

By: Representative Scott (80th)

To: Public Health and Welfare; Appropriations

HOUSE BILL NO. 1258

1 AN ACT TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES TO
 2 ESTABLISH AND ADMINISTER A TANF RECIPIENT BUSINESS RESOURCE
 3 ASSISTANCE PROGRAM FOR THE PURPOSE OF PROVIDING TANF RECIPIENTS
 4 WHO START A BUSINESS WITH TRAINING AND TECHNICAL ASSISTANCE; TO
 5 PROVIDE THAT THE DEPARTMENT OF HUMAN SERVICES SHALL REQUIRE
 6 RECIPIENTS AND APPLICANTS FOR TANF BENEFITS TO ENTER INTO AN
 7 AGREEMENT THAT WILL REQUIRE THE RECIPIENT OR APPLICANT TO
 8 PARTICIPATE IN AND USE THE TANF BUSINESS RESOURCE ASSISTANCE
 9 PROGRAM IF THE RECIPIENT OR APPLICANT STARTS A BUSINESS; TO AMEND
 10 SECTION 43-17-5, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO;
 11 TO AMEND SECTION 43-17-33, MISSISSIPPI CODE OF 1972, TO PROVIDE
 12 THAT TANF RECIPIENTS DESIRING ENTREPRENEURIAL DEVELOPMENT FUNDS
 13 MUST PARTICIPATE IN THE TANF RECIPIENT BUSINESS RESOURCE
 14 ASSISTANCE PROGRAM ADMINISTERED BY THE DEPARTMENT; AND FOR RELATED
 15 PURPOSES.

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

17 SECTION 1. (1) The following words and phrases shall have
 18 the meanings ascribed in this section unless the context clearly
 19 indicates otherwise:

20 (a) "Department" means the Mississippi Department of
 21 Human Services."

22 (b) "MDA" means the Mississippi Development Authority.

23 (c) "Recipient" means a person who is receiving
 24 Temporary Assistance for Needy Families and who desires to start a
 25 business.

26 (c) "TANF" means Temporary Assistance for Needy
 27 Families provided under Section 43-17-1 et seq., Mississippi Code
 28 of 1972.

29 (2) The Department shall establish and administer a TANF
 30 recipient business resource assistance program for the purpose of
 31 providing such recipients who start a business with the training
 32 and technical assistance necessary to operate successfully in the

33 private business sector. The executive director of the department
34 shall coordinate with the executive director of MDA in developing
35 a program designed to inform recipients of, and make available to
36 them, available resources provided by the department, MDA,
37 one-stop career centers, other state agencies, the United States
38 Small Business Administration and other federal agencies, and
39 other entities such as small business development centers and
40 local economic development authorities. The department shall
41 require recipients and applicants for TANF benefits to enter into
42 an agreement that will require a recipient or applicant to
43 participate in and use the program if the recipient or applicant
44 starts a business.

45 SECTION 2. Section 43-17-5, Mississippi Code of 1972, is
46 amended as follows:

47 43-17-5. (1) The amount of Temporary Assistance for Needy
48 Families (TANF) benefits which may be granted for any dependent
49 child and a needy caretaker relative shall be determined by the
50 county department with due regard to the resources and necessary
51 expenditures of the family and the conditions existing in each
52 case, and in accordance with the rules and regulations made by the
53 Department of Human Services which shall not be less than the
54 Standard of Need in effect for 1988, and shall be sufficient when
55 added to all other income (except that any income specified in the
56 federal Social Security Act, as amended, may be disregarded) and
57 support available to the child to provide such child with a
58 reasonable subsistence compatible with decency and health. The
59 first family member in the dependent child's budget may receive an
60 amount not to exceed One Hundred Ten Dollars (\$110.00) per month;
61 the second family member in the dependent child's budget may
62 receive an amount not to exceed Thirty-six Dollars (\$36.00) per
63 month; and each additional family member in the dependent child's
64 budget an amount not to exceed Twenty-four Dollars (\$24.00) per
65 month. The maximum for any individual family member in the

66 dependent child's budget may be exceeded for foster or medical
67 care or in cases of mentally retarded or physically handicapped
68 children. TANF benefits granted shall be specifically limited
69 only (a) to children existing or conceived at the time the
70 caretaker relative initially applies and qualifies for such
71 assistance, unless this limitation is specifically waived by the
72 department, or (b) to a child born following a twelve (12)
73 consecutive month period of discontinued benefits by the caretaker
74 relative.

