

1                                   **FAMILY EMPLOYMENT PROGRAM WORK**

2   **INCENTIVES**

3   2003 GENERAL SESSION

4   STATE OF UTAH

5   **Sponsor: David Litvack**

6   **This act modifies the Employment Support Act by modifying the basis for the 36-month**  
7   **time limit for cash assistance under a Family Employment Program.  <sup>h</sup> THE ACT HAS AN**  
7a **OCTOBER 1, 2003 EFFECTIVE DATE.  <sup>h</sup>**

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

9   AMENDS:

10           **35A-3-306**, as last amended by Chapter 58, Laws of Utah 2002

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

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

13           **35A-3-306. Limits on eligibility.**

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

17           (2) Except as provided in [~~Subsection~~] Subsections (3)(c) and (4), the division may not  
18   provide cash assistance to a family who has received cash assistance for 36 months or more.

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

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

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

24           (b) The division may not count toward the 36-month time limit in Subsection (2) or the  
25   24-month time period in Subsection [~~(4)~~] (3)(c) any time during which a person 18 years of age  
26   or older received cash assistance as a minor child and not as a parent.

27           ~~[(4)(a)]~~ (c) On a month-to-month basis for up to 24 months, the division may [~~provide~~



28 ~~cash assistance to a family beyond] not count any month toward the 36-month time limit in~~

29 Subsection (2) [~~if: (i) during the previous month], during which the parent client was~~

30 employed for no less than 80 hours[~~; and].~~

31 [~~(ii) during at least six of the previous 24 months the parent client was employed for no~~

32 ~~less than 80 hours a month.]~~

33 [~~(b)~~] (4) (a) For up to 20% of the average monthly number of families who receive

34 cash assistance under this part, the division may provide cash assistance to a family beyond the

35 36-month time limit in Subsection (2):

36 (i) by reason of a hardship; or

37 (ii) if the family includes an individual who has been battered or subjected to extreme

38 cruelty.

39 [~~(c) For up to 20% of the average monthly number of families who receive cash~~

40 ~~assistance under this part, the division may provide cash assistance to a family beyond the~~

41 ~~additional 24-month time period in Subsection (4)(a):]~~

42 [~~(i) by reason of a hardship; or]~~

43 [~~(ii) if the family includes an individual who has been battered or subjected to extreme~~

44 ~~cruelty.]~~

45 [~~(d)~~] (b) Except as provided in Subsection (4)[~~(b)~~](a), the division may not provide

46 cash assistance to a family who has received 60 months of cash assistance after October 1,

47 1996.

47a **h Section 2. Effective Date.**

47b **THIS ACT TAKES EFFECT OCTOBER 1, 2003. h**

**Legislative Review Note**  
**as of 2-10-03 3:35 PM**

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

**Office of Legislative Research and General Counsel**

**State Impact**

This bill will cost an additional \$6,029,600 in federal TANF funds. Of that amount, \$736,000 is for administration and \$5,293,600 is additional benefits. Pending reauthorization may increase demand for TANF funds. If this amount is not available, other current uses of TANF will have to be curtailed. Administration costs are reduced in FY 2005.

	<u>FY 04 Approp.</u>	<u>FY 05 Approp.</u>	<u>FY 04 Revenue</u>	<u>FY 05 Revenue</u>
Federal Funds	\$6,029,600	\$5,956,600	\$0	\$0
<b>TOTAL</b>	<b>\$6,029,600</b>	<b>\$5,956,600</b>	<b>\$0</b>	<b>\$0</b>

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**Individual and Business Impact**

The bill will increase welfare eligibility beyond 36 months for 883 households.

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**Office of the Legislative Fiscal Analyst**