

HOUSE BILL NO. 245

INTRODUCED BY Ahner

BY REQUEST OF THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM; AUTHORIZING THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES TO PROVIDE CHILD-CARE ASSISTANCE TO LOW-INCOME FAMILIES WHO ARE NOT CURRENTLY RECEIVING AID TO FAMILIES WITH DEPENDENT CHILDREN AND WHO NEED CHILD CARE IN ORDER TO WORK; REPEALING PROVISIONS RELATING TO A DEMONSTRATION PROGRAM AND SPECIAL GUARDIANSHIPS; AMENDING SECTION 53-4-707, MCA; AND REPEALING SECTIONS 53-4-203 AND 53-4-243, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. At-risk child-care assistance.** The department may, as provided by rule, provide child-care assistance to low-income families who are not currently receiving assistance under the aid to families with dependent children program, who need child care in order to work, and who would be at risk of becoming eligible for the aid to families with dependent children program without child-care assistance, in accordance with section 402(i) of the Social Security Act (42 U.S.C. 602(ii)).

**Section 2.** Section 53-4-707, MCA, is amended to read:

**"53-4-707. Exemptions.** (1) ~~An individual may not be required to participate~~ Recipients of aid to families with dependent children are exempt from participation in the JOBS program ~~if the individual:~~ as provided by department rule.

(2) The department shall establish by rule categories of individuals who are exempt from participation in the JOBS program in accordance with the requirements of section 201 of the Family Support Act of 1988, 42 U.S.C. 602(a)(19)(C)(i) through (a)(19)(C)(vii). In establishing exemptions, the department shall take into consideration whether the individual:

(a) is ill, incapacitated, or of advanced age;

(b) is needed in the home because of the illness or incapacity of another member of the household;

1 (c) is the parent or other relative who is personally providing care for a child ~~under 3 years of age,~~  
2 ~~except as otherwise provided in administrative rules adopted by the department~~ of a very young age;

3 (d) is employed ~~for 30 or more hours a week;~~

4 (e) is a child who is under the age of 16 or attends an elementary, secondary, or vocational school  
5 on a full-time basis;

6 (f) is pregnant ~~and it has been medically verified that the child is expected to be born in the month~~  
7 ~~in which participation in the program would otherwise be required. Such individual may not be required~~  
8 ~~to participate in the program within the 6 month period immediately following that month.;~~

9 (g) resides in an area of the state where the program is not available; or

10 (h) is for any other reason exempt from participating in the program pursuant to state or federal  
11 regulations.

12 ~~(2)(3)~~ If a family is eligible for aid to families with dependent children because of the unemployment  
13 of the parent who is the principal wage earner, ~~subsection (1)(c) applies to~~ only one parent may be  
14 exempted to provide care for a very young child."

15

16 NEW SECTION. Section 3. Repealer. Sections 53-4-203 and 53-4-243, MCA, are repealed.

17

18 NEW SECTION. Section 4. Codification instruction. [Section 1] is intended to be codified as an  
19 integral part of Title 53, chapter 4, and the provisions of Title 53, chapter 4, apply to [section 1].

20

-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0245, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

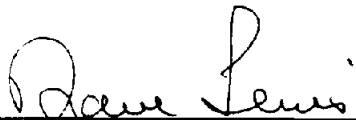
An act generally revising Aid to Families with Dependent Children (AFDC) child-care assistance and authorizing the Department of Social and Rehabilitation Services (SRS) to provide child-care assistance to low-income families who are not currently receiving AFDC and who need child-care in order to work.


ASSUMPTIONS:

1. The Executive present law base budget serves as the starting point from which to calculate any fiscal impact due to this proposed legislation.

FISCAL IMPACT:

None.

 1-23-95  
DAVE LEWIS, BUDGET DIRECTOR      DATE  
Office of Budget and Program Planning

 1-24-95  
CHRIS AHNER, PRIMARY SPONSOR      DATE

Fiscal Note for HB0245, as introduced

**HB 245**

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25 (2) The department shall establish by rule categories of individuals who are exempt from  
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16 **NEW SECTION. Section 3. Repealer.** Sections 53-4-203 and 53-4-243, MCA, are repealed.

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18 **NEW SECTION. Section 4. Codification instruction.** [Section 1] is intended to be codified as an  
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20 ASSISTANCE MAY NOT BE PROVIDED TO FAMILIES WITH INCOMES THAT EXCEED 133% OF THE  
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