

By: Senator(s) Simmons (12th), Butler, Frazier, Turner-Ford, Blackmon, Simmons (13th), Norwood, Hickman, Thomas, Brumfield, Jordan

To: Judiciary, Division A

SENATE BILL NO. 2388

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9 hereby repealed.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 and

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

115 \* \* \*

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.

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

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

556 **SECTION 3.** This act shall take effect and be in force from  
557 and after July 1, 2024.

