

CHAPTER 841

H.B. No. 779

AN ACT

relating to AFDC benefits for certain families.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter A, Chapter 31, Human Resources Code, is amended by adding Sections 31.0125, 31.013, and 31.014 to read as follows:

Sec. 31.0125. COMMUNITY WORK EXPERIENCE PROGRAM. (a) *Subject to the availability of appropriations for client support services, the department by rule shall develop and implement a community work experience program in accordance with federal law as a part of the job opportunities and basic skills (JOBS) training program under Part F, Subchapter IV, Social Security Act (42 U.S.C. Section 682).*

(b) *In adopting rules under this section, the department shall:*

(1) *establish the criteria for determining which recipients of financial assistance under this chapter who are eligible to participate in the JOBS training program will be required to participate in the community work experience program;*

(2) *ensure that participation in the community work experience program will not result in the displacement of an employee from an existing position or the elimination of a vacant position;*

(3) *ensure that the community work experience program will not impair an existing service contract or collective bargaining agreement;*

(4) *ensure that an entity or agency that enters into an agreement with the department under this section provides to a participant, without paying the participant a salary, job training and work experience in certain areas within the entity or agency;*

(5) *require that each entity or agency that enters into a cooperative agreement with the department under this section identify positions within the entity or agency that will enable a participant to gain the skills and experience necessary to be able to compete in the labor market for comparable positions; and*

(6) *amend the service delivery system of the JOBS training program to require a participant in the JOBS training program who is unemployed after completing the JOBS readiness activities outlined in the participant's employability plan, including job search, to participate in the community work experience program.*

(c) *To implement the community work experience program, the department shall enter into written nonfinancial cooperative agreements with entities that receive funds under a federal Head Start program and with state agencies, including institutions of higher education or other entities of state government. To be eligible to enter into a contract under this section, the entity or agency must employ at least 250 persons. The department and the entity or agency may waive this requirement by mutual agreement.*

(d) *The department and an entity or agency that enters into an agreement under this section must establish participation requirements for the entity or agency under the community work experience program. The requirements must be contained in the agreement.*

Sec. 31.013. INTERIM STUDY. (a) *The department shall conduct a study on the use of time limited receipt of AFDC benefits as a mechanism for moving AFDC recipients toward self-sufficiency. The department shall submit a report to the 74th Legislature on the use of this concept by other states including any available evaluation data or statistical informa-*

tion relating to its effectiveness. To the extent information is available the report shall include findings relating to the following:

- (1) the concept's fiscal impact;
- (2) impact on other support services, such as child care;
- (3) impact on geographic areas with high unemployment rates;
- (4) expansions of education and job training programs to more adequately prepare AFDC recipients for work which have been coupled with the implementation of time limited benefits;
- (5) exemptions to time limited assistance which may have been granted; and
- (6) information about federal efforts or requirements related to implementation of time limited AFDC benefits.

(b) The department shall cooperate with any legislative committee studying welfare or other income support programs and policy.

(c) The department shall report the findings on the above research to the legislature by January 1, 1995.

Sec. 31.014. TWO-PARENT FAMILIES. (a) The department shall provide financial assistance, in accordance with department rules, to a two-parent family if the primary wage earner parent is registered in the job opportunities and basic skills (JOBS) training program under Part F, Subchapter IV, Social Security Act (42 U.S.C. Section 682), or is registered with the Texas Employment Commission.

(b) A family is eligible for assistance under this section without regard to:

- (1) the number of hours worked per month by the primary wage earner parent; or
- (2) the work history of the primary wage earner parent.

(c) An adult caretaker of a child younger than three years of age is exempt from the requirement of Subsection (a).

SECTION 2. Subchapter A, Chapter 31, Human Resources Code, is amended by adding Section 31.0135 to read as follows:

Sec. 31.0135. PARENTING SKILLS TRAINING. (a) The department, in cooperation with the Central Education Agency, shall develop a parenting skills training program to assist a recipient of assistance under this chapter, including a child who receives assistance on behalf of a dependent child.

(b) The department shall require that a child who is in school and who is receiving assistance under this chapter on behalf of a dependent child receive parenting skills training.

SECTION 3. Subchapter A, Chapter 31, Human Resources Code, is amended by adding Section 31.0051 to read as follows:

Sec. 31.0051. MINOR PARENT RESIDING WITH RELATIVES. If the department determines based on documentation provided that a minor caretaker who is receiving financial assistance and services under this chapter on behalf of a dependent child benefits from residing with an adult family member who is also receiving assistance under this chapter, the department shall provide assistance and services to both persons as if they were living separately.

SECTION 4. The changes in law made by Section 31.014, Human Resources Code, as added by this Act, apply only to a two-parent family that becomes eligible to receive financial assistance under that section on or after the effective date of this Act.

SECTION 5. The change in law made by Section 31.0051, Human Resources Code, as added by this Act, applies only to a person receiving financial assistance and services under Chapter 31, Human Resources Code, who is residing, on or after the effective date of this Act, with a family member who is also receiving assistance and services under Chapter 31, Human Resources Code.

SECTION 6. If before implementing Sections 31.0051, 31.0125, 31.013, 31.0135, and 31.014, Human Resources Code, as added by this Act, the Texas Department of Human Services determines that a waiver or authorization from a federal agency is necessary for

implementation, the department shall request the waiver or authorization and may delay implementing those provisions until the waiver or authorization is granted.

SECTION 7. This Act takes effect September 1, 1993.

SECTION 8. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on April 21, 1993, by a non-record vote; the House concurred in Senate amendments to H.B. No. 779 on May 24, 1993, by a non-record vote; passed by the Senate, with amendments, on May 20, 1993, by a viva-voce vote.

Approved June 19, 1993.

Effective Sept. 1, 1993.