a. during~~

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

~~b. during~~

2. During a temporary period in which the family or recipient is ineligible for ~~AFDC~~ TANF 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, shall be paid pursuant to a voucher as provided in ~~paragraph 2~~ subsection B of this ~~subsection~~ section.

~~2.~~ B. In the case of a family that receives ~~AFDC~~ TANF benefits if the recipient gives birth to an additional child during the period in which the family is eligible for ~~AFDC~~ TANF benefits or during a temporary penalty period of ineligibility for benefits, subsequent to which the family of the adult recipient again becomes eligible for benefits, the Department of Human Services shall not issue incremental benefits for such additional child to the recipient but shall instead issue a voucher for the amount of the incremental benefit that such recipient would have received for the additional child. The voucher shall be made payable, on behalf of the recipient, for infant and toddler clothing, food, and other articles of necessity for the infant and toddler, in such manner as authorized pursuant to rules of the Commission for Human Services. The Department may contract for the administration of the voucher system.

~~3.~~ C. A minor child of an applicant or of a recipient family who bears one child shall not be subject to the restriction on incremental benefits for one child only.

~~4.~~ D. Any child born to an eligible person within ten (10) months of the effective date of this act or within ten (10) months of application for the ~~AFDC~~ TANF program shall not be construed to be an additional child pursuant to the provisions of this section and the recipient family shall not be subject to the restriction on incremental benefits for that child.

SECTION 10. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 230.59 of Title 56, unless there is created a duplication in numbering, reads as follows:

A. The Department of Human Services, working with the Department of Mental Health and Substance Abuse Services, shall conduct a study to determine the extent to which substance abuse interferes with the ability of recipients in the Temporary Assistance for Needy Families (TANF) program to secure and maintain employment leading to self sufficiency.

B. The study shall include, but not be limited to, an assessment of the extent of the substance abuse problem among public assistance recipients in this state, the availability of a range of treatment resources statewide, and consideration of the use of drug testing, sanctions, and other tools recognized in successful intervention models, as well as the safety of any children involved.

C. The Department shall issue a report of its findings and any recommendations to the Governor and the Legislature not later than June 1, 1998.

SECTION 11. AMENDATORY Section 18, Chapter 346, O.S.L. 1995 (56 O.S. Supp. 1996, Section 230.11), is amended to read as follows:

Section 230.11 A. Except as otherwise provided in this section, any applicant who makes application with the Department of

Human Services for benefits under the ~~Aid to Families with Dependent Children (AFDC)~~ Temporary Assistance for Needy Families (TANF) program, in order to be eligible for such assistance, shall provide the name of the person or persons alleged to be legally responsible for the support of a child, and if known, the address and employer of the person or persons alleged to be legally responsible for the support of such child prior to receipt of any such assistance.

B. 1. If the specific person or persons legally responsible for the support of the child are unknown, the applicant for ~~AFDC~~ the TANF program shall submit with the application a list of names of persons alleged to be responsible for the support of the child to the Department of Human Services.

2. If the applicant does not provide the Department with the identity of the person or persons alleged to be legally responsible for the support of the child, the applicant shall be ineligible to continue to receive such assistance unless the Department determines that the applicant or recipient or a child of the applicant or recipient would more likely than not be subject to abuse for identifying the person or persons alleged to be responsible for the support of the child.

3. The ~~Department~~ Commission shall promulgate ~~policies and~~ rules which will standardize the decision process for determining eligibility pursuant to this paragraph.

C. The ~~Department of Human Services~~ shall determine the father for each minor child for whom benefits are received under the ~~AFDC~~ TANF program.

