

House Bill 565

By: Representatives Smith of the 18th, Cooper of the 45th, Hilton of the 48th, and Camp of the 135th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 9 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated,
2 relating to temporary assistance for needy families, so as to increase access to benefits; to
3 increase the lifetime maximum for benefits; to provide that assets are disregarded in
4 determining eligibility; to provide for related matters; to repeal conflicting laws; and for
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 9 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to
9 temporary assistance for needy families, is amended in Code Section 49-4-182, relating to
10 the Temporary Assistance for Needy Families Program created, by revising subsection (b)
11 as follows:

12 "(b) Assistance shall be provided in accordance with the state plan and any future
13 amendments thereto. Cash assistance to a recipient who is not a minor child and who is a
14 head of a household or married to the head of a household shall be limited to a lifetime
15 maximum of ~~48~~ 60 months, whether or not consecutive, beginning ~~January 1, 1997~~ July 1,
16 2023."

H. B. 565

17 **SECTION 2.**

18 Said article is further amended in Code Section 49-4-183, relating to administration of article
19 by department, promulgation of rules and regulations by board, and duties of department, by
20 revising subsection (b) as follows:

21 "(b) The board shall ensure that such rules and regulations provide for:

22 (1) Methods of administration necessary for the proper and efficient operation of the
23 state plan for implementation of this article;

24 (2) Reasonable standards for determining eligibility and the extent of assistance available
25 for recipients;

26 (3) Consideration of the income ~~and resources~~ of an applicant for assistance in
27 determining eligibility; provided, however, that assets of an applicant for assistance shall
28 not be considered by the department in determining eligibility;

29 (4) Personal responsibility obligations and work activity requirements consistent with
30 Part A of Title IV of the federal Social Security Act, as amended, and the state plan,
31 provided that programs included in the personal responsibility obligations established by
32 the board shall include counseling on abstinence until marriage;

33 (5) Criteria which make an applicant ineligible to receive benefits under the Georgia
34 TANF Program, including but not limited to those specified in Code Section 49-4-184;

35 (6) Specific conduct which would authorize the reduction or termination of assistance
36 to a recipient, including but not limited to that specified in Code Section 49-4-185;

37 (7) Standards whereby certain obligations, requirements, and criteria will be waived for
38 specific applicants or recipients based on hardship;

39 (8) An administrative hearing process with hearings to be conducted by the Office of
40 State Administrative Hearings in accordance with Chapter 13 of Title 50, the 'Georgia
41 Administrative Procedure Act,' and subsection (b) of Code Section 49-4-13;

42 (9) Safeguards which restrict the use and disclosure of information concerning applicants
43 for and recipients of assistance under this article and in accordance with Code
44 Section 49-4-14 and Part A of Title IV of the federal Social Security Act, as amended;
45 (10) Immunizations for specified diseases for preschool age children as a condition of
46 assistance being provided for such children, and the schedule of and standards for
47 administering such immunizations, including the presentation of a certificate of
48 immunization, unless:

49 (A) There is appropriate evidence from the local health department or a physician that
50 an immunization sequence has been started and can be completed within a period of up
51 to 180 days, in which case a waiver of the immunization requirement for up to 180 days
52 shall be granted;

53 (B) After examination by the local board of health or a physician, any preschool age
54 child is found to have a physical disability which may make vaccination undesirable,
55 in which case a certificate to that effect issued by the local board of health or the
56 physician may be accepted in lieu of a certificate of immunization and shall exempt the
57 child from obtaining a certificate of immunization until the disability is relieved;

58 (C) The parent or legal guardian furnishes an affidavit swearing or affirming that the
59 immunization conflicts with the religious beliefs of the parent or legal guardian; or

60 (D) The implementation of such an immunization requirement violates any federal law
61 or regulations or would result in the loss of any federal funds to this state; and

62 (11) The establishment and maintenance of individual development accounts. The funds
63 in such accounts may be used for postsecondary educational expenses, the purchase of
64 a first home, or business capitalization. The funds in such accounts shall not be
65 considered in determining eligibility for cash assistance pursuant to 42 U.S.C.
66 Section 604(h)."

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SECTION 3.

68 All laws and parts of laws in conflict with this Act are repealed.