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

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

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

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

89 (c) Families not assigning to the state any rights a
90 family member may have, on behalf of the family member or of any
91 other person for whom the family member has applied for or is
92 receiving such assistance, to support from any other person, as
93 required by law;

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

96 (e) Any individual who has not attained eighteen (18)
97 years of age, is not married to the head of household, has a minor
98 child at least twelve (12) weeks of age in his or her care, and

99 has not successfully completed a high school education or its
100 equivalent, if such individual does not participate in educational
101 activities directed toward the attainment of a high school diploma
102 or its equivalent, or an alternative educational or training
103 program approved by the department;

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

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

112 (h) Any individual who is a parent or other caretaker
113 relative of a minor child who fails to notify the department of
114 the absence of the minor child from the home for the thirty-day
115 period specified in paragraph (g), by the end of the five-day
116 period that begins with the date that it becomes clear to the
117 individual that the minor child will be absent for the thirty-day
118 period;

119 (i) Any individual who fails to comply with the
120 provisions of the Employability Development Plan signed by the
121 individual which prescribe those activities designed to help the
122 individual become and remain employed, or to participate
123 satisfactorily in the assigned work activity, as authorized under
124 subsections (6)(c) and (d);

125 (j) A parent or caretaker relative who has not engaged
126 in an allowable work activity once the department determines the
127 parent or caretaker relative is ready to engage in work, or once
128 the parent or caretaker relative has received TANF assistance
129 under the program for twenty-four (24) months, whether or not
130 consecutive, whichever is earlier;

131 (k) Any individual who is fleeing to avoid prosecution,
132 or custody or confinement after conviction, under the laws of the
133 jurisdiction from which the individual flees, for a crime, or an
134 attempt to commit a crime, which is a felony under the laws of the
135 place from which the individual flees, or who is violating a
136 condition of probation or parole imposed under federal or state
137 law;

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

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

146 (n) Individuals who are recipients of federal
147 Supplemental Security Income (SSI) assistance.

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

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

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

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

158 (iv) If the person is a parent or caretaker
159 relative with whom a dependent child is living, child care is
160 available for the child.

161 The monthly attendance requirement under this subsection
162 shall be attendance at the school in which the person is enrolled
163 for each day during a month that the school conducts classes in

164 which the person is enrolled, with not more than two (2) absences
165 during the month for reasons other than the reasons listed in
166 paragraph (e)(iv) of this subsection. Persons who fail to meet
167 participation requirements in this subsection shall be subject to
168 sanctions as provided in paragraph (f) of this subsection.

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

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

172 (ii) A vocational, technical and adult education
173 program; or

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

177 (c) If any compulsory-school-age child, as defined in
178 Section 37-13-91(2), to which TANF eligibility requirements apply
179 is not in compliance with the compulsory school attendance
180 requirements of Section 37-13-91(6), the superintendent of schools
181 of the school district in which the child is enrolled or eligible
182 to attend shall notify the county department of human services of
183 the child's noncompliance. The Department of Human Services shall
184 review school attendance information as provided under this
185 paragraph at all initial eligibility determinations and upon
186 subsequent report of unsatisfactory attendance.

187 (d) The signature of a person on an application for
188 TANF benefits constitutes permission for the release of school
189 attendance records for that person or for any child residing with
190 that person. The department shall request information from the
191 child's school district about the child's attendance in the school
192 district's most recently completed semester of attendance. If
193 information about the child's previous school attendance is not
194 available or cannot be verified, the department shall require the
195 child to meet the monthly attendance requirement for one (1)
196 semester or until the information is obtained. The department

197 shall use the attendance information provided by a school district
198 to verify attendance for a child. The department shall review
199 with the parent or caretaker relative a child's claim that he or
200 she has a good cause for not attending school.

201 A school district shall provide information to the department
202 about the attendance of a child who is enrolled in a public school
203 in the district within five (5) working days of the receipt of a
204 written request for such information from the department. The
205 school district shall define how many hours of attendance count as
206 a full day and shall provide that information, upon request, to
207 the department. In reporting attendance, the school district may
208 add partial days' absence together to constitute a full day's
209 absence.

