SENATE, No. 1642



STATE OF NEW JERSEY

220th LEGISLATURE



INTRODUCED FEBRUARY 14, 2022

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

SYNOPSIS

Revises requirements for cash assistance benefits under Work First New Jersey program.

CURRENT VERSION OF TEXT

As introduced.



An Act concerning the Work First New Jersey program, revising various parts of the statutory law, and supplementing Title 44 of the Revised Statutes.

Be It Enacted by the Senate and General Assembly of the State of New Jersey:

1. Section 8 of P.L.1947, c.156 (C.44:8-114) is amended to read as follows:

8. a. The State shall provide, through each municipality or county, as appropriate, public assistance to the persons eligible therefor, residing therein or otherwise when so provided by law, which assistance shall be fully funded by the State and administered by a local assistance board or the county welfare agency according to law and in accordance with P.L.1947, c.156 (C.44:8-107 et seq.) and with such rules and regulations as may be promulgated by the commissioner. Notwithstanding any other provision of law to the contrary, no person who is otherwise eligible for public assistance under P.L.1947, c.156 (C.44:8-107 et seq.) shall be deemed ineligible for public assistance solely on the basis that the person is enrolled in an institution of higher education.

b. An employable person who is receiving public assistance shall be required, except when good cause exists, to comply with the requirements of the Work First New Jersey program pursuant to P.L.1997, c.38 (C.44:10-55 et seq.).

c. The commissioner may exempt a person from the provisions of subsection b. of this section for reasons of physical or mental impairment, age, illness or injury, caretaker responsibilities, employment or unsuitability, as determined by the commissioner.

Any person who without good cause fails or refuses to comply with the requirements of the Work First New Jersey program, according to rules and regulations adopted by the commissioner, shall be subject to the provisions of section 9 of P.L.1997, c.38 (C.44:10-63).

(cf: P.L.1997, c.37, s.15)

2. Section 1 of P.L.1997, c.13 (C.44:10-34) is amended to read as follows:

1. As used in this act:

"Alternative work experience" means unpaid work and training **[**only**]** with a public **[**, private nonprofit**]** or private **[**charitable**]** employer that provides a recipient with the experience necessary to adjust to, and learn how to function in, an employment setting and the opportunity to combine that experience with education and job training. An alternative work experience participant shall not be

assigned to work for a private, for profit employer unless the assignment is for a period of no more than six months and the assignment is likely to lead to full-time employment with the employer.

"Assistance unit" means: a single person without dependent children; a couple without dependent children; dependent children only; or a person or couple with one or more dependent children who are legally or blood-related, or who is their legal guardian, and who live together as a household unit.

"Benefits" means any assistance provided to needy persons and their dependent children and needy single persons and couples without dependent children under the Work First New Jersey program.

"Commissioner" means the Commissioner of Human Services.

"Community work experience" means unpaid work and training only with a public, private nonprofit or private charitable employer, provided to a recipient when, and to the extent, that such experience is necessary to enable the recipient to adjust to, and learn how to function in, an employment setting. A community work experience participant shall not be assigned to work for a private, for profit employer.

"Dependent child" means a child:

a. under the age of 18;

b. under the age of 19 and a full-time student in a secondary school or an equivalent level of vocational or technical training **[**, if, before the student attains age 19, the student may reasonably be expected to complete the student's program of secondary school or training**]**; or

c. under the age of 21 and enrolled in a special education program,

who is living in New Jersey with the child's natural or adoptive parent or legal guardian, or with a relative designated by the commissioner in a place of residence maintained by the relative as the relative's home.

"Income" means, but is not limited to, commissions, salaries, self-employed earnings, child support and alimony payments other than child support payments provided to an assistance unit pursuant to subsection c. of section 7 of P.L.1997, c.14 (C.44:10-49), interest and dividend earnings, wages, receipts, unemployment compensation,any legal or equitable interest or entitlement owed that was acquired by a cause of action, suit, claim or counterclaim, insurance benefits, temporary disability claims, estate income, trusts, **[**federal income tax refunds, State income tax refunds, homestead rebates,**]** lottery prizes, casino and racetrack winnings, annuities, retirement benefits, veterans' benefits, union benefits, or other sources that may be defined as income by the commissioner **[**; except that in the event that individual development accounts for recipients are established by regulation of the commissioner,**]** . “Income” shall not include federal income tax refunds, State income tax refunds, homestead rebates, child support payments provided to an assistance unit pursuant to subsection c. of section 7 of P.L.1997, c.14 (C.44:10-49), any interest or dividend earnings from **[**such**]** an individual development account **[**shall not be considered income**]**, and other sources as may be excluded by regulation by the Commissioner.

"Income eligibility standard" means the income eligibility threshold based on assistance unit size established by regulation of the commissioner for benefits provided within the limit of funds appropriated by the Legislature.

"Legal guardian" means a person who exercises continuing control over the person or property, or both, of a child, including any specific right of control over an aspect of the child's upbringing, pursuant to a court order.

"Poverty level" means the official poverty level based on family size, established and adjusted under Section 673 (2) of Subtitle B of the "Community Services Block Grant Act," Pub.L.97-35 (42 U.S.C.s. 9902 (2)).

"Recipient" means a recipient of benefits under the Work First New Jersey program.

"Services" means any Work First New Jersey benefits that are not provided in the form of cash assistance.

"Standard of need" means the minimum amount of income and in-kind benefits or services needed by families and single persons living in New Jersey in order to maintain a decent and healthy standard of living, as established by regulation of the commissioner, and shall include necessary items such as housing, utilities, food, work-related transportation, clothing and personal and household essentials.

"Title IV-A" means the provisions of Title IV-A of the federal Social Security Act governing the program of aid to families with dependent children established pursuant to P.L.1959, c.86 (C.44:10-1 et seq.) and the State Plan to implement those provisions that were in effect on July 16, 1996, including income methodologies for determining eligibility under those provisions and plan.

"Title IV-D" means the provisions of Title IV-D of the federal Social Security Act governing paternity establishment and child support enforcement activities and requirements.

"Work activity" includes, but is not limited to, the following, as defined by regulation of the commissioner: employment; on-the-job training; job search and job readiness assistance; vocational educational training; job skills training related directly to employment; community work experience; alternative work experience; supportive work; community service programs, including the provision of child care as a community service project; in the case of a teenage parent or a recipient under the age of 19 **[**who is expected to graduate or complete their course of study by their 19th birthday**]**, satisfactory attendance at a secondary school or in a course of study leading to a certificate of general equivalence; and education that is necessary for employment in the case of a person who has not received a high school diploma or a certificate of high school equivalency, a course of study leading to a certificate of general equivalence, or post-secondary education, when combined with community work experience participation or other approved work activities, including employment.

"Work First New Jersey program" or "program" means the program established pursuant to P.L.1997, c.38 (C.44:10-55 et seq.).

(cf: P.L.1997, c.13, s.1)

3. Section 4 of P.L.1997, c.13 (C.44:10-37) is amended to read as follows:

4. In computing the cash assistance benefit provided to recipients, the following disregards shall be applied to the earned income of each person in the assistance unit:

a. In the case of **[**a recipient who is employed an average of 20 hours or more a week**]** all recipients who are employed:

(1) 100% of the earned income shall be disregarded for the first full **[**month**]** two months of employment in which the earned income would be counted;

(2) 75% of the earned income shall be disregarded for six **[**consecutive**]** cumulative months of employment thereafter; and

(3) 50% of the earned income shall be disregarded for each **[**continuous**]** month of employment thereafter.

b. **[**In the case of a recipient who is employed for an average of less than 20 hours a week:

(1) 100% of the earned income shall be disregarded for the first full month in which the earned income would be counted; and

(2) 50% of the earned income shall be disregarded for each continuous month of employment thereafter.**]** (deleted by amendment, P.L. , c. ) (pending before the Legislature as this bill)

c. **[**If an employable recipient has a documented disability, as defined by the commissioner by regulation, that limits the person from accepting more than 20 hours of employment per week, the commissioner may waive the 20 hours or more requirement in subsection a. of this section and provide that the recipient shall be entitled to the 75% earned income disregard for six consecutive months of employment, and the 50% earned income disregard for each continuous month of employment thereafter.**]** (deleted by amendment, P.L. , c. ) (pending before the Legislature as this bill)

d. In computing the cash assistance benefit for recipients who lose employment and subsequently become reemployed, the 100 percent disregard described in paragraph (1) of subsection a. of this section and the 75 percent disregard described in paragraph (2) of subsection a. of this subsection may be applied again only once every 12 months; otherwise, the 50 percent disregard described in paragraph (3) of subsection a. shall be applied for each continuous month of employment.

(cf: P.L.2007, c.97, s.1)

4. Section 5 of P.L.1997, c.13 (C.44:10-38) is amended to read as follows:

5. a. The program shall provide supportive services to a recipient **[**as a last resort when no other source of support is available**]** in appropriate circumstances, as determined by the commissioner, except that the recipient shall be required to continuously seek other sources of support. The commissioner shall determine the amounts and extent of the support. The supportive services shall include, but not be limited to, one or more of the following:

(1) child care services, including after-school child care in the case of a child over six years of age, for eligible dependent children, to be provided during the recipient's program eligibility period and for 24 consecutive months following ineligibility for benefits as a result of receipt of earned income.

