

By: Clark, Stevens

To: Public Health and
Welfare;
Appropriations

HOUSE BILL NO. 363

1 AN ACT TO AMEND SECTION 43-17-5, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO PROVIDE GRANTS TO
3 PERSONS TO HELP THEM PURCHASE AUTOMOBILES THAT WILL BE USED FOR
4 EMPLOYMENT, TRAINING OR EDUCATIONAL PURPOSES; TO SPECIFY THE
5 INCOME AND RESOURCES ELIGIBILITY REQUIREMENTS FOR A GRANT; TO
6 PROVIDE THAT A PERSON DOES NOT HAVE TO BE CURRENTLY RECEIVING OR
7 HAVE PREVIOUSLY RECEIVED ANY TANF BENEFITS TO BE ELIGIBLE FOR A
8 GRANT; TO PROVIDE THAT A PERSON MUST BE EMPLOYED, HAVE SOME
9 SAVINGS OR OTHERWISE BE IN A POSITION TO CONTRIBUTE TO THE COST OF
10 PURCHASING AND MAINTAINING AN AUTOMOBILE TO BE ELIGIBLE FOR A
11 GRANT; TO PROVIDE THAT A PERSON MUST PAY A CERTAIN AMOUNT OR
12 PERCENTAGE OF THE COST OF THE AUTOMOBILE THAT IS PURCHASED WITH A
13 GRANT; TO PROVIDE THAT THE AMOUNT OF A GRANT SHALL NOT EXCEED
14 \$8,500.00 FOR ANY PERSON; TO PROVIDE THAT THE RECEIPT OF A GRANT
15 SHALL NOT COUNT AGAINST THE SIXTY-MONTH TIME LIMIT FOR RECEIPT OF
16 TANF BENEFITS; TO PROVIDE THAT FAMILIES RECEIVING TANF BENEFITS
17 MAY OWN ONE AUTOMOBILE OF ANY VALUE FOR EACH WORKER IN THE FAMILY
18 HOUSEHOLD; AND FOR RELATED PURPOSES.

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

20 SECTION 1. Section 43-17-5, Mississippi Code of 1972, is
21 amended as follows:

22 43-17-5. (1) The amount of Temporary Assistance for Needy
23 Families (TANF) benefits which may be granted for any dependent
24 child and a needy caretaker relative shall be determined by the
25 county department with due regard to the resources and necessary
26 expenditures of the family and the conditions existing in each
27 case, and in accordance with the rules and regulations made by the
28 Department of Human Services which shall not be less than the
29 Standard of Need in effect for 1988, and shall be sufficient when

30 added to all other income (except that any income specified in the
31 federal Social Security Act, as amended, may be disregarded) and
32 support available to the child to provide such child with a
33 reasonable subsistence compatible with decency and health. The
34 first family member in the dependent child's budget may receive an
35 amount not to exceed One Hundred Ten Dollars (\$110.00) per month;
36 the second family member in the dependent child's budget may
37 receive an amount not to exceed Thirty-six Dollars (\$36.00) per
38 month; and each additional family member in the dependent child's
39 budget an amount not to exceed Twenty-four Dollars (\$24.00) per
40 month. The maximum for any individual family member in the
41 dependent child's budget may be exceeded for foster or medical
42 care or in cases of mentally retarded or physically handicapped
43 children. TANF benefits granted shall be specifically limited
44 only (a) to children existing or conceived at the time the
45 caretaker relative initially applies and qualifies for such
46 assistance, unless this limitation is specifically waived by the
47 department, or (b) to a child born following a twelve (12)
48 consecutive month period of discontinued benefits by the caretaker
49 relative.

