

ENROLLMENT(S)



(5)

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 12-230

"Self-Sufficiency Promotion Temporary Amendment Act of 1998"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 "the Act", the Council of the District of Columbia adopted Bill 12-557, on first and second readings, May 5, 1998 and July 30, 1998, respectively. Following the signature of the Mayor on August 18, 1998, pursuant to Section 404(e) of "the Act", the bill became Act 12-443 and it was published in the October 9, 1998 edition of the D.C. Register (Vol. 45 page 7261). The Act was transmitted to Congress on February 10, 1999 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has expired, and the Act is now D.C. Law 12-230, effective April 20, 1999.



LINDA W. CROPP
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Feb. 10,11,12,22,23,24,25

Mar. 1,2,3,4,5,8,9,10,11,15,16,17,18,19,22,23,24,25

Apr. 12,13,14,15,19

COUNCIL OF THE DISTRICT OF COLUMBIA

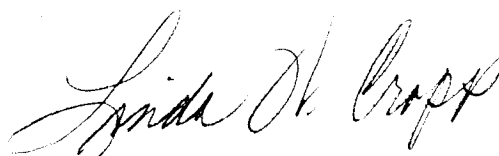
NOTICE

D.C. LAW 12-230

"Self-Sufficiency Promotion Temporary Amendment Act of 1998"

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 "the Act", the Council of the District of Columbia adopted Bill 12-557, on first and second readings, May 5, 1998 and July 30, 1998, respectively. Following the signature of the Mayor on August 18, 1998, pursuant to Section 404(e) of "the Act", the bill became Act 12-443 and it was published in the October 9, 1998 edition of the D.C. Register (Vol. 45 page 7261). The Act was transmitted to Congress on February 10, 1999 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has expired, and the Act is now D.C. Law 12-230, effective April 20, 1999.



LINDA W. CROPP
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

Feb. 10,11,12,22,23,24,25

Mar. 1,2,3,4,5,8,9,10,11,15,16,17,18,19,22,23,24,25

Apr. 12,13,14,15,19

ENROLLED ORIGINAL

AN ACT

D.C. ACT 12-443

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

AUGUST 18, 1998

*Codification
District of
Columbia
Code
1999 Supp.*

To amend, on a temporary basis, the District of Columbia Public Assistance Act of 1982, to comply with provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 and redesign the District's cash assistance programs to promote self-sufficiency as follows: to permit additional categories of relatives to be included in an assistance unit; to repeal AFDC; to establish TANF and POWER; to establish that TANF, POWER, and GAC are not entitlements; to provide a more detailed definition of "income"; to revise the threshold tests for TANF eligibility; to repeal current formulas for disregarding earned income and work expenses, and to require the Mayor to establish new ones; to clarify eligibility criteria for Medicaid for TANF recipients with earned income; to revise penalties for failure to comply with TANF requirements; to impose a time limit on receipt of TANF; to synchronize TANF and Food Stamp Program rules regarding work expenses; to revise standards for inclusion in an assistance unit; to revise certain eligibility requirements relating to children absent from the home; to revise the duty to assign child support rights while on assistance; to revise the order of distribution of child support; to establish job search and work participation requirements, with exemptions; to require development of individual responsibility plans; to establish sanctions for noncompliance with job search and work requirements; to establish guidelines for contracting job search, job readiness and work participation program operations; to provide TANF and POWER applicants and recipients the same discrimination protection as other District residents; to provide TANF recipients with the same health and safety protections as other District residents; to provide TANF recipients with the same workers' compensation and disability protection as other District employees; to prohibit displacement of other workers by TANF recipients; to revise eligibility standards for unemployed parents; to revise how income is treated for stepparents and certain other parents; to establish alien eligibility public assistance; to clarify how lump-sum income is treated; to grant the Mayor exclusive authority to refer a person for POWER eligibility; to grant the Mayor discretion to provide certain information to pregnant women; to eliminate inconsistencies and lack of clarity regarding determination of the amount of assistance to be paid to a family; to authorize the Mayor to expend funds for supportive services for TANF and POWER recipients; to extend the

ENROLLED ORIGINAL

current payment level and amount of assistance; to provide for periodic instead of monthly reporting of income, and to clarify which eligibility information must be reported immediately; to revise penalties and procedures regarding periodic reports; to revise notice requirements concerning information from third parties; to revise payment procedures after adverse actions; to eliminate 30-day emergency public assistance; to revise enrollment requirements based on the lack of entitlement; to synchronize TANF and Food Stamp Program provisions regarding underpayments; to give the Mayor discretion to issue an identification card; to eliminate provisions regarding home inspections; to establish confidentiality provisions; to correct an error concerning time for review of applications; to revise provisions regarding requests for hearings; to eliminate the requirement notify affected applicants when policy changes; to grant the Mayor discretion regarding vendor payments; to clarify the role of nonparental caretakers; to conform income eligibility for foster care maintenance payments to federal law; to conform TANF and Food Stamp Program provisions regarding allowable resources; to define the duty to cooperate in pursuing child support; to define the "good cause" exception to the cooperation requirement; to grant the Mayor discretion to promulgate rules regarding collections of overpayments of assistance; to prohibit sale of government-issued eligibility identification; to modify eligibility for the GAC program; and to clarify that the Mayor must seek necessary federal approval to modify the Transitional Medicaid Program; to revise living at home and school attendance requirements for pregnant and parenting teens; to deny assistance to recipients engaging in certain kinds of fraud, and to fugitive felons and parole violators; to deny TANF benefits to certain drug felons; to establish eligibility standards and application procedures for POWER; to establish sanctions for failure to participate in required activities under POWER; to establish amounts of assistance under POWER; to clarify the nonentitlement nature of POWER; to provide for Medicaid eligibility for POWER recipients; to grant the Mayor authority to issue short-term diversion payments in limited circumstances to avert welfare dependency; to permit the Mayor to provide information on the Earned Income Credit to certain public assistance recipients; and to make technical and conforming changes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Self-sufficiency Promotion Temporary Amendment Act of 1998".

Sec. 2. The District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Code § 3-201.1 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Code § 3-201.1) is amended as follows:

(1) Paragraph (1) is repealed.

(2) New paragraphs (1A), (1B), (1C), and (1D) are added to read as follows:

Note, Section
3-201.1

ENROLLED ORIGINAL

"(1A) "Adult" means a person who is not a minor.

"(1B) "Assistance unit" means all individuals whose needs, income and resources are considered in determining eligibility for, and the amount of, public assistance.

"(1C) "Caretaker relative" means a relative by blood, half-blood, or legal adoption caring for a dependent child, who is the child's parent, or, if the parent is not in the home exercising responsibility for the care and control of the dependent child, the child's sibling; aunt; uncle; first cousin; first cousin once removed; second cousin; nephew; niece; grandparent; step-parent; step-sibling; relative of a preceding generation as denoted by prefixes of grand-, great-, great-great-, or great-great-great-; or the spouse of a parent or other relative listed in this paragraph, even after the marriage is terminated by death or divorce.

"(1D)(A) "Continued absence from the home" means the absence of a parent from the home by reason of:

- (i) Desertion or abandonment;
- (ii) Divorce or legal separation;
- (iii) Imprisonment; or
- (iv) Voluntary separation involving a dissociation of marital and family relationships.

(B) The term "continued absence from the home" shall not include absence from the home of a parent:

- (i) Who has left home for employment elsewhere and who is meeting the financial needs of his or her family;
- (ii) Who is absent solely because of performance of active duty in the uniformed services of the United States; or
- (iii) Whose absence results from separate living arrangements made by a couple for the purpose of establishing eligibility for assistance."

(3) A new paragraph (2A) is added to read as follows:

"(2A) "Department" means the Department of Human Services of the District of Columbia, or any successor organizational unit (in whole or in part)."

(4) A new paragraph (4A) is added to read as follows:

"(4A) "Head of assistance unit means:

"(A) The adult parent of a minor child, if both are part of the same single-parent assistance unit;

"(B) The principal household income earner or the nonincapacitated parent in a two-parent assistance unit, if that person is an adult parent of a minor child, and the parent and child are part of the same assistance unit;

"(C) A caretaker relative residing with, and providing care for, a minor child, if the caretaker relative and child are part of the same assistance unit; or

"(D) A minor parent of a minor child, if the parent and child are part of the same assistance unit and there are no adults in the assistance unit."

ENROLLED ORIGINAL

(5) New paragraphs (5A) and (5B) are added to read as follows:

"(5A) "Minor" means a person who is:

"(A) Less than 18 years of age; or

"(B) 18 years of age, a full-time student in a secondary school or in the equivalent level of vocational or technical training, and who is expected to graduate from such school or training by the person's 19th birthday.

"(5B) "Parent" means a child's natural or adoptive parent.

"(5C) "Parent who is the principal household income earner" means whichever parent, in a home in which both parents of a minor child are living, earned the greater amount of income in a 24-month period, the last month of which immediately preceded the month in which a TANF application was filed on the basis of the unemployment of either of the parents.

"(5D) "POWER" means the Program on Work, Employment, and Responsibility established by section 572."

(6) New paragraphs (9), (10), and (11) are added to read as follows:

"(9) "Stepparent" means a person who is living in the home of a minor child for whom TANF or POWER is requested, and who is legally married to the natural or adoptive parent of the child.

"(10) "TANF" means the Temporary Assistance for Needy Families program established by title II.

"(11) "IV-D agency" means the organizational unit, or any successor organizational unit (in whole or in part), that is responsible for administering or supervising the administration of the District's State Plan under title IV, part D of the Social Security Act, approved January 4, 1975 (88 Stat. 2351; 42 U.S.C. § 651 *et seq.*), pertaining to paternity establishment and the establishment, modification, and enforcement of child support orders and certain spousal support orders (those in which the spouse or former spouse is living with a child for whom the spousal support obligor also owes support)."

(b) Section 201 (D.C. Code § 3-202.1) is amended as follows:

Note, Section
3-202.1

(1) Paragraph (1) is repealed.

(2) Paragraph (3) is amended by striking the word "and" at the end.

(3) Paragraph (4) is amended by striking the period at the end and inserting a semicolon in its place.

(4) New paragraphs (5) and (6) are added to read as follows:

"(5) Temporary Assistance for Needy Families; and

"(6) Program on Work, Employment, and Responsibility."

(c) Section 202(a) (D.C. Code § 3-202.2(a)) is amended by striking the phrase "adopted by the Council, pursuant to section 204," and inserting the phrase "issued by the Mayor and approved by the Council, pursuant to section 205," in its place.

Note, Section
3-202.2

(d) Section 203 (D.C. Code § 3-202.3) is amended by adding the following sentence at the end: "The Mayor may contract with private entities to carry out functions under the TANF

Note, Section
3-202.3

ENROLLED ORIGINAL

or POWER programs vested in him or her by this act, subject to the limitation of section 519h and any other applicable District law."

(e) Section 204 (D.C. Code § 3-202.4) is repealed.

Note, Section 3-202.4

(f) Section 205 (D.C. Code § 3-202.5) is amended as follows:

Note, Section 3-202.5

(1) The existing text is designated as subsection (a).

(2) A new subsection (b) is added to read as follows:

"(b) The Mayor shall promptly issue proposed rules to implement the provisions of the Self-Sufficiency Promotion Emergency Amendment Act of 1997, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Code § 1-1501 *et seq.*). The proposed rules shall be submitted to the Council for a 30-day period of review excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution, within the 30-day review period, the proposed rules shall be deemed approved."

Note, Sections 3-204.1 - 3-204.4

(g) Sections 401, 402, 403, and 404 (D.C. Code §§ 3-204.1, 3-204.2, 3-204.3, and 3-204.4) are repealed.

(h) Section 501 (D.C. Code § 3-205.1) is amended to read as follows:

Note, Section 3-205.1

"Sec. 501. Eligibility for public assistance.

"Public assistance may be awarded to, or on behalf of, any needy individual who is eligible for one of the categories of public assistance established by title II."

(i) Section 502 (D.C. Code § 3-205.2) is amended by striking the acronym "AFDC" and inserting the acronym "TANF" in its place.

Note, Section 3-205.2

(j) Section 505 (D.C. Code § 3-205.5) is amended as follows:

Note, Section 3-205.5

(1) The lead-in language is amended by striking the phrase "sections 506 through 513" and inserting the phrase "this title" in its place.

(2) Paragraph (1) is amended by striking the acronym "AFDC" and inserting the acronym "TANF" in its place.

(3) Paragraph (4) is amended to read as follows:

"(4) "Income" means earned or unearned money received by an individual that is of gain or benefit to the individual or assistance unit. The term "income" includes the following: wages; salary; gross income from self-employment; training allowances, stipends or other payments for work experience (to the extent that they are countable as income pursuant to section 513a); District public assistance payments; federal public assistance payments (to the extent permitted under federal law); pensions; retirement benefits; annuities; unemployment compensation; worker's compensation; child support or alimony payments made directly to a member of the assistance unit from someone who is not a member of the assistance unit; interest; dividends; scholarships; rent received from a tenant or lessee; and money that is required by District or federal law to be deemed from a person who is not a member of the assistance unit. The term "income" does not include: a nonrecurring lump-sum payment (which shall be considered a resource); payments made by a government agency to a third party for child care,

ENROLLED ORIGINAL

housing, or medical assistance; or any payment that is specifically excluded by federal or District law from consideration as income for the purpose of determining eligibility for public assistance."