An adult recipient who continues to be eligible to receive child care services following ineligibility for benefits, and an adult recipient who is employed but continues to receive benefits, shall pay a copay for child care services in accordance with a sliding fee scale established by the commissioner, which shall be no greater than the child care co-payment schedule established pursuant to **[**N.J.A.C.10:81-14.18A**]** regulations promulgated by the Department of Human Services;

(2) transportation services to be provided directly by the program or through an allowance or other means of subsidy by which the recipient may purchase transportation; and

(3) a limited allowance for each assistance unit to cover work-related expenses necessary to engage in required work activities, as determined by the commissioner.

b. Medical assistance shall be provided to an assistance unit with dependent children pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.), in accordance with the provisions of section 2 of P.L.1987, c.283 (C.30:4D-6c) which provides for a continuation of medical assistance for a period of 24 consecutive months under certain circumstances, except that:

(1) coverage solely of the adult head of an assistance unit by an employer's health insurance plan shall not preclude other members of the assistance unit from receiving the additional 24 months of medical assistance; and

(2) an assistance unit with dependent children which, using the limits and methodologies contained in Title IV-A, would not be eligible for cash assistance under Title IV-A as a result of the collection of child or spousal support under Title IV-D of the federal Social Security Act (42 U.S.C.651 et seq.), shall receive an additional four consecutive months of medical assistance beginning with the first month of ineligibility under the provisions of Title IV-A. Families shall be screened for additional medical assistance eligibility prior to termination of such four-month medical assistance.

c. Each recipient who receives parenting support services through the program shall be provided with educational materials, referrals, and support in identifying, accessing, and enrolling dependent children in quality child care services.

d. At such time as any recipient reaches a cumulative total of 24 months of enrollment in the program, the county agency or municipal welfare agency, as appropriate, shall offer additional voluntary case management and supportive services to the recipient, based on assessment of their barriers to securing employment.

(cf: P.L.1997, c.13, s.5)

5. Section 8 of P.L.1997, c.13 (C.44:10-41) is amended to read as follows:

8. a. The commissioner, in cooperation with other affected agencies of State government, shall report biennially to the Governor and the Legislature on the Work First New Jersey program, and shall include in that report any recommendations for changes in the law or regulations governing the program that the commissioner deems necessary to further the goals of the program. The commissioner shall determine the manner and terms of the reporting in accordance with the requirements of federal law.

b. The commissioner shall issue a public report on at least a quarterly basis concerning the number of recipients in the program, the number of recipients classified as exempt from time limits or deferred from work requirements, the number of recipients classified as to the degree of employability as defined by the commissioner, the number of recipients who have obtained employment, the number of recipients terminated from the program and the reasons for the terminations, the average wages and benefits earned by recipients, the types of employment obtained by recipients and whether the employment is in the public or private sector, the average length of stay in their jobs by recipients who reapply for benefits, and the number of former recipients who have re-entered the program after being terminated.

c. To the extent not otherwise provided pursuant to subsection a. or b. of this section, the commissioner shall conduct such research as he deems appropriate to evaluate the outcomes for recipients, and the benefits, costs and other effects of the program, and shall submit any report resulting from that research to the Governor and the Legislature and otherwise make copies available to the public.

**[**In addition, the commissioner shall initiate a study of the Michigan Civilian Conservation Corps program as a means of offering employment to economically disadvantaged youth that provides constructive work experience and training to increase their ability to secure unsubsidized employment. The commissioner shall study the effectiveness of the Michigan Civilian Conservation Corps program and the possibility of establishing such a program in this State. The commissioner shall submit a written report of his findings and recommendations to the Governor and the Legislature by January 1, 1998.**]**

d. Notwithstanding the report required pursuant to subsection a. of this section, the commissioner, in conjunction with the Commissioner of Labor and Workforce Development, shall submit an annual report to the Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature, concerning: program caseloads; the nature and type of work activities engaged in by program recipients, along with the total number of hours attributed to each type of work activity; the nature, type, and total amounts of support services provided under the program; the number of beneficiaries leaving the program because the beneficiary’s annual income on average exceeds 100 percent, 150 percent, 200 percent, 250 percent, and 300 percent of the federal poverty level; the number of sanctions imposed on program recipients pursuant to section 2 of P.L.2007, c.97 (C.44:10-63.1), including the reasons for the sanction and the duration of the sanction; the number of cases closed; the number of applications denied and the reasons for the denials, including the specific reasons for denials based on non-financial factors; and any other data deemed appropriate by the commissioners; along with recommendations for executive, legislative, administrative, or other actions as the commissioners deem necessary and appropriate to improve employment outcomes under the program and reduce deep poverty rates in the State. The data reported pursuant to this subsection shall include Statewide data as well as specific data for each county. Based on the data collected and reported pursuant to this subsection, the Commissioner of Human Services shall make such changes to policies and programs implemented under the Department of Human Services as may be necessary to improve the performance of the Work First New Jersey program and further the goals of the program.

(cf: P.L.1997, c.13, s.8)

6. Section 1 of P.L.1997, c.14 (C.44:10-44) is amended to read as follows:

1. As used in this act:

"Applicant" means an applicant for benefits provided by the Work First New Jersey program.

"Assistance unit" means: a single person without dependent children; a couple without dependent children; dependent children only; or a person or couple with one or more dependent children who are legally or blood-related, or who is their legal guardian, and who live together as a household unit.

"Benefits" means any assistance provided to needy persons and their dependent children and needy single persons and couples without dependent children under the Work First New Jersey program.

"Commissioner" means the Commissioner of Human Services.

"County agency" means the county agency that was administering the aid to families with dependent children program at the time the federal "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," Pub.L.104-193, was enacted and which, upon the enactment of P.L.1997, c.14 (C.44:10-44 et al.) shall also administer the Work First New Jersey program in that county.

"Dependent child" means a child:

a. under the age of 18;

b. under the age of 19 and a full-time student in a secondary school or an equivalent level of vocational or technical training **[**, if, before the student attains age 19, the student may reasonably be expected to complete the student's program of secondary school or training**]**; or

c. under the age of 21 and enrolled in a special education program,

who is living in New Jersey with the child's natural or adoptive parent or legal guardian, or with a relative designated by the commissioner in a place of residence maintained by the relative as the relative's home.

"Eligible **[**alien**]** immigrant" means **[**one of the following:

a. a qualified alien admitted to the United States prior to August 22, 1996, who is eligible for means-tested, federally funded public benefits pursuant to federal law;

b. a refugee, asylee, victim of human trafficking, or person granted withholding of deportation under federal law for the person's first five years after receiving that classification in the United States pursuant to federal law;

c. a qualified alien who is a veteran of, or on active duty in, the armed forces of the United States, or the spouse or dependent child of that person pursuant to federal law;

d. a recipient of refugee and entrant assistance activities or a Cuban or Haitian entrant pursuant to federal law;

e. a legal permanent resident alien who has worked 40 qualifying quarters of coverage as defined under Title II of the federal Social Security Act; except that, for any period after December 31, 1996, a quarter during which an individual received means-tested, federally funded public benefits shall not count toward the total number of quarters;

f. a qualified alien admitted to the United States on or after August 22, 1996, who has lived in the United States for at least five years and is eligible for means-tested, federally funded public benefits pursuant to federal law; or

g. a qualified alien who has been battered or subjected to extreme cruelty in the United States by a spouse, parent or a member of the spouse or parent's family residing in the same household as the alien, or a qualified alien whose child has been battered or subjected to extreme cruelty in the United States by a spouse or parent of the alien, without the active participation of the alien, or by a member of the spouse or parent's family residing in the same household as the alien. In either case, the spouse or parent shall have consented or acquiesced to the battery or cruelty and there shall be a substantial connection between the battery or cruelty and the need for benefits to be provided. The provisions of this subsection shall not apply to an alien during any period in which the individual responsible for the battery or cruelty resides in the same household or assistance unit as the individual subjected to the battery or cruelty. Benefits shall be provided to the extent and for the period of time that the alien or alien's child is eligible for the program.

For the purposes of this section, "qualified alien" is defined pursuant to the provisions of section 431 of Title IV of Pub.L.104-193**]** an individual who meets program requirements and is lawfully present in the United States, regardless of the individual’s date of entry into the United States. The term “eligible immigrant” shall include: any individual who is a “qualified alien,” as that term is defined in 8 U.S.C. s.1641; any individual who is “lawfully present” in the United States, as that term is defined in 45 CFR s.152.2; any individual granted relief from federal immigration laws under the federal Deferred Action for Childhood Arrivals program; and any other individual who is not a citizen or national of the United States and is authorized to live in the United States.

"Income" means, but is not limited to, commissions, salaries, self-employed earnings, child support and alimony payments other than child support payments provided to an assistance unit pursuant to subsection c. of section 7 of P.L.1997, c.14 (C.44:10-49), interest and dividend earnings, wages, receipts, unemployment compensation,any legal or equitable interest or entitlement owed that was acquired by a cause of action, suit, claim or counterclaim, insurance benefits, temporary disability claims, estate income, trusts, **[**federal income tax refunds, State income tax refunds, homestead rebates,**]** lottery prizes, casino and racetrack winnings, annuities, retirement benefits, veterans' benefits, union benefits, or other sources that may be defined as income by the commissioner **[**; except that in the event that individual development accounts for recipients are established by regulation of the commissioner,**]** . “Income” shall not include federal income tax refunds, State income tax refunds, homestead rebates, child support payments provided to an assistance unit pursuant to subsection c. of section 7 of P.L.1997, c.14 (C.44:10-49), any interest or dividend earnings from **[**such**]** an individual development account **[**shall not be considered income**]**, and other sources as may be excluded by regulation by the Commissioner.

