

By: Senator(s) Simmons

To: Public Health and  
Welfare; Judiciary;  
Appropriations

SENATE BILL NO. 2119

1 AN ACT TO AMEND SECTION 43-17-5, MISSISSIPPI CODE OF 1972, TO  
2 DIRECT THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH AND ENFORCE  
3 STANDARDS AND PROCEDURES TO ENSURE THAT THE STATE WILL SCREEN AND  
4 IDENTIFY RECIPIENTS OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES  
5 (TANF) BENEFITS WITH A HISTORY OF DOMESTIC VIOLENCE, REFER THOSE  
6 PERSONS TO COUNSELING AND SUPPORTIVE SERVICES, AND WAIVE CERTAIN  
7 TANF PROGRAM REQUIREMENTS FOR THOSE PERSONS IN CASES WHERE  
8 COMPLIANCE WITH THOSE REQUIREMENTS WOULD MAKE IT MORE DIFFICULT TO  
9 ESCAPE DOMESTIC VIOLENCE, OR UNFAIRLY PENALIZE THOSE PERSONS WHO  
10 ARE OR HAVE BEEN VICTIMIZED BY DOMESTIC VIOLENCE OR PERSONS WHO  
11 ARE AT RISK OF FURTHER DOMESTIC VIOLENCE; AND FOR RELATED  
12 PURPOSES.

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

14 SECTION 1. Section 43-17-5, Mississippi Code of 1972, is  
15 amended as follows:

16 43-17-5. (1) The amount of Temporary Assistance for Needy  
17 Families (TANF) benefits which may be granted for any dependent  
18 child and a needy caretaker relative shall be determined by the  
19 county department with due regard to the resources and necessary  
20 expenditures of the family and the conditions existing in each  
21 case, and in accordance with the rules and regulations made by the  
22 Department of Human Services which shall not be less than the  
23 Standard of Need in effect for 1988, and shall be sufficient when  
24 added to all other income (except that any income specified in the  
25 federal Social Security Act, as amended, may be disregarded) and  
26 support available to the child to provide such child with a  
27 reasonable subsistence compatible with decency and health. The  
28 first family member in the dependent child's budget may receive an  
29 amount not to exceed Sixty Dollars (\$60.00) per month; the second  
30 family member in the dependent child's budget may receive an  
31 amount not to exceed Thirty-six Dollars (\$36.00) per month; and

32 each additional family member in the dependent child's budget an  
33 amount not to exceed Twenty-four Dollars (\$24.00) per month. The  
34 maximum for any individual family member in the dependent child's  
35 budget may be exceeded for foster or medical care or in cases of  
36 mentally retarded or physically handicapped children. TANF  
37 benefits granted shall be specifically limited only (a) to  
38 children existing or conceived at the time the caretaker relative  
39 initially applies and qualifies for such assistance, unless this  
40 limitation is specifically waived by the department, or (b) to a  
41 child born following a twelve (12) consecutive month period of  
42 discontinued benefits by the caretaker relative.

43 (2) TANF cash benefits in Mississippi shall be provided by  
44 monthly checks mailed to the recipient family until such time as  
45 an on-line electronic benefits transfer system for TANF benefit  
46 payments is implemented pursuant to Section 43-1-28.

47 (3) The Department of Human Services shall deny TANF  
48 benefits to the following categories of individuals, except for  
49 individuals and families specifically exempt or excluded for good  
50 cause as allowed by federal statute or regulation:

51 (a) Families without a minor child residing with the  
52 custodial parent or other adult caretaker relative of the child;

53 (b) Families which include an adult who has received  
54 TANF assistance for sixty (60) months after the commencement of  
55 the Mississippi TANF program, whether or not such period of time  
56 is consecutive;

57 (c) Families not assigning to the state any rights a  
58 family member may have, on behalf of the family member or of any  
59 other person for whom the family member has applied for or is  
60 receiving such assistance, to support from any other person, as  
61 required by law;