(k) Sections 506, 507, and 509 (D.C. Code §§ 3-205.6, 3-205.7, and 3-205.9) are repealed.

(l) Section 510 (D.C. Code § 3-205.10) is amended to read as follows:

"Sec. 510. TANF income eligibility standards.

"(a) When the gross income of family applying for, or receiving TANF exceeds 100% of the standard of assistance for a family of the same composition, as set forth in section 552, the family is not eligible for assistance. Income deemed from stepparents shall be counted in gross family income to the extent permitted pursuant to section 522. Income deemed from an alien sponsor shall be counted in gross family income to the extent required by section 421 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, approved August 22, 1996 (110 Stat. 2105; 8 U.S.C. § 1631). Payments to correct underpayments to TANF or POWER recipients are not considered income or as a resource either in the month the payment is made or in the following month.

"(b) If the gross income, computed pursuant to subsection (a) of this section, is 100% or less of the standard of assistance, financial conditions of eligibility shall be calculated in accordance with sections 511, 529, 533(b), and 1705."

(m) Section 511 (D.C. Code § 3-205.11) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) The acronym "AFDC" is stricken wherever it appears and the acronym "TANF" is inserted in its place.

(B) Paragraph (1) is amended by striking the first sentence and inserting the sentence: "Deduct such amount for a work-related expense as the Mayor shall specify through rulemaking." in its place.

(C) Paragraph (2) is amended by striking all text following the word "receiving" and inserting in its place the following phrase and sentence: "TANF or POWER, up to a maximum amount that the Mayor shall specify through rulemaking. The maximum amount deductible for the cost of care of a child may vary depending upon the age of the child."

(D) A new paragraph (4A) is added to read as follows:

"(4A)(A) For individuals otherwise found eligible to receive TANF, disregard from the individual's earned income a specific dollar amount and/or a percentage of the earned income. The Mayor shall establish, through rulemaking, the amount and/or percentage of earned income to be disregarded, the period of time during which any earned income may be disregarded, and other rules necessary to implement this provision. The rules shall reflect the District's interests in rewarding work, assisting needy families, and promoting self-sufficiency.

"(B) To the extent permitted under federal law, in calculating the eligibility for Medicaid (other than Transitional Medicaid) of a child or a family with minor

Note, Sections
3-205.6,
3-205.7,
3-205.9

Note, Section
3-205.10

Note, Section
3-205.11

ENROLLED ORIGINAL

children, the Mayor shall disregard earned income to the same extent that earned income is disregarded under TANF. In calculating eligibility for Transitional Medicaid, subject to the approval of the U.S. Department of Health and Human Services ("HHS"), the Mayor shall disregard income for the first 12 months of Transitional Medicaid pursuant to the provisions established in section 1925(a) of the Social Security Act, approved October 13, 1988 (102 Stat. 2385; 42 U.S.C. § 1396r-6(a)), and shall disregard income for the second 12 months of Transitional Medicaid pursuant to the provisions established in section 1925(b) of the Social Security Act (42 U.S.C. § 1396r-6(b)). Absent approval by HHS, income shall be disregarded pursuant to applicable federal law."

(E) Paragraph (5) is repealed.

(F) Paragraph (5A) is amended by inserting the word "and" at the end.

(G) Paragraph (6) is amended as follows:

(i) The introductory language is amended by inserting the word "adult" before the phrase "member of the assistance unit".

(ii) Subparagraph (A) is amended as follows:

(I) By striking the number "30" and inserting the number "60" in its place; and

(II) By striking the phrase "the state plan" and inserting the word "rules established by the Mayor and adopted by the Council" in its place.

(iii) Subparagraph (B) is amended by striking the phrase "avoiding receiving the \$30 plus one-third disregard for 4 consecutive months;" and inserting the phrase "evading any time limit placed on the disregarding of earned income that may be established by rule by the Mayor;" in its place.

(iv) Subparagraph (C) is amended to read as follows:

"(C) Without good cause, failed to file the periodic report required for that period on time; or"

(v) Subparagraph (D) is amended to read as follows:

"(D) Failed to inform the Mayor, without good cause, about earnings affecting eligibility as required by section 553(a) or section 554. The penalty for this failure shall be applied until the recipient's next periodic report is filed and processed by the Mayor."

(H) Paragraph (7) is repealed.

(2) Subsection (b) is amended to read as follows:

"(b) The income and assets of a parent living in the same household as a dependent child, but not included in the assistance unit because the parent is ineligible for TANF, shall be considered available to the assistance unit to the extent that the income and assets of a deemed parent, as defined in section 522, would be considered available to the assistance unit. The income of a stepparent of the dependent child shall be considered available to the assistance unit to the extent required under section 522. In the case of a dependent child whose parent is a

ENROLLED ORIGINAL

minor, the income of the minor parent's own parent or legal guardian living in the same household as the minor parent and the minor parent's dependent child shall be considered available to the extent required under section 522."

(n) A new section 511a is added to read as follows:

"Sec. 511a. Time limit for receipt of TANF benefits.

Note, Section
3-205.11

"(a) Federally-funded TANF benefits shall not be provided to any assistance unit that includes an adult who has received federally-funded TANF benefits for 60 months (whether or not consecutive) after February 28, 1997.

"(b) In determining the number of months during which an individual has received federally-funded TANF benefits, the District shall disregard any month for which TANF benefits were provided with respect to the individual when the individual was:

"(1) A minor child; and

"(2) Not the head of an assistance unit or married to the head of an assistance unit.

"(c) For purposes of this section, a TANF recipient shall not be considered to have been provided benefits in any month in which the recipient did not actually receive TANF benefits, pursuant to section 551, because the benefit check prior to adjustments would have been less than \$10.

"(d) In determining the number of months during which an adult has received federally funded TANF benefits, any month shall be disregarded if during that month the adult lived in Indian country (as defined in 18 U.S.C. § 1151) or in an Alaskan Native village, if the most reliable data available with respect to the month or a period that includes the month indicate that at least 50% of the adults living in Indian country or in the Alaskan Native village were not employed.

"(e) The Mayor may exempt an assistance unit from the requirements of subsection (a) of this section by reason of hardship or if the assistance unit includes an individual who has been battered or subject to extreme cruelty. For purposes of this subsection, an individual has been battered or subject to extreme cruelty if that individual has been subjected to:

"(1) Physical acts that resulted in, or threatened to result in, physical injury to the individual;

"(2) Sexual abuse;

"(3) Sexual activity involving a dependent child;

"(4) Forced engagement in nonconsensual sexual acts or activities;

"(5) Threats of, or attempts at, physical or sexual abuse;

"(6) Mental abuse; or

"(7) Neglect or deprivation of medical care.

"(f) A monthly average of no more than 20% of the average monthly number of assistance units for which federally-funded TANF benefits are provided during the current fiscal year or the prior fiscal year (as the Mayor may elect) may be exempt under subsection (e) of this

ENROLLED ORIGINAL

section."

(o) Section 512 (D.C. Code § 3-205.12) is repealed.

Note, Section
3-205.12

(p) Section 513 (D.C. Code § 3-205.13) is repealed.

Note, Section
3-205.13

(q) A new section 513a is added to read as follows:

Note, Section
3-205.13

"Sec. 513a. Treatment of payment for costs of work participation.

"A stipend, allowance, or any other payment to a public assistance recipient reimbursing the recipient for the reasonable costs of participation in a work activity (as described in section 519d(c)) shall be excluded from income only to the extent any such stipend, allowance, or other payment would be excluded from income under the Food Stamp Program pursuant to 7 U.S.C. § 2011 *et seq.* and 7 C.F.R. § 273.9(b) and (c)."

(r) Section 515 (D.C. Code § 3-205.15) is amended to read as follows:

Note, Section
3-205.15

"Sec 515. Standards for inclusion in TANF assistance unit.

"(a) An application on behalf of a dependent child shall include in the TANF assistance unit the following individuals, if living in the same household as the dependent child and otherwise eligible:

"(1) The parent or parents of a dependent child, except that a parent who marries a person with whom the parent does not have any child in common shall not be included in the dependent child's assistance unit;

"(2) All blood-related, half-blooded-related, and adopted brothers and sisters of the dependent child who are themselves dependent children under age 18 or age 18 and expected to complete high school before reaching age 19; and

"(3) All dependent children living in the same household who are related by blood, half-blood, or legal adoption to any other member of the assistance unit by a relationship that would qualify an adult as a caretaker relative of that other member of the assistance unit as defined in section 101(1C).

"(b) For the purposes of subsection (a) of this section, the Mayor shall determine the meaning of the term "full-time student", shall determine which vocational or technical training courses are equivalent to the level of secondary school, and shall determine which factors will be considered in deciding whether an individual may reasonably be expected to complete the program of study or training before reaching age 19.

"(c) In order to be included in an TANF assistance unit under this section, a dependent child aged 16 or 17 years must be enrolled in a program of secondary education or vocational or technical training.

"(d) An application on behalf of a dependent child may include in the TANF assistance unit a caretaker relative other than a parent, provided that neither parent is living in the home and the caretaker relative requests to be included, meets each eligibility requirement, and lives in the same household as the dependent child.

"(e) Individuals who are ineligible to receive TANF, and who shall be excluded from the TANF assistance unit during the period of ineligibility, shall include:

ENROLLED ORIGINAL

"(1) An individual who receives SSI benefits;

"(2) An alien who is ineligible for TANF as a result of the deeming of a sponsor's income and resources to the alien pursuant to section 421 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, approved August 22, 1996 (110 Stat. 2105; 8 U.S.C. § 1631);

"(3) An alien who is ineligible for TANF because the alien does not meet the citizenship and alienage requirements of section 524(a);

"(4) An individual who is ineligible for TANF as the result of the imposition of a sanction;

"(5) An individual who is ineligible for TANF, pursuant to section 533, due to receipt of lump-sum income; and

"(6) A parent, or minor child, who marries a person with whom the parent, or minor child, does not have a child in common."

(s) Section 516 (D.C. Code § 3-205.16) is repealed.

(t) Section 517 (D.C. Code § 3-205.17) is repealed.

(u) Section 518 (D.C. Code § 3-205.18) is amended as follows:

(1) Subsections (a) and (b) are amended by striking the acronym "AFDC" and inserting the acronym "TANF" in its place.

(2) Subsection (c) is repealed.

(3) New subsections (d) and (e) are added to read as follows:

"(d)(1) A minor child otherwise eligible for TANF benefits under this section, who has been, or is expected by a parent, guardian, or other caretaker to be absent from the home for more than 90 consecutive days shall be ineligible to receive federally-funded TANF benefits unless the Mayor determines, in accordance with rules promulgated by the Mayor, that there is good cause for the child to be absent from the home for more than 90 days and continue to receive TANF benefits.

"(2) A parent, guardian, or other caretaker of a minor child shall be determined ineligible to receive federally-funded TANF benefits if the parent, guardian, or caretaker fails to notify the Mayor of the absence of the child from the home after the 5-day period beginning with the date on which it becomes clear to the parent, guardian, or caretaker that the child will be absent from the home for more than 90 consecutive days.

"(e) Nothing in this section shall be interpreted to preclude the Mayor from sanctioning any or all members of an assistance unit for failure to comply with TANF program rules, if such sanction is otherwise permitted under this act."

(v) Section 519 (D.C. Code § 3-205.19) is amended as follows.

(1) Subsection (b) is amended to read as follows:

"(b) As a condition of eligibility for public assistance, each applicant or recipient shall assign to the District any rights to support from any other person that the applicant or recipient may have in the applicant's or recipient's own behalf, or on behalf of any other family member for

Note, Section
3-205.16

Note, Section
3-205.17

Note, Section
3-205.18

Note, Section
3-205.19

ENROLLED ORIGINAL

whom the applicant or recipient is applying for or is receiving assistance."

(2) Subsection (c) is amended to read as follows:

"(c) The assignment referred to in subsection (b) of this section:

"(1) Is effective as to both current and accrued child support obligations, except as limited by paragraph (4) of this subsection;

"(2) Takes effect upon a determination that the applicant is eligible for assistance;

"(3) Terminates when an applicant ceases to receive assistance except with respect to the amount of any unpaid support obligation accrued under the assignment, as limited by paragraph (4) of this subsection; and

"(4) With respect to an applicant or recipient of TANF or POWER benefits, shall not exceed the total amount of cash assistance provided to the family and shall not apply with respect to any support, other than support collected pursuant to section 464 of the Social Security Act, approved August 13, 1981 (95 Stat. 860; 42 U.S.C. § 664), that accrued before the family received TANF or POWER benefits and that the District has not collected by:

"(A) September 30, 2000, if the assignment is executed on or after October 1, 1997, and before October 1, 2000; or

"(B) The date that the family ceases to receive assistance, if the assignment is executed on or after October 1, 2000."