"Income eligibility standard" means the income eligibility threshold based on assistance unit size established by regulation of the commissioner for benefits provided within the limit of funds appropriated by the Legislature.

"Legal guardian" means a person who exercises continuing control over the person or property, or both, of a child, including any specific right of control over an aspect of the child's upbringing, pursuant to a court order.

"Non-needy caretaker" means a relative caring for a dependent child, or a legal guardian of a minor child who, in the absence of a natural or adoptive parent, assumes parental responsibility and has income which exceeds the income eligibility standard but is less than 150% of the State median income adjusted for household size.

"Recipient" means a recipient of benefits under the Work First New Jersey program.

"Resources" means all real and personal property as defined by the commissioner; except that in the event that individual development accounts for recipients are established by regulation of the commissioner, all funds in such an account, up to the limit determined by the commissioner, including any interest or dividend earnings from such an account, shall not be considered to be a resource. “Resources” shall not include funds in an individual retirement account established under State or federal law or interest or dividend earnings from such an account, for any recipient who has not reached full retirement age. “Resources” shall also not include any retirement accounts excluded from consideration as a resource in the Supplemental Nutrition Program in the Food and Nutrition Act of 2008, as amended, section 5(g)(7)(A)(i).

"Services" means any Work First New Jersey benefits that are not provided in the form of cash assistance.

"Title IV-D" means the provisions of Title IV-D of the federal Social Security Act governing paternity establishment and child support enforcement activities and requirements.

"Work First New Jersey program" or "program" means the program established pursuant to P.L.1997, c.38 (C.44:10-55 et seq.).

(cf: P.L.2007, c.96, s.3)

7. Section 2 of P.L.1997, c.14 (C.44:10-45) is amended to read as follows:

2. a. Benefits under the Work First New Jersey program shall be determined according to standards of income and resources established by the commissioner, except that in no case may the commissioner reduce benefit levels.

These standards shall take into account, for the determination of eligibility and the provision of benefits, all income and resources of all persons in the assistance unit of which the applicant or recipient is a member, except as provided by law governing the Work First New Jersey program and as prescribed by the commissioner. The benefits to be granted shall be governed by standards established by regulation of the commissioner. The commissioner may set income and resource eligibility and benefits standards that differ with respect to types of assistance units. If an applicant or recipient meets the resource eligibility standards to qualify for benefits under the State Medicaid program or the NJ FamilyCare program, the applicant or recipient shall be deemed to meet the resource eligibility standards to qualify for benefits under the Work First New Jersey program.

b. A recipient, as a condition of eligibility for benefits, shall, subject to good cause exceptions **[**as**]**, which exceptions shall be defined by the commissioner and shall be considered broadly in consideration of the recipient’s health, safety, family needs, financial considerations, and other factors as determined by the commissioner, be required to: do all acts stated herein necessary to establish the paternity of a child born out-of-wedlock, and to establish and participate in the enforcement of child support obligations; cooperate with work requirements established by the commissioner; make application for any other assistance for which members of the assistance unit may be eligible; be income and resource eligible as defined by the commissioner, including the deeming of income and resources as appropriate; provide all necessary documentation which shall include the federal Social Security number for all assistance unit members, except for an eligible **[**alien**]** immigrant who cannot be assigned a Social Security number due to his status, or make application for same; sign an agreement to repay benefits in the event of receipt of income or resources, including General Assistance repayment subject to a Supplemental Security Income Interim Assistance Reimbursement Agreement, but excluding repayment from unemployment benefits and other government benefits; and comply with personal identification requirements as a condition of receiving benefits, which may employ the use of high technology processes for the detection of fraud.

c. Notwithstanding any other provision of law or regulation to the contrary, an applicant shall not be **[**eligible**]** deemed ineligible for benefits **[**when**]** on the grounds that the applicant's eligibility for benefits is the result of a **[**voluntary**]** cessation of employment **[**without good cause, as determined by the commissioner**]**, unless the applicant intentionally and voluntarily left employment within **[**90**]** 30 days prior to the date of application for benefits for the sole purpose of qualifying for Work First New Jersey benefits, without good cause. Good cause shall be considered broadly in consideration of the recipient’s health, safety, family needs, financial considerations, and other factors as determined by the commissioner.

d. A voluntary assignment or transfer of income or resources within one year prior to the time of application for benefits for the purpose of qualifying therefor shall render the applicant and the applicant's assistance unit members ineligible for benefits for a period of time determined by regulation of the commissioner, which period shall not exceed the value of the income or resource divided by the monthly standard of need, established pursuant to section 9 of P.L.1997, c.13 (C.44:10-42), or twelve months, whichever value is less.

e. Any income or resources that are exempted by federal law for purposes of eligibility for benefits shall not reduce the amount of benefits received by a recipient and shall not be subject to a lien or be available for repayment to the State or county agency for benefits received by the individual. Income and resources received by a recipient shall not be used to prospectively disqualify a recipient from assistance and shall be considered only in the month received and at the time of any new application except as provided in subsection d. above.

(cf: P.L.1997, c.14, s.2)

8. Section 5 of P.L.1997, c.14 (C.44:10-48) is amended to read as follows:

5. a. Only those persons who are United States citizens or eligible **[**aliens**]** immigrants shall be eligible for benefits under the Work First New Jersey program. **[**Single adults or couples without dependent children who are legal aliens who meet federal requirements and have applied for citizenship, shall not receive benefits for more than six months unless (1) they attain citizenship, or (2) they have passed the English language and civics components for citizenship, and are awaiting final determination of citizenship by the federal Immigration and Naturalization Service.**]**

b. The following persons shall not be eligible for assistance and shall not be considered to be members of an assistance unit:

(1) non-needy caretakers, except that the eligibility of a dependent child shall not be affected by the income or resources of a non-needy caretaker;

(2) Supplemental Security Income recipients, except for the purposes of receiving emergency assistance benefits pursuant to section 8 of P.L.1997, c.14 (C.44:10-51);

(3) **[**illegal aliens**]** undocumented immigrants;

(4) other **[**aliens**]** immigrants who are not eligible **[**aliens**]** immigrants;

(5) a person absent from the home who is incarcerated in a federal, State, county or local corrective facility or under the custody of correctional authorities, except as provided by regulation of the commissioner;

(6) a person who: is fleeing to avoid prosecution, custody or confinement after conviction, under the laws of the jurisdiction from which the person has fled, for a crime or an attempt to commit a crime which is a felony or a high misdemeanor under the laws of the jurisdiction from which the person has fled; or is violating a condition of probation or parole imposed under federal or state law;

(7) **[**a person convicted on or after August 22, 1996 under federal or state law of any offense which is classified as a felony or crime, as appropriate, under the laws of the jurisdiction involved and which has as an element the possession, use, or distribution of a controlled substance as defined in section 102(6) of the federal "Controlled Substances Act" (21 U.S.C. s.802 (6)), who would otherwise be eligible for general public assistance pursuant to P.L.1947, c.156 (C.44:8-107 et seq.); except that such a person who is convicted of any such offense which has as an element the possession or use only of such a controlled substance may be eligible for Work First New Jersey general public assistance benefits if the person enrolls in or has completed a licensed residential or outpatient drug treatment program. An otherwise eligible individual who has a past drug conviction shall be eligible for general public assistance without enrolling in or completing a drug treatment program if either: (1) an appropriate treatment program is not available; or (2) the person is excused from enrolling in a treatment program for good cause pursuant to regulation.

Eligibility for benefits for a person entering a licensed drug treatment program which does not operate in a State correctional facility or county jail shall commence upon the person's enrollment in the drug treatment program, and shall continue during the person's active participation in, and upon completion of, the drug treatment program, except that during the person's active participation in a drug treatment program and the first 60 days after completion of a drug treatment program, the commissioner shall provide for testing of the person to determine if the person is free of any controlled substance. If the person is determined to not be free of any controlled substance during the 60-day period, the person's eligibility for benefits pursuant to this paragraph shall be terminated; except that this provision shall not apply to the use of prescription drugs by a person who is actively participating in a drug treatment program, as prescribed by the drug treatment program. The commissioner shall adopt regulations to carry out the provisions of this paragraph, which shall include the criteria for determining active participation in and completion of a drug treatment program.

Eligibility for benefits for a person who completes a licensed residential drug treatment program which operates in a State correctional facility or county jail, in accordance with section 1 of P.L.2014, c.1 (C.26:2B-40), shall commence upon release from incarceration.

Cash benefits, less a personal needs allowance, for a person receiving general public assistance benefits under the Work First New Jersey program who is enrolled in and actively participating in a licensed drug treatment program shall be issued directly to the drug treatment provider to offset the cost of treatment. Upon completion of the drug treatment program, the cash benefits shall be then issued to the person. In the case of a delay in issuing cash benefits to a person receiving Work First New Jersey general public assistance benefits who has completed the drug treatment program, the drug treatment provider shall transmit to the person those funds received on behalf of that person after completion of the drug treatment program;**]** (deleted by amendment, P.L. , c. ) (pending before the Legislature as this bill)

(8) a person found to have fraudulently misrepresented his residence in order to obtain means-tested, public benefits in two or more states or jurisdictions, who shall be ineligible for benefits for a period of 10 years from the date of conviction in a federal or state court; or

(9) a person who intentionally makes a false or misleading statement or misrepresents, conceals or withholds facts for the purpose of receiving benefits, who shall be ineligible for benefits for a period of six months for the first violation, 12 months for the second violation, and permanently for the third violation.

c. A person who makes a false statement with the intent to qualify for benefits and by reason thereof receives benefits for which the person is not eligible is guilty of a crime of the fourth degree.

d. Pursuant to the authorization provided to the states under 21 U.S.C. s.862a(d)(1), this State elects to exempt from the application of 21 U.S.C. s.862a(a):

(1) needy persons and their dependent children domiciled in New Jersey for the purposes of receiving benefits under the Work First New Jersey program and food assistance under the federal "Food and Nutrition Act of 2008," Pub.L.110-234 (7 U.S.C. s.2011 et seq.); and

(2) single persons and married couples without dependent children domiciled in New Jersey for the purposes of receiving food assistance under Pub.L.110-234.