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

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

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

60 (b) Families which include an adult who has received

61 TANF assistance for sixty (60) months after the commencement of
62 the Mississippi TANF program, whether or not such period of time
63 is consecutive;

64 (c) Families not assigning to the state any rights a
65 family member may have, on behalf of the family member or of any
66 other person for whom the family member has applied for or is
67 receiving such assistance, to support from any other person, as
68 required by law;

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

71 (e) Any individual who has not attained eighteen (18)
72 years of age, is not married to the head of household, has a minor
73 child at least twelve (12) weeks of age in his or her care, and
74 has not successfully completed a high school education or its
75 equivalent, if such individual does not participate in educational
76 activities directed toward the attainment of a high school diploma
77 or its equivalent, or an alternative educational or training
78 program approved by the department;

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

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

87 (h) Any individual who is a parent or other caretaker
88 relative of a minor child who fails to notify the department of

89 the absence of the minor child from the home for the thirty-day
90 period specified in paragraph (g), by the end of the five-day
91 period that begins with the date that it becomes clear to the
92 individual that the minor child will be absent for the thirty-day
93 period;

94 (i) Any individual who fails to comply with the
95 provisions of the Employability Development Plan signed by the
96 individual which prescribe those activities designed to help the
97 individual become and remain employed, or to participate
98 satisfactorily in the assigned work activity, as authorized under
99 subsections (6) (c) and (d);

100 (j) A parent or caretaker relative who has not engaged
101 in an allowable work activity once the department determines the
102 parent or caretaker relative is ready to engage in work, or once
103 the parent or caretaker relative has received TANF assistance
104 under the program for twenty-four (24) months, whether or not
105 consecutive, whichever is earlier;

106 (k) Any individual who is fleeing to avoid prosecution,
107 or custody or confinement after conviction, under the laws of the
108 jurisdiction from which the individual flees, for a crime, or an
109 attempt to commit a crime, which is a felony under the laws of the
110 place from which the individual flees, or who is violating a
111 condition of probation or parole imposed under federal or state
112 law;

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

114 (m) For a period of ten (10) years following
115 conviction, individuals convicted in federal or state court of
116 having made a fraudulent statement or representation with respect

117 to the individual's place of residence in order to receive TANF,
118 food stamps or Supplemental Security Income (SSI) assistance under
119 Title XVI or Title XIX simultaneously from two (2) or more states;
120 and

121 (n) Individuals who are recipients of federal
122 Supplemental Security Income (SSI) assistance.

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

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

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

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

133 (iv) If the person is a parent or caretaker
134 relative with whom a dependent child is living, child care is
135 available for the child.

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

144 (b) As used in this subsection, "school" means any one

145 (1) of the following:

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

147 (ii) A vocational, technical and adult education
148 program; or

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

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

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

173 to verify attendance for a child. The department shall review
174 with the parent or caretaker relative a child's claim that he or
175 she has a good cause for not attending school.

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

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

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

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

194 (iii) The child is prohibited by the school
195 district from attending school and an expulsion is pending. This
196 exemption no longer applies once the teenager has been expelled;
197 however, a teenager who has been expelled and is making
198 satisfactory progress towards obtaining a GED equivalent shall be
199 eligible for TANF benefits; or

200 (iv) The child failed to attend school for one or

201 more of the following reasons:

202 1. Illness, injury or incapacity of the child
203 or the minor parent's child;

204 2. Court-required appearances or temporary
205 incarceration;

206 3. Medical or dental appointments for the
207 child or minor parent's child;

208 4. Death of a close relative;

209 5. Observance of a religious holiday;

210 6. Family emergency;

211 7. Breakdown in transportation;

212 8. Suspension; or

213 9. Any other circumstance beyond the control
214 of the child, as defined in regulations of the department.

