

CHAPTER 20

HUMAN SERVICES - SOCIAL SERVICES

HOUSE BILL 99-1091

BY REPRESENTATIVES Hagedorn, Alexander, Grossman, Kester, Lawrence, Morrison, and S. Williams;
also SENATOR Linkhart.

AN ACT

CONCERNING THE SIXTY-MONTH LIFETIME MAXIMUM FOR THE RECEIPT OF BENEFITS UNDER THE
COLORADO WORKS PROGRAM.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 26-2-703, Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to read:

26-2-703. Definitions. As used in this part 7, unless the context otherwise requires:

(2.5) "ASSISTANCE UNIT" MEANS THOSE FAMILY MEMBERS WHO ARE PARTICIPANTS IN THE COLORADO WORKS PROGRAM AND WHO ARE RECEIVING CASH ASSISTANCE.

(9.5) "DISQUALIFIED OR EXCLUDED PERSON" MEANS A PERSON WHO WOULD OTHERWISE BE A MEMBER OF AN ASSISTANCE UNIT BUT WHO IS RENDERED INELIGIBLE TO PARTICIPATE DUE TO PROGRAM PROHIBITIONS.

(17.5) "PROGRAM PROHIBITIONS" MEANS ANY ONE OR MORE OF THE FOLLOWING CIRCUMSTANCES THAT, PURSUANT TO THIS PART 7 OR FEDERAL LAW, RENDERS AN INDIVIDUAL UNABLE TO PARTICIPATE IN THE COLORADO WORKS PROGRAM:

(a) THAT THE APPLICANT OR PARTICIPANT HAS MISREPRESENTED HIS OR HER RESIDENCE TO OBTAIN TANF BENEFITS IN TWO OR MORE STATES AT THE SAME TIME, PURSUANT TO SECTION 26-2-711 (7);

(b) THAT THE APPLICANT OR PARTICIPANT IS A FLEEING FELON;

(c) THAT THE APPLICANT OR PARTICIPANT HAS BEEN CONVICTED OF A

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

DRUG-RELATED FELONY UNDER THE LAWS OF THIS STATE, ANY OTHER STATE, OR THE FEDERAL GOVERNMENT ON OR AFTER JUNE 3, 1997, EXCEPT AS OTHERWISE PROVIDED IN SECTION 26-2-706 (3);

(d) THAT THE APPLICANT OR PARTICIPANT IS AN ALIEN WHO DOES NOT MEET THE DEFINITION OF A QUALIFIED ALIEN PURSUANT TO SECTION 26-2-103 (7.5);

(e) THAT THE APPLICANT OR PARTICIPANT HAS BEEN CONVICTED OF WELFARE FRAUD UNDER THE LAWS OF THIS STATE, ANY OTHER STATE, OR THE FEDERAL GOVERNMENT; OR

(f) THAT THE APPLICANT OR PARTICIPANT LACKS, AND HAS FAILED TO APPLY FOR, A SOCIAL SECURITY NUMBER.

SECTION 2. Part 7 of article 2 of title 26, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

26-2-706.5. Restrictions on length of participation. (1) AS OF JUNE 3, 1997, EACH MONTH OF CASH ASSISTANCE RECEIVED BY AN ASSISTANCE UNIT THAT INCLUDES A CARETAKER RELATIVE WHO HAS RECEIVED ASSISTANCE UNDER TITLE IV-A OF THE SOCIAL SECURITY ACT, AS AMENDED, SHALL COUNT TOWARD THAT CARETAKER RELATIVE'S SIXTY-MONTH LIFETIME MAXIMUM OF TANF BENEFITS AS ESTABLISHED IN THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT.

(2) ANY MONTH IN WHICH A CARETAKER RELATIVE IS DETERMINED TO BE A DISQUALIFIED OR EXCLUDED PERSON, AS THAT TERM IS DEFINED IN SECTION 26-2-703 (9.5), FROM A BASIC ASSISTANCE GRANT SHALL COUNT AS A MONTH OF PARTICIPATION IN THE CALCULATION OF SUCH PERSON'S OVERALL SIXTY-MONTH LIFETIME MAXIMUM.

(3) (a) THE COUNTY DEPARTMENT SHALL, WHERE AVAILABLE AND APPLICABLE, PROVIDE FOR OR REFER A DISQUALIFIED OR EXCLUDED PERSON TO OTHER APPROPRIATE SERVICES, INCLUDING SERVICES THAT MAY ASSIST THE PERSON TOWARD SELF-SUFFICIENCY.

(b) NOTHING IN THIS SUBSECTION (3) SHALL BE CONSTRUED TO CREATE ANY ENTITLEMENT FOR SERVICES OR TO REQUIRE ANY COUNTY TO EXPEND RESOURCES IN ADDITION TO EXISTING APPROPRIATIONS.

SECTION 3. Effective date - applicability. This act shall take effect July 1, 1999, and shall apply to persons applying for or receiving assistance under part 7 of article 2 of title 26, Colorado Revised Statutes, on or after said date.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 15, 1999