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

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

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

219 (iii) The child is prohibited by the school
220 district from attending school and an expulsion is pending. This
221 exemption no longer applies once the teenager has been expelled;
222 however, a teenager who has been expelled and is making
223 satisfactory progress towards obtaining a GED equivalent shall be
224 eligible for TANF benefits; or

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

227 1. Illness, injury or incapacity of the child
228 or the minor parent's child;

- 229 2. Court-required appearances or temporary
230 incarceration;
- 231 3. Medical or dental appointments for the
232 child or minor parent's child;
- 233 4. Death of a close relative;
- 234 5. Observance of a religious holiday;
- 235 6. Family emergency;
- 236 7. Breakdown in transportation;
- 237 8. Suspension; or
- 238 9. Any other circumstance beyond the control
239 of the child, as defined in regulations of the department.

240 (f) Upon determination that a child has failed without
241 good cause to attend school as required, the department shall
242 provide written notice to the parent or caretaker relative
243 (whoever is the primary recipient of the TANF benefits) that
244 specifies:

245 (i) That the family will be sanctioned in the next
246 possible payment month because the child who is required to attend
247 school has failed to meet the attendance requirement of this
248 subsection;

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

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

254 The child's parent or caretaker relative (whoever is the
255 primary recipient of the TANF benefits) may request a fair hearing
256 on the department's determination that the child has not been
257 attending school. If the child's parents or caretaker relative
258 does not request a fair hearing under this subsection, or if,
259 after a fair hearing has been held, the hearing officer finds that
260 the child without good cause has failed to meet the monthly
261 attendance requirement, the department shall discontinue or deny

262 TANF benefits to the child thirteen (13) years old, or older, in
263 the next possible payment month. The department shall discontinue
264 or deny twenty-five percent (25%) of the family grant when a child
265 six (6) through twelve (12) years of age without good cause has
266 failed to meet the monthly attendance requirement. Both the child
267 and family sanction may apply when children in both age groups
268 fail to meet the attendance requirement without good cause. A
269 sanction applied under this subsection shall be effective for one
270 (1) month for each month that the child failed to meet the monthly
271 attendance requirement. In the case of a dropout, the sanction
272 shall remain in force until the parent or caretaker relative
273 provides written proof from the school district that the child has
274 reenrolled and met the monthly attendance requirement for one (1)
275 calendar month. Any month in which school is in session for at
276 least ten (10) days during the month may be used to meet the
277 attendance requirement under this subsection. This includes
278 attendance at summer school. The sanction shall be removed the
279 next possible payment month.

280 (5) All parents or caretaker relatives shall have their
281 dependent children receive vaccinations and booster vaccinations
282 against those diseases specified by the State Health Officer
283 pursuant to Section 41-23-37 in accordance with the vaccination
284 and booster vaccination schedule prescribed by the State Health
285 Officer for children of that age, in order for the parents or
286 caretaker relatives to be eligible or remain eligible to receive
287 TANF benefits. Proof of having received such vaccinations and
288 booster vaccinations shall be given by presenting the certificates
289 of vaccination issued by any health care provider licensed to
290 administer vaccinations, and submitted on forms specified by the
291 State Board of Health. If the parents without good cause do not
292 have their dependent children receive the vaccinations and booster
293 vaccinations as required by this subsection and they fail to
294 comply after thirty (30) days' notice, the department shall

295 sanction the family's TANF benefits by twenty-five percent (25%)
296 for the next payment month and each subsequent payment month until
297 the requirements of this subsection are met.

