

1 **AMENDMENTS TO PUBLIC ASSISTANCE**

2 2000 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Lloyd W. Frandsen**

5 AN ACT RELATING TO WORKFORCE SERVICES; PROVIDING THAT A FAMILY WHICH
6 INCLUDES AN INDIVIDUAL WHO HAS BEEN BATTERED OR SUBJECTED TO
7 EXTREME CRUELTY SHALL NOT BE COUNTED AS PART OF THE 20% BENEFIT TIME
8 LIMIT EXTENSION; AND MAKING TECHNICAL CHANGES.

9 This act affects sections of Utah Code Annotated 1953 as follows:

10 AMENDS:

11 **35A-3-306**, as last amended by Chapter 13, Laws of Utah 1998

12 *Be it enacted by the Legislature of the state of Utah:*

13 Section 1. Section **35A-3-306** is amended to read:

14 **35A-3-306. Limits on eligibility.**

15 (1) For purposes of this section, "battered or subjected to extreme cruelty" is defined in
16 Section 103(a)(1) of P.L. 104-193 or 42 U.S.C. Sec. 608(a)(7)(C)(iii), The Personal Responsibility
17 and Work Opportunity Reconciliation Act of 1996.

18 (2) Except as provided in Subsection (4), the division may not provide cash assistance to
19 a family who has received cash assistance for 36 months or more.

20 (3) (a) The division shall count toward the 36-month time limit in Subsection (2) any time
21 after January 1, 1997, during which:

22 (i) the parent client received cash assistance in this or another state; and

23 (ii) the parent client is disqualified from receiving cash assistance and the parent client's
24 income and assets are counted in determining eligibility for the family in this or another state.

25 (b) The division may not count toward the 36-month time limit in Subsection (2) or the
26 24-month time period in Subsection (4) any time during which a person 18 years of age or older
27 received cash assistance as a minor child and not as a parent.

28 (4) (a) On a month-to-month basis for up to 24 months, the division may provide cash
29 assistance to a family beyond the 36-month time limit in Subsection (2) if:

30 (i) during the previous month, the parent client was employed for no less than 80 hours;
31 and

32 (ii) during at least six of the previous 24 months [~~in which the family received cash~~
33 ~~assistance;~~] the parent client was employed for no less than 80 hours a month.

34 (b) For up to 20% of the average monthly number of families who receive cash assistance
35 under this part, the division may provide cash assistance to a family beyond the 36-month time
36 limit in Subsection (2)[~~-(i)~~] by reason of a hardship[~~;-or~~].

37 [~~(ii)~~] (c) The division may provide cash assistance to a family beyond the 36-month time
38 limit in Subsection (2) if the family includes an individual who has been battered or subjected to
39 extreme cruelty. A family qualifying for an extension under this section shall not be counted as
40 part of the 20% of the average monthly number of families receiving cash assistance under
41 Subsection (4)(b).

42 [~~(e)~~] (d) For up to 20% of the average monthly number of families who receive cash
43 assistance under this part, the division may provide cash assistance to a family beyond the
44 additional 24-month time period in Subsection (4)(a):

45 (i) by reason of a hardship; or

46 (ii) if the family includes an individual who has been battered or subjected to extreme
47 cruelty.

48 [~~(d)~~] (e) Except as provided in Subsection (4)[~~(e)~~](d), the division may not provide cash
49 assistance to a family who has received 60 months of cash assistance after October 1, 1996.

Legislative Review Note
as of 12-20-99 9:31 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel