

Introduced by

Senators Hogan, Braunberger, Dever

Representatives Mitskog, Strinden

1 A BILL for an Act to amend and reenact subsection 1 of section 50-09-29 of the North Dakota
2 Century Code, relating to the administration of the temporary assistance for needy families
3 program.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 1 of section 50-09-29 of the North Dakota Century
6 Code is amended and reenacted as follows:

- 7 1. Except as provided in subsections 2, 3, and 4, the state agency, in its administration of
8 the temporary assistance for needy families program, shall:
- 9 a. Provide assistance to otherwise eligible women in the third trimester of a
10 pregnancy;
 - 11 b. Except as provided in subdivision c, afford eligible households benefits for no
12 more than sixty months;
 - 13 c. Exempt eligible households from the requirements of subdivision b due to mental
14 or physical disability of a parent or child, mental or physical incapacity of a
15 parent, or other hardship including a parent subject to domestic violence as
16 defined in section 14-07.1-01;
 - 17 d. Unless an exemption, exclusion, or disregard is required by law, count income
18 and assets whenever actually available;
 - 19 e. Except as provided in subdivision j, and as required to allow the state to receive
20 funds from the federal government under title IV-A, provide no benefits to
21 noncitizen immigrants who arrive in the United States after August 21, 1996;
 - 22 f. Limit eligibility to households with total available assets, not otherwise exempted
23 or excluded, of a value established by the state agency;
 - 24 g. Exclude one motor vehicle of any value in determining eligibility;

- 1 h. Require work activities for all household members not specifically exempted by
2 the state agency for reasons such as mental or physical disability of a parent or
3 child or mental or physical incapacity of a parent;
- 4 i. Establish goals and take action to prevent and reduce the incidence of
5 out-of-wedlock pregnancies and establish numerical goals for reducing the
6 illegitimacy rate for the state for periods through calendar year 2005;
- 7 j. To the extent required to allow the state to receive funds from the federal
8 government under title IV-A, provide benefits to otherwise eligible noncitizens
9 who are lawfully present in the United States;
- 10 k. Establish and enforce standards against program fraud and abuse;
- 11 l. Provide employment placement programs;
- 12 m. Exempt from assets and income the savings and proportionate matching funds in
13 individual development accounts;
- 14 n. Determine the unemployment rate of adults living in a county that includes Indian
15 reservation lands and a significant population of Indian individuals by using
16 unemployment data provided by job service North Dakota;
- 17 o. When appropriate, require household members to complete high school;
- 18 p. To the extent required to allow the state to receive funds from the federal
19 government under title IV-A, exempt single parents from required work activities;
- 20 q. Provide for sanctions, including termination of assistance to the household, if a
21 household member fails to cooperate with work requirements;
- 22 r. Provide for sanctions, including termination of assistance to the household, if a
23 household member fails, without good cause, to cooperate with child support
24 activities;
- 25 s. Deny assistance with respect to a minor child absent from the household for
26 more than one calendar month, except as specifically provided by the state
27 agency for absences;
- 28 t. Require each household to participate in developing an individual employment
29 plan and provide for sanctions, including termination of assistance to the
30 household, if adult or minor household members age sixteen or older fail to
31 cooperate with the terms of the individual employment plan;

- 1 u. Provide pre-pregnancy family planning services that are to be incorporated into
2 the temporary assistance for needy families program assessment;
- 3 v. Except in cases of pregnancy resulting from rape or incest, not increase the
4 assistance amount to recognize the increase in household size when a child is
5 born to a household member who was a recipient of assistance under this
6 chapter during the probable month of the child's conception;
- 7 w. Disregard earned income as an incentive allowance for no more than twelve
8 months; ~~and~~
- 9 x. Consider, and if determined appropriate, authorize demonstration projects in
10 defined areas which may provide benefits and services that are not identical to
11 benefits and services provided elsewhere; and
- 12 y. Increase the maximum basic standard of need benefit level to at least fifty
13 percent of the federal poverty level based on household size and rules adopted
14 by the department.