

**FAMILY EMPLOYMENT PROGRAM**

**AMENDMENTS**

2009 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Janice M. Fisher**

Senate Sponsor: David P. Hinkins

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**LONG TITLE**

**General Description:**

This bill modifies provisions of the Utah Workforce Services Code regarding cash assistance grant levels in the Family Employment Program.

**Highlighted Provisions:**

This bill:

- ▶ provides that the Department of Workforce Services shall make a rule for the amount of cash assistance a participant is eligible to receive under the Family Employment Program.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**35A-3-302**, as last amended by Laws of Utah 2008, Chapter 382

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

Section 1. Section **35A-3-302** is amended to read:

**35A-3-302. Eligibility requirements.**

(1) The program of cash assistance provided under this part is known as the Family Employment Program.

30 (2) (a) The division shall submit a state plan to the Secretary of the United States  
31 Department of Health and Human Services to obtain federal funding under the Temporary  
32 Assistance for Needy Families Block Grant.

33 (b) The division shall make the plan consistent with this part and federal law.

34 (c) If a discrepancy arises between a provision of the state plan and this part, this part  
35 supersedes the provision in the state plan.

36 (3) The services and supports under this part are for both one-parent and two-parent  
37 families.

38 (4) To be eligible for cash assistance under this part, a family shall:

39 (a) have at least one minor dependent child; or

40 (b) have a parent who is in the third trimester of a pregnancy.

41 ~~[(5) (a) In an appropriations act, the Legislature shall determine annually the~~  
42 ~~maximum monthly dollar amount of cash assistance for families based on family size.]~~

43 ~~[(b)]~~ (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking  
44 Act, the department shall ~~[establish]~~ make rules for eligibility and the amount of cash  
45 assistance a family is eligible to receive under this part based on:

46 ~~[(i)]~~ (a) family size;

47 ~~[(ii)]~~ (b) family income;

48 ~~[(iii)]~~ (c) income disregards; and

49 ~~[(iv)]~~ (d) other relevant factors.

50 (6) The division shall disregard money on deposit in an Individual Development  
51 Account established under Section 35A-3-312 in determining eligibility.

52 (7) The department shall provide for an appeal of a determination of eligibility in  
53 accordance with Title 63G, Chapter 4, Administrative Procedures Act.

54 (8) (a) The department shall make a report to either the Legislature's Executive  
55 Appropriations Committee or the Commerce and Workforce Services Appropriations  
56 Subcommittee on any proposed rule change made under Subsection (5) that would modify the  
57 eligibility requirements or the amount of cash assistance a family would be eligible to receive.

58           (b) The department shall submit the report prior to implementing the proposed rule  
59 change and the report shall include:

60           (i) a description of the department's current practice or policy that it is proposing to  
61 change;

62           (ii) an explanation of why the department is proposing the change;

63           (iii) the effect of an increase or decrease in cash benefits on families; and

64           (iv) the fiscal impact of the proposed change.

65           (c) The department may use the Notice of Proposed Rule Amendment form filed with  
66 the Division of Administrative Rules as its report so long as the notice contains all the  
67 information required under Subsection (8)(b).