SECTION 12. AMENDATORY Section 6, Chapter 346, O.S.L. 1995 (56 O.S. Supp. 1996, Section 230.6), is amended to read as follows:

Section 230.6 A. The ~~Department of Human Services~~ Oklahoma Health Care Authority, in accordance with the terms and conditions of a waiver granted by the federal Department of Health and Human Services, shall conduct a demonstration project to revise applicable standards and rules which will allow a recipient of assistance under the Medicaid and ~~Aid to Families with Dependent Children (AFDC)~~ Temporary Assistance for Needy Families (TANF) program, who becomes employed, to continue to receive transitional Medicaid and child care assistance for twenty-four (24) months following the initial date of employment unless:

1. The employer provides medical assistance or child care benefits; or

2. The monthly salary received from the employer exceeds the monthly allowance of assistance pursuant to the ~~AFDC~~ TANF program plus the cost of child care and medical insurance to which the recipient would be entitled.

B. The Commission for Human Services shall revise applicable standards and rules to allow ~~an AFDC~~ a recipient under the TANF program, who becomes employed, to receive case management and transitional support services, ~~pursuant to the Family Support Act of 1988, for a period of ninety (90) days.~~ Such services shall include, but not be limited to, transportation assistance, ensuring that the family receives transitional Medicaid and child care, ensuring that the family is familiar with and applies for the Earned Income Tax Credit, providing that the recipient is assessed for and referred to providers for any social or supportive service-related needs, and assistance with any other problems which emerge in the initial months of employment.

SECTION 13. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 230.62 of Title 56, unless there is created a duplication in numbering, reads as follows:

The Department of Human Services shall, as appropriate, provide literacy remediation, work activities, training, and other services to recipients pursuant to the Temporary Assistance for Needy Families (TANF) program through contracts. In contracting for work activities, training, or other services, the following terms and conditions shall apply:

1. A contract shall be performance based. Whenever possible, payment shall be based on performance outcomes that include, but are not limited to, such factors as job entry, job entry at a target wage, and job retention. Payment shall not be based on completion of training, education, or any other phase of the program participation process;

2. A contract may include performance-based incentive payments that may vary according to the extent to which a recipient is more difficult to place. Contract payments may be weighted proportionally to reflect the extent to which a recipient has limitations associated with the long-term receipt of welfare, and difficulty in maintaining employment. The factors may include the extent of a recipient's prior receipt of welfare, lack of employment experience, poor literacy skills, lack of education, lack of job skills, and any other factors determined appropriate by the Department; and

3. The Department is hereby authorized to contract with commercial, charitable, or religious organizations to provide the necessary services pursuant to the TANF program.

SECTION 14. AMENDATORY Section 25, Chapter 346, O.S.L. 1995 (56 O.S. Supp. 1996, Section 230.16), is amended to read as follows:

Section 230.16 A. 1. If a recipient, without good cause, does not cooperate with the Department of Human Services in approved work activities as required by the Department pursuant to the Temporary Assistance for Needy Families (TANF) program, the Department shall close the case.

2. If a recipient, without good cause, does not cooperate with the Department in administering the child support enforcement program relating to the establishment, modification, or enforcement of a support order, the Department shall reduce benefits to the recipient under the Temporary Assistance for Needy Families (TANF) program in an amount to be determined by the Department.

B. 1. The Department of Human Services shall establish and operate a fraud control program. The Department shall proceed against any individual member of a family, regardless of payment status under the ~~Aid to Families with Dependent Children (AFDC)~~ TANF program, whom it believes to have committed an intentional program violation pursuant to federal law, through an administrative hearing or by referring the matter to the appropriate authorities for civil or criminal action in a state or federal court.

2. In proceeding against such an individual, the Department shall coordinate its actions with any corresponding actions being taken under Medicaid fraud programs where the factual issues arise from the same or related circumstances.

