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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/03/2016	.	
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The Committee on Appropriations (Hukill) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 16 - 139

and insert:

Section 1. Effective October 1, 2016, paragraph (d) of subsection (3), and subsection (11) of section 414.095, Florida Statutes, are amended to read:

414.095 Determining eligibility for temporary cash assistance.—

(3) ELIGIBILITY FOR NONCITIZENS.—A “qualified noncitizen”



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11 is an individual who is admitted to the United States as a  
12 refugee under s. 207 of the Immigration and Nationality Act or  
13 who is granted asylum under s. 208 of the Immigration and  
14 Nationality Act; a noncitizen whose deportation is withheld  
15 under s. 243(h) or s. 241(b) (3) of the Immigration and  
16 Nationality Act; a noncitizen who is paroled into the United  
17 States under s. 212(d) (5) of the Immigration and Nationality  
18 Act, for at least 1 year; a noncitizen who is granted  
19 conditional entry pursuant to s. 203(a) (7) of the Immigration  
20 and Nationality Act as in effect prior to April 1, 1980; a Cuban  
21 or Haitian entrant; or a noncitizen who has been admitted as a  
22 permanent resident. In addition, a "qualified noncitizen"  
23 includes an individual who, or an individual whose child or  
24 parent, has been battered or subject to extreme cruelty in the  
25 United States by a spouse, a parent, or other household member  
26 under certain circumstances, and has applied for or received  
27 protection under the federal Violence Against Women Act of 1994,  
28 Pub. L. No. 103-322, if the need for benefits is related to the  
29 abuse and the batterer no longer lives in the household. A  
30 "nonqualified noncitizen" is a nonimmigrant noncitizen,  
31 including a tourist, business visitor, foreign student, exchange  
32 visitor, temporary worker, or diplomat. In addition, a  
33 "nonqualified noncitizen" includes an individual paroled into  
34 the United States for less than 1 year. A qualified noncitizen  
35 who is otherwise eligible may receive temporary cash assistance  
36 to the extent permitted by federal law. The income or resources  
37 of a sponsor and the sponsor's spouse shall be included in  
38 determining eligibility to the maximum extent permitted by  
39 federal law.



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40 (d) The income of an illegal noncitizen or ineligible  
41 noncitizen who is a mandatory member of a family, ~~less a pro~~  
42 ~~rata share for the illegal noncitizen or ineligible noncitizen,~~  
43 counts in full in determining a family's eligibility to  
44 participate in the program.

45 (11) DISREGARDS.—

46 (a) As an incentive to employment, the first \$200 plus one-  
47 half of the remainder of earned income shall be disregarded. In  
48 order to be eligible for earned income to be disregarded, the  
49 individual must be:

- 50 1. A current participant in the program; ~~or~~  
51 2. Eligible for participation in the program without the  
52 earnings disregard; or  
53 3. The ineligible noncitizen parent of a child who is a  
54 recipient or who would be eligible without the disregarded  
55 earned income.

56 (b) A child's earned income shall be disregarded if the  
57 child is a family member, attends high school or the equivalent,  
58 and is less than 19 years of age ~~or younger.~~

59 Section 2. For the purpose of incorporating the amendment  
60 made by this act to section 414.095, Florida Statutes, in a  
61 reference thereto, paragraph (b) of subsection (1) of section  
62 414.045, Florida Statutes, is reenacted to read:

63 414.045 Cash assistance program.—Cash assistance families  
64 include any families receiving cash assistance payments from the  
65 state program for temporary assistance for needy families as  
66 defined in federal law, whether such funds are from federal  
67 funds, state funds, or commingled federal and state funds. Cash  
68 assistance families may also include families receiving cash



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69 assistance through a program defined as a separate state  
70 program.

71 (1) For reporting purposes, families receiving cash  
72 assistance shall be grouped into the following categories. The  
73 department may develop additional groupings in order to comply  
74 with federal reporting requirements, to comply with the data-  
75 reporting needs of the board of directors of CareerSource  
76 Florida, Inc., or to better inform the public of program  
77 progress.

78 (b) *Child-only cases.*—Child-only cases include cases that  
79 do not have an adult or teen head of household as defined in  
80 federal law. Such cases include:

81 1. Children in the care of caretaker relatives, if the  
82 caretaker relatives choose to have their needs excluded in the  
83 calculation of the amount of cash assistance.

84 2. Families in the Relative Caregiver Program as provided  
85 in s. 39.5085.

86 3. Families in which the only parent in a single-parent  
87 family or both parents in a two-parent family receive  
88 supplemental security income (SSI) benefits under Title XVI of  
89 the Social Security Act, as amended. To the extent permitted by  
90 federal law, individuals receiving SSI shall be excluded as  
91 household members in determining the amount of cash assistance,  
92 and such cases shall not be considered families containing an  
93 adult. Parents or caretaker relatives who are excluded from the  
94 cash assistance group due to receipt of SSI may choose to  
95 participate in work activities. An individual whose ability to  
96 participate in work activities is limited who volunteers to  
97 participate in work activities shall be assigned to work



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98 activities consistent with such limitations. An individual who  
99 volunteers to participate in a work activity may receive child  
100 care or support services consistent with such participation.

101 4. Families in which the only parent in a single-parent  
102 family or both parents in a two-parent family are not eligible  
103 for cash assistance due to immigration status or other  
104 limitation of federal law. To the extent required by federal  
105 law, such cases shall not be considered families containing an  
106 adult.

107 5. To the extent permitted by federal law and subject to  
108 appropriations, special needs children who have been adopted  
109 pursuant to s. 409.166 and whose adopting family qualifies as a  
110 needy family under the state program for temporary assistance  
111 for needy families. Notwithstanding any provision to the  
112 contrary in s. 414.075, s. 414.085, or s. 414.095, a family  
113 shall be considered a needy family if:

114 a. The family is determined by the department to have an  
115 income below 200 percent of the federal poverty level;

116 b. The family meets the requirements of s. 414.095(2) and  
117 (3) related to residence, citizenship, or eligible noncitizen  
118 status; and

119 c. The family provides any information that may be  
120 necessary to meet federal reporting requirements specified under  
121 Part A of Title IV of the Social Security Act.

122  
123 Families described in subparagraph 1., subparagraph 2., or  
124 subparagraph 3. may receive child care assistance or other  
125 supports or services so that the children may continue to be  
126 cared for in their own homes or in the homes of relatives. Such



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127 assistance or services may be funded from the temporary  
128 assistance for needy families block grant to the extent  
129 permitted under federal law and to the extent funds have been  
130 provided in the General Appropriations Act.

131 Section 3. Except as otherwise expressly provided in this  
132 act, this act shall take effect July 1, 2016.

133

134 ===== T I T L E A M E N D M E N T =====

135 And the title is amended as follows:

136 Delete lines 7 - 12

137 and insert:

138 cash assistance; revising the eligibility requirements  
139 for earned-income disregards for certain persons;  
140 revising the age of a child whose earned income is  
141 disregarded; reenacting s. 414.045(1)(b), F.S.,  
142 relating to the cash assistance program, to  
143 incorporate the amendment made to s. 414.095, F.S., in  
144 a reference thereto; providing effective dates.