

By: Representative Scott

To: Public Health and Human Services; Appropriations

HOUSE BILL NO. 495

1 AN ACT TO AMEND SECTION 43-17-5, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT ANY UNSPENT TANF FUNDS REMAINING FROM THE PRIOR
3 FISCAL YEAR FIRST SHALL BE EXPENDED TO PAY FOR THE
4 EDUCATION-RELATED EXPENSES OF PERSONS WHO ARE ENROLLED IN NURSING
5 EDUCATION COURSES AS PART OF WORKFORCE TRAINING AND PAY FOR THE
6 CHILD CARE EXPENSES OF THOSE PERSONS WHILE THEY ARE TAKING THE
7 NURSING EDUCATION COURSES; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 43-17-5, Mississippi Code of 1972, is
10 amended as follows:

11 43-17-5. (1) The amount of Temporary Assistance for Needy
12 Families (TANF) benefits which may be granted for any dependent
13 child and a needy caretaker relative shall be determined by the
14 county department with due regard to the resources and necessary
15 expenditures of the family and the conditions existing in each
16 case, and in accordance with the rules and regulations made by the
17 Department of Human Services which shall not be less than the
18 Standard of Need in effect for 1988, and shall be sufficient when
19 added to all other income (except that any income specified in the
20 federal Social Security Act, as amended, may be disregarded) and



21 support available to the child to provide such child with a
22 reasonable subsistence compatible with decency and health. The
23 first family member in the dependent child's budget may receive an
24 amount not to exceed One Hundred Ten Dollars (\$110.00) per month;
25 the second family member in the dependent child's budget may
26 receive an amount not to exceed Thirty-six Dollars (\$36.00) per
27 month; and each additional family member in the dependent child's
28 budget an amount not to exceed Twenty-four Dollars (\$24.00) per
29 month. The maximum for any individual family member in the
30 dependent child's budget may be exceeded for foster or medical
31 care or in cases of children with an intellectual disability or a
32 physical disability. TANF benefits granted shall be specifically
33 limited only (a) to children existing or conceived at the time the
34 caretaker relative initially applies and qualifies for such
35 assistance, unless this limitation is specifically waived by the
36 department, or (b) to a child born following a
37 twelve-consecutive-month period of discontinued benefits by the
38 caretaker relative.

39 (2) TANF benefits in Mississippi shall be provided to the
40 recipient family by an online electronic benefits transfer system.

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



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

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

51 (c) Families not assigning to the state any rights a
52 family member may have, on behalf of the family member or of any
53 other person for whom the family member has applied for or is
54 receiving such assistance, to support from any other person, as
55 required by law;

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

58 (e) Any individual who has not attained eighteen (18)
59 years of age, is not married to the head of household, has a minor
60 child at least twelve (12) weeks of age in his or her care, and
61 has not successfully completed a high school education or its
62 equivalent, if such individual does not participate in educational
63 activities directed toward the attainment of a high school diploma
64 or its equivalent, or an alternative educational or training
65 program approved by the department;

66 (f) Any individual who has not attained eighteen (18)
67 years of age, is not married, has a minor child in his or her
68 care, and does not reside in a place or residence maintained by a



69 parent, legal guardian or other adult relative or the individual
70 as such parent's, guardian's or adult relative's own home;

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

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

81 (i) Any individual who fails to comply with the
82 provisions of the Employability Development Plan signed by the
83 individual which prescribe those activities designed to help the
84 individual become and remain employed, or to participate
85 satisfactorily in the assigned work activity, as authorized under
86 subsection (6) (c) and (d), or who does not engage in applicant job
87 search activities within the thirty-day period for TANF
88 application approval after receiving the advice and consultation
89 of eligibility workers and/or caseworkers of the department
90 providing a detailed description of available job search venues in
91 the individual's county of residence or the surrounding counties;

92 (j) A parent or caretaker relative who has not engaged
93 in an allowable work activity once the department determines the



94 parent or caretaker relative is ready to engage in work, or once
95 the parent or caretaker relative has received TANF assistance
96 under the program for twenty-four (24) months, whether or not
97 consecutive, whichever is earlier;

98 (k) Any individual who is fleeing to avoid prosecution,
99 or custody or confinement after conviction, under the laws of the
100 jurisdiction from which the individual flees, for a crime, or an
101 attempt to commit a crime, which is a felony under the laws of the
102 place from which the individual flees, or who is violating a
103 condition of probation or parole imposed under federal or state
104 law;

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

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

112 (n) Individuals who are recipients of federal
113 Supplemental Security Income (SSI) assistance; and

114 (o) Individuals who are eighteen (18) years of age or
115 older who are not in compliance with the drug testing and
116 substance use disorder treatment requirements of Section 43-17-6.

