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To: Judiciary, Division A

SENATE BILL NO. 2806

1 AN ACT TO REPEAL SECTION 43-17-6, MISSISSIPPI CODE OF 1972,  
2 WHICH REQUIRES APPLICANTS FOR TANF BENEFITS TO UNDERGO DRUG  
3 TESTING AS A CONDITION FOR ELIGIBILITY; TO AMEND SECTION 43-17-5,  
4 MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT;  
5 AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 43-17-6, Mississippi Code of 1972, which  
8 requires TANF benefit applicants to undergo drug testing, is  
9 hereby repealed.

10 **SECTION 2.** Section 43-17-5, Mississippi Code of 1972, is  
11 amended as follows:

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



20 added to all other income (except that any income specified in the  
21 federal Social Security Act, as amended, may be disregarded) and  
22 support available to the child to provide such child with a  
23 reasonable subsistence compatible with decency and health. The  
24 first family member in the dependent child's budget may receive an  
25 amount not to exceed Two Hundred Dollars (\$200.00) per month; the  
26 second family member in the dependent child's budget may receive  
27 an amount not to exceed Thirty-six Dollars (\$36.00) per month; and  
28 each additional family member in the dependent child's budget an  
29 amount not to exceed Twenty-four Dollars (\$24.00) per month. The  
30 maximum for any individual family member in the dependent child's  
31 budget may be exceeded for foster or medical care or in cases of  
32 children with an intellectual disability or a physical disability.  
33 TANF benefits granted shall be specifically limited only (a) to  
34 children existing or conceived at the time the caretaker relative  
35 initially applies and qualifies for such assistance, unless this  
36 limitation is specifically waived by the department, or (b) to a  
37 child born following a twelve-consecutive-month period of  
38 discontinued benefits by the 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 \* \* \*

114 \* \* \*

115 (4) (a) Any person who is otherwise eligible for TANF  
116 benefits, including custodial and noncustodial parents, shall be  
117 required to attend school and meet the monthly attendance



118 requirement as provided in this subsection if all of the following  
119 apply:

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

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

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

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

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

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

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

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



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

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

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



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

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

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





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

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

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

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

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

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



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

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

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

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



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

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



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

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

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



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

- 304 (i) Willfully fails to report for an interview  
305 with respect to employment when requested to do so by the  
306 department; or
- 307 (ii) Willfully fails to report to the department  
308 the result of a referral to employment; or
- 309 (iii) Willfully fails to report for allowable work  
310 activities as prescribed in paragraphs (c) and (d) of this  
311 subsection.

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



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

329 (i) Incapacity;

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

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

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 subparagraph (ix), "domestic violence" means that an individual  
358 has 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 in  
401 paragraph (c) of this subsection:

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 paragraph (e), unless an individual is pregnant, but shall not be  
437 terminated for any other person in the family who is meeting that



438 person's applicable work requirement or who is not required to  
439 work. Minor children shall continue to be eligible for Medicaid  
440 benefits regardless of the disqualification of their parent or  
441 caretaker relative for TANF assistance under this subsection (6),  
442 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 workforce in order to fill  
457 the vacancy so created with an adult receiving TANF assistance.  
458 The Mississippi Department of Employment Security, established  
459 under Section 71-5-101, shall appoint one or more impartial  
460 hearing officers to hear and decide claims by employees of  
461 violations of this paragraph (g). The hearing officer shall hear  
462 all the 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 department 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 department 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 subsection 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. Not later than September 1,  
532 2021, the department shall prepare a report, which shall be  
533 provided to the Chairmen of the House and Senate Public Health  
534 Committees and to any other member of the Legislature upon  
535 request, on the history, status, outcomes and effectiveness of the  
536 agreements required under this subsection.



537 (12) Any unspent TANF funds remaining from the prior fiscal  
538 year may be expended for any TANF allowable activities.

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

549 (14) No new TANF program requirement or restriction  
550 affecting a person's eligibility for TANF assistance, or allowable  
551 work activity, which is not mandated by federal law or regulation  
552 may be implemented by the Department of Human Services after July  
553 1, 2004, unless such is specifically authorized by an amendment to  
554 this section by the Legislature.

555 **SECTION 3.** This act shall take effect and be in force from  
556 and after July 1, 2023.