62 (d) Families who fail to cooperate in establishing  
63 paternity or obtaining child support, as required by law;

64 (e) Any individual who has not attained eighteen (18)  
65 years of age, is not married to the head of household, has a minor  
66 child at least twelve (12) weeks of age in his or her care, and  
67 has not successfully completed a high school education or its  
68 equivalent, if such individual does not participate in educational

69 activities directed toward the attainment of a high school diploma  
70 or its equivalent, or an alternative educational or training  
71 program approved by the department;

72 (f) Any individual who has not attained eighteen (18)  
73 years of age, is not married, has a minor child in his or her  
74 care, and does not reside in a place or residence maintained by a  
75 parent, legal guardian or other adult relative or the individual  
76 as such parent's, guardian's or adult relative's own home;

77 (g) Any minor child who has been, or is expected by a  
78 parent or other caretaker relative of the child to be, absent from  
79 the home for a period of more than thirty (30) days;

80 (h) Any individual who is a parent or other caretaker  
81 relative of a minor child who fails to notify the department of  
82 the absence of the minor child from the home for the thirty-day  
83 period specified in paragraph (g), by the end of the five-day  
84 period that begins with the date that it becomes clear to the  
85 individual that the minor child will be absent for the thirty-day  
86 period;

87 (i) Any individual who fails to comply with the  
88 provisions of the Employability Development Plan signed by the  
89 individual which prescribe those activities designed to help the  
90 individual become and remain employed, or to participate  
91 satisfactorily in the assigned work activity, as authorized under  
92 subsections (6)(c) and (d);

93 (j) A parent or caretaker relative who has not engaged  
94 in an allowable work activity once the department determines the  
95 parent or caretaker relative is ready to engage in work, or once  
96 the parent or caretaker relative has received TANF assistance  
97 under the program for twenty-four (24) months, whether or not  
98 consecutive, whichever is earlier;

99 (k) Any individual who is fleeing to avoid prosecution,  
100 or custody or confinement after conviction, under the laws of the  
101 jurisdiction from which the individual flees, for a crime, or an

102 attempt to commit a crime, which is a felony under the laws of the  
103 place from which the individual flees, or who is violating a  
104 condition of probation or parole imposed under federal or state  
105 law;

106 (l) Aliens who are not qualified under federal law;

107 (m) For a period of ten (10) years following  
108 conviction, individuals convicted in federal or state court of  
109 having made a fraudulent statement or representation with respect  
110 to the individual's place of residence in order to receive TANF,  
111 food stamps or Supplemental Security Income (SSI) assistance under  
112 Title XVI or Title XIX simultaneously from two (2) or more states;  
113 and

114 (n) Individuals who are recipients of federal  
115 Supplemental Security Income (SSI) assistance.

116 (4) (a) Any person who is otherwise eligible for TANF  
117 benefits, including custodial and noncustodial parents, shall be  
118 required to attend school and meet the monthly attendance  
119 requirement as provided in this subsection if all of the following  
120 apply:

121 (i) The person is under age twenty (20);

122 (ii) The person has not graduated from a public or  
123 private high school or obtained a GED equivalent;

124 (iii) The person is physically able to attend  
125 school and is not excused from attending school; and

126 (iv) If the person is a parent or caretaker  
127 relative with whom a dependent child is living, child care is  
128 available for the child.

129 The monthly attendance requirement under this subsection  
130 shall be attendance at the school in which the person is enrolled  
131 for each day during a month that the school conducts classes in  
132 which the person is enrolled, with not more than two (2) absences  
133 during the month for reasons other than the reasons listed in  
134 paragraph (e)(iv) of this subsection. Persons who fail to meet

135 participation requirements in this subsection shall be subject to  
136 sanctions as provided in paragraph (f) of this subsection.

137 (b) As used in this subsection, "school" means any one  
138 (1) of the following:

139 (i) A school as defined in Section 37-13-91(2);

140 (ii) A vocational, technical and adult education  
141 program; or

142 (iii) A course of study meeting the standards  
143 established by the State Department of Education for the granting  
144 of a declaration of equivalency of high school graduation.