117 (4) (a) Any person who is otherwise eligible for TANF
118 benefits, including custodial and noncustodial parents, shall be



119 required to attend school and meet the monthly attendance
120 requirement as provided in this subsection if all of the following
121 apply:

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

123 (ii) The person has not graduated from a public or
124 private high school or obtained a High School Equivalency Diploma
125 equivalent;

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

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

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

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

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

142 (ii) A vocational, technical and adult education

143 program; or



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

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

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



169 with the parent or caretaker relative a child's claim that he or
170 she has a good cause for not attending school.

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

180 If a school district fails to provide to the department the
181 information about the school attendance of any child within
182 fifteen (15) working days after a written request, the department
183 shall notify the Department of Audit within three (3) working days
184 of the school district's failure to comply with that requirement.
185 The Department of Audit shall begin audit proceedings within five
186 (5) working days of notification by the Department of Human
187 Services to determine the school district's compliance with the
188 requirements of this subsection (4). If the Department of Audit
189 finds that the school district is not in compliance with the
190 requirements of this subsection, the school district shall be
191 penalized as follows: The Department of Audit shall notify the
192 State Department of Education of the school district's
193 noncompliance, and the Department of Education shall reduce the



194 calculation of the school district's average daily attendance
195 (ADA) that is used to determine the allocation of Mississippi
196 Adequate Education Program funds by the number of children for
197 which the district has failed to provide to the Department of
198 Human Services the required information about the school
199 attendance of those children. The reduction in the calculation of
200 the school district's ADA under this paragraph shall be effective
201 for a period of one (1) year.

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

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

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

211 (iii) The child is prohibited by the school
212 district from attending school and an expulsion is pending. This
213 exemption no longer applies once the teenager has been expelled;
214 however, a teenager who has been expelled and is making
215 satisfactory progress towards obtaining a High School Equivalency
216 Diploma equivalent shall be eligible for TANF benefits; or

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



- 219 1. Illness, injury or incapacity of the child
220 or the minor parent's child;
221 2. Court-required appearances or temporary
222 incarceration;
223 3. Medical or dental appointments for the
224 child or minor parent's child;
225 4. Death of a close relative;
226 5. Observance of a religious holiday;
227 6. Family emergency;
228 7. Breakdown in transportation;
229 8. Suspension; or
230 9. Any other circumstance beyond the control
231 of the child, as defined in regulations of the department.

232 (f) Upon determination that a child has failed without
233 good cause to attend school as required, the department shall
234 provide written notice to the parent or caretaker relative
235 (whoever is the primary recipient of the TANF benefits) that
236 specifies:

237 (i) That the family will be sanctioned in the next
238 possible payment month because the child who is required to attend
239 school has failed to meet the attendance requirement of this
240 subsection;

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



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

246 The child's parent or caretaker relative (whoever is the
247 primary recipient of the TANF benefits) may request a fair hearing
248 on the department's determination that the child has not been
249 attending school. If the child's parents or caretaker relative
250 does not request a fair hearing under this subsection, or if,
251 after a fair hearing has been held, the hearing officer finds that
252 the child without good cause has failed to meet the monthly
253 attendance requirement, the department shall discontinue or deny
254 TANF benefits to the child thirteen (13) years old, or older, in
255 the next possible payment month. The department shall discontinue
256 or deny twenty-five percent (25%) of the family grant when a child
257 six (6) through twelve (12) years of age without good cause has
258 failed to meet the monthly attendance requirement. Both the child
259 and family sanction may apply when children in both age groups
260 fail to meet the attendance requirement without good cause. A
261 sanction applied under this subsection shall be effective for one
262 (1) month for each month that the child failed to meet the monthly
263 attendance requirement. In the case of a dropout, the sanction
264 shall remain in force until the parent or caretaker relative
265 provides written proof from the school district that the child has
266 reenrolled and met the monthly attendance requirement for one (1)
267 calendar month. Any month in which school is in session for at



268 least ten (10) days during the month may be used to meet the
269 attendance requirement under this subsection. This includes
270 attendance at summer school. The sanction shall be removed the
271 next possible payment month.

