

Effective 5/12/2015

35A-3-306 Limits on eligibility -- Transitional cash assistance.

- (1) As used in this section, "battered or subjected to extreme cruelty" has the same meaning as defined in The Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 42 U.S.C. Sec. 608(a)(7)(C)(iii).
- (2) Except as provided in Subsection (4), the department may not provide cash assistance to a family who has received cash assistance for 36 months or more.
- (3)
 - (a) The department shall count toward the time limit described in Subsection (2) any time after January 1, 1997, during which:
 - (i) the parent recipient received cash assistance in this or another state; and
 - (ii) the parent recipient is disqualified from receiving cash assistance and the parent recipient's income and assets are counted in determining eligibility for the family in this or another state.
 - (b) The department may not count toward the time limit described in Subsection (2) or the time period described in Subsection (4) any time during which:
 - (i) a person 18 years of age or older received cash assistance as a minor child and not as a parent; or
 - (ii) a parent recipient received transitional cash assistance under Subsection (5).
- (4)
 - (a) The department may provide cash assistance to a family for up to 24 months beyond the time limit described in Subsection (2) if during the previous two months the parent recipient was employed for at least 20 hours per week.
 - (b) Notwithstanding the time limit described in Subsection (2), the department may provide cash assistance to a family beyond the time limit in Subsection (2):
 - (i) by reason of a hardship;
 - (ii) if the family includes an individual who has been battered or subjected to extreme cruelty; or
 - (iii) if a parent volunteers to fully participate in a department-approved employment and training activity as prescribed by rules made by the department in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
 - (c) Notwithstanding the time limit established in Subsection (4)(a), the department may provide cash assistance to a family beyond the additional time period in Subsection (4)(a):
 - (i) by reason of a hardship; or
 - (ii) if the family includes an individual who has been battered or subjected to extreme cruelty.
 - (d) The department may only provide the additional cash assistance described in Subsections (4)(b) and (c) for up to 20% of the average monthly number of families who receive cash assistance under this part.
 - (e) Except as provided in Subsections (4)(b) and (c), the department may not provide cash assistance to a family who has received 60 months of cash assistance after October 1, 1996.
- (5)
 - (a) The department may provide transitional cash assistance to a parent recipient:
 - (i) if the department determines the transitional cash assistance is necessary to stabilize employment and prevent recidivism of a recipient;
 - (ii) who was previously receiving cash assistance under the Family Employment Program but who becomes ineligible due to earned or unearned income; and
 - (iii) for a maximum of three months if the parent recipient is employed an average of 30 hours per week during the transitional period.

(b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department shall make rules for the provision of transitional cash assistance under this section.

Amended by Chapter 221, 2015 General Session