

**FIRST ENGROSSMENT
with House Amendments**

Fifty-sixth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2114

Introduced by

Human Services Committee

(At the request of the Department of Human Services)

1 A BILL for an Act to amend and reenact subsection 2 of section 50-01.2-00.1 and subsection 1
2 of section 50-09-29 of the North Dakota Century Code, relating to local expenses of
3 administration and requirements for temporary assistance for needy families.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 2 of section 50-01.2-00.1 of the 1997
6 Supplement to the North Dakota Century Code is amended and reenacted as follows:

7 2. "Local expenses of administration" includes costs for personnel, space, equipment,
8 computer software, ~~costs associated with achieving caseload ratios of sixty five~~
9 ~~eases to one worker~~, materials, travel, utilities, and related costs, and the indirect
10 costs properly allocated to those costs. The term does not include initial
11 acquisition of computers and related hardware approved by the department for the
12 training, education, employment, and management program, custom computer
13 programs, custom software development, computer operations undertaken at the
14 direction of the department, and computer processing costs to the extent those
15 costs exceed, in any calendar year, that county's costs of operation of the technical
16 eligibility computer system in calendar year 1995 increased by the increase in the
17 consumer price index for all urban consumers (all items, United States city
18 average) after January 1, 1996, or, unless agreed to by the county social service
19 board, any costs related to pilot programs before the programs are implemented
20 on a statewide basis.

21 **SECTION 2. AMENDMENT.** Subsection 1 of section 50-09-29 of the 1997
22 Supplement to the North Dakota Century Code is amended and reenacted as follows:

- 1 1. Except as provided in subsections 2, 3, and 5 through 7, the department of human
2 services, in its administration of temporary assistance for needy families in the
3 form of the training, education, employment, and management program, shall:
 - 4 a. Provide assistance to otherwise eligible women in the third trimester of a
5 pregnancy;
 - 6 b. Except as provided in subdivision c, afford eligible households benefits for no
7 more than sixty months;
 - 8 c. Exempt up to twenty percent of the caseload from the requirements of
9 subdivision b due to mental or physical disability of a parent or child, ~~or~~
10 mental or physical incapacity of a parent, or other hardship;
 - 11 d. Unless an exemption, exclusion, or disregard is required by law, count
12 income and assets whenever actually available;
 - 13 e. Unless otherwise required by federal law, and except as provided in
14 subdivision m, provide no benefits to noncitizen immigrants who arrive in the
15 United States after August 21, 1996, for the first five years of residence in the
16 United States, and after five years of residence, until the immigrant has ten
17 years of work history, provide benefits only after considering the income and
18 assets of the immigrant's sponsor;
 - 19 f. Limit eligibility to households with total available assets, not otherwise
20 exempted or excluded, of a value established by the department not
21 ~~exceeding to exceed~~ five thousand dollars for a one-person household and
22 eight thousand dollars for a household of two or more;
 - 23 g. Seek approval of appropriate federal officials, and, if approved, use a
24 simplified food stamp program to provide food stamp benefits to eligible
25 households receiving temporary assistance for needy families;
 - 26 h. Exclude one motor vehicle of any value in determining eligibility;
 - 27 i. Require work activities as defined in section 14-08.1-05.1 for all household
28 members not specifically exempted by the department of human services for
29 reasons such as mental or physical disability of a parent or child, or mental or
30 physical incapacity of a parent;

- 1 j. Establish goals and take action to prevent and reduce the incidence of
2 out-of-wedlock pregnancies and establish numerical goals for reducing the
3 illegitimacy rate for the state for periods through calendar year 2005;
- 4 k. Conduct a program, designed to reach state and local law enforcement
5 officials, the education system, and relevant counseling services, which
6 provides education and training on the problem of statutory rape so that
7 teenage pregnancy prevention programs may be expanded in scope to
8 include men;
- 9 l. Afford otherwise eligible households that have resided in this state less than
10 twelve months benefits subject to the lifetime limit of the household's
11 immediately previous state of residence;
- 12 m. Provide benefits to otherwise eligible noncitizens who are lawfully present in
13 the United States as refugees, asylees, veterans, active duty military
14 personnel, spouses and dependents of active duty military personnel, and
15 Cuban-Haitian entrants;
- 16 n. Establish and enforce standards against program fraud and abuse;
- 17 o. Establish procedures to screen and identify victims of domestic violence for
18 referral to appropriate services which are to be incorporated into the training,
19 education, employment, and management program assessment effective
20 June 30, 1998;
- 21 p. Provide an employment placement program;
- 22 q. Implement, as soon as practicable, an electronic fund transfer system;
- 23 r. ~~Not exempt~~ Exempt funds in individual development accounts;
- 24 s. ~~Sanction parents who, without good cause, fail to ensure dependent minor~~
25 ~~children attend school unless the child has received a high school diploma or~~
26 ~~equivalent~~ Determine the unemployment rate of adults living on an Indian
27 reservation by using the unemployment data provided by job service North
28 Dakota;
- 29 t. When appropriate, require household members to complete high school;

- 1 u. Exempt single parents from required work activities as defined in
- 2 section 14-08.1-05.1 if the exempted parent has a child under four months of
- 3 age;
- 4 v. Count only approved work activities as defined in section 14-08.1-05.1 for the
- 5 purpose of measuring work participation rates;
- 6 w. Provide for progressive sanctions, including termination of assistance to the
- 7 household, if a household member fails to cooperate with work requirements;
- 8 x. Provide for progressive sanctions, including termination of assistance to the
- 9 household, if a household member fails, without good cause, to cooperate
- 10 with child support activities;
- 11 y. Deny assistance with respect to a minor child absent from the household for
- 12 more than one calendar month, except as specifically provided by the state
- 13 agency for absences;
- 14 z. Require each household to participate in developing an individual
- 15 responsibility plan and provide for progressive sanctions, including
- 16 termination of assistance to the household, if adult ~~and~~ or minor household
- 17 members age sixteen or older fail to cooperate in developing an individual
- 18 responsibility plan;
- 19 aa. Provide pre-pregnancy family planning services that are to be incorporated
- 20 into the training, education, employment, and management program
- 21 assessment effective June 30, 1998;
- 22 bb. Seek federal funding to assist in the evaluation of the program;
- 23 cc. Seek the approval of the secretary to develop and use a single application
- 24 form for all economic assistance programs administered by the county social
- 25 service boards;
- 26 dd. After June 30, 1998, except in cases of pregnancy resulting from rape or
- 27 incest, not increase the assistance amount to recognize the increase in
- 28 household size when a child is born to a household member who was a
- 29 recipient of assistance under this chapter during the month of the child's
- 30 probable conception;

- 1 ee. Disregard earned income as an incentive allowance for no more than twelve
2 months; and
- 3 ff. Except as otherwise may be permitted by federal law, not reduce or terminate
4 benefits based on a refusal of an individual to work if the individual is a single
5 custodial parent caring for a child who has not attained six years of age and
6 the individual proves a demonstrated inability to obtain needed child care
7 because of the:
- 8 (1) Unavailability of appropriate child care within a reasonable distance
9 from the individual's home or work site;
- 10 (2) Unavailability or unsuitability of informal child care by a relative or
11 under other arrangements; or
- 12 (3) Unavailability of appropriate and affordable formal child care
13 arrangements.