(cf: P.L.2016, c.69, s.1)

9. Section 6 of P.L.1997, c.14 (C.44:10-49) is amended to read as follows:

6. a. The signing of an application for benefits under the Work First New Jersey Program shall constitute an assignment of any child support rights pursuant to Title IV-D on behalf of individual assistance unit members to the county agency. The assignment shall terminate with respect to current support rights when a determination is made by the county agency that the person in the assistance unit is no longer eligible for benefits. The determination of the amount of repayment to the county agency and distribution of any unpaid support obligations that have accrued during the period of receipt of benefits shall be determined by regulation of the commissioner in accordance with federal law.

b. The county agency shall pass through to the assistance unit the full amount of the current child support collected on behalf of a child in those circumstances defined by the commissioner.

c. An assistance unit eligible for benefits and in receipt of child support shall receive, in addition to its regular grant of cash assistance benefits, a monthly amount of child support that is equal to the maximum benefit amount for which the federal reimbursement share is waived, based on the current child support received for the month **[**, as determined by regulations adopted by the commissioner, and in accordance with federal law**]**.

(cf: P.L.2008, c.101, s.2)

10. Section 2 of P.L.1997, c.38 (C.44:10-56) is amended to read as follows:

2. The Legislature finds and declares that:

a. The federal "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," Pub.L.104-193, establishes the federal block grant for temporary assistance for needy families and provides the opportunity for a state to establish and design its own welfare program;

b. Work and the earning of income promote the best interests of families and children;

c. Working individuals and families needing temporary assistance should have the transitional support necessary to obtain and keep a job in order to be able to avoid cycling back **[**onto public assistance**]** into financial hardship, as well as the opportunity to acquire new skills and training and access job opportunities that will allow them to lift themselves out of poverty;

d. Teenage pregnancy is counter to the best interests of children;

e. Successful welfare reform **[**requires**]** is furthered by the active involvement of the private sector as well as all departments of State government;

f. Personal and family security and stability, including the protection of children and vulnerable adults, are important to the establishment and maintenance of successful family life and childhood development and a family's inability or failure to qualify for benefits under the Work First New Jersey program established pursuant to this act shall not in and of itself be the basis for the separation of a dependent child from his family or the justification for the resource family care placement of a dependent child;

g. Children and teenagers need the benefits of the support and guidance which a family structure provides **[**; the welfare system has provided a vehicle for breaking up families by giving teenage mothers the means to shift their financial dependence from their parents to the State; in the process, these youths deprive themselves of the education and family structure necessary to support themselves and their babies; and the**]** , which support and structure **[**provided by families are**]** is important to the development of a child's maximum potential; **[**and**]**

h. The Work First New Jersey program established pursuant to this act incorporates and builds upon the fundamental concepts of the Family Development Initiative established pursuant to P.L.1991, c.523 (C.44:10-19 et seq.) in a manner that is consistent with the federal program of temporary assistance for needy families **[**, by establishing requirements for: time limits on cash assistance; the participation of recipients in work activities; enhanced efforts to establish paternity and establish and enforce child support obligations; sanctions for failure to comply with program requirements; a cap on the use of funds for administrative costs; the maintenance of State and county financial support of the program; teenage parent recipients to live at home and finish high school; and restrictions on eligibility for benefits for aliens**]** ; and

i. Enhancing an individual’s overall training and skill set, and providing opportunities for progressive advancement, will help the person to exit, and sustainably avoid, poverty far more effectively than simply placing the individual in a job that presents no opportunities for development or advancement.

(cf: P.L.2004, c.130, s.117)

11. Section 3 of P.L.1997, c.38 (C.44:10-57) is amended to read as follows:

3. As used in this act:

"Alternative work experience" means unpaid work and training **[**only**]** with a public **[**, private nonprofit**]** or private **[**charitable**]** employer that provides a recipient with the experience necessary to adjust to, and learn how to function in, an employment setting and the opportunity to combine that experience with education and job training. An alternative work experience participant shall not be assigned to work for a private, for profit employer unless the assignment is for a period of no more than six months and the assignment is likely to lead to full-time employment with the employer.

"Applicant" means an applicant for benefits provided by the Work First New Jersey program.

"Assistance unit" means: a single person without dependent children; a couple without dependent children; dependent children only; or a person or couple with one or more dependent children who are legally or blood-related, or who is their legal guardian, and who live together as a household unit.

"Benefits" means any assistance provided to needy persons and their dependent children and needy single persons and couples without dependent children under the Work First New Jersey program.

"Case management" means the provision of certain services to Work First New Jersey recipients, which shall include an assessment and development of an individual responsibility plan.

"Commissioner" means the Commissioner of Human Services.

"Community work experience" means unpaid work and training only with a public, private nonprofit or private charitable employer provided to a recipient when, and to the extent, that such experience is necessary to enable the recipient to adjust to, and learn how to function in, an employment setting. A community work experience participant shall not be assigned to work for a private, for profit employer.

"County agency" means the county agency that was administering the aid to families with dependent children program at the time the federal "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," Pub.L.104-193, was enacted and which, upon the enactment of P.L.1997, c.38 (C.44:10-55 et seq.) shall also administer the Work First New Jersey program in that county.

"Dependent child" means a child:

a. under the age of 18;

b. under the age of 19 and a full-time student in a secondary school or an equivalent level of vocational or technical training **[**, if, before the student attains age 19, the student may reasonably be expected to complete the student's program of secondary school or training**]**; or

c. under the age of 21 and enrolled in a special education program,

who is living in New Jersey with the child's natural or adoptive parent or legal guardian, or with a relative designated by the commissioner in a place of residence maintained by the relative as the relative's home.

"Eligible **[**alien**]** immigrant" means **[**one of the following:

a. a qualified alien admitted to the United States prior to August 22, 1996, who is eligible for means-tested, federally funded public benefits pursuant to federal law;

b. a refugee, asylee, or person granted withholding of deportation under federal law for the person's first five years after receiving that classification in the United States pursuant to federal law;

c. a qualified alien who is a veteran of, or on active duty in, the armed forces of the United States, or the spouse or dependent child of that person pursuant to federal law;

d. a recipient of refugee and entrant assistance activities or a Cuban or Haitian entrant pursuant to federal law;

e. a legal permanent resident alien who has worked 40 qualifying quarters of coverage as defined under Title II of the federal Social Security Act; except that, for any period after December 31, 1996, a quarter during which an individual received means-tested, federally funded public benefits shall not count toward the total number of quarters;

f. a qualified alien admitted to the United States on or after August 22, 1996, who has lived in the United States for at least five years and is eligible for means-tested, federally funded public benefits pursuant to federal law; or

g. a qualified alien who has been battered or subjected to extreme cruelty in the United States by a spouse, parent or a member of the spouse or parent's family residing in the same household as the alien, or a qualified alien whose child has been battered or subjected to extreme cruelty in the United States by a spouse or parent of the alien, without the active participation of the alien, or by a member of the spouse or parent's family residing in the same household as the alien. In either case, the spouse or parent shall have consented or acquiesced to the battery or cruelty and there shall be a substantial connection between the battery or cruelty and the need for benefits to be provided. The provisions of this subsection shall not apply to an alien during any period in which the individual responsible for the battery or cruelty resides in the same household or assistance unit as the individual subjected to the battery or cruelty. Benefits shall be provided to the extent and for the period of time that the alien or alien's child is eligible for the program.

For the purposes of this section, "qualified alien" is defined pursuant to the provisions of section 431 of Title IV of Pub.L.104-193**]** an individual who meets program requirements and is lawfully present in the United States, regardless of the individual’s date of entry into the United States. The term “eligible immigrant” shall include: any individual who is a “qualified alien,” as that term is defined in 8 U.S.C. s.1641; any individual who is “lawfully present” in the United States, as that term is defined in 45 CFR s.152.2; any individual granted relief from federal immigration laws under the federal Deferred Action for Childhood Arrivals program; and any other individual who is not a citizen or national of the United States and is authorized to live in the United States.

"Full-time post-secondary student" means a student enrolled for a minimum of 12 credit hours in a post-secondary school.

"Income" means, but is not limited to, commissions, salaries, self-employed earnings, child support and alimony payments other than child support payments provided to an assistance unit pursuant to subsection c. of section 7 of P.L.1997, c.14 (C.44:10-49), interest and dividend earnings, wages, receipts, unemployment compensation,any legal or equitable interest or entitlement owed that was acquired by a cause of action, suit, claim or counterclaim, insurance benefits, temporary disability claims, estate income, trusts, **[**federal income tax refunds, State income tax refunds, homestead rebates,**]** lottery prizes, casino and racetrack winnings, annuities, retirement benefits, veterans' benefits, union benefits, or other sources that may be defined as income by the commissioner **[**; except that in the event that individual development accounts for recipients are established by regulation of the commissioner,**]** . “Income” shall not include federal income tax refunds, State income tax refunds, homestead rebates, child support payments provided to an assistance unit pursuant to subsection c. of section 7 of P.L.1997, c.14 (C.44:10-49), any interest or dividend earnings from **[**such**]** an individual development account **[**shall not be considered income**]**, and other sources as may be excluded by regulation by the Commissioner.