SECTION 15. AMENDATORY Section 26, Chapter 346, O.S.L. 1995 (56 O.S. Supp. 1996, Section 230.17), is amended to read as follows:

Section 230.17 A. The Department of Human Services shall provide case management services to a ~~targeted group of~~ recipients under the ~~Aid to Families with Dependent Children (AFDC)~~ Temporary Assistance for Needy Families (TANF) program to prevent or break the cycle of repeated or lengthening receipt of assistance. The ~~targeted groups shall include teen custodial parents, long-term AFDC~~

~~recipients and AFDC recipients with a history of repeated receipt of benefits.~~ Case management services shall include, but not be limited to:

1. Intensive and in-depth ~~individual~~ employability assessment of a recipient's education, training, skills, prior work experience and ~~employment~~ supportive service needs;

2. Development of an employability plan which incorporates the results of the assessment; and

3. Close follow-up of program implementation requirements and participation pursuant to a personal responsibility agreement as provided in Section ~~27~~ 16 of this act.

B. The Department of Human Services is hereby directed to develop policy outlining procedural and educational expectations for recipients of benefits under the ~~AFDC~~ TANF program.

SECTION 16. AMENDATORY Section 27, Chapter 346, O.S.L. 1995 (56 O.S. Supp. 1996, Section 230.18), is amended to read as follows:

Section 230.18 A. 1. The Department of Human Services shall conduct an employability assessment of the education, training, skills, prior work experience and supportive service needs of individuals applying for and receiving assistance pursuant to the Temporary Assistance for Needy Families (TANF) program.

2. The Department shall arrange for administration of a recognized literacy screening for individuals who have not obtained a high school diploma or General Equivalency Degree (GED) and have exhibited a lack of literacy skills. If, in the opinion of the Department, the applicant or recipient who has obtained a high school diploma or GED lacks reading skills to the extent that such insufficiency limits the applicant's or recipient's ability to become self-supporting, the Department shall refer the individual for a literacy assessment.

3. The Department shall utilize existing community resources, including, but not limited to, volunteer literacy groups and adult basic education programs, when arranging for literacy assessments and remediation of clients who lack sufficient reading skills.

B. The Department of Human Services shall require services to be provided to each applicant or recipient of benefits in any program according to a written personal responsibility agreement. The agreement shall reflect the education, training, skills, prior work experience and supportive service needs of the applicant or recipient and shall be:

1. Written in English, or translated into Spanish or other language, according to the applicant's or recipient's needs;

2. Signed by the applicant or recipient;

3. Signed by the parent of the applicant or recipient, ~~if the applicant or recipient is under eighteen (18) years of age;~~

4. Signed by the case manager, ~~for the applicant or recipient and the recipient's family;~~ and

5. Reviewed by both the applicant or recipient and the case manager at least once a year. The agreement may be revised from time to time according to the needs of the recipient, the recipient's family and the program.

~~B.~~ C. The personal responsibility agreement shall set forth the specific responsibilities of the recipient, at a minimum, to:

1. Develop a detailed plan for achieving self-sufficiency;

2. Participate in any educational or training program required by the Department pursuant to the results of the employability and literacy assessments;

3. Participate in life-skills training including, but not limited to, financial management classes, conflict resolution training, and social skills development;

4. Be available for and actively seek and maintain employment, and accept any reasonable employment as soon as it becomes available as required by the TANF program;

5. Participate in a community service, public works or private sector job pursuant to the requirements of the Statewide Temporary Assistance Responsibility System and the results of the employability and literacy assessments;

6. Acknowledge that additional benefits pursuant to the Aid to Families with Dependent Children (AFDC) TANF program will be paid for a child born more than ten (10) months after the recipient qualifies for assistance only pursuant to a voucher system;

~~3. 7. If the recipient is a minor parent, live in a place maintained by the recipient's parents, legal guardian or other adult relative as the parent's, legal guardian's or other adult relative's own home, or live in a foster home, maternity home or other supportive living arrangement supervised by an adult in order to receive AFDC benefits setting;~~

4. 8. Accept responsibility for ensuring that the recipient's child complies with the attendance requirements of the local school district and attends school until the child of the recipient either:

- a. graduates from high school or attains a high school equivalency certificate, or
- b. becomes nineteen (19) years of age,

whichever occurs first;

