

By: Representative Fillingane

To: Public Health and Human Services; Appropriations

HOUSE BILL NO. 454

1 AN ACT TO AMEND SECTION 43-17-5, MISSISSIPPI CODE OF 1972, TO  
2 DENY TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) BENEFITS TO A  
3 PARENT OR CARETAKER RELATIVE OF A CHILD RECEIVING TANF BENEFITS  
4 WHO WILLFULLY FAILS TO COMPLY WITH THE RECOMMENDATION OF A  
5 LICENSED HEALTH CARE PROFESSIONAL THAT THE PARENT OR CARETAKER  
6 RELATIVE TAKE CERTAIN ACTIONS THAT WOULD IMPROVE THE CHILD'S  
7 HEALTH OR THE CHILD'S BEHAVIOR IN SCHOOL; AND FOR RELATED  
8 PURPOSES.

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

10 **SECTION 1.** 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 One Hundred Ten Dollars (\$110.00) per month;  
26 the second family member in the dependent child's budget may  
27 receive an amount not to exceed Thirty-six Dollars (\$36.00) per  
28 month; and each additional family member in the dependent child's  
29 budget an amount not to exceed Twenty-four Dollars (\$24.00) per  
30 month. The maximum for any individual family member in the

31 dependent child's budget may be exceeded for foster or medical  
32 care or in cases of mentally retarded or physically handicapped  
33 children. TANF benefits granted shall be specifically limited  
34 only (a) to children existing or conceived at the time the  
35 caretaker relative initially applies and qualifies for such  
36 assistance, unless this limitation is specifically waived by the  
37 department, or (b) to a child born following a twelve (12)  
38 consecutive month period of discontinued benefits by the caretaker  
39 relative.

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

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

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

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

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

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

61 (e) Any individual who has not attained eighteen (18)  
62 years of age, is not married to the head of household, has a minor  
63 child at least twelve (12) weeks of age in his or her care, and

64 has not successfully completed a high school education or its  
65 equivalent, if such individual does not participate in educational  
66 activities directed toward the attainment of a high school diploma  
67 or its equivalent, or an alternative educational or training  
68 program approved by the department;

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

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

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

84 (i) Any individual who fails to comply with the  
85 provisions of the Employability Development Plan signed by the  
86 individual which prescribe those activities designed to help the  
87 individual become and remain employed, or to participate  
88 satisfactorily in the assigned work activity, as authorized under  
89 subsection (6)(c) and (d);

90 (j) A parent or caretaker relative who has not engaged  
91 in an allowable work activity once the department determines the  
92 parent or caretaker relative is ready to engage in work, or once  
93 the parent or caretaker relative has received TANF assistance  
94 under the program for twenty-four (24) months, whether or not  
95 consecutive, whichever is earlier;

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

103           (1) Aliens who are not qualified under federal law;

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

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

113           (o) A parent or caretaker relative of a child receiving  
114 TANF benefits who willfully fails to comply with the  
115 recommendation of a licensed health care professional that the  
116 parent or caretaker relative take certain actions that would  
117 improve the child's health or the child's behavior in school.

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

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

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

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

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

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

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

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

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

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

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

157           (d) The signature of a person on an application for  
158 TANF benefits constitutes permission for the release of school  
159 attendance records for that person or for any child residing with  
160 that person. The department shall request information from the

161 child's school district about the child's attendance in the school  
162 district's most recently completed semester of attendance. If  
163 information about the child's previous school attendance is not  
164 available or cannot be verified, the department shall require the  
165 child to meet the monthly attendance requirement for one (1)  
166 semester or until the information is obtained. The department  
167 shall use the attendance information provided by a school district  
168 to verify attendance for a child. The department shall review  
169 with the parent or caretaker relative a child's claim that he or  
170 she has a good cause for not attending school.

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

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

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

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

189 (iii) The child is prohibited by the school  
190 district from attending school and an expulsion is pending. This  
191 exemption no longer applies once the teenager has been expelled;  
192 however, a teenager who has been expelled and is making

193 satisfactory progress towards obtaining a GED equivalent shall be  
194 eligible for TANF benefits; or

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

197 1. Illness, injury or incapacity of the child  
198 or the minor parent's child;

199 2. Court-required appearances or temporary  
200 incarceration;

201 3. Medical or dental appointments for the  
202 child or minor parent's child;

203 4. Death of a close relative;

204 5. Observance of a religious holiday;

205 6. Family emergency;

206 7. Breakdown in transportation;

207 8. Suspension; or

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

210 (f) Upon determination that a child has failed without  
211 good cause to attend school as required, the department shall  
212 provide written notice to the parent or caretaker relative  
213 (whoever is the primary recipient of the TANF benefits) that  
214 specifies:

215 (i) That the family will be sanctioned in the next  
216 possible payment month because the child who is required to attend  
217 school has failed to meet the attendance requirement of this  
218 subsection;

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

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

224 The child's parent or caretaker relative (whoever is the  
225 primary recipient of the TANF benefits) may request a fair hearing

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

250 (5) All parents or caretaker relatives shall have their  
251 dependent children receive vaccinations and booster vaccinations  
252 against those diseases specified by the State Health Officer  
253 pursuant to Section 41-23-37 in accordance with the vaccination  
254 and booster vaccination schedule prescribed by the State Health  
255 Officer for children of that age, in order for the parents or  
256 caretaker relatives to be eligible or remain eligible to receive  
257 TANF benefits. Proof of having received such vaccinations and  
258 booster vaccinations shall be given by presenting the certificates



259 of vaccination issued by any health care provider licensed to  
260 administer vaccinations, and submitted on forms specified by the  
261 State Board of Health. If the parents without good cause do not  
262 have their dependent children receive the vaccinations and booster  
263 vaccinations as required by this subsection and they fail to  
264 comply after thirty (30) days' notice, the department shall  
265 sanction the family's TANF benefits by twenty-five percent (25%)  
266 for the next payment month and each subsequent payment month until  
267 the requirements of this subsection are met.

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

284 (i) Willfully fails to report for an interview  
285 with respect to employment when requested to do so by the  
286 department; or

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

289 (iii) Willfully fails to report for allowable work  
290 activities as prescribed in subsection (6)(c) and (d).

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

302                   (i) Incapacity;

303                   (ii) Temporary illness or injury, verified by  
304 physician's certificate;

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

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

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

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

314                   (vii) Receiving treatment for substance abuse, if  
315 the person is in compliance with the substance abuse treatment  
316 plan;

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

319 or

320                   (ix) History of having been a victim of domestic  
321 violence, which has been reported as required by state law and is  
322 substantiated by police reports or court records, and being at  
323 risk of further domestic violence, shall be exempt for a period as

324 deemed necessary by the department but not to exceed a total of  
325 twelve (12) months, which need not be consecutive, in the  
326 sixty-month maximum benefit period. For the purposes of this  
327 subparagraph (ix), "domestic violence" means that an individual  
328 has been subjected to:

- 329 1. Physical acts that resulted in, or  
330 threatened to result in, physical injury to the individual;
- 331 2. Sexual abuse;
- 332 3. Sexual activity involving a dependent  
333 child;
- 334 4. Being forced as the caretaker relative of  
335 a dependent child to engage in nonconsensual sexual acts or  
336 activities;
- 337 5. Threats of, or attempts at, physical or  
338 sexual abuse;
- 339 6. Mental abuse; or
- 340 7. Neglect or deprivation of medical care.

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

- 348 (i) Unsubsidized employment;
- 349 (ii) Subsidized private employment;
- 350 (iii) Subsidized public employment;
- 351 (iv) Work experience (including work associated  
352 with the refurbishing of publicly assisted housing), if sufficient  
353 private employment is not available;
- 354 (v) On-the-job training;
- 355 (vi) Job search and job readiness assistance  
356 consistent with federal TANF regulations;

- 357 (vii) Community service programs;
- 358 (viii) Vocational educational training (not to  
359 exceed twelve (12) months with respect to any individual);
- 360 (ix) The provision of child care services to an  
361 individual who is participating in a community service program;
- 362 (x) Satisfactory attendance at high school or in a  
363 course of study leading to a high school equivalency certificate,  
364 for heads of household under age twenty (20) who have not  
365 completed high school or received such certificate;
- 366 (xi) Education directly related to employment, for  
367 heads of household under age twenty (20) who have not completed  
368 high school or received such equivalency certificate.

369 (d) The following are allowable work activities which  
370 may be attributable to hours in excess of the minimum specified in  
371 subsection (6)(c):

- 372 (i) Job skills training directly related to  
373 employment;
- 374 (ii) Education directly related to employment for  
375 individuals who have not completed high school or received a high  
376 school equivalency certificate;
- 377 (iii) Satisfactory attendance at high school or in  
378 a course of study leading to a high school equivalency, for  
379 individuals who have not completed high school or received such  
380 equivalency certificate;
- 381 (iv) Job search and job readiness assistance  
382 consistent with federal TANF regulations.

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

- 388 (i) For the first violation, the department shall  
389 terminate the TANF assistance otherwise payable to the family for

390 a two-month period or until the person has complied with the  
391 required work activity, whichever is longer;

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

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

400 (iv) For the fourth violation, the person shall be  
401 permanently disqualified.