(w) New sections 519a through 519l are added to read as follows:

"Sec. 519a. Redetermination of eligibility.

"For purposes of sections 519b, 519c, 519f and 519g, a TANF recipient shall be considered an applicant for TANF benefits at each time of redetermination of eligibility for TANF. When a current TANF recipient is considered to be an applicant pursuant to this subsection, the Mayor may require the individual to participate in a work activity other than job search or job readiness in order to comply with this section, and section 519c shall apply if the individual fails to comply with any such work activity that the Mayor may require.

"Sec. 519b. Job search and job readiness requirements for TANF applicants.

"(a) At the time of application for TANF benefits, each adult or minor head of an assistance unit applying for TANF benefits should receive a preliminary assessment of their skills, prior work experience, employability, and barriers to employment.

"(b) Following the preliminary assessment, an applicant in a single-parent assistance unit who is not engaged in paid employment for at least 20 hours per week (or an average of 80 hours per month) during the period of October 1, 1997, through September 30, 1998, at least 25 hours per week (or an average of 100 hours per month) during the period of October 1, 1998, through September 30, 1999, or at least 30 hours per week (or an average of 120 hours per month) after September 30, 1998, and who is not required to meet the school attendance requirements of section 565 shall be required to sign and comply with an agreement to participate in job search or job readiness activities as a condition of eligibility for TANF benefits,

Note, Section
3-205.19

ENROLLED ORIGINAL

unless the applicant is exempt pursuant to section 519f. The Mayor shall determine the nature and scope of the activities based on the preliminary assessment. In no event shall the Mayor require the applicant to participate in job search or job readiness activities for more than 35 hours per week.

"(c) Following the preliminary assessment, each parent in a 2-parent assistance unit who is not engaged in paid employment for at least 35 hours per week (or an average of 140 hours per month) and who is not required to meet the school attendance requirements of section 565 shall be required to sign and comply with an agreement to participate in job search or job readiness activities as a condition of eligibility for TANF benefits, unless the applicant is exempt pursuant to section 519f, or the other parent in the family is engaged in paid employment and the 2 parents together work for at least 35 hours per week (or for at least 55 hours per week, if the family receives federally-funded child care and no adult in the family is disabled, or caring for a child disability). The Mayor shall determine the nature and scope of the activities based on the preliminary assessment. In no event shall the Mayor require the applicant to participate in job search or job readiness activities for more hours than would be necessary for the combined number of hours of participation of both parents to equal 35 hours per week (or 55 hours per week, if the family receives federally-funded child care and no adult in the family is disabled, or caring for a child with a disability).

"(d) The Mayor shall:

"(1) Screen and identify applicants and recipients for the presence, history, or future risk of, domestic violence;

"(2) Refer those individuals who report domestic violence to appropriate service providers for counseling, legal assistance, and other supportive services; such service providers, which may be nongovernment entities, may assist in developing an individualized service strategy and making recommendations regarding the need for a good cause waiver of work participation requirements;

"(3) Grant a waiver of work participation requirements where good cause is found that such requirements would make it more difficult for the individual to escape domestic violence or put the individual at risk of further domestic violence, or where the individual's failure to comply with a program requirement was due to domestic violence, after consideration of the recommendations of the service providers, if any; and

"(4) Establish that any good cause waiver shall be temporary, and may, if appropriate, be renewed after a reassessment of the individual's circumstances.

"Sec. 519c. Failure to comply with job search and job readiness requirements for TANF applicants.

"(a) If a TANF applicant who is not exempt pursuant to section 519g(a) fails, without good cause, to participate in job search or job readiness activities pursuant to section 519b, the failure shall result in a sanction pursuant to section 519f.

"(b) The Mayor shall promulgate rules defining what constitutes good cause for failure

ENROLLED ORIGINAL

to participate in job search or job readiness activities, in addition to those circumstances described in subsections (c), (d), and (e) of this subsection. The rules promulgated by the Mayor shall require that notice be provided to TANF applicants of what constitutes good cause for failure to participate in job search or job readiness activities.

"(c) The Mayor shall not sanction a TANF applicant based on the failure of an applicant to participate in job search or job readiness activities if the Mayor has failed to make a preliminary assessment pursuant to section 519b(a).

"(d) The Mayor shall not sanction a TANF applicant based on the failure of a TANF applicant to participate in job search or job readiness activities if the applicant is a single custodial parent caring for a child under 6 years old, and the applicant proves that he or she has a demonstrated inability, as determined by the Mayor, to obtain needed child care for one or more of the following reasons:

"(1) Appropriate child care within a reasonable distance from the applicant's home or work site is unavailable;

"(2) Informal child care by a relative or under other arrangements is unavailable or unsuitable; or

"(3) Appropriate and affordable formal child care arrangements are unavailable.

"(e)(1) The Mayor shall not sanction a TANF applicant for failure to participate in job search or job readiness activities if the Mayor controls the availability of placements in those activities and a placement in those activities is not available to the applicant.

"(2) This subsection shall not apply if the Mayor makes a placement in another activity available to the applicant, provided that the replacement activity is consistent with the terms of the applicant's agreement to participate in job search or job readiness activities.

"(f) Notwithstanding subsection (c), (d), or (e) of this section, the Mayor may sanction a TANF applicant if the applicant quits paid employment without good cause or voluntarily reduces income without good cause within 60 days before the determination of eligibility for TANF.

"Sec. 519d. Work participation requirements for TANF recipients.

"(a) The Mayor may make an assessment of the skills, prior work experience, employability, and barriers to employment of each TANF recipient who is an adult or minor head of an assistance unit after the recipient is determined eligible to receive TANF benefits.

"(b) If the Mayor has assessed a TANF recipient pursuant to subsection (a) of this section, the TANF recipient shall develop an individual responsibility plan with the Mayor that describes the steps that the recipient is required to take to achieve self-sufficiency, and the services that the District shall provide to assist the recipient in attaining self-sufficiency. The individual responsibility plan shall be based on the recipient's preliminary assessment at application and the post-eligibility assessment.

"(c) Subject to the exemptions listed in section 519g(b), a recipient who has developed an individual responsibility plan with the Mayor shall be required, as part of that plan, to

ENROLLED ORIGINAL

participate in work activities, which may include one or more of the following:

- "(1) Unsubsidized employment;
- "(2) Subsidized private sector employment;
- "(3) Subsidized public sector employment;
- "(4) Work experience;
- "(5) On-the-job training;
- "(6) Job search and job readiness assistance;
- "(7) Community service;
- "(8) Vocational education training;
- "(9) Job skills training directly related to employment;
- "(10) Education; or
- "(11) Provision of child care services to an individual who is participating in a

community service program.

"(d) The Mayor shall periodically review each individual responsibility plan and revise each plan, if appropriate.

"(e) Notwithstanding any other provision of this act, nothing in this act shall be construed to confer an entitlement to child care for any person.

"Sec. 519e. Failure to comply with work requirements for TANF recipients.

"(a) If a nonexempt TANF recipient fails, without good cause, to participate in an assessment pursuant to section 519d(a), to enter into an individual responsibility plan developed pursuant to section 519d(b), or to comply with the terms of such a plan, the failure shall result in a sanction pursuant to section 519f.

"(b) The Mayor shall promulgate rules defining what constitutes good cause for failure to comply with an individual responsibility plan, in addition to those circumstances described in subsections (c), (d), and (e) of this section. The rules promulgated by the Mayor shall require that notice be provided to TANF recipients of what constitutes good cause for failure to comply with an individual responsibility plan.

"(c) The Mayor shall not sanction a TANF recipient based on the failure of the recipient to participate in work activities if the recipient is a single custodial parent caring for a child under 6 years old, and the recipient proves that the recipient has a demonstrated inability, as determined by the Mayor, to obtain needed child care for one or more of the following reasons:

- "(1) Appropriate child care within a reasonable distance from the recipient's home or work site is unavailable;
- "(2) Informal child care by a relative or under other arrangements is unavailable or unsuitable; or
- "(3) Appropriate and affordable formal child care arrangements are unavailable.

"(d) The Mayor shall not sanction a TANF recipient based on the failure of the recipient to participate in work activities if a post-eligibility assessment has not been made or an individual responsibility plan has not been developed with the Mayor.

ENROLLED ORIGINAL

"(e)(1) The Mayor shall not sanction a TANF recipient for failure to participate in work activities specified in an individual responsibility plan if the Mayor provides those activities and placement in those activities is limited such that those services are not yet available to the recipient.

"(2) This subsection shall not apply if the Mayor makes a placement in another activity available to the recipient, provided that the replacement activity is consistent with the terms of the recipient's individual responsibility plan.

"(f) Notwithstanding subsections (c), (d), or (e) of this section, the Mayor shall sanction a TANF recipient if the recipient quits paid employment without good cause or voluntarily reduces income without good cause within 60 days before the determination of eligibility for TANF or during the period in which the recipient receives TANF.

"Sec. 519f. Sanctions.

"(a) As a sanction pursuant to sections 519c(a) and 519e(a), the Mayor shall not take into account the noncompliant TANF applicant's or recipient's needs in determining the TANF assistance unit's need for assistance and the amount of the TANF payment. The sanction shall remain in place for the following time periods, consistent with subsection (d) of this section:

"(1) Until the applicant or recipient complies with program requirements, or one month, whichever is later, if it is the applicant's or recipient's first sanction;

"(2) Until the applicant or recipient complies with program requirements, or 3 months, whichever is later, if it is the applicant's or recipient's second sanction; or

"(3) Until the applicant or recipient complies with program requirements, or 6 months, whichever is later, if it is the applicant's or recipient's third or subsequent sanction.

"(b) The Mayor shall not consider an applicant or recipient to have complied with program requirements until the individual participates satisfactorily for at least one week.

"(c) Notwithstanding subsection (b) of this section, if the Mayor cannot schedule the applicant or recipient for participation, by no fault of the applicant or recipient, the Mayor shall consider the applicant or recipient to have complied on the day the applicant or recipient notifies the Mayor that he or she agrees to participate.

"(d) If a sanction terminates because the TANF applicant or recipient complies with program requirements, the applicant or recipient shall not receive TANF benefits for the remainder of the month of compliance, and instead shall begin receiving TANF benefits again in the following month, for the following month, and for subsequent months so long as the recipient continues to comply and remains otherwise eligible.

"(e) A TANF applicant or recipient who is aggrieved by the Mayor's action concerning a sanction may seek redress under title X. A TANF applicant or recipient who has been sanctioned shall not be entitled to a conciliation process.

"Sec. 519g. Exemptions.

"(a) The Mayor shall promulgate rules describing those categories of TANF applicants who are exempt from the requirements of section 519b(b). The rules promulgated by the Mayor

ENROLLED ORIGINAL

shall require that notice be provided to TANF applicants of the exemptions from the requirements of section 519b. Exempt TANF applicants shall include, at a minimum:

"(1) Minors who are not heads of assistance units, including minors in payee-only cases;

"(2) Individuals in a single-parent assistance unit who are already working in volunteer employment, work experience, or participating in another activity that has been approved by the Mayor as work participation, if, in the discretion of the Mayor, the participation in the activity is likely to lead to paid employment within the next 3 months, and the individual is participating in the activity for:

"(A) 20 hours or more per week, or an average of 80 hours or more per month, during the period of October 1, 1997, through September 30, 1998.;

"(B) 25 hours or more per week, or an average of 100 hours or more per month, during the period of October 1, 1998, through September 30, 1999; or

"(C) 30 hours or more per week, or an average of 120 hours or more per month, after September 30, 1999;

"(3) Individuals in a two-parent assistance unit who are already working in volunteer employment, work experience, or participating in another activity that has been approved by the Mayor as work participation, if, in the discretion of the Mayor, the participation in the activity is likely to lead to paid employment within the next 3 months, and the total number of hours in which the individual and the other parent in the assistance unit are participating is at least 35 hours per week (or 55 hours per week, if the family receives federally-funded child care and no adult in the family is disabled or caring for a child with disability).

"(4) Single custodial parents caring for a child less than 12 months old; and

"(5) Applicants more than 60 years old.

"(b) The Mayor shall promulgate rules describing those categories of TANF recipients who are exempt from the requirements of section 519d(b), (c), and (d). The rules promulgated by the Mayor shall require that notice be provided to TANF recipients of the exemptions from the requirements of section 519d(b), (c), and (d). Exempt TANF recipients shall include, at a minimum:

"(1) Minor who are not the heads of assistance units, including minors in payee-only cases;

"(2) Single custodial parents caring for a child less than 12 months old; and

"(3) Recipients more than 60 years old."

"(c) Any TANF applicant or recipient who is exempt from mandatory participation in job search, job readiness, or work activities shall be permitted to participate in those activities on a voluntary basis to the extent that participation opportunities are available and the District's resources otherwise permit.

"Sec. 519h. Administration of job search, job readiness, work, and self-sufficiency activities.