5. 9. Accept responsibility for attending any classes required by a program at least ninety percent (90%) of the time; and

6. 10. Immunize the recipients' minor children pursuant to the State Department of Health's immunization schedule;

~~7. Register and participate as funds are available, in the Job Opportunities and Basic Skills (JOBS) program;~~

~~8. Be available for and actively seek and maintain employment and accept any reasonable employment as soon as it becomes available if required by the program;~~

~~9. Participate in any educational or training program required by the Department; and~~

~~10. Participate in a community service, public works or private sector job for a minimum of twenty-four (24) hours per week regardless of the amount of the AFDC grant if the recipient has been unsuccessful in finding unsubsidized employment; provided, that this requirement shall not apply to a recipient participating in the work supplementation program or the work experience program.~~

~~C. AFDC benefits shall be denied to a recipient who fails to comply with the requirements of the personal responsibility agreement pursuant to this section until such time as the Department determines that the recipient is once again in compliance with the personal responsibility agreement.~~

D. The Department may sanction or impose financial penalties on a recipient for failure to comply with the provisions of the personal responsibility agreement.

SECTION 17. AMENDATORY Section 3, Chapter 291, O.S.L. 1992, as amended by Section 13, Chapter 346, O.S.L. 1995 (56 O.S. Supp. 1996, Section 234.1), is amended to read as follows:

Section 234.1 A. ~~The Commission for Human Services, on or before August 1, 1995, shall request an amendment to the approved waiver from the Secretary of the federal Department of Health and Human Services which authorized the Department of Human Services to waive the provisions of 45 C.F.R., paragraph 250.30(b)(1)(i) by~~

~~lowering to age thirteen (13) the exemption from the required JOBS program, so that compulsory school attendance for a child thirteen (13) years of age to eighteen (18) years of age, unless said child is being home educated as per the Oklahoma Constitution and statutes, shall be a condition for participation in the Aid to Families with Dependent Children (AFDC) program.~~

~~B. The amendment shall request the federal Department of Health and Human Services to authorize the Department of Human Services to additionally waive the provisions of 45 C.F.R., paragraph 250.30(b) (1) by lowering the exemption from the required JOBS program to Compulsory school attendance for a child from the age at which a the child is eligible to attend kindergarten so that participation in the AFDC program is conditioned upon compulsory school attendance for a child who is eligible to attend kindergarten to a child twelve (12) years of age to eighteen (18) years of age, unless the child is being home educated as per the Oklahoma Constitution and statutes, shall be a condition for participation in the Temporary Assistance for Needy Families (TANF) program.~~

~~C. After approval of the amended waiver, the B. The Commission for Human Services shall promulgate rules for implementing the amended waiver through the demonstration project originally prepared and planned pursuant to subsection A provisions of this section which will authorize the Department to deny a recipient of benefits under the Aid to Families with Dependent Children (AFDC) TANF program that portion of payments which relate to an individual who fails to comply with the requirements of this section.~~

~~D. Denial of the request for an amendment to the approved waiver from the federal Department of Health and Human Services shall not affect the implementation of the waiver originally approved. If in denying the request for an amendment, the federal Department of Health and Human Services indicates that a separate waiver is required for implementation of the provisions of subsection B of this section, the Department shall pursue a new waiver to implement the provisions of subsection B of this section.~~

~~E. Upon receipt of an evaluation of the demonstration project established pursuant to this section by a public or private contractor which indicates that expansion of the demonstration project on a statewide basis is economically feasible and practical, the Commission for Human Services shall promulgate rules, subject to legislative review, for developing a statewide program for denying a recipient of benefits under the Aid to Families with Dependent Children (AFDC) program that portion of payments which relate to a child who is eligible to attend kindergarten to eighteen (18) years of age, who has not complied with the attendance requirements of the local school district.~~