145 (c) If any compulsory-school-age child, as defined in  
146 Section 37-13-91(2), to which TANF eligibility requirements apply  
147 is not in compliance with the compulsory school attendance  
148 requirements of Section 37-13-91(6), the superintendent of schools  
149 of the school district in which the child is enrolled or eligible  
150 to attend shall notify the county department of human services of  
151 the child's noncompliance. The Department of Human Services shall  
152 review school attendance information as provided under this  
153 paragraph at all initial eligibility determinations and upon  
154 subsequent report of unsatisfactory attendance.

155 (d) The signature of a person on an application for  
156 TANF benefits constitutes permission for the release of school  
157 attendance records for that person or for any child residing with  
158 that person. The department shall request information from the  
159 child's school district about the child's attendance in the school  
160 district's most recently completed semester of attendance. If  
161 information about the child's previous school attendance is not  
162 available or cannot be verified, the department shall require the  
163 child to meet the monthly attendance requirement for one (1)  
164 semester or until the information is obtained. The department  
165 shall use the attendance information provided by a school district  
166 to verify attendance for a child. The department shall review  
167 with the parent or caretaker relative a child's claim that he or

168 she has a good cause for not attending school.

169 A school district shall provide information to the department  
170 about the attendance of a child who is enrolled in a public school  
171 in the district within five (5) working days of the receipt of a  
172 written request for such information from the department. The  
173 school district shall define how many hours of attendance count as  
174 a full day and shall provide that information, upon request, to  
175 the department. In reporting attendance, the school district may  
176 add partial days' absence together to constitute a full day's  
177 absence.

178 (e) A child who is required to attend school to meet  
179 the requirements under this subsection shall comply except when  
180 there is good cause, which shall be demonstrated by any of the  
181 following circumstances:

182 (i) The minor parent is the caretaker of a child  
183 less than twelve (12) weeks old; or

184 (ii) The department determines that child care  
185 services are necessary for the minor parent to attend school and  
186 there is no child care available; or

187 (iii) The child is prohibited by the school  
188 district from attending school and an expulsion is pending. This  
189 exemption no longer applies once the teenager has been expelled;  
190 however, a teenager who has been expelled and is making  
191 satisfactory progress towards obtaining a GED equivalent shall be  
192 eligible for TANF benefits; or

193 (iv) The child failed to attend school for one or  
194 more of the following reasons:

195 1. Illness, injury or incapacity of the child  
196 or the minor parent's child;

197 2. Court-required appearances or temporary  
198 incarceration;

199 3. Medical or dental appointments for the  
200 child or minor parent's child;

- 201                   4. Death of a close relative;  
202                   5. Observance of a religious holiday;  
203                   6. Family emergency;  
204                   7. Breakdown in transportation;  
205                   8. Suspension; or  
206                   9. Any other circumstance beyond the control  
207 of the child, as defined in regulations of the department.

208                   (f) Upon determination that a child has failed without  
209 good cause to attend school as required, the department shall  
210 provide written notice to the parent or caretaker relative  
211 (whoever is the primary recipient of the TANF benefits) that  
212 specifies:

213                   (i) That the family will be sanctioned in the next  
214 possible payment month because the child who is required to attend  
215 school has failed to meet the attendance requirement of this  
216 subsection;

217                   (ii) The beginning date of the sanction, and the  
218 child to whom the sanction applies;

219                   (iii) The right of the child's parents or  
220 caretaker relative (whoever is the primary recipient of the TANF  
221 benefits) to request a fair hearing under this subsection.