272 (5) All parents or caretaker relatives shall have their
273 dependent children receive vaccinations and booster vaccinations
274 against those diseases specified by the State Health Officer under
275 Section 41-23-37 in accordance with the vaccination and booster
276 vaccination schedule prescribed by the State Health Officer for
277 children of that age, in order for the parents or caretaker
278 relatives to be eligible or remain eligible to receive TANF
279 benefits. Proof of having received such vaccinations and booster
280 vaccinations shall be given by presenting the certificates of
281 vaccination issued by any health care provider licensed to
282 administer vaccinations, and submitted on forms specified by the
283 State Board of Health. If the parents without good cause do not
284 have their dependent children receive the vaccinations and booster
285 vaccinations as required by this subsection and they fail to
286 comply after thirty (30) days' notice, the department shall
287 sanction the family's TANF benefits by twenty-five percent (25%)
288 for the next payment month and each subsequent payment month until
289 the requirements of this subsection are met.

290 (6) (a) If the parent or caretaker relative applying for
291 TANF assistance is work eligible, as determined by the Department
292 of Human Services, the person shall be required to engage in an



293 allowable work activity once the department determines the parent
294 or caretaker relative is determined work eligible, or once the
295 parent or caretaker relative has received TANF assistance under
296 the program for twenty-four (24) months, whether or not
297 consecutive, whichever is earlier. No TANF benefits shall be
298 given to any person to whom this section applies who fails without
299 good cause to comply with the Employability Development Plan
300 prepared by the department for the person, or who has refused to
301 accept a referral or offer of employment, training or education in
302 which he or she is able to engage, subject to the penalties
303 prescribed in paragraph (e) of this subsection. A person shall be
304 deemed to have refused to accept a referral or offer of
305 employment, training or education if he or she:

306 (i) Willfully fails to report for an interview
307 with respect to employment when requested to do so by the
308 department; or

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

311 (iii) Willfully fails to report for allowable work
312 activities as prescribed in paragraphs (c) and (d) of this
313 subsection.

314 (b) The Department of Human Services shall operate a
315 statewide work program for TANF recipients to provide work
316 activities and supportive services to enable families to become
317 self-sufficient and improve their competitive position in the



318 workforce in accordance with the requirements of the federal
319 Personal Responsibility and Work Opportunity Reconciliation Act of
320 1996 (Public Law 104-193), as amended, and the regulations
321 promulgated thereunder, and the Deficit Reduction Act of 2005
322 (Public Law 109-171), as amended. Within sixty (60) days after
323 the initial application for TANF benefits, the TANF recipient must
324 participate in a job search skills training workshop or a job
325 readiness program, which shall include resume writing, job search
326 skills, employability skills and, if available at no charge, the
327 General Aptitude Test Battery or its equivalent. All adults who
328 are not specifically exempt shall be referred by the department
329 for allowable work activities. An adult may be exempt from the
330 mandatory work activity requirement for the following reasons:

331 (i) Incapacity;

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

334 (iii) Is in the third trimester of pregnancy, and
335 there are complications verified by the certificate of a
336 physician, nurse practitioner, physician assistant, or any other
337 licensed health care professional practicing under a protocol with
338 a licensed physician;

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



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

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

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

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

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

- 361 1. Physical acts that resulted in, or
362 threatened to result in, physical injury to the individual;
363 2. Sexual abuse;
364 3. Sexual activity involving a dependent
365 child;



366 4. Being forced as the caretaker relative of
367 a dependent child to engage in nonconsensual sexual acts or
368 activities;

369 5. Threats of, or attempts at, physical or
370 sexual abuse;

371 6. Mental abuse; or

372 7. Neglect or deprivation of medical care.

373 (c) For all families, all adults who are not
374 specifically exempt shall be required to participate in work
375 activities for at least the minimum average number of hours per
376 week specified by federal law or regulation, not fewer than twenty
377 (20) hours per week (thirty-five (35) hours per week for
378 two-parent families) of which are attributable to the following
379 allowable work activities:

380 (i) Unsubsidized employment;

381 (ii) Subsidized private employment;

382 (iii) Subsidized public employment;

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

386 (v) On-the-job training;

387 (vi) Job search and job readiness assistance
388 consistent with federal TANF regulations;

389 (vii) Community service programs;



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

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

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

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

401 (d) The following are allowable work activities which
402 may be attributable to hours in excess of the minimum specified
403 in * * * paragraph (c) of this subsection:

404 (i) Job skills training directly related to
405 employment;

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

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

413 (iv) Job search and job readiness assistance
414 consistent with federal TANF regulations.



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

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

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

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

432 (iv) For the fourth violation, the person shall be
433 permanently disqualified.