ENROLLED ORIGINAL

"(a) Subject to other applicable provisions of District law, the Mayor may contract with a nongovernmental entity to perform all or part of the operation of job search, job readiness, other work activity, or self sufficiency programs under TANF or POWER with the exception of the following:

- "(1) Responsibility for final decision-making on program planning and design, including program participation requirements;
- "(2) Defining who is required to participate;
- "(3) Defining good cause for failure to participate;
- "(4) Issuance of rules and regulations governing participation;
- "(5) Defining exemptions from participation;
- "(6) Determination and application of sanctions against an individual;
- "(7) Providing notice of case actions; and
- "(8) Conducting fair hearings and administrative reviews pursuant to title X.

"(b) Any nongovernmental entity with which the Mayor has contracted regarding job search, job readiness, or work activities shall not have the authority to review, change, or disapprove any administrative decision of the Mayor or otherwise substitute its judgment for that of the Mayor regarding the application of policies, rules, and regulations promulgated by the Mayor or any agency.

"(c) Any adverse determination, decision, or action of the nongovernmental entity made or taken with respect to an individual shall be reviewable by the Mayor, pursuant to procedures set forth in rules promulgated by the Mayor.

"(d) In selecting a nongovernmental contractor, the Mayor shall take into account past performance in providing similar services, demonstrated effectiveness, fiscal accountability, ability to meet performance standards, other factors the Mayor determines to be appropriate, and any other factors that are required to be considered by District law.

"Sec. 519i. Nondiscrimination against TANF and POWER applicants and recipients.

"A person's application for, or receipt of, TANF or POWER benefits shall not affect the applicability to that person of District and federal laws prohibiting discrimination.

"Sec. 519j. Health and safety standards for TANF and POWER recipients.

"TANF and POWER applicants and recipients participating in job search, job readiness, work, or self-sufficiency activities shall be subject to the same health and safety standards established under District and federal laws that apply to other individuals in comparable activities who are not TANF or POWER applicants or recipients.

"Sec. 519k. Workers' compensation for TANF recipients.

"TANF recipients who are considered employees for purposes of the Fair Labor Standards Act of 1938, approved June 25, 1938 (52 Stat. 1060; 29 U.S.C. § 201 *et seq.*) shall be covered by the District of Columbia Workers' Compensation Act of 1979, effective July 1, 1980 (D.C. Law 3-77; D.C. Code § 36-301 *et seq.*) or title XXIII of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law

ENROLLED ORIGINAL

2-139; D.C. Code § 1-624.1 *et seq.*), whichever is appropriate, at the same level and to the same extent as comparably-employed individuals who do not receive TANF and shall be entitled to a minimum wage under the Fair Labor Standards Act and D.C. Code § 36-220.2.

"Sec. 5191. Nondisplacement by TANF recipients.

"(a) The Mayor shall not require a TANF recipient to participate in a work activity that:

"(1) Results in the displacement of any currently-employed worker or position, including partial displacement, such as a reduction in hours of nonovertime work, wages, or employment benefits;

"(2) Impairs existing contracts for services or collective bargaining agreements;

"(3) Results in the employment or assignment of the TANF recipient, or the filling of a position with the TANF recipient when any other person is on layoff from the same or a substantially equivalent job within the same organizational unit, or when an employer has terminated any regular employee or otherwise reduced its workforce with the intent of filling the vacancy so created by hiring the TANF recipient; or

"(4) Results in the TANF recipient participating in community service, work experience, or subsidized employment when such participation is the equivalent of filling an established unfilled position vacancy, or is the equivalent of performing a job that is substantially similar to the vacant position, unless the TANF recipient is given a bona fide opportunity to apply for the position as an unsubsidized employee after 18 weeks of satisfactory service in the position.

"(b) The Mayor shall establish and maintain a grievance procedure for resolving complaints by any person, organization, or bargaining unit that claims to have been adversely affected by a violation of this subsection.

"(c) Nothing in this section shall be construed to prevent a collective bargaining agreement from containing additional protections for a regular employee."

(x) Section 521 (D.C. Code § 3-205.21) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) The lead-in language is amended by striking the acronym "AFDC" and inserting the acronym "TANF" in its place.

(B) Paragraph (2) is amended as follows:

(i) By striking the number "30" and inserting the number "60" in its place; and

(ii) By striking the acronym "AFDC" and inserting the acronym "TANF" in its place.

(C) Paragraph (3) is amended by striking the phrase "30-day" and inserting the phrase "60-day" in its place

(2) Subsection (a-1) is repealed.

(3) Subsection (c) is amended by striking the phrase "the Work Incentive Program within 30 days after receipt of the first AFDC payment." and inserting the phrase "job

Note, Section
3-205.21

ENROLLED ORIGINAL

search, job readiness, or other work activities after application for TANF benefits."

(y) Section 522 (D.C. Code § 3-205.22) is amended as follows:

Note, Section
3-205.22

(1) The section heading is amended by inserting the phrase "and deemed parent" before the word "income".

(2) Subsection (b) is amended by adding a new paragraph (1A) to read as follows:

"(1A) In computing the availability of a stepparent's income to an assistance unit:

"(A) If the stepparent is included in the assistance unit, and has at least one child in common with another member of the assistance unit, and that child is part of the assistance unit, the family shall be considered to be a two-parent assistance unit and the stepparent's income shall be treated like a parent's income;

"(B) If the stepparent is included in the assistance unit, but does not have a child in common with another member of the assistance unit, the stepparent shall be treated as the parent of the dependent child in the assistance unit; and

"(C) If the stepparent is not included in the assistance unit, none of the stepparent's income shall be considered available to the assistance unit."

(3) Subsection (b) is amended as follows:

(A) Paragraph (2) is amended as follows:

(i) The lead-in language is amended by striking the word "stepparent's" and inserting the phrase "deemed parent's" in its place.

(ii) Subparagraph (A) is amended as follows:

(I) By striking the word "stepparent's" and inserting the phrase "deemed parent's" in its place; and

(II) By striking the word "stepparent" and inserting the phrase "deemed parent" in its place.

(iii) Subparagraph (B) is amended as follows:

(I) By striking the word "stepparent" wherever it appears and inserting the phrase "deemed parent" in its place;

(II) By striking the acronym "AFDC" and inserting the acronym "TANF" in its place; and

(III) By striking the phrase "standard of need" and inserting the phrase "standard of assistance" in its place.

(iv) Subparagraphs (C) and (D) are amended by striking the word "stepparent" and inserting the phrase "deemed parent" in its place.

(B) Paragraph (3) is repealed.

(C) Paragraph (4) is repealed.

(4) Subsection (c) is repealed.

(5) A new subsection (d) is added to read as follows:

"(d) For purposes of this section, a "deemed parent" is:

ENROLLED ORIGINAL

"(1) The natural or adoptive parent of a minor dependent child, if the child is his- or herself the parent of a dependent child, and all three generations live in the same household; or

"(2) The parent of a minor dependent child, if the parent lives in the same household with the dependent child and marries a person with whom the parent does not have a child in common."

(z) Section 523 (D.C. Code § 3-205.23) is amended by striking the acronym "AFDC" and inserting the acronym "TANF" in its place.

Note, Section
3-205.23
Note, Section
3-205.24

(aa) Section 524 (D.C. Code § 3-205.24) is amended to read as follows:

"Sec. 524. Eligibility requirements for aliens.

"(a) Any person who is not a citizen of the United States, who entered the United States before August 22, 1996, and who is a "qualified alien", as defined by section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, approved August 22, 1996 (110 Stat. 2105; 8 U.S.C. § 1641) may receive the following:

"(1) TANF benefits, if otherwise eligible under this act;

"(2) Medicaid benefits, if otherwise eligible under the District of Columbia State Plan submitted pursuant to title XIX of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 *et seq.*); and

"(3) Benefits and services funded under title XX of the Social Security Act, approved August 13, 1981 (95 Stat. 867; 42 U.S.C. § 1397 *et seq.*), if otherwise eligible under applicable federal and District law.

"(b) Any person who is not a citizen of the United States and who is a "qualified alien", as defined by section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, may receive any District-funded benefit if otherwise eligible under applicable District law, regardless of the person's date of entry into the United States."

(bb) Section 525 (D.C. Code § 3-205.25) is amended as follows:

Note, Section
3-205.25

(1) By striking the acronym "AFDC" wherever it appears and inserting the acronym "TANF" in its place; and

(2) By striking the phrase "retrospective budgeting method except that if an AFDC applicant was not on assistance in the month prior to application, the first 2 monthly assistance payments shall be determined prospectively." and inserting the phrase "prospective budgeting method." in its place.

(cc) Section 530 (D.C. Code § 3-205.30) is amended as follows:

Note, Section
3-205.30

(1) Paragraph (1) is repealed.

(2) Paragraph (2) is amended to read as follows:

"(2) "Lump-sum payment or settlement" means a nonrecurring earned or unearned income, including retroactive monthly benefits, and payments in the nature of a windfall. The phrase "lump-sum payment or settlement" does not include income that represents a correction of previous underpayments of TANF, POWER, Aid to Families with Dependent Children (representing payments owed before that program was repealed) or GAC, and does not

ENROLLED ORIGINAL

include a personal injury award, worker's compensation, or similar award to the extent that it is earmarked and used for the purpose for which it was paid, such as payment of medical bills."

(dd) Section 531 (D.C. Code § 3-205.31) is amended to read as follows:

Note, Section
3-205.31

"(a) Subject to the provisions of subsection (b) of this section, the Mayor shall, as a condition of eligibility, require each public assistance applicant or recipient to apply for any benefits to which he or she may be eligible.

"(b) If a person applies for TANF and the Mayor determines that the applicant faces significant barriers to employment due to a physical or mental incapacity, the Mayor may consider the application to be an application for POWER, and may process the application as an application for POWER. A person may not apply for POWER without Mayoral approval."

(ee) Section 533(b) (D.C. Code § 3-205.33(b)) is amended as follows:

Note, Section
3-205.33

(1) The introductory language is amended by striking the acronym "AFDC" and inserting the acronym "TANF" in its place.

(2) Paragraph (1) is amended by striking the phrase "in future months, as required by law" and inserting the phrase ", to the extent required by paragraph (2) of this subsection, in future months, irrespective of the month in which it was reported to the Mayor".

(ff) Section 535 (D.C. Code § 3-205.35) is repealed.

(gg) Section 536 (D.C. Code § 3-205.36) is amended by striking the acronym "AFDC" and inserting the acronym "TANF" in its place.

Note, Section
3-205.35
Note, Section
3-205.36
Note, Section
3-205.37

(hh) Section 537 (D.C. Code § 3-205.37(a)) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "the Social Security Act (42 U.S.C. § 301 *et seq.*)" and inserting the phrase "this act" in its place.

(2) Subsection (b) is repealed.

(ii) Section 540(a) (D.C. Code § 3-205.40(a)) is amended by repealing paragraph (1).

(jj) Section 542(1) (D.C. Code § 3-205.42(1)) is amended by striking the acronym "AFDC" wherever it appears and inserting the acronym "TANF" in its place.

Note, Section
3-205.40
Note, Section
3-205.42

(kk) Section 543(b) (D.C. Code § 3-205.43(b)) is amended as follows:

Note, Section
3-205.43

(1) By striking the phrase "The Mayor shall provide" and inserting the phrase "The Mayor may provide" in its place; and

(2) By striking the acronym "AFDC" and inserting the acronym "TANF" in its place.

(ll) Section 544 (D.C. Code § 3-205.44) is repealed.

(mm) Section 545 (D.C. Code § 3-205.45) is repealed.

(nn) Section 546 (D.C. Code § 3-205.46) is repealed.

(oo) Section 550(e) (D.C. Code § 3-205.50(e)) is amended to read as follows:

Note, Section
3-205.44
Note, Section
3-205.45
Note, Section
3-205.46
Note, Section
3-205.50

"(e) At the discretion of the Mayor and subject to annual appropriations, the Mayor may:

"(1) Provide supportive services necessary for a member of an assistance unit to participate in or prepare for a mandatory job search, job readiness, or other work activity

ENROLLED ORIGINAL

under TANF or a mandatory self-sufficiency activity under POWER; and

"(2) Provide reimbursement for a recipient's expenses directly related to participation in a mandatory work activity under TANF or a mandatory self-sufficiency activity under POWER."

(pp) Section 551 (D.C. Code § 3-205.51) is amended by striking the acronym "AFDC" and inserting the acronym "TANF" in its place.

Note, Section 3-205.51

(qq) Section 552 (D.C. Code § 3-205.52) is amended as follows:

Note, Section 3-205.52

(1) Subsection (a) is amended to read as follows:

"(a) To determine the TANF, POWER or GAC payment for an assistance unit, the Mayor shall subtract any income of the assistance unit, after applicable disregards, from the current payment level for a family that is the size of the assistance unit."

(2) Subsection (b) is repealed.