222                   The child's parent or caretaker relative (whoever is the  
223 primary recipient of the TANF benefits) may request a fair hearing  
224 on the department's determination that the child has not been  
225 attending school. If the child's parents or caretaker relative  
226 does not request a fair hearing under this subsection, or if,  
227 after a fair hearing has been held, the hearing officer finds that  
228 the child without good cause has failed to meet the monthly  
229 attendance requirement, the department shall discontinue or deny  
230 TANF benefits to the child thirteen (13) years old, or older, in  
231 the next possible payment month. The department shall discontinue  
232 or deny twenty-five percent (25%) of the family grant when a child  
233 six (6) through twelve (12) years of age without good cause has

234 failed to meet the monthly attendance requirement. Both the child  
235 and family sanction may apply when children in both age groups  
236 fail to meet the attendance requirement without good cause. A  
237 sanction applied under this subsection shall be effective for one  
238 (1) month for each month that the child failed to meet the monthly  
239 attendance requirement. In the case of a dropout, the sanction  
240 shall remain in force until the parent or caretaker relative  
241 provides written proof from the school district that the child has  
242 reenrolled and met the monthly attendance requirement for one (1)  
243 calendar month. Any month in which school is in session for at  
244 least ten (10) days during the month may be used to meet the  
245 attendance requirement under this subsection. This includes  
246 attendance at summer school. The sanction shall be removed the  
247 next possible payment month.

248 (5) All parents or caretaker relatives shall have their  
249 dependent children receive vaccinations and booster vaccinations  
250 against those diseases specified by the State Health Officer  
251 pursuant to Section 41-23-37 in accordance with the vaccination  
252 and booster vaccination schedule prescribed by the State Health  
253 Officer for children of that age, in order for the parents or  
254 caretaker relatives to be eligible or remain eligible to receive  
255 TANF benefits. Proof of having received such vaccinations and  
256 booster vaccinations shall be given by presenting the certificates  
257 of vaccination issued by any health care provider licensed to  
258 administer vaccinations, and submitted on forms specified by the  
259 State Board of Health. If the parents without good cause do not  
260 have their dependent children receive the vaccinations and booster  
261 vaccinations as required by this subsection and they fail to  
262 comply after thirty (30) days' notice, the department shall  
263 sanction the family's TANF benefits by twenty-five percent (25%)  
264 for the next payment month and each subsequent payment month until  
265 the requirements of this subsection are met.

266 (6) (a) If the parent or caretaker relative applying for



267 TANF assistance is an employable person, as determined by the  
268 Department of Human Services, the person shall be required to  
269 engage in an allowable work activity once the department  
270 determines the parent or caretaker relative is ready to engage in  
271 work, or once the parent or caretaker relative has received TANF  
272 assistance under the program for twenty-four (24) months, whether  
273 or not consecutive, whichever is earlier. No TANF benefits shall  
274 be given to any person to whom this section applies who fails  
275 without good cause to comply with the Employability Development  
276 Plan prepared by the department for the person, or who has refused  
277 to accept a referral or offer of employment, training or education  
278 in which he or she is able to engage, subject to the penalties  
279 prescribed in subsection (6)(e). A person shall be deemed to have  
280 refused to accept a referral or offer of employment, training or  
281 education if he or she:

282 (i) Willfully fails to report for an interview  
283 with respect to employment when requested to do so by the  
284 department; or

285 (ii) Willfully fails to report to the department  
286 the result of a referral to employment; or

287 (iii) Willfully fails to report for allowable work  
288 activities as prescribed in subsections (6)(c) and (d).

289 (b) The Department of Human Services shall operate a  
290 statewide work program for TANF recipients to provide work  
291 activities and supportive services to enable families to become  
292 self-sufficient and improve their competitive position in the work  
293 force in accordance with the requirements of the federal Personal  
294 Responsibility and Work Opportunity Reconciliation Act of 1996  
295 (Public Law 104-193), as amended, and the regulations promulgated  
296 thereunder. All adults who are not specifically exempt shall be  
297 referred by the department for allowable work activities. An  
298 adult may be exempt from the mandatory work activity requirement  
299 for the following reasons:

300 (i) Incapacity;

301 (ii) Temporary illness or injury, verified by  
302 physician's certificate;