"Legal guardian" means a person who exercises continuing control over the person or property, or both, of a child, including any specific right of control over an aspect of the child's upbringing, pursuant to a court order.

"Program" means the Work First New Jersey program established pursuant to this act.

"Recipient" means a recipient of benefits under the Work First New Jersey program.

"Resources" means all real and personal property as defined by the commissioner; except that in the event that individual development accounts for recipients are established by regulation of the commissioner, all funds in such an account, up to the limit determined by the commissioner, including any interest or dividend earnings from such an account, shall not be considered to be a resource. “Resources” shall not include funds in an individual retirement account established under State or federal law or interest or dividend earnings from such an account, for any recipient who has not reached full retirement age. “Resources” shall also not include any retirement accounts excluded from consideration as a resource in the Supplemental Nutrition Program in the Food and Nutrition Act of 2008, as amended, section 5(g)(7)(A)(i).

"Title IV-D" means the provisions of Title IV-D of the federal Social Security Act governing paternity establishment and child support enforcement activities and requirements.

"Work activity" includes, but is not limited to, the following, as defined by regulation of the commissioner: employment; on-the-job training; job search and job readiness assistance; vocational educational training; job skills training related directly to employment; community work experience; alternative work experience; supportive work; community service programs, including the provision of child care as a community service project; in the case of teenage parents or recipients under the age of 19 **[**who are expected to graduate or complete their course of study by their 19th birthday**]**, satisfactory attendance at a secondary school or in a course of study leading to a certificate of general equivalence; and education that is necessary for employment in the case of a person who has not received a high school diploma or a certificate of high school equivalency, a course of study leading to a certificate of general equivalence, or post-secondary education, when combined with community work experience participation or another work activity approved by the commissioner, including employment.

(cf: P.L.1997, c.38, s.3)

12. Section 5 of P.L.1997, c.38 (C.44:10-59) is amended to read as follows:

5. a. All adult persons, except as otherwise provided by law governing the Work First New Jersey program, are charged with the primary responsibility of supporting and maintaining themselves and their dependents; the primary responsibility for the support and maintenance of minor children is that of the parents and family of those children **[**; and benefits shall be provided only when other means of support and maintenance are not present to support the assistance unit**]**.

b. Benefits shall be temporary and serve the primary goal of **[**fostering self-sufficiency**]** reducing poverty. Failure to cooperate with any of the program eligibility requirements without good cause, as determined by the commissioner, shall result in ineligibility for benefits for some or all assistance unit members. Good cause shall be considered broadly in consideration of the recipient’s health, safety, family needs, financial considerations, and other factors as determined by the commissioner.

c. If the county agency or municipal welfare agency, as appropriate, determines, based upon an applicant's written statement signed under oath, that the applicant is in immediate need of benefits because the applicant's available resources are insufficient, as determined by the commissioner, to meet the minimal current living expenses pursuant to regulations adopted by the commissioner, of the applicant's assistance unit, the county agency or municipal welfare agency shall issue cash assistance benefits to the applicant on the date of application, subject to the applicant meeting all other program eligibility requirements.

d. The commissioner shall establish by regulation, standards and procedures to screen and identify recipients with a history of being subjected to domestic violence and refer these recipients to counseling and supportive services. The commissioner may waive program requirements, including, but not limited to, the time limit on benefits pursuant to section 2 of P.L.1997, c.37 (C.44:10-72), residency requirements pursuant to section 6 of P.L.1997, c.38 (C.44:10-60), child support cooperation requirements pursuant to subsection b. of section 2 of P.L.1997, c.14 (C.44:10-45) and the limitation on increase of cash assistance benefits as a result of the birth of a child pursuant to section 7 of P.L.1997, c.38 (C.44:10-61), in cases where compliance with such requirements would make it more difficult for a recipient to escape domestic violence or unfairly penalize the recipient who is or has been victimized by such violence, or who is at risk of further domestic violence.

e. The commissioner shall establish regulations determining eligibility and other requirements of the Work First New Jersey program. Regulations shall include provisions for the deeming of income, when appropriate, which include situations involving the sponsor of an eligible **[**alien**]** immigrant in accordance with federal law, and legally responsible relatives of assistance unit members.

(cf: P.L.1997, c.38, s.5)

13. Section 8 of P.L.1997, c.38 (C.44:10-62) is amended to read as follows:

8. a. As defined by the commissioner, each adult recipient shall **[**continuously and actively seek employment in an effort to remove the assistance unit of which the recipient is a member from the program**]** engage in educational, training, work-study, internship, or other opportunities, as permitted within the definition of “work activity” as provided in subsection (d) of 42 U.S.C. s.607 and section 1 of P.L.1997, c.13 (C.44:10-34), for the purpose of enhancing the recipient’s ability to find employment that will lead to the assistance unit’s removal from, and sustainable avoidance of, poverty. A recipient shall be permitted to forgo employment opportunities for good cause or to pursue other opportunities, including, but not limited to, other employment that the recipient believes would better enhance the recipient’s ability to find employment that will lead to the assistance unit’s removal from, and sustainable avoidance of, poverty. Good cause shall be considered broadly in consideration of the recipient’s health, safety, family needs, financial considerations, and other factors as determined by the commissioner.

A recipient may be assigned to a work activity or to an educational, training, work-study, internship, or other opportunity, as determined by the commissioner, that will enhance the recipient’s ability to find employment that will lead to the assistance unit’s removal from, and sustainable avoidance of, poverty. The recipient shall sign an individual responsibility plan, as provided in subsection f. of this section, in order to be able to participate in the program, which shall indicate the terms of the **[**work activity**]** requirements for the work activity or other opportunity that the recipient must fulfill in order to continue to receive benefits. In no case shall a recipient’s work activity requirements include more than six months of community work experience within any 12-month period.

b. In accordance with Pub.L.104-193 (42 U.S.C. s. 601 et seq.), a recipient in an assistance unit with dependent children shall commence participation in a work activity, self-directed job search or other activities as determined by the commissioner at some time prior to having received 24 months of benefits; except that if the recipient is a full-time post-secondary student in a course of study related to employment as defined by regulation of the commissioner, the recipient shall be required to engage in another work activity for no more than 15 hours a week, subject to the recipient making satisfactory progress toward the completion of the post-secondary course of study as determined by the commissioner.

c. A recipient shall comply with work activity participation requirements as a condition of remaining eligible for benefits. In accordance with the requirements of Pub.L.104-193 (42 U.S.C. s. 601 et seq.), a minimum participation rate of 25% shall be realized in federal fiscal year 1997. The participation rate shall increase by 5% in each federal fiscal year to a level of 50% in federal fiscal year 2002 and thereafter. For two-parent assistance units with dependent children receiving benefits, the participation rate shall be 75% for federal fiscal years 1997 and 1998 and 90% in federal fiscal year 1999 and thereafter. The participation rate shall be calculated in accordance with federal requirements. A recipient may be required to participate in one or more work activities for a maximum aggregate hourly total of **[**40**]** 30 hours per week, except that, if a child in the assistance unit is under six years of age, the maximum aggregate hourly total of work activities required for the recipient shall be 20 hours per week.

d. A recipient shall not be required to engage in a work activity if child care, including the unavailability of after-school child care for children over six years of age, is unavailable for the recipient's dependent child, as determined by regulation of the commissioner.

e. A recipient may temporarily be deferred from work activity requirements as provided for by the commissioner if the recipient is:

(1) a woman in the third trimester of pregnancy;

(2) a person certified by an examining legally licensed physician or legally licensed certified nurse midwife, acting within the scope of the practitioner's profession, to be unable, by reason of a physical or mental defect, disease or impairment, to engage in any gainful occupation for any period less than 12 months; or

(3) the parent or relative of a child under **[**the**]** one year of age **[**of 12 weeks**]** who is providing care for that child, except that, the deferral may be extended for an appropriate period of time if determined to be medically necessary for the parent or child.

f. Upon a determination of eligibility for benefits, each adult recipient not otherwise deferred or exempted under this act shall be given an assessment of that person's potential and readiness for work, including, but not limited to, skills, education, past work experience and any barriers to securing employment, including a screening and assessment for substance abuse, as appropriate. For all recipients not deferred or exempt, an annual individual responsibility plan shall be developed jointly by the county agency or municipal welfare agency, as appropriate, and the recipient specifying the steps that will be taken by each to assist the recipient to secure employment. The individual responsibility plan shall include specific goals for each adult member or minor parent in the assistance unit, and may include specific goals for a dependent child member of the assistance unit. The goals, as determined by regulation of the commissioner, shall include, but not be limited to, requirements for parental participation in a dependent child's primary school program, immunizations for a dependent child, and regular school attendance by a dependent child. Recipients who are job ready shall be placed immediately in a self-directed job search. Within the amount of funds allocated by the commissioner for this purpose, other recipients shall be placed in an appropriate work activity as indicated by their individual assessments.

g. The county agency or municipal welfare agency, as appropriate, shall ensure the provision of necessary case management for recipients, as appropriate to their degree of job readiness, pursuant to regulations adopted by the commissioner. The most intensive case management shall be directed to those recipients facing the most serious barriers to employment.

h. (1) A recipient shall not be placed or utilized in a position at a particular workplace:

(a) that was previously filled by a regular employee if that position, or a substantially similar position at that workplace, has been made vacant through a demotion, substantial reduction of hours or a layoff of a regular employee in the previous 12 months, or has been eliminated by the employer at any time during the previous 12 months;

(b) in a manner that infringes upon a wage rate or an employment benefit, or violates the contractual overtime provisions of a regular employee at that workplace;

(c) in a manner that violates an existing collective bargaining agreement or a statutory provision that applies to that workplace;

(d) in a manner that supplants or duplicates a position in an existing, approved apprenticeship program;

(e) by or through an employment agency or temporary help service firm as a community work experience or alternative work experience worker;

(f) if there is a contractual or statutory recall right to that position at that workplace; or

(g) if there is an ongoing strike or lockout at that workplace.

