

**SENATE, No. 2201**

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**STATE OF NEW JERSEY**

**221st LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

**Sponsored by:**

**Senator M. TERESA RUIZ**

**District 29 (Essex and Hudson)**

**Senator ANDREW ZWICKER**

**District 16 (Hunterdon, Mercer, Middlesex and Somerset)**

**Co-Sponsored by:**

**Senator McKnight**

**SYNOPSIS**

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

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 2/5/2024)**

1 AN ACT concerning the Work First New Jersey program, revising  
2 various parts of the statutory law, and supplementing Title 44 of  
3 the Revised Statutes.  
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*  
7

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

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

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

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

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

35 (cf: P.L.1997, c.37, s.15)  
36

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

39 1. As used in this act:

40 "Alternative work experience" means unpaid work and training  
41 **【only】** with a public **【, private nonprofit】** or private **【charitable】**  
42 employer that provides a recipient with the experience necessary to  
43 adjust to, and learn how to function in, an employment setting and  
44 the opportunity to combine that experience with education and job  
45 training. An alternative work experience participant shall not

**EXPLANATION – Matter enclosed in bold-faced brackets **【thus】** in the above bill is  
not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

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

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

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

14 "Commissioner" means the Commissioner of Human Services.

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

22 "Dependent child" means a child:

23 a. under the age of 18;

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

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

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

35 "Income" means, but is not limited to, commissions, salaries,  
36 self-employed earnings, child support and alimony payments other  
37 than child support payments provided to an assistance unit pursuant  
38 to subsection c. of section 7 of P.L.1997, c.14 (C.44:10-49), interest  
39 and dividend earnings, wages, receipts, unemployment  
40 compensation, any legal or equitable interest or entitlement owed  
41 that was acquired by a cause of action, suit, claim or counterclaim,  
42 insurance benefits, temporary disability claims, estate income,  
43 trusts, [federal income tax refunds, State income tax refunds,  
44 homestead rebates,] lottery prizes, casino and racetrack winnings,  
45 annuities, retirement benefits, veterans' benefits, union benefits, or  
46 other sources that may be defined as income by the commissioner [;  
47 except that in the event that individual development accounts for

1 recipients are established by regulation of the commissioner,] .  
2 “Income” shall not include federal income tax refunds, State income  
3 tax refunds, homestead rebates, child support payments provided to  
4 an assistance unit pursuant to subsection c. of section 7 of P.L.1997,  
5 c.14 (C.44:10-49), any interest or dividend earnings from [such] an  
6 individual development account [shall not be considered income],  
7 and other sources as may be excluded by regulation by the  
8 Commissioner.

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

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

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

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

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

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

32 "Title IV-A" means the provisions of Title IV-A of the federal  
33 Social Security Act governing the program of aid to families with  
34 dependent children established pursuant to P.L.1959, c.86 (C.44:10-  
35 1 et seq.) and the State Plan to implement those provisions that  
36 were in effect on July 16, 1996, including income methodologies  
37 for determining eligibility under those provisions and plan.

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

41 "Work activity" includes, but is not limited to, the following, as  
42 defined by regulation of the commissioner: employment; on-the-job  
43 training; job search and job readiness assistance; vocational  
44 educational training; job skills training related directly to  
45 employment; community work experience; alternative work  
46 experience; supportive work; community service programs,  
47 including the provision of child care as a community service  
48 project; in the case of a teenage parent or a recipient under the age

1 of 19 **【**who is expected to graduate or complete their course of  
2 study by their 19th birthday**】**, satisfactory attendance at a secondary  
3 school or in a course of study leading to a certificate of general  
4 equivalence; and education that is necessary for employment in the  
5 case of a person who has not received a high school diploma or a  
6 certificate of high school equivalency, a course of study leading to a  
7 certificate of general equivalence, or post-secondary education,  
8 when combined with community work experience participation or  
9 other approved work activities, including employment.

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

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

14

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

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

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

22 (1) 100% of the earned income shall be disregarded for the first  
23 full **【**month**】** two months of employment in which the earned  
24 income would be counted;

25 (2) 75% of the earned income shall be disregarded for six  
26 **【**consecutive**】** cumulative months of employment thereafter; and

27 (3) 50% of the earned income shall be disregarded for each  
28 **【**continuous**】** month of employment thereafter.