303 (iii) Is in the third trimester of pregnancy,  
304 verified by physician's certificate;

305 (iv) Caretaker of a child under twelve (12)  
306 months, for not more than twelve (12) months of the sixty-month  
307 maximum benefit period;

308 (v) Caretaker of an ill or incapacitated person,  
309 as verified by physician's certificate;

310 (vi) Age, if over sixty (60) or under eighteen  
311 (18) years of age;

312 (vii) Receiving treatment for substance abuse, if  
313 the person is in compliance with the substance abuse treatment  
314 plan;

315 (viii) In a two-parent family, the caretaker of a  
316 severely disabled child, as verified by a physician's certificate;  
317 or

318 (ix) History of having been a victim of domestic  
319 violence, which has been reported as required by state law and is  
320 substantiated by police reports or court records, and being at  
321 risk of further domestic violence, shall be exempt for a period as  
322 deemed necessary by the department but not to exceed a total of  
323 twelve (12) months, which need not be consecutive, in the  
324 sixty-month maximum benefit period. For the purposes of this  
325 paragraph (ix), "domestic violence" means that an individual has  
326 been subjected to:

327 1. Physical acts that resulted in, or  
328 threatened to result in, physical injury to the individual;

329 2. Sexual abuse;

330 3. Sexual activity involving a dependent  
331 child;

332 4. Being forced as the caretaker relative of

333 a dependent child to engage in nonconsensual sexual acts or  
334 activities;

335                   5. Threats of, or attempts at, physical or  
336 sexual abuse;

337                   6. Mental abuse; or

338                   7. Neglect or deprivation of medical care.

339           (c) For all families, all adults who are not  
340 specifically exempt shall be required to participate in work  
341 activities for at least the minimum average number of hours per  
342 week specified by federal law or regulation, not fewer than twenty  
343 (20) hours per week (thirty-five (35) hours per week for  
344 two-parent families) of which are attributable to the following  
345 allowable work activities:

346                   (i) Unsubsidized employment;

347                   (ii) Subsidized private employment;

348                   (iii) Subsidized public employment;

349                   (iv) Work experience (including work associated  
350 with the refurbishing of publicly assisted housing), if sufficient  
351 private employment is not available;

352                   (v) On-the-job training;

353                   (vi) Job search and job readiness assistance  
354 consistent with federal TANF regulations;

355                   (vii) Community service programs;

356                   (viii) Vocational educational training (not to  
357 exceed twelve (12) months with respect to any individual);

358                   (ix) The provision of child care services to an  
359 individual who is participating in a community service program;

360                   (x) Satisfactory attendance at high school or in a  
361 course of study leading to a high school equivalency certificate,  
362 for heads of household under age twenty (20) who have not  
363 completed high school or received such certificate;

364                   (xi) Education directly related to employment, for  
365 heads of household under age twenty (20) who have not completed

366 high school or received such equivalency certificate.

367           (d) The following are allowable work activities which  
368 may be attributable to hours in excess of the minimum specified in  
369 paragraph (6)(c):

370                   (i) Job skills training directly related to  
371 employment;

372                   (ii) Education directly related to employment for  
373 individuals who have not completed high school or received a high  
374 school equivalency certificate;

375                   (iii) Satisfactory attendance at high school or in  
376 a course of study leading to a high school equivalency, for  
377 individuals who have not completed high school or received such  
378 equivalency certificate;

379                   (iv) Job search and job readiness assistance  
380 consistent with federal TANF regulations.