(3) Subsection (c) is amended to read as follows:

"(c) The standards of assistance are set forth in the following table and include a portion of basic costs of food, clothing, shelter, household and personal items, and certain transportation costs:

"STANDARDS OF ASSISTANCE		
Family Size	Standard of Assistance	Payment Level
1	\$ 450.00	239.00
2	560.00	298.00
3	712.00	379.00
4	870.00	463.00
5	1,002.00	533.00
6	1,178.00	627.00
7	1,352.00	719.00
8	1,494.00	795.00
9	1,642.00	874.00
10	1,786.00	950.00
11	1,884.00	1,002.00
12	2,024.00	1,077.00
13	2,116.00	1,126.00
14	2,232.00	1,187.00
15	2,316.00	1,232.00
16	2,432.00	1,294.00
17	2,668.00	1,419.00

ENROLLED ORIGINAL

18	2,730.00	1,452.00
19	2,786.00	1,482.00"; and

(4) Subsection (c-1) is repealed.

(5) Subsection (d) is amended by striking the date "September 30, 1996" and inserting the date "January 31, 1998" in its place.

(rr) Section 553(a) (D.C. Code § 3-205.53(a)) is amended as follows:

**Note, Section
3-205.53**

(1) By striking the third sentence, and inserting the following sentences in its place: "If at any time during the continuance of public assistance the recipient becomes possessed of resources in excess of the amount previously reported by the recipient, or if other changes occur in the nonfinancial circumstances previously reported by the recipient that would alter either the recipient's need or eligibility, it shall be the recipient's duty to notify the Mayor of this information immediately upon the receipt or possession of the additional resources, or upon the change in circumstances. A recipient shall inform the Mayor whenever the recipient begins to receive earned income, if the recipient did not earn income previously, and whenever the recipient ceases to receive earned income. The recipient shall inform the Mayor as soon as the recipient becomes aware that a change will occur, rather than waiting to inform the Mayor in the periodic report required under section 554."

(ss) Section 554 (D.C. Code § 3-205.54) is amended as follows:

**Note, Section
3-205.54**

(1) The section heading is amended to read as follows:

"Sec. 554. TANF assistance unit periodic report."

(2) Subsection (a) is amended as follows:

(A) The lead-in language is amended as follows:

(i) By striking the acronym "AFDC" and inserting the acronym "TANF" in its place.

(ii) By striking the phrase "shall report monthly on:" and inserting the phrase "shall report periodically, as determined by the Mayor, on:" in its place;

(B) Paragraph (1) is amended by striking the phrase "prior month" and inserting the phrase "reporting period specified by the Mayor" in its place.

(C) Paragraph (2) is amended by striking the phrase "month or future months" and inserting the phrase "reporting period or future reporting periods" in its place.

(3) A new subsection (a-1) is added to read as follows:

"(a-1) The periodic reporting form sent by the Mayor to a recipient shall notify the recipient that failure to provide timely, accurate, and complete information may result in grant reduction or termination."

(4) Subsection (b) is amended to read as follows:

"(b) The Mayor shall establish a consistent time frame for submission of periodic reports and for submission of information concerning any change in earnings affecting eligibility between

ENROLLED ORIGINAL

reports."

(5) Subsection (c) is amended to read as follows:

"(c) When the Mayor receives a complete report within the required time frame specified by the Mayor, the Mayor shall promptly change or terminate assistance payments, as may be appropriate, on the basis of information contained in the periodic report. Timely and accurate reporting of increases in previously-reported income shall result only in adjustments of future payments without retroactive penalty for overpayment. Timely and accurate reporting of decreases in previously-reported income shall result only in adjustments of future payments without retroactive adjustments for underpayments. Written notices of a change or termination must be adequate, as defined in section 555(a)(2), and must be postmarked no later than 15 days before the date that the recipient would receive the changed payment, or would have received payment if assistance had not been terminated. A recipient has 90 days from the date the notice is postmarked to request a fair hearing. The recipient's assistance shall be paid pending the hearing only if such payment is required under section 559."

(6) Subsection (d) is amended to read as follows:

"(d) If the recipient fails to file a report on time, without good cause, or if the report filed is incomplete, the Mayor shall take prompt action to terminate assistance. The Mayor shall mail the recipient written notice if assistance is being terminated as a result of failure to file or complete a report. The notice must be adequate as defined by section 555(a)(2). The notice must be postmarked no later than 15 days prior to the date the recipient would have received payment if assistance had not been terminated. A recipient has 90 days from the date the notice is postmarked to request a fair hearing. The recipient's assistance shall be paid pending the hearing only if such payment is required under section 559. If the recipient files a completed report that is received by the Mayor on or before the last day of the month in which the notice was postmarked, the Mayor shall accept this late report and shall make a payment based on the information in the report if the information reliably indicates that the recipient is still eligible for TANF. The payment in the next month shall reflect a penalty for late filing, if the Mayor determines the recipient did not have good cause for late filing. As a penalty for late filing, earned income shall not be disregarded in determining TANF eligibility and benefit levels. Payment in the month after receipt of a late report may be delayed. If the recipient is found ineligible for TANF, based on information in the late report, or eligible for an amount less than the prior period's payment, the Mayor shall promptly send the recipient written notice of the change, suspension, or termination. The written notice must be adequate as defined by section 555(a)(2). The recipient shall have 90 days from the date that the notice is postmarked to request a hearing. The recipient's assistance shall be paid pending the hearing only if such payment is required under section 559."

(7) Subsection (e) is amended by striking the phrase "\$30 plus one-third" and inserting the word "earned" in its place.

(8) Subsection (f) is amended to read as follows:

ENROLLED ORIGINAL

"(f) The Mayor may require periodic reporting by any TANF recipient, or category of TANF recipients that has earned income or meets criteria, who the Mayor determines, pursuant to rules promulgated by the Mayor, is likely to calculate income eligibility erroneously."

(9) Subsection (g) is repealed.

(tt) Section 555 (D.C. Code § 3-205.55) is amended as follows:

Note, Section
3-205.55

(1) Subsection (a)(1) is amended by striking the phrase "would become effective" and inserting the phrase, "would become effective, except as provided in section 554(d)" in its place.

(2) Subsection (b)(1) is amended by striking the acronym "AFDC" and inserting the phrase "TANF or POWER" in its place.

(uu) Section 556(a) (D.C. Code § 3-205.56(a)) is amended by striking the phrase "orally and".

Note, Section
3-205.56

(vv) Section 559 (D.C. Code § 3-205.59) is amended as follows:

Note, Section
3-205.59

(1) Subsection (a) is amended by striking the phrase "within 15 days from the date of postmark of the written notice" and inserting in its place the phrase "before the date that the termination, suspension, or reduction of aid is to become effective".

(2) Subsection (b) is repealed.

(3) Subsection (c) is amended by inserting the phrase ", when timely notice is required by law," after the phrase "timely notice".

(ww) Section 601 (D.C. Code § 3-206.1) is repealed.

Note, Section
3-206.1

(xx) Section 605 (D.C. Code § 3-206.5) is amended by striking the phrase "Aid to Families with Dependent Children" and inserting "TANF" in its place.

Note, Section
3-206.5

(yy) Section 801(a) (D.C. Code § 3-208.1(a)) is amended to read as follows:

Note, Section
3-208.1

"(a) Upon completion of the investigation pursuant to title IX, the Mayor shall determine whether the applicant is eligible for public assistance, the type and amount of public assistance for which he or she is eligible, and the date from which public assistance shall begin. The Mayor shall furnish public assistance with reasonable promptness to each person to whom the Mayor, in his or her discretion, provides public assistance. For the TANF, POWER, and GAC programs, an application for assistance shall be effective on the date that the application is filed. The amount payable for the initial month shall be prorated by multiplying the amount payable if payment were made for the entire month by the ratio of the days in the month including and following the date of application to the total number of days in a month."

(zz) Section 801(b) (D.C. Code § 3-208.1(b)) is amended by inserting the phrase, "or electronic benefit transfer," after the phrase "Money payments of public assistance shall be made by check,".

Note, Section
3-208.1

(aaa) Section 803 (D.C. Code § 3-208.3) is amended to read as follows:

Note, Section
3-208.3

"Sec. 803. Underpayment corrections.

"(a) When a recipient of public assistance receives a payment or series of payments in an amount less than that for which the recipient is eligible, or does not receive payments for which

ENROLLED ORIGINAL

the recipient is eligible, the underpayment shall be corrected retroactively for not more than 12 months prior to whichever of the following occurs first:

"(1) The date the Mayor received a request for restoration of assistance from the recipient;

"(2) The date the recipient requested a fair hearing concerning the loss of assistance; or

"(3) The date the Mayor is notified or otherwise discovered that a loss of benefits to an assistance unit has occurred.

"(b) The Mayor shall take all reasonable steps necessary to correct and recover overpayments.

"(c) Nothing in this section shall be construed to confer an entitlement to public assistance to any individual. The decision to grant public assistance to an eligible individual lies in the sole discretion of the Mayor."

(bbb) Section 804 (D.C. Code § 3-208.4) is amended to read as follows:

Note, Section
3-208.4

"Sec. 804. Amount of assistance payable.

"The amount of assistance that the Mayor may pay to a TANF, POWER, or GAC recipient shall be the amount for which the individual or family is eligible, rounded down, when not a whole dollar amount, to the next lower whole dollar amount, except as provided in section 551."

(ccc) Section 805 (D.C. Code § 3-208.5) is amended as follows:

Note, Section
3-208.5

(1) The lead-in language of subsection (a) is amended to read as follows:

"(a) For any month in which a person who received benefits under the former General Public Assistance ("GPA") program received both GPA and Supplemental Security Income ("SSI"), the former GPA recipient shall repay to the District of Columbia:"

(2) Subsection (b) is amended by striking the phrase "a GPA recipient who applies or has applied for SSI must agree" and inserting the phrase "a former GPA recipient who applied for SSI must have agreed" in its place.

(3) Subsection (c) is amended by inserting the word "former" before the word "GPA" wherever it appears.

(ddd) Section 901(b) (D.C. Code § 3-209.1(b)) is amended by striking the phrase "the Mayor shall issue to such person a public assistance identification card which shall be used" and inserting in its place the phrase "the Mayor may issue to such person a public assistance identification card which may be used".

Note, Section
3-209.1

(eee) Section 902 (D.C. Code § 3-209.2) is repealed.

Note, Section
3-209.2

(fff) Section 903 (D.C. Code § 3-209.3) is repealed.

Note, Section
3-209.3

(ggg) A new section 904 is added to read as follows:

Note, Section
3-209.3

"Sec. 904. Confidentiality of information.

"(a) The use or disclosure of information concerning applicants and recipients of TANF, POWER, and GAC shall be limited to purposes directly connected to the following:

ENROLLED ORIGINAL

"(1) The administration of TANF, POWER, General Assistance for Children, Emergency Family Shelter, Old Age Assistance, Aid to the Permanently and Totally Disabled, and programs under titles I, IV-B, IV-D, IV-E, X, XIV, XVI (AABD and SSI), XIX, or XX of the Social Security Act, approved August 14, 1935 (49 Stat. 757; 42 U.S.C. § 301 *et seq.*), for purposes of establishing eligibility, determining the amount of assistance, and providing services for applicants and recipients;

"(2) Any investigation, prosecution, or criminal or civil proceeding conducted in connection with the administration of any public assistance program under this act;

"(3) The administration of any federal or federally-assisted program which provides assistance, in cash or in-kind, or services directly to individuals on the basis of need;

"(4) The verification to a state employment services agency for the purposes of providing information about a public assistance recipient's eligibility for employer tax credits;

"(5) Any audit or similar activity, such as review of expenditure reports or financial review, conducted in connection with the administration of any public assistance program by any governmental entity which is authorized by law to conduct such audit or activity;

"(6) The administration of the unemployment compensation program for the District of Columbia or any other state unemployment compensation program; or

"(7) The reporting to the Metropolitan Police Department of information on known or suspected instances of physical or mental injury, sexual abuse, or exploitation, or to the Commission on Social Services of information on known or suspected instances of negligent treatment or maltreatment of a child receiving aid under circumstances which indicate the child's health or welfare is threatened.

"(b) The Mayor may disclose the current address of an applicant or recipient to the Metropolitan Police Department or any other law enforcement officer at his or her request. The information shall be disclosed only to a law enforcement officer who provides the name and Social Security number of the applicant or recipient and satisfactorily demonstrates that:

"(1) The applicant or recipient is a person who is seeking to escape prosecution on the grounds that he or she is believed to have committed a felony;

"(2) The location or apprehension of the felon is within the law enforcement officer's official duties; and

"(3) The request is made in the proper exercise of the officer's duties.

"(c) Disclosure of any information that identifies by name or address any applicant or recipient to any federal, state, or local committee or legislative body other than in connection with any activity under subsection (a)(5) of this section is prohibited.

"(d) If a subpoena is issued for the case record or for any Mayor's representative to testify concerning an applicant or recipient, disclosure of information and testimony is prohibited unless:

"(1) The applicant or recipient authorizes release; or

ENROLLED ORIGINAL

"(2) The information or testimony is requested for purposes directly related to the purposes listed in subsection (a) of this section.

"(e) The Mayor shall establish policies and procedures to implement and enforce the requirements for safeguarding information regarding applicants and recipients and to define the criteria that govern the types of information that are safeguarded and the conditions under which the information may be released or used."