SECTION 18. AMENDATORY Section 22, Chapter 346, O.S.L. 1995 (56 O.S. Supp. 1996, Section 230.13), is amended to read as follows:

Section 230.13 The Department of Human Services shall ensure, to the fullest extent possible, that any recipient of benefits under the ~~Aid to Families with Dependent Children (AFDC)~~ Temporary Assistance for Needy Families (TANF) and the food stamp programs, who may qualify for receipt of the Earned Income Tax Credit (EITC), pursuant to 26 U.S.C., Section 32(a-j), applies for such credit. The Department shall have EITC forms readily available and shall provide assistance and encouragement to those wishing to apply for the EITC.

SECTION 19. AMENDATORY Section 24, Chapter 346, O.S.L. 1995 (56 O.S. Supp. 1996, Section 230.15), is amended to read as follows:

Section 230.15 A. The Department of Human Services shall establish and maintain a statewide incoming areawide telephone service hot line for the purpose of reporting suspected cases of welfare eligibility fraud, ~~Aid to Families with Dependent Children (AFDC)~~ Temporary Assistance for Needy Families (TANF) fraud and food stamp fraud.

B. The Commission for Human Services shall promulgate rules to enact the provisions of this section, and shall include in such rules procedures which address false reports and issues of confidentiality.

II. CHILD CARE

SECTION 20. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 230.69 of Title 56, unless there is created a duplication in numbering, reads as follows:

A. The Department of Human Services shall, as funds become available, work with local communities to establish a statewide system of child care resource and referral centers.

B. The child care resource and referral centers shall be responsible for:

1. Providing consumer education;
2. Maintaining child care databases and linking working families to relevant services available in their communities;
3. Developing child care supply and demand reports;
4. Fostering partnerships between Head Start programs, churches, schools, government and nonprofit agencies;
5. Providing information and technical assistance to individuals and groups wishing to develop or expand child care services;
6. Coordinating training programs and informing child care providers about available training; and
7. Working with the Department of Human Services on licensing and regulatory issues.

III. FOOD STAMPS

SECTION 21. AMENDATORY Section 3, Chapter 156, O.S.L. 1993, as amended by Section 1, Chapter 69, O.S.L. 1995 (56 O.S. Supp. 1996, Section 241.1), is amended to read as follows:

Section 241.1 A. The Department of Human Services shall develop an electronic benefits identification program, ~~as authorized by the United States Department of Agriculture,~~ to expediently and accurately determine the eligibility of and the extent or limit of benefits of clients, and to serve providers and other persons providing consumer-related goods to recipients of food stamps and other assistance programs.

B. 1. The electronic benefits identification program for recipients of food stamps and other assistance may be implemented on a staggered basis.

2. To provide for the implementation of the electronic benefits identification program, and as determined necessary by the Department for such implementation in compliance with federal law, the time of issuance of benefits for recipients of food stamps and other assistance programs may be modified or adjusted to provide for issuance of benefits on a staggered basis, provided recipients shall be notified, in writing, at least three (3) months prior to any modification or adjustment of the time of issuance of benefits.

C. The electronic benefits identification program shall be implemented upon the awarding of a contract to a vendor selected by competitive bid to do business with the State of Oklahoma.

SECTION 22. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 241.2 of Title 56, unless there is created a duplication in numbering, reads as follows:

As a condition of eligibility and continued eligibility to receive food stamp benefits, any recipient or person applying for such benefits shall be current on court-ordered child support payments. Any such person who is delinquent in any payment due pursuant to a court or administrative order for the support of a child of such recipient or person shall be ineligible to receive or continue to receive such benefits.

SECTION 23. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 241.3 of Title 56, unless there is created a duplication in numbering, reads as follows:

A. Except as otherwise provided by law or waiver, all able-bodied recipients eighteen (18) years of age to fifty (50) years of age, who are not disabled or raising minor children, may receive food stamps for only three (3) months in each thirty-six-month period except in months in which such recipients are employed for at least twenty (20) or more hours per week. The Department of Human Services shall enforce the provisions of this section and any approved waivers or other provisions pursuant to law in effect for this state as of the effective date of this act in designated areas and populations.