215 (f) Upon determination that a child has failed without
216 good cause to attend school as required, the department shall
217 provide written notice to the parent or caretaker relative
218 (whoever is the primary recipient of the TANF benefits) that
219 specifies:

220 (i) That the family will be sanctioned in the next
221 possible payment month because the child who is required to attend
222 school has failed to meet the attendance requirement of this
223 subsection;

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

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

229 The child's parent or caretaker relative (whoever is the
230 primary recipient of the TANF benefits) may request a fair hearing
231 on the department's determination that the child has not been
232 attending school. If the child's parents or caretaker relative
233 does not request a fair hearing under this subsection, or if,
234 after a fair hearing has been held, the hearing officer finds that
235 the child without good cause has failed to meet the monthly
236 attendance requirement, the department shall discontinue or deny
237 TANF benefits to the child thirteen (13) years old, or older, in
238 the next possible payment month. The department shall discontinue
239 or deny twenty-five percent (25%) of the family grant when a child
240 six (6) through twelve (12) years of age without good cause has
241 failed to meet the monthly attendance requirement. Both the child
242 and family sanction may apply when children in both age groups
243 fail to meet the attendance requirement without good cause. A
244 sanction applied under this subsection shall be effective for one
245 (1) month for each month that the child failed to meet the monthly
246 attendance requirement. In the case of a dropout, the sanction
247 shall remain in force until the parent or caretaker relative
248 provides written proof from the school district that the child has
249 reenrolled and met the monthly attendance requirement for one (1)
250 calendar month. Any month in which school is in session for at
251 least ten (10) days during the month may be used to meet the
252 attendance requirement under this subsection. This includes
253 attendance at summer school. The sanction shall be removed the
254 next possible payment month.

255 (5) All parents or caretaker relatives shall have their
256 dependent children receive vaccinations and booster vaccinations

257 against those diseases specified by the State Health Officer
258 pursuant to Section 41-23-37 in accordance with the vaccination
259 and booster vaccination schedule prescribed by the State Health
260 Officer for children of that age, in order for the parents or
261 caretaker relatives to be eligible or remain eligible to receive
262 TANF benefits. Proof of having received such vaccinations and
263 booster vaccinations shall be given by presenting the certificates
264 of vaccination issued by any health care provider licensed to
265 administer vaccinations, and submitted on forms specified by the
266 State Board of Health. If the parents without good cause do not
267 have their dependent children receive the vaccinations and booster
268 vaccinations as required by this subsection and they fail to
269 comply after thirty (30) days' notice, the department shall
270 sanction the family's TANF benefits by twenty-five percent (25%)
271 for the next payment month and each subsequent payment month until
272 the requirements of this subsection are met.

273 (6) (a) If the parent or caretaker relative applying for
274 TANF assistance is an employable person, as determined by the
275 Department of Human Services, the person shall be required to
276 engage in an allowable work activity once the department
277 determines the parent or caretaker relative is ready to engage in
278 work, or once the parent or caretaker relative has received TANF
279 assistance under the program for twenty-four (24) months, whether
280 or not consecutive, whichever is earlier. No TANF benefits shall
281 be given to any person to whom this section applies who fails
282 without good cause to comply with the Employability Development
283 Plan prepared by the department for the person, or who has refused
284 to accept a referral or offer of employment, training or education

285 in which he or she is able to engage, subject to the penalties
286 prescribed in subsection (6)(e). A person shall be deemed to have
287 refused to accept a referral or offer of employment, training or
288 education if he or she:

289 (i) Willfully fails to report for an interview
290 with respect to employment when requested to do so by the
291 department; or

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

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

296 (b) The Department of Human Services shall operate a
297 statewide work program for TANF recipients to provide work
298 activities and supportive services to enable families to become
299 self-sufficient and improve their competitive position in the work
300 force in accordance with the requirements of the federal Personal
301 Responsibility and Work Opportunity Reconciliation Act of 1996
302 (Public Law 104-193), as amended, and the regulations promulgated
303 thereunder. All adults who are not specifically exempt shall be
304 referred by the department for allowable work activities. An
305 adult may be exempt from the mandatory work activity requirement
306 for the following reasons:

307 (i) Incapacity;

308 (ii) Temporary illness or injury, verified by
309 physician's certificate;

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

312 (iv) Caretaker of a child under twelve (12)