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

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

420 (g) No adult in a work activity required under this  
421 subsection (6) shall be employed or assigned (i) when any other  
422 individual is on layoff from the same or any substantially

423 equivalent job within six (6) months before the date of the TANF  
424 recipient's employment or assignment; or (ii) if the employer has  
425 terminated the employment of any regular employee or otherwise  
426 caused an involuntary reduction of its work force in order to fill  
427 the vacancy so created with an adult receiving TANF assistance.  
428 The Mississippi Department of Employment Security, established  
429 under Section 71-5-101, shall appoint one or more impartial  
430 hearing officers to hear and decide claims by employees of  
431 violations of this paragraph (g). The hearing officer shall hear  
432 all the evidence with respect to any claim made hereunder and such  
433 additional evidence as he may require and shall make a  
434 determination and the reason therefor. The claimant shall be  
435 promptly notified of the decision of the hearing officer and the  
436 reason therefor. Within ten (10) days after the decision of the  
437 hearing officer has become final, any party aggrieved thereby may  
438 secure judicial review thereof by commencing an action, in the  
439 circuit court of the county in which the claimant resides, against  
440 the department for the review of such decision, in which action  
441 any other party to the proceeding before the hearing officer shall  
442 be made a defendant. Any such appeal shall be on the record which  
443 shall be certified to the court by the department in the manner  
444 provided in Section 71-5-531, and the jurisdiction of the court  
445 shall be confined to questions of law which shall render its  
446 decision as provided in that section.

447 (7) The Department of Human Services may provide child care  
448 for eligible participants who require such care so that they may  
449 accept employment or remain employed. The department may also  
450 provide child care for those participating in the TANF program  
451 when it is determined that they are satisfactorily involved in  
452 education, training or other allowable work activities. The  
453 department may contract with Head Start agencies to provide child  
454 care services to TANF recipients. The department may also arrange  
455 for child care by use of contract or vouchers, provide vouchers in

456 advance to a caretaker relative, reimburse a child care provider,  
457 or use any other arrangement deemed appropriate by the department,  
458 and may establish different reimbursement rates for child care  
459 services depending on the category of the facility or home. Any  
460 center-based or group home child care facility under this  
461 paragraph shall be licensed by the State Department of Health  
462 pursuant to law. When child care is being provided in the child's  
463 own home, in the home of a relative of the child, or in any other  
464 unlicensed setting, the provision of such child care may be  
465 monitored on a random basis by the Department of Human Services or  
466 the State Department of Health. Transitional child care  
467 assistance may be continued if it is necessary for parents to  
468 maintain employment once support has ended, unless prohibited  
469 under state or federal law. Transitional child care assistance  
470 may be provided for up to twenty-four (24) months after the last  
471 month during which the family was eligible for TANF assistance, if  
472 federal funds are available for such child care assistance.

473 (8) The Department of Human Services may provide  
474 transportation or provide reasonable reimbursement for  
475 transportation expenses that are necessary for individuals to be  
476 able to participate in allowable work activity under the TANF  
477 program.

478 (9) Medicaid assistance shall be provided to a family of  
479 TANF program participants for up to twenty-four (24) consecutive  
480 calendar months following the month in which the participating  
481 family would be ineligible for TANF benefits because of increased  
482 income, expiration of earned income disregards, or increased hours  
483 of employment of the caretaker relative; however, Medicaid  
484 assistance for more than twelve (12) months may be provided only  
485 if a federal waiver is obtained to provide such assistance for  
486 more than twelve (12) months and federal and state funds are  
487 available to provide such assistance.

488           (10) The department shall require applicants for and  
489 recipients of public assistance from the department to sign a  
490 personal responsibility contract that will require the applicant  
491 or recipient to acknowledge his or her responsibilities to the  
492 state.

493           (11) The department shall enter into an agreement with the  
494 State Personnel Board and other state agencies that will allow  
495 those TANF participants who qualify for vacant jobs within state  
496 agencies to be placed in state jobs. State agencies participating  
497 in the TANF work program shall receive any and all benefits  
498 received by employers in the private sector for hiring TANF  
499 recipients. This subsection (11) shall be effective only if the  
500 state obtains any necessary federal waiver or approval and if  
501 federal funds are available therefor.

502           (12) No new TANF program requirement or restriction  
503 affecting a person's eligibility for TANF assistance, or allowable  
504 work activity, which is not mandated by federal law or regulation  
505 may be implemented by the Department of Human Services after July  
506 1, 2004, unless such is specifically authorized by an amendment to  
507 this section by the Legislature.

508           **SECTION 2.** This act shall take effect and be in force from  
509 and after July 1, 2006.