Sixty-eighth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1036

Introduced by

Legislative Management

(Human Services Committee)

A BILL for an Act to amend and reenact subsection 1 of section 50-09-29 of the North Dakota Century Code, relating to the administration of the temporary assistance for needy families program.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 1 of section 50-09-29 of the North Dakota Century Code is amended and reenacted as follows:

1. Except as provided in subsections 2, 3, and 4, the state agency, in its administration of the temporary assistance for needy families program, shall:
   a. Provide assistance to otherwise eligible women in the third trimester of a pregnancy;
   b. Except as provided in subdivision c, afford eligible households benefits for no more than sixty months;
   c. Exempt eligible households from the requirements of subdivision b due to mental or physical disability of a parent or child, mental or physical incapacity of a parent, or other hardship including a parent subject to domestic violence as defined in section 14-07.1-01;
   d. Unless an exemption, exclusion, or disregard is required by law, count income and assets whenever actually available;
   e. Except as provided in subdivision j, and as required to allow the state to receive funds from the federal government under title IV-A, provide no benefits to noncitizen immigrants who arrive in the United States after August 21, 1996;
   f. Limit eligibility to households with total available assets, not otherwise exempted or excluded, of a value established by the state agency;
   g. Exclude one motor vehicle of any value in determining eligibility;

h. Require work activities for all household members not specifically exempted by the state agency for reasons such as mental or physical disability of a parent or child or mental or physical incapacity of a parent;

i. Establish goals and take action to prevent and reduce the incidence of out-of-wedlock pregnancies and establish numerical goals for reducing the illegitimacy rate for the state for periods through calendar year 2005;

j. To the extent required to allow the state to receive funds from the federal government under title IV-A, provide benefits to otherwise eligible noncitizens who are lawfully present in the United States;

k. Establish and enforce standards against program fraud and abuse;

l. Provide employment placement programs;

m. Exempt from assets and income the savings and proportionate matching funds in individual development accounts;

n. Determine the unemployment rate of adults living in a county that includes Indian reservation lands and a significant population of Indian individuals by using unemployment data provided by job service North Dakota;

o. When appropriate, require household members to complete high school;

p. To the extent required to allow the state to receive funds from the federal government under title IV-A, exempt single parents from required work activities;

q. Provide for sanctions, including termination of assistance to the household, if a household member fails to cooperate with work requirements;

r. Provide for sanctions, including termination of assistance to the household, if a household member fails, without good cause, to cooperate with child support activities;

s. Deny assistance with respect to a minor child absent from the household for more than one calendar month, except as specifically provided by the state agency for absences;

t. Require each household to participate in developing an individual employment plan and provide for sanctions, including termination of assistance to the household, if adult or minor household members age sixteen or older fail to cooperate with the terms of the individual employment plan;

u. Provide pre-pregnancy family planning services that are to be incorporated into the temporary assistance for needy families program assessment;

v. Except in cases of pregnancy resulting from rape or incest, not increase the assistance amount to recognize the increase in household size when a child is born to a household member who was a recipient of assistance under this chapter during the probable month of the child's conception;

w. Disregard earned income as an incentive allowance for no more than twelve months; ~~and~~

x. Consider, and if determined appropriate, authorize demonstration projects in defined areas which may provide benefits and services that are not identical to benefits and services provided elsewhere; and

y. Establish the maximum basic standard of need benefit level at fifty percent or more of the federal poverty level based on household size and rules adopted by the department.