

By: Representative Johnson

To: Public Health and Human Services; Appropriations A

HOUSE BILL NO. 718

1 AN ACT TO AMEND SECTION 43-17-5, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT NO TANF FUNDS SHALL BE PROVIDED TO ANY PERSON WHOSE
3 INCOME IS MORE THAN 200% OF THE FEDERAL POVERTY LEVEL; AND FOR
4 RELATED PURPOSES.

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

6 **SECTION 1.** Section 43-17-5, Mississippi Code of 1972, is
7 amended as follows:

8 43-17-5. (1) The amount of Temporary Assistance for Needy
9 Families (TANF) benefits which may be granted for any dependent
10 child and a needy caretaker relative shall be determined by the
11 county department with due regard to the resources and necessary
12 expenditures of the family and the conditions existing in each
13 case, and in accordance with the rules and regulations made by the
14 Department of Human Services which shall not be less than the
15 Standard of Need in effect for 1988, and shall be sufficient when
16 added to all other income (except that any income specified in the
17 federal Social Security Act, as amended, may be disregarded) and
18 support available to the child to provide such child with a
19 reasonable subsistence compatible with decency and health. The



20 first family member in the dependent child's budget may receive an
21 amount not to exceed Two Hundred Dollars (\$200.00) per month; the
22 second family member in the dependent child's budget may receive
23 an amount not to exceed Thirty-six Dollars (\$36.00) per month; and
24 each additional family member in the dependent child's budget an
25 amount not to exceed Twenty-four Dollars (\$24.00) per month. The
26 maximum for any individual family member in the dependent child's
27 budget may be exceeded for foster or medical care or in cases of
28 children with an intellectual disability or a physical disability.
29 TANF benefits granted shall be specifically limited only (a) to
30 children existing or conceived at the time the caretaker relative
31 initially applies and qualifies for such assistance, unless this
32 limitation is specifically waived by the department, or (b) to a
33 child born following a twelve-consecutive-month period of
34 discontinued benefits by the caretaker relative.

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

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

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

43 (b) Families which include an adult who has received
44 TANF assistance for sixty (60) months after the commencement of



45 the Mississippi TANF program, whether or not such period of time
46 is consecutive;

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

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

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

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

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



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

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

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



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

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

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

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

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

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

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



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

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

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

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

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

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

138 (ii) A vocational, technical and adult education
139 program; or

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



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

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



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

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



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

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

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

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

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

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

215 1. Illness, injury or incapacity of the child
216 or the minor parent's child;



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

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

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

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

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



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



266 attendance at summer school. The sanction shall be removed the
267 next possible payment month.

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

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



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

302 (i) Willfully fails to report for an interview
303 with respect to employment when requested to do so by the
304 department; or

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

307 (iii) Willfully fails to report for allowable work
308 activities as prescribed in paragraphs (c) and (d) of this
309 subsection.

310 (b) The Department of Human Services shall operate a
311 statewide work program for TANF recipients to provide work
312 activities and supportive services to enable families to become
313 self-sufficient and improve their competitive position in the
314 workforce in accordance with the requirements of the federal
315 Personal Responsibility and Work Opportunity Reconciliation Act of



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

327 (i) Incapacity;

328 (ii) Temporary illness or injury, verified by
329 physician's certificate;

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

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

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



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

342 (vii) Receiving treatment for substance abuse, if
343 the person is in compliance with the substance abuse treatment
344 plan;

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

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

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

359 2. Sexual abuse;

360 3. Sexual activity involving a dependent
361 child;

362 4. Being forced as the caretaker relative of
363 a dependent child to engage in nonconsensual sexual acts or
364 activities;



365 5. Threats of, or attempts at, physical or
366 sexual abuse;

367 6. Mental abuse; or

368 7. Neglect or deprivation of medical care.

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

376 (i) Unsubsidized employment;

377 (ii) Subsidized private employment;

378 (iii) Subsidized public employment;

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

382 (v) On-the-job training;

383 (vi) Job search and job readiness assistance
384 consistent with federal TANF regulations;

385 (vii) Community service programs;

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

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



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

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

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

400 (i) Job skills training directly related to
401 employment;

402 (ii) Education directly related to employment for
403 individuals who have not completed high school or received a high
404 school equivalency certificate;

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

409 (iv) Job search and job readiness assistance
410 consistent with federal TANF regulations.

411 (e) If any adult or caretaker relative refuses to
412 participate in allowable work activity as required under this
413 subsection (6), the following full family TANF benefit penalty



414 will apply, subject to due process to include notification,
415 conciliation and a hearing if requested by the recipient:

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

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

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

428 (iv) For the fourth violation, the person shall be
429 permanently disqualified.

430 For a two-parent family, unless prohibited by state or
431 federal law, Medicaid assistance shall be terminated only for the
432 person whose failure to participate in allowable work activity
433 caused the family's TANF assistance to be sanctioned under this
434 paragraph (e), unless an individual is pregnant, but shall not be
435 terminated for any other person in the family who is meeting that
436 person's applicable work requirement or who is not required to
437 work. Minor children shall continue to be eligible for Medicaid
438 benefits regardless of the disqualification of their parent or



439 caretaker relative for TANF assistance under this subsection (6),
440 unless prohibited by state or federal law.

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

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



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

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



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

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

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



514 more than twelve (12) months and federal and state funds are
515 available to provide such assistance.

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

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

535 (12) Any unspent TANF funds remaining from the prior fiscal
536 year may be expended for any TANF allowable activities. However,
537 no TANF funds shall be provided to any person whose income is more
538 than two hundred percent (200%) of the federal poverty level.



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

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

555 **SECTION 2.** This act shall take effect and be in force from
556 and after July 1, 2024.