B. 1. A family applying for food stamps after the fifteenth (15th) day of each month shall be eligible to receive the total amount of their initial allotment and their regular first allotment.

2. A household allotment of food stamps may be reduced by up to twenty-five percent (25%) if a family is sanctioned in another program established pursuant to the Statewide Temporary Assistance Responsibility System.

3. An individual in a treatment center shall designate the treatment center as the recipient of such individual's food stamp allotment.

4. Operating procedures for the food stamp programs in local offices may vary to reflect local differences.

5. The Department is authorized to use the amount of a household food stamp allotment to subsidize a job under a work supplementation or support program.

IV. ONE-STOP CAREER/EMPLOYMENT CENTERS

SECTION 24. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 230.70 of Title 56, unless there is created a duplication in numbering, reads as follows:

A. The Legislature hereby encourages the establishment of One-stop Career/Employment Centers that link federal, state and local resources and programs and that create collaborative and interorganizational partnerships between state governmental agencies and private and nonprofit entities. Such agencies and private and nonprofit entities shall include, but not be limited to:

1. The Department of Human Services;
2. The State Department of Education;
3. The Department of Vocational and Technical Education;
4. The Oklahoma Department of Commerce;
5. The Oklahoma Employment Security Commission;
6. The Oklahoma Health Care Authority;
7. The State Department of Health;
8. The State Department of Mental Health and Substance Abuse Services;
9. The Oklahoma Department of Corrections;
10. Office of Personnel Management;
11. The Oklahoma State Regents for Higher Education;
12. Community action agencies;
13. Local and municipal groups;
14. Substate planning groups; and

15. Religious and charitable organizations.

B. 1. The purpose of the collaborative and interorganizational partnership shall be to assist persons receiving temporary assistance, persons who are employed in low-wage jobs, underemployed persons, and persons who are unemployed to obtain employment preparation; to explore career, employment and job referral opportunities; to improve skills through education and training; and to obtain information on various services and programs in the state.

2. Employment preparation includes, but is not limited to:

- a. education, training, or retraining for specified time limits,
- b. private and public work experience, and
- c. development of certain career/job training and retraining skills and apprenticeships.

C. The Oklahoma Employment Security Commission, in consultation with entities desiring to form such partnerships, shall develop a local implementation plan for use by all parties desiring to enter into a plan for a one-stop career and employment center. The plan shall be signed by all partnership entities and shall be submitted to the Oklahoma Employment Security Commission for review and recommendation.

D. The local implementation plan shall include, but not be limited to, the names, addresses, and phone numbers of parties and organizational entities; specific goals, objectives, and plans for implementation of the initiative; the signature of all parties agreeing to the initiative; and the beginning date of the initiative as agreed upon by the parties.

V. MEDICAID

SECTION 25. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 230.72 of Title 56, unless there is created a duplication in numbering, reads as follows:

The Department of Human Services and the Oklahoma Health Care Authority shall jointly establish eligibility criteria which ensure that recipients of assistance pursuant to the federal Temporary Assistance to Needy Families Program (TANF), who become employed or who are at risk of losing Medicaid because of earned income disregards or other excluded resources pursuant to the Statewide Temporary Assistance Responsibility System (STARS), will continue to receive Medicaid assistance as otherwise specified by law.

VI. QUALIFIED ALIENS

SECTION 26. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 230.73 of Title 56, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Legal immigrant" means an individual not born in the United States and not a citizen of the United States whose entrance into the United States has been approved by the Immigration and Naturalization Service; and

2. "Qualified alien" shall have the same meaning as such term is defined by Section 431(b) of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193, as amended.

B. 1. The Legislature hereby finds and declares that passage of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193, requires the states to make certain decisions concerning legal immigrants and their eligibility for certain types of public assistance.

