

By: Representatives Porter, Hines, Johnson, Paden, Denton, Evans (91st), Foster, Holloway, Hulum, McCray, Mickens, Scott, Straughter, Thompson, Anthony

To: Public Health and Human Services

HOUSE BILL NO. 463

1 AN ACT TO AMEND SECTION 43-17-5, MISSISSIPPI CODE OF 1972, TO
2 DIRECT THE DEPARTMENT OF HUMAN SERVICES TO TRANSFER TO THE CHILD
3 CARE AND DEVELOPMENT FUND (CCDF) EACH FISCAL YEAR THE FIRST FORTY
4 MILLION DOLLARS OF ANY UNSPENT, UNCOMMITTED TANF FUNDS REMAINING
5 FROM THE PRIOR FISCAL YEAR, TO BE USED FOR VOUCHERS TO PAY FOR
6 CHILD CARE FOR QUALIFYING CHILDREN UNDER THE CHILD CARE PAYMENT
7 PROGRAM (CCPP); 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 Two Hundred Dollars (\$200.00) per month; the
25 second family member in the dependent child's budget may receive
26 an amount not to exceed Thirty-six Dollars (\$36.00) per month; and
27 each additional family member in the dependent child's budget an
28 amount not to exceed Twenty-four Dollars (\$24.00) per month. The
29 maximum for any individual family member in the dependent child's
30 budget may be exceeded for foster or medical care or in cases of
31 children with an intellectual disability or a physical disability.
32 TANF benefits granted shall be specifically limited only (a) to
33 children existing or conceived at the time the caretaker relative
34 initially applies and qualifies for such assistance, unless this
35 limitation is specifically waived by the department, or (b) to a
36 child born following a twelve-consecutive-month period of
37 discontinued benefits by the caretaker relative.

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

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

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



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

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

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

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

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



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

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

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

91 (j) A parent or caretaker relative who has not engaged
92 in an allowable work activity once the department determines the
93 parent or caretaker relative is ready to engage in work, or once
94 the parent or caretaker relative has received TANF assistance



95 under the program for twenty-four (24) months, whether or not
96 consecutive, whichever is earlier;

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

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

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

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

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

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 High School Equivalency Diploma
124 equivalent;

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

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

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

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

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

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



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

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

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



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

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

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



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

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

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

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

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

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



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

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

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

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



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

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



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

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

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



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

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

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

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

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



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

330 (i) Incapacity;

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

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

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



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

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

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

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

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

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

362 2. Sexual abuse;

363 3. Sexual activity involving a dependent
364 child;



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

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

370 6. Mental abuse; or

371 7. Neglect or deprivation of medical care.

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

379 (i) Unsubsidized employment;

380 (ii) Subsidized private employment;

381 (iii) Subsidized public employment;

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

385 (v) On-the-job training;

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

388 (vii) Community service programs;



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

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

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

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

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

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

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

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

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



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

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

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

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

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

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



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

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

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



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

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



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

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

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



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

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

524 (11) The department shall enter into an agreement with the
525 State Personnel Board and other state agencies that will allow
526 those TANF participants who qualify for vacant jobs within state
527 agencies to be placed in state jobs. State agencies participating
528 in the TANF work program shall receive any and all benefits
529 received by employers in the private sector for hiring TANF
530 recipients. This subsection (11) shall be effective only if the
531 state obtains any necessary federal waiver or approval and if
532 federal funds are available therefor. Not later than September 1,
533 2021, the department shall prepare a report, which shall be
534 provided to the Chairmen of the House and Senate Public Health
535 Committees and to any other member of the Legislature upon
536 request, on the history, status, outcomes and effectiveness of the
537 agreements required under this subsection.



538 (12) Any unspent TANF funds remaining from the prior fiscal
539 year may be expended for any TANF allowable activities. However,
540 each fiscal year the first Forty Million Dollars (\$40,000,000.00)
541 of any unspent, uncommitted TANF funds remaining from the prior
542 fiscal year shall be transferred to the Child Care and Development
543 Fund (CCDF) to be used for vouchers to pay for child care for
544 qualifying children under the Child Care Payment Program (CCPP).

545 (13) The Mississippi Department of Human Services shall
546 provide TANF applicants information and referral to programs that
547 provide information about birth control, prenatal health care,
548 abstinence education, marriage education, family preservation and
549 fatherhood. Not later than September 1, 2021, the department
550 shall prepare a report, which shall be provided to the Chairmen of
551 the House and Senate Public Health Committees and to any other
552 member of the Legislature upon request, on the history, status,
553 outcomes and effectiveness of the information and referral
554 requirements under this subsection.

555 (14) No new TANF program requirement or restriction
556 affecting a person's eligibility for TANF assistance, or allowable
557 work activity, which is not mandated by federal law or regulation
558 may be implemented by the Department of Human Services after July
559 1, 2004, unless such is specifically authorized by an amendment to
560 this section by the Legislature.

561 **SECTION 2.** This act shall take effect and be in force from
562 and after July 1, 2023.