(2) A person who believes that he has been adversely affected by a violation of this subsection, or the organization that is duly authorized to represent the collective bargaining unit to which that person belongs, shall be afforded an opportunity to meet with a designee of the Commissioner of Labor and Workforce Development or the Governor's Office of Employee Relations, as appropriate. The designee shall attempt to resolve the complaint of the alleged violation within 30 days of the date of the request for the meeting. The Commissioner of Labor and Workforce Development, in consultation with the Governor's Office of Employee Relations, shall adopt regulations to effectuate the provisions of this subsection. In the event that the complaint is not resolved within the 30-day period, the complainant may appeal to the New Jersey State Board of Mediation in the Department of Labor and Workforce Development for expedited binding arbitration in accordance with the rules of the board. If the arbitrator determines that a violation has occurred, he shall provide an appropriate remedy. The cost of the arbitration shall be borne equally by both parties to the dispute.

(3) Nothing in this subsection shall be construed to prevent a collective bargaining agreement from containing additional protections for a regular employee.

i. The commissioner, acting in conjunction with the Commissioners of Banking and Insurance, Community Affairs, Education, Health **[**and Senior Services**]**, Labor and Workforce Development, and Transportation, shall implement all elements of the program and establish initiatives to assist in moving recipients towards self-sufficiency.

j. The commissioner shall take such actions as are necessary to ensure that the program meets the requirements to qualify for the maximum amount of federal funds due the State under Pub.L.104-193 (42 U.S.C. s. 601 et seq.).

k. The commissioner is authorized to seek such waivers from the federal government as are necessary to accomplish the goals of the program.

(cf: P.L.2009, c.114, s.3)

14. Section 2 of P.L.2007, c.97 (C.44:10-63.1) is amended to read as follows:

2. In an assistance unit with a single adult or couple without dependent children or a single adult or couple with dependent children, the failure of a recipient to actively cooperate with the Work First New Jersey program, established pursuant to P.L.1997, c.38 (C.44:10-55 et seq.), or participate in work activities under the program, without good cause **[**as determined by the commissioner**]**, shall result in a loss of cash assistance benefits in accordance with the provisions of this section.

Prior to the imposition of a sanction, the county or municipal welfare agency shall determine whether good cause for noncompliance exists. Good cause shall include, but is not limited to, disability or other circumstances, as defined by the commissioner, which effectively impair a recipient's ability to actively cooperate with the Work First New Jersey program or participate in work activities under the program. Good cause shall be considered broadly in consideration of the recipient’s health, safety, family needs, financial considerations, and other factors as determined by the commissioner.

A reduction in the cash assistance benefit of a non-compliant adult member of an assistance unit imposed pursuant to this section shall not apply to any other adult or dependent child member of the assistance unit who is in compliance with program requirements, which compliant member shall continue to receive the member’s full pro-rata share of cash assistance benefits.  If the cash assistance benefits for all adult members of the assistance unit are closed, the dependent child members of the assistance unit shall continue to receive their pro rata share of the cash assistance benefits for the assistance unit as a dependent child-only assistance unit.

a. Prior to the imposition of a sanction, the county or municipal welfare agency shall ensure that, in consultation with the recipient, an assessment has been given in accordance with subsection f. of section 8 of P.L.1997, c.38 (C.44:10-62), and a determination has been made that barriers do not exist which are likely to prevent the recipient from complying with the work requirements or other activities specified in the individual responsibility plan; provided that, this prerequisite to the imposition of a sanction shall not apply if the recipient, without good cause, has refused to cooperate with the conduct of the assessment.

The county or municipal welfare agency shall determine if a sanctionable offense has occurred and whether good cause exists by:

(1) reviewing the case record to determine whether a comprehensive assessment or other information in the file indicates that good cause for noncompliance exists, and

(2) outreaching to the recipient, to attempt, in consultation with the recipient, to determine the reason for noncompliance and whether it constitutes good cause.

If good cause requires that services be provided in order for the recipient to comply, then services shall be provided prior to any reassignment of work activities, as appropriate.

The recipient shall be provided with reasonable accommodations in work activities for identified disabilities and, when necessary given the condition, deferred from participation.

The recipient shall be advised of the right to contest the sanction if he disagrees with the agency determination to impose the sanction.

b. **[**In an assistance unit with one adult, if the**]** If an adult receiving cash assistance fails to actively cooperate with the program or participate in work activities without good cause, the cash assistance benefit provided to the **[**assistance unit**]** non-compliant adult shall be reduced by the pro-rata share of the noncompliant adult for one month. If the adult fails to come into compliance by the end of the sanction month, the adult’s pro-rata share shall continue to be suspended until the adult demonstrates an intent to comply. A reduction in the cash assistance benefit of a non-compliant adult member of an assistance unit pursuant to this subsection shall not apply to any other adult or dependent child member of the assistance unit who is in compliance with program requirements, which compliant member shall continue to receive the member’s full pro-rata share of cash assistance benefits.

(1) **[**If the adult fails to actively cooperate with the program or participate in work activities by the end of the first-month pro-rata sanction, without good cause, the assistance unit's cash assistance case shall be suspended for one month. If the participant complies by the end of the suspension month, the suspension shall be lifted.**]** (deleted by amendment, P.L. , c. ) (pending before the Legislature as this bill)

(2) **[**If the adult fails to actively cooperate with the program or participate in work activities by the end of the suspension month, without good cause, the assistance unit's cash assistance case shall be closed for a minimum one-month period, and the assistance unit shall be required to reapply in order to receive further cash assistance benefits.**]** (deleted by amendment, P.L. , c. ) (pending before the Legislature as this bill)

c. **[**In an assistance unit with two adults, if one adult fails to actively cooperate with the program or participate in work activities without good cause, the cash assistance benefit provided to the assistance unit shall be reduced by the pro-rata share of the noncompliant adult for one month. If the adult fails to comply by the end of the sanction month, the pro-rata reduction shall continue until the recipient demonstrates an intent to comply.

If both adults fail to actively cooperate with the program or participate in work activities without good cause, the cash assistance benefit provided to the assistance unit shall be reduced by the pro-rata share of the noncompliant adults for one month. If both adults fail to actively cooperate with the program or participate in work activities by the end of the sanction month, without good cause, the assistance unit's cash assistance case shall be closed for a minimum one-month period, and the assistance unit shall be required to reapply in order to receive further cash assistance benefits.**]** (deleted by amendment, P.L. , c. ) (pending before the Legislature as this bill)

d. If a dependent child **[**16**]** 19 years of age or older fails to comply with the requirement for school attendance or other work activity participation, without good cause, the dependent child shall be subject to a **[**pro-rata**]** 50 percent reduction in the dependent child’s pro-rata share of cash assistance benefits for one month. If the dependent child fails to comply by the end of the sanction month, the pro-rata reduction shall continue until the dependent child demonstrates an intent to comply.

e. If a cash assistance case is suspended or closed due to a sanction, and the recipient is receiving emergency assistance benefits, then the household shall continue to receive emergency assistance benefits for one month immediately following the case closure or suspension.

If the recipient comes into compliance and reapplies for cash assistance benefits, the emergency assistance benefits shall be reinstated if the emergency still exists.

f. **[**If a recipient who is less than 18 years of age is living in a Work First New Jersey-funded appropriate living arrangement because the recipient is unable to live with a parent, guardian, or other adult relative, funding for the living arrangement shall continue for one month immediately following the case closure.**]** (deleted by amendment, P.L. , c. ) (pending before the Legislature as this bill)

g. **[**An adult recipient who voluntarily quits a job without good cause, as defined by regulation of the commissioner, shall render the entire assistance unit ineligible for cash assistance benefits for a period of two months from the date the county agency or municipal welfare agency, as appropriate, makes the determination that the recipient quit the job.**]** (deleted by amendment, P.L. , c. ) (pending before the Legislature as this bill)

h. An assistance unit or recipient sanctioned pursuant to this section that returns to compliance within 60 days shall be provided the balance of any benefit amounts withheld or reduced during the period in which the assistance unit or recipient was out of compliance, in addition to any amounts to which the assistance unit or recipient is otherwise eligible. An assistance unit or recipient sanctioned pursuant to this section that returns to compliance more than 60 days after the date sanctions were imposed shall be provided the balance of any benefit amounts withheld or reduced during the period after which the assistance unit or recipient demonstrated an intent to comply, in addition to any amounts to which the assistance unit or recipient is otherwise eligible.