313 months, for not more than twelve (12) months of the sixty-month
314 maximum benefit period;

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

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

319 (vii) Receiving treatment for substance abuse, if
320 the person is in compliance with the substance abuse treatment
321 plan;

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

325 (ix) History of having been a victim of domestic
326 violence, which has been reported as required by state law and is
327 substantiated by police reports or court records, and being at
328 risk of further domestic violence, shall be exempt for a period as
329 deemed necessary by the department but not to exceed a total of
330 twelve (12) months, which need not be consecutive, in the
331 sixty-month maximum benefit period. For the purposes of this
332 paragraph (ix), "domestic violence" means that an individual has
333 been subjected to:

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

336 2. Sexual abuse;

337 3. Sexual activity involving a dependent
338 child;

339 4. Being forced as the caretaker relative of
340 a dependent child to engage in nonconsensual sexual acts or

341 activities;

342 5. Threats of, or attempts at, physical or
343 sexual abuse;

344 6. Mental abuse; or

345 7. Neglect or deprivation of medical care.

346 (c) For all families, all adults who are not
347 specifically exempt shall be required to participate in work
348 activities for at least the minimum average number of hours per
349 week specified by federal law or regulation, not fewer than twenty
350 (20) hours per week (thirty-five (35) hours per week for
351 two-parent families) of which are attributable to the following
352 allowable work activities:

353 (i) Unsubsidized employment;

354 (ii) Subsidized private employment;

355 (iii) Subsidized public employment;

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

359 (v) On-the-job training;

360 (vi) Job search and job readiness assistance
361 consistent with federal TANF regulations;

362 (vii) Community service programs;

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

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

367 (x) Satisfactory attendance at high school or in a
368 course of study leading to a high school equivalency certificate,

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

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

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

377 (i) Job skills training directly related to
378 employment;

379 (ii) Education directly related to employment for
380 individuals who have not completed high school or received a high
381 school equivalency certificate;

382 (iii) Satisfactory attendance at high school or in
383 a course of study leading to a high school equivalency, for
384 individuals who have not completed high school or received such
385 equivalency certificate;

386 (iv) Job search and job readiness assistance
387 consistent with federal TANF regulations.

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

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

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

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

405 (iv) For the fourth violation, the person shall be
406 permanently disqualified.

407 For a two-parent family, unless prohibited by state or
408 federal law, Medicaid assistance shall be terminated only for the
409 person whose failure to participate in allowable work activity
410 caused the family's TANF assistance to be sanctioned under this
411 subsection (6)(e), unless an individual is pregnant, but shall not
412 be terminated for any other person in the family who is meeting
413 that person's applicable work requirement or who is not required
414 to work. Minor children shall continue to be eligible for
415 Medicaid benefits regardless of the disqualification of their
416 parent or caretaker relative for TANF assistance under this
417 subsection (6), unless prohibited by state or federal law.

418 (f) Any person enrolled in a two-year or four-year
419 college program who meets the eligibility requirements to receive
420 TANF benefits, and who is meeting the applicable work requirements
421 and all other applicable requirements of the TANF program, shall
422 continue to be eligible for TANF benefits while enrolled in the
423 college program for as long as the person meets the requirements
424 of the TANF program, unless prohibited by federal law.