(hhh) Section 1002 (D.C. Code § 3-210.2) is amended as follows:

**Note, Section
3-210.2**

(1) Subsection (a) is amended by striking the number "30" and inserting the number "45" in its place.

(2) Subsection (c) is amended by striking the acronym "AFDC" and inserting the phrase "TANF, POWER" in its place.

(iii) Section 1004(a) (D.C. Code § 3-210.4(a)) is amended as follows:

**Note, Section
3-210.4**

(1) By striking the phrase "and oral" in the first and second sentences.

(2) By striking the phrase "as described in S.E. 9.1 of the District of Columbia Handbook of Public Assistance Policies and Procedures" after the phrase "legal services" in the second sentence.

(jjj) Section 1016(c) (D.C. Code § 3-210.16(c)) is amended by striking the phrase "applicants and" before the word "recipients".

**Note, Section
3-210.16**

(kkk) Section 1018 (D.C. Code § 3-210.18) is amended by striking the word "monthly" and inserting the word "periodic" in its place.

**Note, Section
3-210.18**

(lll) Section 1019(b) (D.C. Code § 3-210.19(b)) is amended by striking the phrase "Assistance under the AFDC program" and insert the phrase "Assistance under the TANF, POWER, or GAC programs" in its place.

**Note, Section
3-210.19**

(mmm) The lead-in language of section 1101 (D.C. Code § 3-211.1) is amended by striking the phrase "AFDC and AB" and inserting the phrase "TANF, POWER, or GAC" in its place.

**Note, Section
3-211.1**

(nnn) Section 1102 (D.C. Code § 3-211.2) is repealed.

**Note, Section
3-211.2**

(ooo) Section 1103 (D.C. Code § 3-211.3) is repealed.

**Note, Section
3-211.3**

(ppp) Section 1106 (D.C. Code § 3-211.6) is repealed.

**Note, Section
3-211.6**

(qqq) Section 1202 (D.C. Code § 3-212.2) is amended as follows:

**Note, Section
3-212.2**

(1) Subsection (a)(3) is amended by striking the phrase "AFDC relative" and inserting the phrase "caretaker in the assistance unit" in its place.

(2) Subsection (c) is amended by striking the acronym "AFDC".

(3) Subsection (d) is amended as follows:

(A) Paragraph (1) is amended by striking the word "relatives" and inserting the word "caretakers" in its place.

(B) Paragraph (2) is amended by striking the phrase "will be sought" and inserting the phrase "may be sought" in its place.

(4) Subsection (f) is repealed.

ENROLLED ORIGINAL

- (rrr) Section 1203(g) (D.C. Code § 3-212.3(g)) is repealed. Note, Section 3-212.3
- (sss) Sections 1302 through 1304 (D.C. Code §§ 3-213.2 through 3-213.4) are repealed. Note, Sections 3-213.2 - 3-213.4
- (ttt) Section 1601(a) (D.C. Code § 3-216.1(a)) is amended to read as follows:
" (a) Consistent with section 904, the Mayor is directed to prescribe regulations governing the custody, use, and preservation of the records, papers, files, and communications of the Mayor relating to public assistance. Except as otherwise provided, these regulations shall provide safeguards restricting the use or disclosure of information concerning applicants for or recipients of, public assistance to purposes directly connected with the administration of public assistance." Note, Section 3-216.1
- (uuu) Section 1701 (D.C. Code § 3-217.1) is amended as follows:
(1) Paragraph (1) is amended by striking the phrase "received AFDC" and inserting the phrase "was eligible for Aid to Families with Dependent Children under District and federal law in effect on July 16, 1996" in its place; and Note, Section 3-217.1
(2) Paragraph (2) is amended by striking the phrase "received such aid" and inserting the phrase "been eligible under such law" in its place.
- (vvv) Section 1705 (D.C. Code § 3-217.5) is amended as follows:
(1) Subsection (a)(2) is amended to read as follows: Note, Section 3-217.5
"(2) Applicants for, or recipients of, TANF to retain resources up to the maximum allowable amount of resources that would be permitted to be retained by a household under the Food Stamp Program established pursuant to the Food Stamp Act of 1977, approved September 29, 1977 (91 Stat. 958; 7 U.S.C. § 2011 *et seq.*) ("Food Stamp Program"), if the Food Stamp household were composed of the members of the TANF assistance unit."
(2) Subsection (b)(2) is amended to read as follows:
"(2) The value of a licensed vehicle, to the extent permitted under the Food Stamp Program to a household composed of the same members as constitute the TANF assistance unit."
- (www) Section 1706 (D.C. Code § 3-217.6) is repealed. Note, Section 3-217.6
- (xxx) Section 1707 (D.C. Code § 3-217.7) is amended as follows: Note, Section 3-217.7
(1) The lead-in language is amended by striking the phrase "AFDC, Emergency Assistance, or AFDC Foster Assistance" and inserting the phrase "TANF or foster care" in its place.
(2) Paragraph (2) is amended to read as follows:
"(2) Assign to the District of Columbia support rights, consistent with section 519(b) and (c)."
- (yyy) Section 1708 (D.C. Code § 3-217.8) is amended to read as follows: Note, Section 3-217.8
"(a) As a condition of eligibility for assistance under programs specified in section 1707, unless good cause for refusing to cooperate is determined to exist pursuant to section 1709, each applicant for, or recipient of, assistance shall be required to cooperate in good faith with the District of Columbia in:

ENROLLED ORIGINAL

"(1) Identifying and locating the absent parent of a child with respect to whom an applicant or recipient requests or obtains assistance;

"(2) Establishing the paternity of a child born out of wedlock with respect to whom an applicant or recipient requests or obtains assistance;

"(3) Establishing a support order for a child with respect to whom an applicant or recipient requests or obtains assistance;

"(4) Modifying any support order for a child with respect to whom an applicant or recipient requests or obtains assistance;

"(5) Enforcing any support order for a child with respect to whom an applicant or recipient requests or obtains assistance; and

"(6) Obtaining any other payment or property due the applicant, recipient, or child with respect to whom an applicant or recipient requests or obtains assistance.

"(b) Before requiring cooperation under this section, the Mayor shall notify the applicant or recipient in writing of the right to be excepted from the requirement upon a showing of good cause. The notice shall include each requirement applicable to a good cause determination, and facts concerning the benefits, risks, and consequences of cooperation and pursuing child support.

"(c) If the Mayor determines an applicant or recipient has failed to cooperate as required by subsection (a) of this section, without good cause, the IV-D agency shall promptly notify the applicant or recipient. The IV-D agency shall provide the basis for its determination of noncooperation in writing as part of the notice to the applicant or recipient.

"(d) Any applicant or recipient aggrieved by the action or inaction of the Mayor regarding the determination of cooperation, noncooperation, or good cause for refusal to cooperate shall be entitled to a hearing. Hearing rights shall be provided in accordance with title X.

"(e) Each District of Columbia government agency involved in the administration of public assistance or the enforcement of child support obligations under title IV-D of the Social Security Act, approved January 4, 1975 (88 Stat. 2351; 42 U.S.C. § 651 *et seq.*) shall make reasonable efforts to ensure that the applicant's, recipient's, or child's whereabouts are kept confidential and take other reasonable measures, within the agency's scope of authority, that are necessary to protect the applicant or recipient and the child from harm in any case in which:

"(1) A claim of good cause for noncooperation is pending;

"(2) A claim of good cause for noncooperation has been granted;

"(3) A civil protection order or temporary protection order has been entered with respect to the applicant, recipient, or the child with respect to whom assistance is claimed; or

"(4) The Mayor has reason to believe that the release of the information may result in harm to the applicant or recipient or the child."

(zzz) Section 1709 (D.C. Code § 3-217.9) is amended as follows:

(1) By designating the existing text as subsection (a);

(2) By striking the phrase "Secretary of Health and Human Services," and

Note, Section
3-217.9

ENROLLED ORIGINAL

inserting the word "Mayor" in its place; and

(3) By adding new subsections (b), (c), (d), and (e) to read as follows:

"(b) The Mayor shall make a timely determination of whether good cause exists.

"(c) The agency administering assistance shall promptly report any information to the IV-D agency that is provided by the applicant or recipient that relates to a good cause determination.

"(d) Assistance shall not be denied, delayed, reduced, or discontinued pending a determination of good cause for refusal to cooperate if the applicant or recipient has made a good faith effort to substantiate the claim.

"(e) An applicant or recipient may claim good cause for noncooperation at any time. An applicant's or recipient's decision not to claim good cause shall not preclude the applicant or recipient from claiming good cause at a later date."

(aaaa) Section 1710 (D.C. Code § 3-217.10) is amended to read as follows:

**Note, Section
3-217.10**

"(a) If an applicant or recipient claims good cause for noncooperation under section 1709 and the Mayor determines that good cause does not exist, the applicant or recipient shall be notified and given an opportunity to cooperate, to withdraw the application for assistance, or to have the assistance case closed. Refusal to cooperate, after such notice and opportunity to cooperate, shall result in imposition of the sanctions provided in subsection (b) of this section.

"(b) If an applicant for, or recipient of, assistance, who is the parent of the child with respect to whom assistance is claimed, fails to cooperate as required by section 1708, and the Mayor has determined under section 1709 that the applicant or recipient does not have good cause for noncooperation, the amount of the applicant's or recipient's public assistance grant shall be reduced by 25%.

"(c) If the applicant or recipient complies with section 1708 after a determination of noncooperation, the IV-D agency shall promptly notify the agency administering assistance for the family. The agency administering assistance shall restore assistance to the applicant or recipient in the month following the date of cooperation."

(bbbb) Section 1801 (D.C. Code § 3-218.1) is amended as follows:

**Note, Section
3-218.1**

(1) Subsection (b) is amended by striking the last two sentences and inserting in their place the following sentence: "Collections of overpayments from TANF, POWER, or former Aid to Families with Dependent Children or former GPA recipients shall be made in accordance with rules promulgated by the Mayor."

(2) Subsection (c) is amended by striking the phrase Aid to Families with Dependent Children ("AFDC")" and inserting the phrase "TANF or POWER" in its place.

(3) Subsections (d) and (e) are amended by striking the acronym "AFDC" wherever it appears and inserting the phrase "TANF or POWER" in its place.

(cccc) Section 1803 (D.C. Code § 3-218.3) is amended as follows:

**Note, Section
3-218.3**

(1) By striking the phrase "identification card" from the section heading and inserting the phrase "eligibility document" in its place;

ENROLLED ORIGINAL

(2) By striking the phrase "a public assistance identification card" and inserting the phrase "any card or document issued by the District government to establish or verify eligibility for public assistance"; and

(3) By inserting the phrase "or document" after the phrase "such card".

(dddd) Section 1902 (D.C. Code § 3-219.2) is repealed.

Note, Section
3-219.2

(eeee) Section 2104 (D.C. Code § 3-220.3) is amended by striking the phrase "Except as provided in section 552, no" and inserting the word "No" in its place.

Note, Section
3-220.3

Sec. 3. Section 505a of the District of Columbia Public Assistance Act of 1982, effective August 17, 1991 (D.C. Law 9-19; D.C. Code § 3-205.5a), is amended as follows:

Note, Section
3-205.5a

(a) Subsection (a) is amended to read as follows:

"(a) A General Assistance for Children program is established to provide the same benefits for a child as the child would receive under TANF if the child's caretaker could demonstrate a family relationship with the child that is required in the TANF program. The needs of a caretaker shall not be considered when determining of an assistance unit's GAC benefits. A caretaker of a child receiving GAC shall not be considered a GAC recipient, or a member of the GAC assistance unit, even if the caretaker receives the payment on the child's behalf."

(b) Subsection (c) is amended to read as follows:

"(c) All provisions of this act that apply to determinations of eligibility for and payments of TANF shall apply to determinations of eligibility for and payments of GAC, except that:

"(1) The income, assets, and resources of the caretaker shall not be considered in determining eligibility of the assistance unit for GAC; and

"(2) An assistance unit headed by a minor shall be ineligible to receive GAC."

(c) A new subsection (c-1) is added to read as follows:

"(c-1)(A) GAC benefits shall only be provided for a child if the child's caretaker can produce authorization from the child's legally responsible relative or a court of competent jurisdiction designating the applicant as the temporary or permanent caretaker for the child, to the extent such authorization is reasonably obtainable by the caretaker. The Mayor shall specify what constitutes a valid authorization, but shall not require as a condition of eligibility that any specific court action is required concerning the care of the child.

"(B) Where authorization from the child's legally responsible relative is not reasonably obtainable by the caretaker, the caretaker may offer other proof of a custodial relationship between the caretaker and the child. Proof may include, but is not limited to, leases indicating that the child lives with the caretaker, medical records, or school records bearing the caretaker's signature or affidavits from teachers, social workers, medical staff, or other professionals involved in the family's life."

(d) Subsection (d) is repealed.