(cf: P.L.2007, c.97, s.2)

15. Section 2 of P.L.1997, c.37 (C.44:10-72) is amended to read as follows:

2. a. Effective no later than the 30th day after the date of enactment of **[**this act**]** P.L.1997, c.37 (C.44:10-71 et al.), a recipient's eligibility for benefits shall be limited to a total of 60 cumulative months, except as otherwise provided in **[**this act**]** P.L.1997, c.37 (C.44:10-71 et al.), regardless of whether the recipient meets more than one assistance unit criteria during that 60-month period. Receipt of assistance from federal block grant funds for temporary assistance for needy families provided by another state or territory pursuant to the federal "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," Pub.L.104-193, shall count towards the 60-month time limit. Receipt of benefits as a dependent child or minor parent shall not count towards the 60-month time limit in the event that the dependent child or minor parent becomes a head of household in the child's or parent's own right for the purposes of receiving benefits. In the event that one or more adult recipients in an assistance unit becomes ineligible for benefits on the grounds that the recipient has reached the 60-month cumulative limit on benefits, the adult recipient’s ineligibility for benefits shall in no way affect the eligibility for benefits of any other member of the assistance unit, including, but not limited to, a dependent child.

b. A recipient shall be exempted from the 60-month time limit established pursuant to subsection a. of this section if the recipient is:

(1) over 60 years of age;

(2) the parent or other relative of a disabled child or other disabled dependent who must provide full-time care for the disabled child or other disabled dependent;

(3) permanently disabled, including, but not limited to, a person eligible for disability insurance benefits under Title II of the federal Social Security Act (42 U.S.C.s.401 et seq.), as defined by regulation of the commissioner; **[**or**]**

(4) chronically unemployable as defined by regulation of the commissioner; or

(5) the parent of a dependent child who is a member of the recipient’s household, which parent has remained in compliance with the requirements of the program for, at a minimum, the six months of enrollment immediately preceding the date the recipient reaches the 60-month time limit.

c. A recipient may receive an extension of no more than 12 cumulative months beyond the 60-month time limit established pursuant to subsection a. of this section, to be granted in increments that shall not exceed six months, if the commissioner determines that the recipient meets one of the following criteria:

(1) the recipient or the recipient's dependent child would be subject to extreme hardship or incapacity, as defined by regulation of the commissioner, in the event of a termination of benefits;

(2) the recipient is **[**engaged in full-time employment**]** employed but remains eligible for benefits due to earned income disregards provided for under section 4 of P.L.1997, c.13 (C.44:10-37);

(3) the recipient has not received an opportunity to engage in work activities **[**as specified in the individual responsibility plan pursuant to subsection f. of section 8 of P.L.1997, c.38 (C.44:10-62)**]** that will enhance the recipient’s ability to find employment that will lead to the assistance unit’s removal from, and sustainable avoidance of, poverty; **[**or**]**

(4) the recipient was **[**engaged in full-time employment**]** employed and was income-ineligible for benefits but was terminated from the employment through no fault of the recipient; or

(5) the recipient is the parent of a dependent child who is a member of the recipient’s household, which recipient has remained in compliance with the requirements of the program for, at a minimum, the six months of enrollment immediately preceding the date the recipient reaches the 60-month time limit.

d. The provisions of this section shall apply to a person who receives general public assistance pursuant to P.L.1947, c.156 (C.44:8-107 et seq.) after the effective date of **[**this act**]** P.L.1997, c.37 (C.44:10-71 et al.) and is subsequently transferred directly into the Work First New Jersey program.

e. Following any extension of assistance due to subsection c. of this section, a recipient may receive an additional 12 months of assistance in the following circumstances:

(1) the recipient is a parent of a dependent child who is a member of the recipient’s household, which recipient has remained in compliance with the requirements of the program for, at a minimum, the six months of enrollment immediately preceding the date the recipient reaches the 60-month time limit; or

(2) the recipient meets other criteria, as determined by the commissioner, which criteria demonstrate that the extension is necessary for the recipient to protect the health, safety, or well-being of the family, including but not limited to preservation of family unity.

f. Any benefits received for months during which a State of Emergency or Public Health Emergency exists shall not be considered for purposes of the time limit provisions outlined in this section and section 8 of P.L.1997, c.14 (C.44:10-51).

(cf: P.L.1997, c.37, s.2)

16. (New section) For the period commencing July 1, 2022 and continuing through July 1, 2026, the benefit level in effect as of the effective date of P.L. , c. (pending before the Legislature as this bill) shall be annually increased by any increase in the consumer price index for all urban wage earners and clerical workers (CPI-W) as calculated by the federal government for the 12 months prior to the March 31 preceding that July 1, plus an additional amount equal to 20 percent of the difference between the benefit level in effect as of the effective date of P.L. , c. (pending before the Legislature as this bill) and 50 percent of the federal poverty level in effect as of the effective date of P.L. , c. (pending before the Legislature as this bill). Commencing July 1, 2027, the benefit level shall be annually increased by any amount as shall be necessary to make the benefit level equivalent to at least 50 percent of the federal poverty level in effect on that July 1. Commencing July 1, 2027, and annually thereafter, the commissioner shall assess the real cost of living and actual deprivation as reflected in the standard of need established pursuant to section 9 of P.L.1997, c.13 (C.44:10-42), and other cost of self-sufficiency measures, which assessment shall be transmitted to the Legislature by the commissioner for consideration when deciding on appropriations to fund cash assistance benefits to recipients.

17. (New section) Any organization that receives a State or local economic incentive shall partner with one or more local community organizations that provide support and services to Work First New Jersey program recipients to provide work activity opportunities and other appropriate services to program recipients, which activities and services may include, but shall not be limited to: work-study programs, internships, sector-based contextualized literacy training, skills-based training in growth industries in New Jersey, and job retention and advancement services.

As used in this section:

"Business" means any non-governmental person, association, for-profit or non-profit corporation, joint venture, limited liability company, partnership, sole proprietorship, or other form of business organization or entity.

"Governmental entity" means the State, a local unit of government, or a State or local government agency or authority.

"State or local economic incentive" means a financial incentive, awarded by a governmental entity to a business, or agreed to between a governmental entity and a business, for the purpose of stimulating economic development or redevelopment in New Jersey, including, but not limited to, a bond, grant, loan, loan guarantee, matching fund, tax credit, or other tax expenditure.

"Tax expenditure" means the amount of foregone tax collections due to any abatement, reduction, exemption, credit, or transfer certificate against any State or local tax.

18. Section 3 of P.L.1997, c.14 (C.44:10-46) is repealed.

19. The Commissioner of Human Services shall apply for such State plan amendments or waivers as may be necessary to implement the provisions of section 3 of this act and to secure federal financial participation for State Medicaid expenditures under the federal Medicaid program.

20. This act shall take effect 120 days after enactment.

STATEMENT

This bill would revise the requirements for cash assistance benefits under the Work First New Jersey (WFNJ) program.

The bill revises language setting forth the general purposes and goals of the WFNJ program to provide that the purpose of the program is to provide recipients with the opportunities, training, and work skills needed to help elevate them out of poverty. The bill removes certain language concerning how the program interacts with young parents and how the system can be disruptive to the family structure, as well as language stating that the program is consistent with federal law by including a time limit on benefits, work requirements, enhanced measures to determine paternity, enhanced child support collection, sanctions for noncompliance with program requirements, incentives for teenage parents to complete school, and restrictions on eligibility for aliens. The bill additionally removes language providing that WFNJ benefits will only be available when other forms of support and maintenance are unavailable.

The bill expands the work requirements under the program to promote the use of educational, training, work-study, internship, and other opportunities that will lead to the recipient’s removal from, and sustainable avoidance of, poverty. Recipients will be permitted to forgo work opportunities for good cause or for other opportunities that will better enable the recipient to emerge from, and sustainably avoid, poverty. The bill requires that good cause be considered broadly in consideration of the recipient’s health, safety, family needs, financial considerations, and other factors determined by the commissioner. The bill removes a requirement that recipients continuously and actively seek employment.

The bill reduces the hourly requirement for work activity from 40 hours per week to 30 hours per week, and provides that the maximum aggregate requirement is 20 hours per week for assistance units with a child under six years of age. Current law provides for a deferral from the work activity requirement for parents and relatives caring for a child under 12 weeks of age; the bill extends this deferral to apply to parents and relatives caring for a child under one year of age.

The bill provides that an individual who is otherwise eligible for general assistance benefits under WFNJ will not be deemed ineligible for public assistance solely on the grounds that the individual is enrolled in an institution of higher education.

The bill will allow recipients engaging in alternative work experience to engage in unpaid work and training with either a for-profit or nonprofit employer; current law only allows placement with nonprofit or charitable employer. An assignment to a for-profit employer may not exceed six months, and will be conditioned on the assignment likely leading to full-time employment with the employer. The bill limits the amount of time a recipient may be assigned to alternative work experience with any employer to no more than six months in a 12-month period. The bill similarly limits the amount of time a recipient may be assigned to community work experience to no more than six months in a 12-month period.

The bill adds language clarifying that, when determining whether good cause exists to excuse noncompliance with program requirements, good cause is to be considered broadly in consideration of the recipient’s health, safety, family needs, financial considerations, and other factors as determined by the commissioner. Furthermore, the bill clarifies that an applicant will not be deemed ineligible for benefits on the grounds that the applicant's eligibility is the result of a cessation of employment, unless the applicant intentionally and voluntarily leaves employment, without good cause, within 30 days prior to the date of application for benefits, for the sole purpose of qualifying for WFNJ benefits. Under current law, an applicant shall not be eligible for benefits when the applicant's eligibility is the result of a voluntary cessation of employment without good cause, as determined by the commissioner, within 90days prior to the date of application for benefits.