381           (e) If any adult or caretaker relative refuses to  
382 participate in allowable work activity as required under this  
383 subsection (6), the following full family TANF benefit penalty  
384 will apply, subject to due process to include notification,  
385 conciliation and a hearing if requested by the recipient:

386                   (i) For the first violation, the department shall  
387 terminate the TANF assistance otherwise payable to the family for  
388 a two-month period or until the person has complied with the  
389 required work activity, whichever is longer;

390                   (ii) For the second violation, the department  
391 shall terminate the TANF assistance otherwise payable to the  
392 family for a six-month period or until the person has complied  
393 with the required work activity, whichever is longer;

394                   (iii) For the third violation, the department  
395 shall terminate the TANF assistance otherwise payable to the  
396 family for a twelve-month period or until the person has complied  
397 with the required work activity, whichever is longer;

398                   (iv) For the fourth violation, the person shall be

399 permanently disqualified.

400 For a two-parent family, unless prohibited by state or  
401 federal law, Medicaid assistance shall be terminated only for the  
402 person whose failure to participate in allowable work activity  
403 caused the family's TANF assistance to be sanctioned under this  
404 subsection (6)(e), unless an individual is pregnant, but shall not  
405 be terminated for any other person in the family who is meeting  
406 that person's applicable work requirement or who is not required  
407 to work. Minor children shall continue to be eligible for  
408 Medicaid benefits regardless of the disqualification of their  
409 parent or caretaker relative for TANF assistance under this  
410 subsection (6), unless prohibited by state or federal law.

411 (f) Any person enrolled in a two-year or four-year  
412 college program who meets the eligibility requirements to receive  
413 TANF benefits, and who is meeting the applicable work requirements  
414 and all other applicable requirements of the TANF program, shall  
415 continue to be eligible for TANF benefits while enrolled in the  
416 college program for as long as the person meets the requirements  
417 of the TANF program, unless prohibited by federal law.

418 (g) No adult in a work activity required under this  
419 subsection (6) shall be employed or assigned (i) when any other  
420 individual is on layoff from the same or any substantially  
421 equivalent job within six (6) months before the date of the TANF  
422 recipient's employment or assignment; or (ii) if the employer has  
423 terminated the employment of any regular employee or otherwise  
424 caused an involuntary reduction of its work force in order to fill  
425 the vacancy so created with an adult receiving TANF assistance.  
426 The Mississippi Employment Security Commission, established under  
427 Section 71-5-101, shall appoint one or more impartial hearing  
428 officers to hear and decide claims by employees of violations of  
429 this paragraph (g). The hearing officer shall hear all the  
430 evidence with respect to any claim made hereunder and such  
431 additional evidence as he may require and shall make a

432 determination and the reason therefor. The claimant shall be  
433 promptly notified of the decision of the hearing officer and the  
434 reason therefor. Within ten (10) days after the decision of the  
435 hearing officer has become final, any party aggrieved thereby may  
436 secure judicial review thereof by commencing an action, in the  
437 circuit court of the county in which the claimant resides, against  
438 the commission for the review of such decision, in which action  
439 any other party to the proceeding before the hearing officer shall  
440 be made a defendant. Any such appeal shall be on the record which  
441 shall be certified to the court by the commission in the manner  
442 provided in Section 71-5-531, and the jurisdiction of the court  
443 shall be confined to questions of law which shall render its  
444 decision as provided in that section.

445 (7) (a) The Department of Human Services shall establish  
446 and enforce standards and procedures to:

447 (i) Screen and identify individuals receiving TANF  
448 benefits with a history of domestic violence, while maintaining  
449 the confidentiality of those individuals;

450 (ii) Refer those individuals to counseling and  
451 supportive services; and

452 (iii) Waive, pursuant to a determination of good  
453 cause, other TANF program requirements such as:

454 1. Time limits, for so long as necessary, for  
455 individuals receiving TANF benefits;

456 2. Residency requirements;

457 3. Child support cooperation requirements;

458 and

459 4. Family cap provisions, in cases where  
460 compliance with such TANF program requirements would make it more  
461 difficult for individuals receiving TANF benefits to escape  
462 domestic violence, or unfairly penalize those individuals who are  
463 or have been victimized by domestic violence or individuals who  
464 are at risk of further domestic violence.