ENROLLED ORIGINAL

Sec. 4. Sections 405a and 561 through 568 of the District of Columbia Public Assistance of 1982, effective October 27, 1995 (D.C. Law 11-72; D.C. Code §§ 3-204.5a and 3-205.61 through 3-205.68), are amended as follows:

(a) Section 405a (D.C. Code § 3-204.5a) is amended as follows:

Note, Section
3-204.5a

(1) Subsection (a) is amended by adding the following sentence to the end: "The Mayor shall seek any waivers and exemptions from federal statutes and regulations necessary to make such an extension."

(2) A new subsection (c) is added to read as follows:

"(c) Earned income shall be disregarded under the extended Transitional Medicaid Program in accordance with section 511(a)(5)(B)."

Note, Section
3-205.62

(b) Section 562 (D.C. Code § 3-205.62) is repealed.

Note, Section
3-205.63

(c) Section 563 (D.C. Code § 3-205.63) is amended as follows:

(1) Subsection (a) is amended to read as follows:

"(a) This section shall apply to all applicants for, and recipients of, TANF benefits."

(2) Subsection (b) is amended to read as follows:

"(b) An applicant or recipient of TANF benefits who is a pregnant or parenting teen and who has never married shall be eligible for TANF benefits only if the teen and the teen's child reside in a residence maintained by the pregnant or parenting teen's parent or legal guardian, or another adult relative of the pregnant or parenting teen that is the home of the parent, guardian, or adult relative, as determined by the Mayor, unless:

"(1) The pregnant or parenting teen has no living parent, legal guardian, or other appropriate adult relative;

"(2) No parent, legal guardian, or other appropriate adult relative who could otherwise qualify to act as the pregnant or parenting teen's legal guardian allows the pregnant or parenting teen to live in his or her home;

"(3) The Department determines, after an investigation in accordance with regulations issued by the Mayor, that the physical or emotional health or safety of the applicant, recipient, or dependent child would be jeopardized if they resided in the same residence with the teen's parent, legal guardian, or other adult relative; or

"(4) The Department determines, in accordance with regulations issued by the Mayor, that the circumstances justify a determination of good cause for the applicant or recipient and dependent child to receive assistance while living apart from the pregnant or parenting teen's parent, guardian, or other adult relative (with standards set forth in the regulations including consideration of the best interests of the dependent child)."

(3) Subsection (d) is amended to read as follows:

"(d) When a pregnant or parenting teen and the applicant's or recipient's dependent child are required to live with the pregnant or parenting teen's parent, legal guardian, or other adult relative, or in a setting described in subsection (e) of this section, then TANF may be paid in the form of a protective payment."

ENROLLED ORIGINAL

(4) A new subsection (e) is added to read as follows:

"(e)(1) If the pregnant or parenting teen is exempt from the home living requirement under subsection (b) of this section, the Department shall provide or assist the pregnant or parenting teen in locating a second chance home, as defined in paragraph (2) of this subsection, a maternity home, or other appropriate adult-supervised supportive living arrangement, unless the Department determines that the pregnant or parenting teen's current living arrangement is appropriate. The Department shall consider the needs and concerns of the pregnant or parenting teen and the pregnant or parenting teen's child in providing or assisting in locating a living arrangement for the pregnant or parenting teen. The Department shall then determine the appropriate living arrangement for the pregnant or parenting teen and require that the pregnant or parenting teen and the dependent child live in such a living arrangement as a condition of continued receipt of TANF benefits. If the Department determines that the pregnant or parenting teen's circumstances have changed and the current arrangement ceases to be appropriate, the pregnant or parenting teen may live in an alternative appropriate arrangement and continue to receive TANF benefits.

"(2) For the purposes of this subsection, the term "second chance home" means an entity that provides individuals described in subsection (b)(1), (2), (3) and (4) of this section with a supportive and supervised living arrangement in which they are required to learn parenting skills, including child development, family budgeting, health and nutrition, and other skills to promote their long-term economic independence and the well-being of their children."

(d) Section 564 (D.C. Code § 3-205.64) is amended to read as follows:

"Sec. 564. Failure to meet home living requirement; notice.

Note, Section
3-205.64

"(a) In accordance with regulations issued by the Mayor, a pregnant or parenting teen subject to the provisions of section 563 shall be informed of the eligibility requirements and the pregnant or parenting teen's rights and obligations. The Department shall advise the pregnant or parenting teen of the exemptions from the home living requirement as outlined in section 563(b) and (e). The Department shall determine whether one or more of these exemptions is applicable. The Department shall also assist the pregnant or parenting teen in attaining the necessary verifications if the teen alleges one or more of the exemptions. The pregnant or parenting teen shall not be required to obtain verification or take steps that could endanger the pregnant or parenting teen's health or safety or that of the pregnant or parenting teen's child. The regulations shall include provisions to ensure that the pregnant or parenting teen understands his or her rights under this subtitle, the meaning of each exemption under section 563, and is given an opportunity to speak with the Department outside of the presence of the pregnant or parenting teen's parent, legal guardian, or other adult relative.

"(b) If the pregnant or parenting teen or the pregnant or parenting teen's parent, legal guardian, or other adult relative does not request a fair hearing pursuant to section 1005, or, if after a fair hearing has been held, the hearing officer finds that the teen is not exempt from the home living requirement and has otherwise failed to meet the requirements of section 563, the

ENROLLED ORIGINAL

Department shall, after providing adequate and timely notice, render the pregnant or parenting teen ineligible for TANF benefits in the next possible payment month. The pregnant or parenting teen's ineligibility shall not affect the eligibility for TANF benefits of a child living with the pregnant or parenting teen who, if otherwise eligible, may receive TANF benefits determined without regard to the needs of the ineligible pregnant or parenting teen."

(e) Section 565 (D.C. Code § 3-205.65) is amended as follows:

**Note, Section
3-205.65**

(1) Subsection (a) is amended to read as follows:

"(a)(1) As a condition of eligibility for federally-funded TANF benefits, a pregnant or parenting teen who is not married and has not successfully completed a high school education or its equivalent shall be required to attend school regularly (as defined by the Board or other entity that determines the attendance policies at the pregnant or parenting teen's educational institution or program) or be determined ineligible for federally-funded TANF benefits.

"(2) The requirements of paragraph (1) of this subsection shall not affect the eligibility for TANF benefits of a child living with a pregnant or parenting teen who, if otherwise eligible, may receive TANF benefits determined without regard to the needs of the ineligible pregnant or parenting teen."

(2) Subsection (d) is amended by striking the phrase "A reduction in AFDC benefits" and inserting the phrase "The determination of a pregnant or parenting teen's ineligibility for federally-funded TANF benefits" in its place.

(3) Subsection (e) is amended to read as follows:

"(e) If the Department determines that a pregnant or parenting teen who has been determined ineligible for federally-funded TANF benefits pursuant to subsection (a) of this section has satisfied the requirements of subsection (d) of this section, the determination of ineligibility for federally-funded TANF benefits shall be rescinded in the next possible payment month. The pregnant or parenting teen shall not receive payment for the remainder of the month in which compliance occurs. The first payment that resumes after the pregnant or parenting teen complies with subsection (d) of this section may be delayed, depending on the date of compliance."

(4) Subsection (f) is amended as follows:

(A) The introductory language is amended to read as follows:

"(f) A pregnant or parenting teen's absence on any particular day shall be determined to be an excused or an unexcused absence based on the policies of the Board or other entity that determines the attendance policies at the teen's educational institution or program. Notwithstanding such policies, a pregnant or parenting teen's absence on a particular day shall be excused under the following circumstances:"

(B) Paragraph (1) is amended by inserting the phrase "and the pregnant and parenting teen participates in an alternative educational or training program that has been approved by the Department" after the phrase "in the judgment of the Department".

(C) Paragraph (2) is amended by striking the phrase "90 days" and

ENROLLED ORIGINAL

inserting the phrase "12 weeks" in its place.

(5) Subsection (g) is amended as follows:

(A) By striking the phrase "\$50 reduction in AFDC benefits" and inserting the phrase "determination of a pregnant or parenting teen's ineligibility for federally-funded TANF benefits" in its place; and

(B) By inserting the phrase "or the approved alternative educational or training program" after the phrase "verified by the school".

(6) Subsection (h) is amended by striking the phrase "receive reduced AFDC benefits" and inserting the phrase "be determined ineligible for federally-funded TANF benefits for each month in which one of the individuals does not cooperate" in its place.

(7) Subsection (j) is amended to read as follows:

"(j) The Department shall request information from the pregnant or parenting teen's school, institution, or educational program about the attendance of a pregnant or parenting teen who is applying for or receiving federally-funded TANF benefits, and shall otherwise implement procedures for monitoring compliance with this section."

(8) Subsection (l) is amended by striking the phrase "participates in the Demonstration Project" and inserting the phrase "is applying for or receives federally-funded TANF benefits" in its place.

(9) A new subsection (m) is added to read as follows:

"(m) This section shall apply to all applicants for, or recipients of, federally-funded TANF benefits."

(f) Section 566(b) (D.C. Code § 3-205.66(b)) is amended by striking the phrase "reduce the applicant's AFDC assistance by \$50" and inserting the phrase "determine the pregnant or parenting teen ineligible for federally-funded TANF benefits" in its place.

Note, Section
3-205.66

(g) Section 567 and 568 (D.C. Code §§ 3-205.67 and 3-205.68) are repealed.

Note, Sections
3-205.67,
3-205.68

(h) New sections 569 through 582 are added to read as follows:

"Sec. 569. Denial of assistance for fraudulent misrepresentation of residency.

Note, Section
3-205.68

"(a) A person who has been convicted in a federal, District of Columbia, or state court of making a fraudulent statement or representation with respect to that person's place of residence in order to receive assistance simultaneously from 2 or more states under programs that are funded under title I of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, approved August 22, 1996 (110 Stat. 2105; 42 U.S.C. § 601 *et seq.*), title XIX of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 *et seq.*), or the Food Stamp Act of 1977, approved September 29, 1977 (91 Stat. 958; 7 U.S.C. § 2011 *et seq.*), or to receive benefits in 2 or more states under the Supplemental Security Income program under title XVI of the Social Security Act, approved October 30, 1972 (86 Stat. 1465; 42 U.S.C. § 1381 *et seq.*), shall be ineligible for TANF benefits for 10 years from the date of the conviction.

"(b) Subsection (a) of this section shall not apply with respect to conduct of an individual for any month beginning after the President of the United States grants a pardon with respect to

ENROLLED ORIGINAL

the conduct that was the subject of the conviction.

"Sec. 570. Denial of assistance for fugitive felons and probation and parole violators.

"(a) A person shall be ineligible for TANF benefits if that person:

"(1) Flees to avoid prosecution, custody, or confinement after conviction, under the laws of the jurisdiction from which the person flees, for a crime, or an attempt to commit a crime, which is a felony under the laws of the jurisdiction from which the individual flees, or which, in the case of the State of New Jersey, is a high misdemeanor under New Jersey law; or

"(2) Violates a condition of probation or parole imposed under federal, District of Columbia, or state law.

"(b) Subsection (a) of this section shall not apply with respect to conduct of an individual for any month beginning after the President of the United States grants a pardon with respect to the conduct.

"Sec. 571. Granting TANF benefits to drug felons.

"An adult who is a drug felon shall not be denied TANF or food stamp benefits because he or she is a drug felon.

"Sec. 572. POWER -- Establishment; eligibility.

"(a) There is established a Program on Work, Employment, and Responsibility ("POWER"), eligibility for which shall be the same as the factors, standards, and methodology for determining eligibility for TANF, as set forth in this act, except as provided by subsections (b), (c), and (d) of this section, and sections 573 through 577.

"(b) An assistance unit shall be eligible for POWER under the following circumstances:

"(1) The head of the assistance unit is the parent of a minor child;

"(2) The head of the assistance unit is physically or mentally incapacitated; and

"(3) The physical or mental incapacity of the head of the assistance unit rises to the level of incapacity outlined by subsection (c) of this section.

"(c) For the purposes of subsection (b) of this section, physical and mental incapacity must be verified by competent medical evidence and when considered with the head of the assistance unit's age, prior work experience, education, and other factors bearing on the head of the assistance unit's ability to work, as determined relevant by the Mayor:

"(1) Substantially precludes the ability of the head of the assistance unit to work or to participate in job search or job readiness activities; and

"(2) Is expected to last more than 30 days.

"(d) A person is ineligible for POWER if that person receives:

"(1) Temporary Assistance for Needy Families;

"(2) Supplemental Security Income; or

"(3) Unemployment Compensation benefits.

"(e) Sections 511a, and 519a through 519f, 519j, and 519k of this act, shall not apply to recipients of POWER benefits.

"Sec. 573. POWER -- Application.

ENROLLED ORIGINAL

"(a) The Mayor may only consider TANF applicants or TANF recipients for consideration for POWER eligibility.

"(b) The Mayor may refer a TANF applicant or recipient for consideration of POWER eligibility at any time, including when a TANF applicant or recipient claims a medical incapacity exemption from work activities.

"Sec. 574. POWER -- Medical review.

"(a) After the Mayor determines that a TANF applicant or recipient may be considered for POWER eligibility, the Mayor shall provide a medical review of the applicant or recipient to determine whether the applicant or recipient is incapacitated.