The bill will expand the earned income disregard for the purposes of the program. Current law provides that, for recipients employed 20 or more hours a week, and certain recipients with a disability who are unable to work more than 20 hours per week, 100 percent of earned income is disregarded for the first month in which it would be counted as earned income; the disregard drops to 75 percent for the next six consecutive months after that, and to 50 percent for each consecutive month of employment after that. In the case of recipients working less than 20 hours per month, the disregard is 100 percent for the first full month of employment and 50 percent for each continuous month of employment after that.

The bill revises the earned income disregard to allow a 100 percent disregard for the first two full months of employment in which the earned income would be counted. This income disregard applies to all employment, regardless of the number of hours worked. The disregard would then drop to 75 percent for six cumulative months of employment, and to 50 percent for each month of employment thereafter. If a recipient loses employment then becomes reemployed, the two months of 100 percent income disregard and the six months of 75 percent income may be reapplied no more than once every 12-months; otherwise, the 50 percent income disregard will apply.

The bill revises the eligibility criteria for aliens, which currently makes various distinctions on who is eligible based on the individual’s date of entry into the United States, country of origin, length of time in the United States, whether the individual is a veteran, whether the individual is a victim of domestic violence, and whether the individual has satisfied certain work requirements, among other factors. The bill revises the term to refer to “eligible immigrants” and provide that the term applies to all immigrants who otherwise meet program requirements and are lawfully present in the United States. The term will include individuals who are “qualified aliens” or “lawfully present” for the purposes of federal law, individuals granted relief from federal immigration laws under the federal Deferred Action for Childhood Arrivals program, and any other non-citizen or non-national of the United States who is otherwise authorized to live in the United States.

The bill revises the requirements to provide additional supportive services to program recipients. Current law provides that assistance may be provided as a last resort when no other source of support is available. The bill would revise this standard to allow for the provision of additional services in appropriate circumstances, as determined by the commissioner.

Currently, additional assistance is limited to child care services, transportation assistance, an allowance for work-related expenses, and extended Medicaid eligibility. The bill provides that recipients receiving parenting support services are to be provided with educational materials, referrals, and other support to identify, access, and enroll in quality child care services for their dependent children.

The bill requires that, when a recipient has reached 24 months of benefits, welfare agencies are to offer additional case management and supportive services to the recipient, based on an assessment of the barriers to the recipient securing employment.

The bill provides that the full amount of child support provided to the assistance unit for which federal reimbursement is waived is to pass through to the unit. Child support that passes through to the unit will not count as income. The bill also excludes federal income tax refunds, State income tax refunds, homestead rebates, and other sources as determined by the Commissioner via regulation from the definition of income.

In addition to revising the definition of income, the bill also provides that the definition of resources is not to include: 1) funds in an individual retirement account established under State or federal law, or interest or dividend earnings from such an account, for any recipient who has not reached full retirement age; and 2) any retirement accounts excluded from consideration as a resource in the Supplemental Nutrition Program in the Food and Nutrition Act of 2008. Furthermore, if an applicant or recipient meets the resource eligibility standards to qualify for benefits under the State Medicaid program or the NJ FamilyCare program, the applicant or recipient is to be deemed to meet the resource eligibility standards to qualify for benefits under the Work First New Jersey program.

The bill also clarifies that the period of time an applicant is to be deemed ineligible for benefits due to a voluntary assignment or transfer of income or resources within one year prior to the time of application for benefits is not to exceed the value of the income or resource divided by the monthly standard of need, or twelve months, whichever value is less. Income and resources received by a recipient are not be used to prospectively disqualify a recipient from assistance and are to be considered only in the month received and at the time of any new application except in the case of a voluntary assignment or transfer of income or resources. The bill also clarifies that the agreement a recipient must sign stating that repayment of benefits will be made, in the event of receipt of income or resources, includes the receipt of General Assistance repayment subject to a Supplemental Security Income Interim Assistance Reimbursement Agreement, but excludes repayment from unemployment benefits and other government benefits.

The bill adds a provision to existing law, concerning the sanctions that may be imposed for noncompliance with program requirements, to specify that any sanctions imposed are to be applied only to the pro-rata share of an adult recipient who is noncompliant, and will not apply to any other adult or child members of the assistance unit who are compliant with program requirements, which members will continue to be eligible for their full pro-rata share of cash assistance benefits. If the cases of all the adult members of the assistance unit are closed for noncompliance, the dependent child members will still receive their pro-rata share of assistance benefits as a dependent child-only unit.

The bill removes provisions in existing law that outline a schedule of sanctions, beyond the reduction of the pro-rata share of the noncompliant adult for one month. Under the bill, if the adult fails to come into compliance by the end of the sanction month, the adult’s pro-rata share shall continue to be suspended until the adult demonstrates an intent to comply.

The bill also increases the age of a dependent child from 16 to 19 for which failure to comply with the requirement for school attendance or other work activity participation, without good cause, would result in a sanction. Further, the bill provides for a specific reduction, 50 percent, in the dependent child’s pro-rata share of cash assistance benefits for one month for such non-compliance.

Under current law, a household receiving emergency assistance benefits is to continue to receive benefits for one month immediately following the case closure. The bill expands this to also include cash assistance cases that are suspended.

The bill removes provisions of existing law that allow funding for a WFNJ-funded appropriate living arrangement to continue for one month immediately following a case closure, if the recipient is less than 18 years of age and is in the living arrangement because the recipient is unable to live with a parent, guardian, or other adult relative.

The bill removes provisions of existing law that render an entire assistance unit ineligible for cash assistance benefits for a period of two months if an adult recipient in the unit voluntarily quits a job without good cause.

Under the bill, a sanctioned assistance unit or recipient that returns to compliance within 60 days is to be provided the balance of any benefit amounts withheld or reduced during the period in which the assistance unit or recipient was out of compliance, in addition to any amounts to which the assistance unit or recipient is otherwise eligible. Further, a sanctioned assistance unit or recipient that returns to compliance more than 60 days after the sanction date is to be provided the balance of any benefit amounts withheld or reduced during the period after which the assistance unit or recipient demonstrated an intent to comply, in addition to any amounts to which the assistance unit or recipient is otherwise eligible.

Ordinarily, recipients are allowed a lifetime total of 60 months of benefits. The bill provides that, in the event any adult in an assistance unit loses eligibility on the grounds that the individual reached the 60-month cap, that loss of eligibility will not affect the eligibility of any other recipient in the assistance unit, including, but not limited to, a minor child who is receiving assistance.

Current law provides for certain exceptions to this 60-month limit. The bill revises the exceptions involving employment to provide that they will apply to any form of employment, not just full-time employment. The bill expands the existing exceptions to include any parent of a minor child who was in compliance with program requirements for the six months of enrollment immediately preceding the date the recipient reached the 60-month limit. Under the bill, any benefit received for months during which a State of Emergency or Public Health Emergency exists are not to be considered for purposes of any time limit provisions.

Current law also provides for an extension to the 60-month benefit limit, including up to 12 additional months of benefits, in certain cases. The bill allows for an extension under this additional circumstance: the recipient is the parent of a dependent child who is a member of the recipient’s household, which recipient has remained in compliance with the requirements of the program for, at a minimum, the six months of enrollment immediately preceding the date the recipient reaches the 60-month time limit. Furthermore the bill also provides that following this 12-month extension, a recipient may receive an additional 12 months of assistance under the same circumstance; or if the recipient meets other criteria, as determined by the commissioner, which criteria demonstrate that the extension is necessary for the recipient to protect the health, safety, or well-being of the family, including but not limited to preservation of family unity.

The bill provides that organizations that receive State or local economic incentives will be required to partner with local community organizations to provide work activity opportunities and other appropriate services to WFNJ recipients, including training, work-study opportunities, internships, and job retention and advancement services.

The bill removes outdated language in the definition of “dependent child” that required a child in school or vocational training to reasonably be expected to complete the school or training.

The bill establishes a new joint reporting requirement for the Commissioner of Human Services and the Commissioner of Labor and Workforce Development concerning various aspects of the program. The Commissioner of Human Services will be required to make changes to the program based on the data gathered in order to improve the performance of the program.

The bill repeals section 3 of P.L.1997, c.14 (C.44:10-46), which concerned benefits for recipients in the State less than 12 months, and which was invalidated by court ruling and currently has no force or effect.

Finally, the bill provides for a schedule of increases in WFNJ benefit levels. For the period commencing July 1, 2022 and continuing through July 1, 2026, the benefit level in effect as of the effective date of the bill is to be annually increased by any increase in the consumer price index for all urban wage earners and clerical workers (CPI-W) as calculated by the federal government for the 12 months prior to the March 31 preceding that July 1, plus an additional amount equal to 20 percent of the difference between the benefit level in effect as of the effective date of the bill and 50 percent of the federal poverty level in effect as of the effective date of the bill. Commencing July 1, 2027, the benefit level is to be annually increased by any amount as is necessary to make the benefit level equivalent to at least 50 percent of the federal poverty level in effect on that July 1. Commencing July 1, 2027, and annually thereafter, the Commissioner of Human Services is to assess the real cost of living and actual deprivation as reflected in the standard of need established pursuant to section 9 of P.L.1997, c.13 (C.44:10-42), and other cost of self-sufficiency measures. The assessment is to be transmitted to the Legislature by the commissioner for consideration when deciding on appropriations to fund cash assistance benefits to recipients.

The bill will take effect 120 days after the date of enactment.