425 (g) No adult in a work activity required under this
426 subsection (6) shall be employed or assigned (i) when any other
427 individual is on layoff from the same or any substantially
428 equivalent job within six (6) months before the date of the TANF
429 recipient's employment or assignment; or (ii) if the employer has
430 terminated the employment of any regular employee or otherwise
431 caused an involuntary reduction of its work force in order to fill
432 the vacancy so created with an adult receiving TANF assistance.
433 The Mississippi Employment Security Commission, established under
434 Section 71-5-101, shall appoint one or more impartial hearing
435 officers to hear and decide claims by employees of violations of
436 this paragraph (g). The hearing officer shall hear all the
437 evidence with respect to any claim made hereunder and such
438 additional evidence as he may require and shall make a
439 determination and the reason therefor. The claimant shall be
440 promptly notified of the decision of the hearing officer and the
441 reason therefor. Within ten (10) days after the decision of the
442 hearing officer has become final, any party aggrieved thereby may
443 secure judicial review thereof by commencing an action, in the
444 circuit court of the county in which the claimant resides, against
445 the commission for the review of such decision, in which action
446 any other party to the proceeding before the hearing officer shall
447 be made a defendant. Any such appeal shall be on the record which
448 shall be certified to the court by the commission in the manner
449 provided in Section 71-5-531, and the jurisdiction of the court
450 shall be confined to questions of law which shall render its
451 decision as provided in that section.

452 (7) The Department of Human Services may provide child care

453 for eligible participants who require such care so that they may
454 accept employment or remain employed. The department may also
455 provide child care for those participating in the TANF program
456 when it is determined that they are satisfactorily involved in
457 education, training or other allowable work activities. The
458 department may contract with Head Start agencies to provide child
459 care services to TANF recipients. The department may also arrange
460 for child care by use of contract or vouchers, provide vouchers in
461 advance to a caretaker relative, reimburse a child care provider,
462 or use any other arrangement deemed appropriate by the department,
463 and may establish different reimbursement rates for child care
464 services depending on the category of the facility or home. Any
465 center-based or group home child care facility under this
466 paragraph shall be licensed by the State Department of Health
467 pursuant to law. When child care is being provided in the child's
468 own home, in the home of a relative of the child, or in any other
469 unlicensed setting, the provision of such child care may be
470 monitored on a random basis by the Department of Human Services or
471 the State Department of Health. Transitional child care
472 assistance may be continued if it is necessary for parents to
473 maintain employment once support has ended, unless prohibited
474 under state or federal law. Transitional child care assistance
475 may be provided for up to twenty-four (24) months after the last
476 month during which the family was eligible for TANF assistance, if
477 federal funds are available for such child care assistance.

478 (8) (a) The Department of Human Services may provide
479 transportation or provide reasonable reimbursement for
480 transportation expenses that are necessary for individuals to be

481 able to participate in allowable work activity under the TANF
482 program.

483 (b) The department shall provide grants to persons to
484 help them purchase automobiles that will be used for employment,
485 training or educational purposes, subject to the following
486 conditions:

487 (i) The person's income shall not exceed one
488 hundred twenty-five percent (125%) of the income eligibility
489 requirements for TANF benefits and the person's resources shall
490 not exceed the eligibility requirements for TANF benefits;

491 (ii) The person does not have to be currently
492 receiving or have previously received any TANF benefits to be
493 eligible for a grant;

494 (iii) The person must be employed, have some
495 savings or otherwise be in a position to contribute to the cost of
496 purchasing and maintaining an automobile, as determined by the
497 department;

498 (iv) The person must pay a certain amount or
499 percentage of the cost of the automobile that is purchased with a
500 grant, the amount or percentage to be determined by the
501 department;

502 (v) The amount of a grant shall be determined by
503 the department, but shall not exceed Eight Thousand Five Hundred
504 Dollars (\$8,500.00) for any person; and

505 (vi) The receipt of a grant shall not count
506 against the sixty-month time limit for receipt of TANF benefits
507 that is provided for in subsection (3)(b) of this section.

508 (c) Families receiving TANF benefits may own one (1)

509 automobile of any value for each worker in the family household.

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

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

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

534 (12) No new TANF program requirement or restriction
535 affecting a person's eligibility for TANF assistance, or allowable
536 work activity, which is not mandated by federal law or regulation

537 may be implemented by the Department of Human Services after the
538 effective date of this act, unless such is specifically authorized
539 by an amendment to this section by the Legislature.

540 SECTION 2. This act shall take effect and be in force from
541 and after July 1, 2000.