434 For a two-parent family, unless prohibited by state or
435 federal law, Medicaid assistance shall be terminated only for the
436 person whose failure to participate in allowable work activity
437 caused the family's TANF assistance to be sanctioned under
438 this * * * paragraph (e), unless an individual is pregnant, but
439 shall not be terminated for any other person in the family who is



440 meeting that person's applicable work requirement or who is not
441 required to work. Minor children shall continue to be eligible
442 for Medicaid benefits regardless of the disqualification of their
443 parent or caretaker relative for TANF assistance under this
444 subsection (6), unless prohibited by state or federal law.

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

452 (g) No adult in a work activity required under this
453 subsection (6) shall be employed or assigned (i) when any other
454 individual is on layoff from the same or any substantially
455 equivalent job within six (6) months before the date of the TANF
456 recipient's employment or assignment; or (ii) if the employer has
457 terminated the employment of any regular employee or otherwise
458 caused an involuntary reduction of its workforce in order to fill
459 the vacancy so created with an adult receiving TANF assistance.
460 The Mississippi Department of Employment Security, established
461 under Section 71-5-101, shall appoint one or more impartial
462 hearing officers to hear and decide claims by employees of
463 violations of this paragraph (g). The hearing officer shall hear
464 all the evidence with respect to any claim made hereunder and such



465 additional evidence as he may require and shall make a
466 determination and the reason therefor. The claimant shall be
467 promptly notified of the decision of the hearing officer and the
468 reason therefor. Within ten (10) days after the decision of the
469 hearing officer has become final, any party aggrieved thereby may
470 secure judicial review thereof by commencing an action, in the
471 circuit court of the county in which the claimant resides, against
472 the department for the review of such decision, in which action
473 any other party to the proceeding before the hearing officer shall
474 be made a defendant. Any such appeal shall be on the record which
475 shall be certified to the court by the department in the manner
476 provided in Section 71-5-531, and the jurisdiction of the court
477 shall be confined to questions of law which shall render its
478 decision as provided in that section.

479 (7) The Department of Human Services may provide child care
480 for eligible participants who require such care so that they may
481 accept employment or remain employed. The department may also
482 provide child care for those participating in the TANF program
483 when it is determined that they are satisfactorily involved in
484 education, training or other allowable work activities. The
485 department may contract with Head Start agencies to provide child
486 care services to TANF recipients. The department may also arrange
487 for child care by use of contract or vouchers, provide vouchers in
488 advance to a caretaker relative, reimburse a child care provider,
489 or use any other arrangement deemed appropriate by the department,



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

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

510 (9) Medicaid assistance shall be provided to a family of
511 TANF program participants for up to twenty-four (24) consecutive
512 calendar months following the month in which the participating
513 family would be ineligible for TANF benefits because of increased
514 income, expiration of earned income disregards, or increased hours



515 of employment of the caretaker relative; however, Medicaid
516 assistance for more than twelve (12) months may be provided only
517 if a federal waiver is obtained to provide such assistance for
518 more than twelve (12) months and federal and state funds are
519 available to provide such assistance.

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

525 (11) The department shall enter into an agreement with the
526 State Personnel Board and other state agencies that will allow
527 those TANF participants who qualify for vacant jobs within state
528 agencies to be placed in state jobs. State agencies participating
529 in the TANF work program shall receive any and all benefits
530 received by employers in the private sector for hiring TANF
531 recipients. This subsection (11) shall be effective only if the
532 state obtains any necessary federal waiver or approval and if
533 federal funds are available therefor.

534 (12) Any unspent TANF funds remaining from the prior fiscal
535 year may be expended for any TANF allowable activities. However,
536 unspent TANF funds first shall be expended to pay for the
537 education-related expenses of persons who are enrolled in nursing
538 education courses as part of workforce training and pay for the



539 child care expenses of those persons while they are taking the
540 nursing education courses.

541 (13) The Mississippi Department of Human Services shall
542 provide TANF applicants information and referral to programs that
543 provide information about birth control, prenatal health care,
544 abstinence education, marriage education, family preservation and
545 fatherhood.

546 (14) No new TANF program requirement or restriction
547 affecting a person's eligibility for TANF assistance, or allowable
548 work activity, which is not mandated by federal law or regulation
549 may be implemented by the Department of Human Services after July
550 1, 2004, unless such is specifically authorized by an amendment to
551 this section by the Legislature.

552 **SECTION 2.** This act shall take effect and be in force from
553 and after July 1, 2018.