465 (b) For the purposes of this subsection (7), "domestic  
466 violence" means that an individual has been subjected to:

467 (i) Physical acts that resulted in, or threatened  
468 to result in, physical injury to the individual;

469 (ii) Sexual abuse;

470 (iii) Sexual activity involving a dependent child;

471 (iv) Being forced as the caretaker relative of a  
472 dependent child to engage in nonconsensual sexual acts or  
473 activities;

474 (v) Threats of, or attempts at, physical or sexual  
475 abuse;

476 (vi) Mental abuse; or

477 (vii) Neglect or deprivation of medical care.

478 (c) The Governor shall certify to the Secretary of the  
479 United States Department of Health and Human Services that the  
480 State of Mississippi has established and is enforcing the  
481 standards and procedures prescribed in paragraph (a) of this  
482 subsection (7), as part of the TANF program plan submitted to the  
483 secretary.

484 (8) The Department of Human Services may provide child care  
485 for eligible participants who require such care so that they may  
486 accept employment or remain employed. The department may also  
487 provide child care for those participating in the TANF program  
488 when it is determined that they are satisfactorily involved in  
489 education, training or other allowable work activities. The  
490 department may contract with Head Start agencies to provide child  
491 care services to TANF recipients. The department may also arrange  
492 for child care by use of contract or vouchers, provide vouchers in  
493 advance to a caretaker relative, reimburse a child care provider,  
494 or use any other arrangement deemed appropriate by the department,  
495 and may establish different reimbursement rates for child care  
496 services depending on the category of the facility or home. Any  
497 center-based or group home child care facility under this

498 paragraph shall be licensed by the State Department of Health  
499 pursuant to law. When child care is being provided in the child's  
500 own home, in the home of a relative of the child, or in any other  
501 unlicensed setting, the provision of such child care may be  
502 monitored on a random basis by the Department of Human Services or  
503 the State Department of Health. Transitional child care  
504 assistance may be continued if it is necessary for parents to  
505 maintain employment once support has ended, unless prohibited  
506 under state or federal law. Transitional child care assistance  
507 may be provided for up to twenty-four (24) months after the last  
508 month during which the family was eligible for TANF assistance, if  
509 federal funds are available for such child care assistance.

510 (9) The Department of Human Services may provide  
511 transportation or provide reasonable reimbursement for  
512 transportation expenses that are necessary for individuals to be  
513 able to participate in allowable work activity under the TANF  
514 program.

515 (10) Medicaid assistance shall be provided to a family of  
516 TANF program participants for up to twenty-four (24) consecutive  
517 calendar months following the month in which the participating  
518 family would be ineligible for TANF benefits because of increased  
519 income, expiration of earned income disregards, or increased hours  
520 of employment of the caretaker relative; however, Medicaid  
521 assistance for more than twelve (12) months may be provided only  
522 if a federal waiver is obtained to provide such assistance for  
523 more than twelve (12) months and federal and state funds are  
524 available to provide such assistance.

525 (11) The department shall require applicants for and  
526 recipients of public assistance from the department to sign a  
527 personal responsibility contract that will require the applicant  
528 or recipient to acknowledge his or her responsibilities to the  
529 state.

530 (12) The department shall enter into an agreement with the



531 State Personnel Board and other state agencies that will allow  
532 those TANF participants who qualify for vacant jobs within state  
533 agencies to be placed in state jobs. State agencies participating  
534 in the TANF work program shall receive any and all benefits  
535 received by employers in the private sector for hiring TANF  
536 recipients. This subsection (12) shall be effective only if the  
537 state obtains any necessary federal waiver or approval and if  
538 federal funds are available therefor.

539 (13) No new TANF program requirement or restriction  
540 affecting a person's eligibility for TANF assistance, or allowable  
541 work activity, which is not mandated by federal law or regulation  
542 may be implemented by the Department of Human Services after the  
543 effective date of this act, unless such is specifically authorized  
544 by an amendment to this section by the Legislature.

545 SECTION 2. This act shall take effect and be in force from  
546 and after July 1, 1999.