2. The goal of this section is to recognize that foreign-born legal residents of the State of Oklahoma contribute to our society by working in our communities, supporting local businesses, and

paying taxes and should be eligible to receive certain types of public assistance under certain conditions. Moreover, the state goal is to provide the types of assistance that will enhance the state's ability to receive federal financial participation, thereby reducing the ultimate burden on the state and local government for emergency health and welfare needs.

3. This section is also intended to encourage and support efforts to help foreign-born legal residents of the State of Oklahoma to become citizens of the United States.

C. 1. A qualified alien who entered the United States before August 22, 1996, shall be eligible to receive benefits under a state program funded by Temporary Assistance for Needy Families Block Grant Funds pursuant to Part A of Title IV of the federal Social Security Act.

2. A qualified alien who entered the United States on or after August 22, 1996, shall be barred from receiving the benefits described in paragraph 1 of this subsection for a period of five (5) years after the date of entry into the United States, unless such alien meets the exceptions set forth in the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193, as amended. After five (5) years, the qualified alien shall be eligible for benefits pursuant to the Statewide Temporary Assistance Responsibility System (STARS), but shall have sponsor income deemed to the individual or family pursuant to rules promulgated by the Commission for Human Services.

D. 1. A qualified alien who entered the United States before August 22, 1996, shall be eligible to receive benefits under the Old Age Pension, the Aid to the Needy Disabled, and the Aid to the Blind programs if such qualified alien meets the eligibility criteria for such programs, other than citizen status.

2. A qualified alien who entered the United States on or after August 22, 1996, shall be barred from receiving benefits under the programs described in paragraph 1 of this subsection for a period of five (5) years after the date of entry into the United States, unless the alien meets the exceptions set forth in the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193, as amended. After five (5) years, the qualified alien shall be eligible for benefits pursuant to such programs but shall have sponsor income deemed to the person or family pursuant to rules promulgated by the Commission for Human Services.

E. The Commission for Human Services shall encourage a qualified alien who is eligible to submit an application for citizenship to submit such an application.

F. 1. The Commission shall promulgate rules for the delivery of emergency assistance to a person who:

- a. is a legal immigrant and a resident of the State of Oklahoma,
- b. is not a citizen of the United States, and
- c. meets the eligibility requirements for assistance pursuant to the Statewide Temporary Assistance Responsibility System (STARS) program other than citizen status and is not receiving any other public assistance as specified by the Commission.

2. Such emergency assistance may include, but need not be limited to, the following forms of assistance:

- a. housing,
- b. food,
- c. short-term cash assistance, and
- d. clothing and social services for children.

G. 1. Sponsors shall be expected to meet their financial commitments to the immigrants whom they sponsor and for whom they sign affidavits of support.

2. The Commission shall also promulgate rules consistent with this section and federal law to enforce sponsor commitments for noncitizen applicants for or recipients of public assistance or medical assistance.

H. In the event that after passage of this act federal law authorizes extended benefits to aliens, the provision of this section shall be modified and made consistent with the provisions of federal law.

MISCELLANEOUS

SECTION 27. AMENDATORY 70 O.S. 1991, Section 1210.552, is amended to read as follows:

Section 1210.552 A. The State Board of Education shall solicit proposals for, and if funds are available make grants for, pilot projects that make coordinated educational services available to families of recipients of ~~Aid to Families with Dependent Children (AFDC)~~ Temporary Assistance for Needy Families (TANF). Such proposals shall be prepared in cooperation with personnel of the Department of Human Services and shall address the needs of preschool children, dropouts, and adult members of such families who have not graduated from high school or completed a high school equivalency program.

B. The State Board of Education shall determine pilot project criteria and establish a process for the consideration of proposals. Such proposals for pilot projects shall be considered on a statewide competitive basis. The State Board of Education is authorized to promulgate rules ~~and regulations~~ for the operation of such projects. To the extent that funds are available, funding of projects approved shall include monies to provide child care while older members of ~~AFDC~~ families are receiving TANF services ~~of~~ from the pilot project.