"(b) The applicant or recipient shall cooperate with obtaining the medical review as a condition of eligibility for POWER.

"Sec. 575. POWER -- Redetermination of eligibility.

"(a) A POWER recipient's eligibility for POWER shall be redetermined at intervals determined by the Mayor.

"(b) A POWER recipient, who is determined ineligible for POWER solely because the recipient is no longer incapacitated, or because other factors considered with the recipient's incapacity no longer substantially precludes the recipient's ability to work or to participate in job search or job readiness activities, shall be certified as eligible for TANF in a fashion that ensures financial assistance is not disrupted, if the recipient meets all TANF eligibility criteria. The Mayor shall provide adequate and timely notice that the POWER recipient has been determined ineligible for POWER.

"Sec. 576. POWER -- Participation in activities to assist in achieving self-sufficiency.

"(a) Following a preliminary assessment by the Mayor under TANF and a medical review, a person who has been determined to meet the eligibility criteria of section 572 shall be required, as a condition of eligibility for POWER benefits, to participate in activities that will assist the recipient in achieving self-sufficiency. The Mayor shall determine the nature, scope, amount and duration of the activities based on the medical review and the preliminary assessment.

"(b) The Mayor shall promulgate rules establishing the nature and scope of the activities and the amount and duration of participation that may be required of a POWER recipient.

"(c) Participation in activities required under this section shall not confer to the participant any entitlement to child care. The Mayor may provide access to publicly-funded child care to a POWER recipient if necessary for the recipient to participate in self-sufficiency activities.

"Sec. 577. POWER -- Failure to participate in self-sufficiency activities.

"(a) If a POWER recipient who is an adult or minor head of an assistance unit fails, without good cause (as determined by the Mayor) to participate in required activities to promote self-sufficiency, the recipient shall be sanctioned in the same manner as a TANF recipient who fails to comply with the requirements of an individual responsibility plan.

ENROLLED ORIGINAL

"(b) The Mayor shall promulgate rules defining what constitutes good cause for failure to participate in required self-sufficiency activities, in addition to those grounds described in subsections (c), (d), and (e) of this section.

"(c) The Mayor shall not sanction a POWER recipient based on the failure of the recipient to participate in self-sufficiency activities if the recipient is a single custodial parent caring for a child under 6 years old, and the recipient proves that the recipient has a demonstrated inability, as determined by the Mayor, to obtain needed child care for one or more of the following reasons

"(1) Appropriate child care within a reasonable distance from the recipient's home or participation site is unavailable;

"(2) Informal child care by a relative or under other arrangements is unavailable or unsuitable; or

"(3) Appropriate and affordable formal child care arrangements are unavailable.

"(d) The Mayor shall not sanction a POWER recipient based on the failure of the recipient to participate in self-sufficiency activities if the Mayor has failed to notify the recipient of the self-sufficiency activities in which the recipient must participate.

"(e)(1) The Mayor shall not sanction a POWER recipient based on the failure of the recipient to participate in self-sufficiency activities if the Mayor provides the activities but placement in those activities is not yet available to the recipient.

"(2) This subsection shall only apply if the POWER recipient has complied with any other obligations required of POWER applicants or recipients.

"Sec. 578. POWER -- Amount of assistance.

"POWER payments shall be made in accordance with section 552.

"Sec. 579. POWER -- No creation of an entitlement.

"Nothing in this act shall be construed to create any entitlement to POWER benefits or to confer on any person or family any entitlement to POWER benefits.

"Sec. 580. POWER -- Medicaid eligibility.

"A POWER recipient shall be treated as a TANF recipient for purposes of Medicaid eligibility."

"Sec. 581. Diversion payments.

"(a) For purposes of this section, "diversion payment" means a lump sum of money paid to an adult caring for a minor child in order to meet a short-term need that creates a barrier to self-sufficiency.

"(b) The Mayor may make a diversion payment to the head of the assistance unit who is eligible to receive a diversion payment. Nothing in this section shall be construed to create any entitlement to a diversion payment, or to confer on any person any entitlement to a diversion payment.

"(c) An individual shall be eligible to receive a diversion payment if the individual:

"(1) Is an adult;

ENROLLED ORIGINAL

"(2) Meets all financial eligibility requirements for TANF;

"(3) Lives with a minor child and is the caretaker of that child;

"(4) Has not received a diversion payment in the previous 12 months;

"(5) Has not received TANF, POWER, or GAC in the previous 6 months; and

"(6) Requires only short-term financial assistance to meet needs critical to maintaining or securing employment.

"(d) A diversion payment shall be the amount determined by the Mayor to be necessary to meet the head of the assistance unit's needs for short-term financial assistance, but may not exceed 3 times the monthly amount of TANF benefits that the assistance unit would be eligible to receive under the TANF program.

"(e) Consideration of the eligibility of a head of the assistance unit for a diversion payment may be made only after consideration of the eligibility of the head of the assistance unit for TANF, in accordance with regulations promulgated by the Mayor.

"(f) The Mayor may only consider TANF applicants for consideration of diversion payment eligibility.

"(g) The Mayor may refer a TANF applicant for consideration of diversion payment eligibility at any time.

"(h) An applicant for assistance who the Mayor determines is eligible for a diversion payment shall sign a document that lists the amount, requirements, and conditions of the diversion payment. The recipient's signature shall indicate an understanding of and agreement to the amount, requirements, and conditions.

"(i) Any diversion payment made by the Mayor shall be issued to, or on behalf of, an eligible applicant as soon as practicable after the applicant submits a completed application for assistance and has been determined by the Mayor to be eligible for a diversion payment. An application shall not be considered complete until it includes all required information and necessary documentation.

"(j) A recipient of a diversion payment, and anyone who remains a member of the recipient's assistance unit, shall be ineligible to receive TANF, POWER, or GAC benefits for the number of months equal to the amount of the diversion payment divided by the monthly payment of TANF benefits that the assistance unit would be eligible to receive under the TANF program, beginning with the month in which the recipient receives the diversion payment.

"(k) Diversion payments shall not count towards the 60 month lifetime limit for the receipt of TANF.

"(l) Receipt of a diversion payment shall not affect the recipient's right to receive child support for children in the recipient's care.

"Sec. 582. Provision of information concerning the Earned Income Credit.

"(a) At least once per year, the Mayor may provide written notice regarding the federal Earned Income Tax Credit to each individual listed in subsection (c) of this section.

"(b) The notice specified in subsection (a) of this section may include information

ENROLLED ORIGINAL

regarding the following:

- "(1) A summary of the eligibility requirements for the Earned Income Credit;
 - "(2) The amount of the maximum allowable Earned Income Credit for different family sizes;
 - "(3) A summary of the process for applying for the Earned Income Credit, including the process for receiving advanced payments of the credit; and
 - "(4) A telephone number to call to receive additional information about the Earned Income Credit.
- "(c) The notice specified in subsection (a) of this section may be provided to:
- "(1) Each TANF head of an assistance unit;
 - "(2) Each adult who receives Medicaid benefits or who is caring for a child who receives Medicaid benefits; and
 - "(3) Each Food Stamp program head of household."

Sec. 5. Sections 4, 5, and 12 of the Day Care Policy Act of 1979, effective September 19, 1979 (D.C. Law 3-16; D.C. Code §§ 3-303, 3-304, and 3-311) are amended by striking the acronym "AFDC" wherever it appears, and inserting the phrase "TANF or POWER" in its place.

**Note, Sections
3-303,
3-304,
3-311**

Sec. 6. Section 3a(3)(G) of the District of Columbia Right to Overnight Shelter Act of 1984, effective March 6, 1991 (D.C. Law 8-197; D.C. Code § 3-602.1(c)(7)), is amended by striking the phrase "Aid to Families with Dependent Children ("AFDC")" and inserting the phrase "Temporary Assistance for Needy Families, Program on Work, Employment, and Responsibility" in its place.

**Note, Section
3-602.1**

Sec. 7. The Emergency Assistance Program Act of 1988, effective March 6, 1991 (D.C. Law 7-221; D.C. Code § 3-1001 *et seq.*), is repealed.

**Note, Sections
3-1001 -
3-1032**

Sec. 8. D.C. Code § 15-712(b) is amended by striking the phrase "Aid to Families with Dependent Children or" and inserting the phrase "Temporary Assistance for Needy Families, Program on Work, Employment, and Responsibility" in its place.

**Note, Section
15-712**

Sec. 9. D.C. Code § 16-901(2) is amended by striking the phrase "Aid to Families with Dependent Children ("AFDC") and non-AFDC" and inserting the phrase "Temporary Assistance for Needy Families, Program on Work Employment and Responsibility, or other public assistance recipients and nonpublic assistance" in its place.

**Note, Section
16-901**

Sec. 10. D.C. Code § 16-911(a)(5)(O) is amended by striking the phrase "Aid to Families with Dependent Children" and inserting the phrase "Temporary Assistance for Needy Families, Program on Work, Employment, and Responsibility," in its place.

**Note, Section
16-911**

ENROLLED ORIGINAL

Sec. 11. D.C. Code § 16-914(a)(3)(P) is amended by striking the phrase "Aid to Families with Dependent Children" and inserting the phrase "Temporary Assistance for Needy Families, Program on Work, Employment, and Responsibility," in its place. **Note, Section 16-914**

Sec. 12. D.C. Code § 16-916.1(b)(7) is amended by striking the phrase "Aid to Families with Dependent Children ("AFDC")" and inserting the phrase "Temporary Assistance for Needy Families, or Program on Work, Employment, and Responsibility" in its place. **Note, Section 16-916.1**

Sec. 13. Section 2(13) of the District of Columbia Child Support Enforcement Amendment Act of 1985, effective February 24, 1987 (D.C. Law 6-166; D.C. Code § 30-501(13)), is amended by striking the phrase "Aid to Families with Dependent Children program pursuant to section 201(4) of the 1982 Public Assistance Act (D.C. Code § 3-202(a)(4)." and inserting the phrase "Temporary Assistance for Needy Families program or Program on Work, Employment, and Responsibility pursuant to title V of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Code § 3-205.1 *et seq.*)." in its place. **Note, Section 30-501**

Sec. 14. Section 701(3) of the District of Columbia Public Postsecondary Reorganization Act, effective February 18, 1988 (D.C. Law 7-74; D.C. Code § 31-1571(3)), is amended by striking the phrase "the Aid to Families with Dependent Children ("AFDC") category of public assistance as defined in section 101(1) of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Code § 3-201.1(1))." and inserting the phrase "Temporary Assistance for Needy Families or Program on Work, Employment, and Responsibility pursuant to the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Code § 3-201.1 *et seq.*)." in its place. **Note, Section 31-1571**

Sec. 15. Section 13(f) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 953; D.C. Code § 46-114(f)), is amended by striking the phrase "aid to families with dependent children," and inserting the phrase "Temporary Assistance for Needy Families, Program on Work, Employment, and Responsibility," in its place. **Note, Section 46-114**

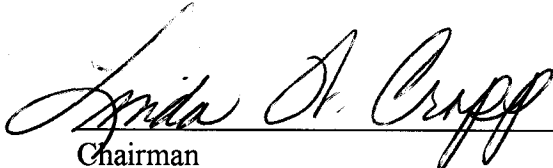
Sec. 16. Any regulations or procedures governing programs affected by this act and in existence as of the effective date of this act shall remain in effect until superseded by regulations and procedures developed and implemented pursuant to this act. **Note, Section 3-201.1**

Sec. 17. The Public Assistance Temporary Amendment Act of 1998, signed by the Mayor on April 17, 1998 (D.C. Act 12-329; 45 DCR 3084), is repealed.

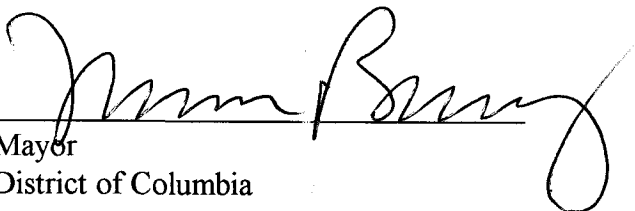
ENROLLED ORIGINAL

Sec. 18. (a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: August 18, 1998



COUNCIL OF THE DISTRICT OF COLUMBIA
 COUNCIL PERIOD TWELVE
 RECORD OF OFFICIAL COUNCIL VOTE

B12-557

Docket No. _____

| | ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FIRST READING, 5-5-98

VOICE VOTE
 RECORDED VOTE ON REQUEST

APPROVED

ABSENT

EVANS

| | ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

[Signature]
 Secretary to the Council

August 10, 1998
 Date

| | ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FINAL READING, 7-30-98

VOICE VOTE
 RECORDED VOTE ON REQUEST

APPROVED

ABSENT

CATANIA, SMITH AND THOMAS

| | ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not voting

CERTIFICATION RECORD

[Signature]
 Secretary to the Council

August 10, 1998
 Date

| | ITEM ON CONSENT CALENDAR

| | ACTION & DATE

| | VOICE VOTE
 RECORDED VOTE ON REQUEST

ABSENT

| | ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date