298 (6) (a) If the parent or caretaker relative applying for
299 TANF assistance is an employable person, as determined by the
300 Department of Human Services, the person shall be required to
301 engage in an allowable work activity once the department
302 determines the parent or caretaker relative is ready to engage in
303 work, or once the parent or caretaker relative has received TANF
304 assistance under the program for twenty-four (24) months, whether
305 or not consecutive, whichever is earlier. No TANF benefits shall
306 be given to any person to whom this section applies who fails
307 without good cause to comply with the Employability Development
308 Plan prepared by the department for the person, or who has refused
309 to accept a referral or offer of employment, training or education
310 in which he or she is able to engage, subject to the penalties
311 prescribed in subsection (6)(e). A person shall be deemed to have
312 refused to accept a referral or offer of employment, training or
313 education if he or she:

314 (i) Willfully fails to report for an interview
315 with respect to employment when requested to do so by the
316 department; or

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

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

321 (b) The Department of Human Services shall operate a
322 statewide work program for TANF recipients to provide work
323 activities and supportive services to enable families to become
324 self-sufficient and improve their competitive position in the work
325 force in accordance with the requirements of the federal Personal
326 Responsibility and Work Opportunity Reconciliation Act of 1996
327 (Public Law 104-193), as amended, and the regulations promulgated

328 thereunder. All adults who are not specifically exempt shall be
329 referred by the department for allowable work activities. An
330 adult may be exempt from the mandatory work activity requirement
331 for the following reasons:

332 (i) Incapacity;

333 (ii) Temporary illness or injury, verified by
334 physician's certificate;

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

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

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

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

344 (vii) Receiving treatment for substance abuse, if
345 the person is in compliance with the substance abuse treatment
346 plan;

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

350 (ix) History of having been a victim of domestic
351 violence, which has been reported as required by state law and is
352 substantiated by police reports or court records, and being at
353 risk of further domestic violence, shall be exempt for a period as
354 deemed necessary by the department but not to exceed a total of
355 twelve (12) months, which need not be consecutive, in the
356 sixty-month maximum benefit period. For the purposes of this
357 paragraph (ix), "domestic violence" means that an individual has
358 been subjected to:

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

- 361 2. Sexual abuse;
- 362 3. Sexual activity involving a dependent
- 363 child;
- 364 4. Being forced as the caretaker relative of
- 365 a dependent child to engage in nonconsensual sexual acts or
- 366 activities;
- 367 5. Threats of, or attempts at, physical or
- 368 sexual abuse;
- 369 6. Mental abuse; or
- 370 7. Neglect or deprivation of medical care.
- 371 (c) For all families, all adults who are not
- 372 specifically exempt shall be required to participate in work
- 373 activities for at least the minimum average number of hours per
- 374 week specified by federal law or regulation, not fewer than twenty
- 375 (20) hours per week (thirty-five (35) hours per week for
- 376 two-parent families) of which are attributable to the following
- 377 allowable work activities:
- 378 (i) Unsubsidized employment;
- 379 (ii) Subsidized private employment;
- 380 (iii) Subsidized public employment;
- 381 (iv) Work experience (including work associated
- 382 with the refurbishing of publicly assisted housing), if sufficient
- 383 private employment is not available;
- 384 (v) On-the-job training;
- 385 (vi) Job search and job readiness assistance
- 386 consistent with federal TANF regulations;
- 387 (vii) Community service programs;
- 388 (viii) Vocational educational training (not to
- 389 exceed twelve (12) months with respect to any individual);
- 390 (ix) The provision of child care services to an
- 391 individual who is participating in a community service program;
- 392 (x) Satisfactory attendance at high school or in a
- 393 course of study leading to a high school equivalency certificate,

394 for heads of household under age twenty (20) who have not
395 completed high school or received such certificate;

396 (xi) Education directly related to employment, for
397 heads of household under age twenty (20) who have not completed
398 high school or received such equivalency certificate.

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

402 (i) Job skills training directly related to
403 employment;

404 (ii) Education directly related to employment for
405 individuals who have not completed high school or received a high
406 school equivalency certificate;

407 (iii) Satisfactory attendance at high school or in
408 a course of study leading to a high school equivalency, for
409 individuals who have not completed high school or received such
410 equivalency certificate;

411 (iv) Job search and job readiness assistance
412 consistent with federal TANF regulations.

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

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

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

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

430 (iv) For the fourth violation, the person shall be
431 permanently disqualified.

432 For a two-parent family, unless prohibited by state or
433 federal law, Medicaid assistance shall be terminated only for the
434 person whose failure to participate in allowable work activity
435 caused the family's TANF assistance to be sanctioned under this
436 subsection (6)(e), unless an individual is pregnant, but shall not
437 be terminated for any other person in the family who is meeting
438 that person's applicable work requirement or who is not required
439 to work. Minor children shall continue to be eligible for
440 Medicaid benefits regardless of the disqualification of their
441 parent or caretaker relative for TANF assistance under this
442 subsection (6), unless prohibited by state or federal law.