SECTION 28. A. The Governor of this state is hereby directed to inform the Secretary of the United States Department of Health and Human Services that this state hereby opts out of the special provision related to community work, as described in Section 402(a)(1)(B)(IV) of the Social Security Act, as amended, by the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193.

B. Pursuant to the authorization given to the states under Section 115(d)(1)(A) of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193, the State of Oklahoma hereby opts out of the requirements of Section 115(a) of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193, to ensure that the Department of Human Services has the ability to require full participation in work activities and other mandates of the Statewide Temporary Assistance Responsibility System.

SECTION 29. The headings I through VI delineating the components of the Statewide Temporary Assistance Responsibility System (STARS) shall not be codified in the Oklahoma Statutes.

SECTION 30. REPEALER Section 2, Chapter 346, O.S.L. 1995, Section 4, Chapter 346, O.S.L. 1995, Section 5, Chapter 346, O.S.L. 1995, Section 8, Chapter 346, O.S.L. 1995, and Section 23, Chapter 346, O.S.L. 1995 (56 O.S. Supp. 1996, Sections 230.2, 230.4, 230.5, 230.7 and 230.14) and 56 O.S. 1991, Sections 501, 502, 503, 504, 505, 506, 507, 508, 509, 510 and 511, are hereby repealed.

SECTION 31. NONCODIFICATION The provisions of Sections 28 and 29 of this act shall not be codified in the Oklahoma Statutes.

SECTION 32. RECODIFICATION Section 1, Chapter 346, O.S.L. 1995, as amended by Section 1 of this act, shall be recodified as Section 230.50 of Title 56 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 3, Chapter 346, O.S.L. 1995, as amended by Section 4 of this act, shall be recodified as Section 230.53 of Title 56 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 14, Chapter 346, O.S.L. 1995, as last amended by Section 6 of this act, shall be recodified as Section 230.55 of Title 56 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 10, Chapter 346, O.S.L. 1995, as amended by Section 7 of this act, shall be recodified as Section 230.56 of Title 56 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 21, Chapter 346, O.S.L. 1995, as amended by Section 8 of this act, shall be recodified as Section 230.57 of Title 56 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 15, Chapter 346, O.S.L. 1995, as amended by Section 9 of this act, shall be recodified as Section 230.58 of Title 56 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 18, Chapter 346, O.S.L. 1995, as amended by Section 11 of this act, shall be recodified as Section 230.60 of Title 56 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 6, Chapter 346, O.S.L. 1995, as amended by Section 12 of this act, shall be recodified as Section 230.61 of Title 56 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 25, Chapter 346, O.S.L. 1995, as amended by Section 14 of this act, shall be recodified as Section 230.63 of Title 56 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 26, Chapter 346, O.S.L. 1995, as amended by Section 15 of this act, shall be recodified as Section 230.64 of Title 56 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 27, Chapter 346, O.S.L. 1995, as amended by Section 16 of this act, shall be recodified as Section 230.65 of Title 56 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 3, Chapter 291, O.S.L. 1992, as last amended by Section 17 of this act, shall be recodified as Section 230.66 of Title 56 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 22, Chapter 346, O.S.L. 1995, as amended by Section 18 of this act, shall be recodified as Section 230.67 of Title 56 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 24, Chapter 346, O.S.L. 1995, as amended by Section 19 of this act, shall be recodified as Section 230.68 of Title 56 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 33. Sections 1 through 22 and 24 through 32 of this act shall become effective September 1, 1997.

SECTION 34. Section 23 of this act shall become effective July 1, 1997.

SECTION 35. 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.

Passed the House of Representatives the 30th day of May, 1997.

Speaker of the House of
Representatives

Passed the Senate the 30th day of May, 1997.

President of the Senate