443 (f) Any person enrolled in a two-year or four-year
444 college program who meets the eligibility requirements to receive
445 TANF benefits, and who is meeting the applicable work requirements
446 and all other applicable requirements of the TANF program, shall
447 continue to be eligible for TANF benefits while enrolled in the
448 college program for as long as the person meets the requirements
449 of the TANF program, unless prohibited by federal law.

450 (g) No adult in a work activity required under this
451 subsection (6) shall be employed or assigned (i) when any other
452 individual is on layoff from the same or any substantially
453 equivalent job within six (6) months before the date of the TANF
454 recipient's employment or assignment; or (ii) if the employer has
455 terminated the employment of any regular employee or otherwise
456 caused an involuntary reduction of its work force in order to fill
457 the vacancy so created with an adult receiving TANF assistance.
458 The Mississippi Employment Security Commission, established under

459 Section 71-5-101, shall appoint one or more impartial hearing
460 officers to hear and decide claims by employees of violations of
461 this paragraph (g). The hearing officer shall hear all the
462 evidence with respect to any claim made hereunder and such
463 additional evidence as he may require and shall make a
464 determination and the reason therefor. The claimant shall be
465 promptly notified of the decision of the hearing officer and the
466 reason therefor. Within ten (10) days after the decision of the
467 hearing officer has become final, any party aggrieved thereby may
468 secure judicial review thereof by commencing an action, in the
469 circuit court of the county in which the claimant resides, against
470 the commission for the review of such decision, in which action
471 any other party to the proceeding before the hearing officer shall
472 be made a defendant. Any such appeal shall be on the record which
473 shall be certified to the court by the commission in the manner
474 provided in Section 71-5-531, and the jurisdiction of the court
475 shall be confined to questions of law which shall render its
476 decision as provided in that section.

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

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

503 (8) The Department of Human Services may provide
504 transportation or provide reasonable reimbursement for
505 transportation expenses that are necessary for individuals to be
506 able to participate in allowable work activity under the TANF
507 program.

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

518 (10) The department shall require applicants for and
519 recipients of public assistance from the department to sign a
520 personal responsibility contract that will require the applicant
521 or recipient to acknowledge his or her responsibilities to the
522 state.

523 (11) The department shall enter into an agreement with the
524 State Personnel Board and other state agencies that will allow

525 those TANF participants who qualify for vacant jobs within state
526 agencies to be placed in state jobs. State agencies participating
527 in the TANF work program shall receive any and all benefits
528 received by employers in the private sector for hiring TANF
529 recipients. This subsection (11) shall be effective only if the
530 state obtains any necessary federal waiver or approval and if
531 federal funds are available therefor.

532 (12) The department shall require applicants for and
533 recipients of TANF benefits to enter into an agreement that will
534 require the applicant or recipient to participate in and use the
535 program administered by the department under Section 1 of House
536 Bill No. ____, 2001 Regular Session, if the applicant or
537 recipient starts a business.

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

544 SECTION 3. Section 43-17-33, Mississippi Code of 1972, is
545 amended as follows:

546 43-17-33. The Department of Human Services shall seek
547 federal funds for entrepreneurial development so that recipients
548 of Temporary Assistance for Needy Families (TANF) benefits can
549 create jobs and provide incentives for TANF recipients in their
550 efforts to attain self-sufficiency and independence. The TANF
551 Implementation Council shall identify opportunities for
552 entrepreneurial development for TANF recipients. In carrying out
553 this program, the department shall work in conjunction with
554 public, community and private sector entities including
555 businesses, banks, and other institutions to develop strategies
556 that provide training, technical assistance, planning, and
557 research to TANF recipients in their efforts to own their own

558 businesses. The TANF recipient must be enrolled in an allowable
559 work activity to be considered for eligibility for the funds under
560 this section. A TANF recipient also must participate in and use
561 the program administered by the department under Section 1 of
562 House Bill No. _____, 2001 Regular Session, in order to be
563 considered for eligibility for the funds under this section.

564 SECTION 4. This act shall take effect and be in force from
565 and after July 1, 2001.