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

31 (1) 100% of the earned income shall be disregarded for the first  
32 full month in which the earned income would be counted; and

33 (2) 50% of the earned income shall be disregarded for each  
34 continuous month of employment thereafter.**】** (deleted by  
35 amendment, P.L. , c. ) (pending before the Legislature as this  
36 bill)

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

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

9     (cf: P.L.2007, c.97, s.1)

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

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

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

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

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

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

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

46     (1) coverage solely of the adult head of an assistance unit by an  
47 employer's health insurance plan shall not preclude other members

1 of the assistance unit from receiving the additional 24 months of  
2 medical assistance; and

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

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

17 d. At such time as any recipient reaches a cumulative total of  
18 24 months of enrollment in the program, the county agency or  
19 municipal welfare agency, as appropriate, shall offer additional  
20 voluntary case management and supportive services to the recipient,  
21 based on assessment of their barriers to securing employment.

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

23

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

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

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

47 c. To the extent not otherwise provided pursuant to subsection  
48 a. or b. of this section, the commissioner shall conduct such

1 research as he deems appropriate to evaluate the outcomes for  
2 recipients, and the benefits, costs and other effects of the program,  
3 and shall submit any report resulting from that research to the  
4 Governor and the Legislature and otherwise make copies available  
5 to the public.

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

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

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



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

3       1. As used in this act:

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

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

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

15       "Commissioner" means the Commissioner of Human Services.

16       "County agency" means the county agency that was  
17 administering the aid to families with dependent children program  
18 at the time the federal "Personal Responsibility and Work  
19 Opportunity Reconciliation Act of 1996," Pub.L.104-193, was  
20 enacted and which, upon the enactment of P.L.1997, c.14 (C.44:10-  
21 44 et al.) shall also administer the Work First New Jersey program  
22 in that county.

23       "Dependent child" means a child:

24       a. under the age of 18;

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

30       c. under the age of 21 and enrolled in a special education  
31 program,  
32 who is living in New Jersey with the child's natural or adoptive  
33 parent or legal guardian, or with a relative designated by the  
34 commissioner in a place of residence maintained by the relative as  
35 the relative's home.

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

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

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

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

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

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

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

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

28 For the purposes of this section, "qualified alien" is defined  
29 pursuant to the provisions of section 431 of Title IV of Pub.L.104-  
30 193] an individual who meets program requirements and is lawfully  
31 present in the United States, regardless of the individual's date of  
32 entry into the United States. The term "eligible immigrant" shall  
33 include: any individual who is a "qualified alien," as that term is  
34 defined in 8 U.S.C. s.1641; any individual who is "lawfully  
35 present" in the United States, as that term is defined in 45 CFR  
36 s.152.2; any individual granted relief from federal immigration laws  
37 under the federal Deferred Action for Childhood Arrivals program;  
38 and any other individual who is not a citizen or national of the  
39 United States and is authorized to live in the United States.

40 "Income" means, but is not limited to, commissions, salaries,  
41 self-employed earnings, child support and alimony payments other  
42 than child support payments provided to an assistance unit pursuant  
43 to subsection c. of section 7 of P.L.1997, c.14 (C.44:10-49), interest  
44 and dividend earnings, wages, receipts, unemployment  
45 compensation, any legal or equitable interest or entitlement owed  
46 that was acquired by a cause of action, suit, claim or counterclaim,  
47 insurance benefits, temporary disability claims, estate income,  
48 trusts, [federal income tax refunds, State income tax refunds,

1 homestead rebates,] lottery prizes, casino and racetrack winnings,  
2 annuities, retirement benefits, veterans' benefits, union benefits, or  
3 other sources that may be defined as income by the commissioner [;  
4 except that in the event that individual development accounts for  
5 recipients are established by regulation of the commissioner,] .  
6 "Income" shall not include federal income tax refunds, State income  
7 tax refunds, homestead rebates, child support payments provided to  
8 an assistance unit pursuant to subsection c. of section 7 of P.L.1997,  
9 c.14 (C.44:10-49), any interest or dividend earnings from [such] an  
10 individual development account [shall not be considered income],  
11 and other sources as may be excluded by regulation by the  
12 Commissioner.

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

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

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

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

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

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

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

1 "Work First New Jersey program" or "program" means the  
2 program established pursuant to P.L.1997, c.38 (C.44:10-55 et  
3 seq.).  
4 (cf: P.L.2007, c.96, s.3)

5  
6 7. Section 2 of P.L.1997, c.14 (C.44:10-45) is amended to read  
7 as follows:

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

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

26 b. A recipient, as a condition of eligibility for benefits, shall,  
27 subject to good cause exceptions 【as】, which exceptions shall be  
28 defined by the commissioner and shall be considered broadly in  
29 consideration of the recipient's health, safety, family needs,  
30 financial considerations, and other factors as determined by the  
31 commissioner, be required to: do all acts stated herein necessary to  
32 establish the paternity of a child born out-of-wedlock, and to  
33 establish and participate in the enforcement of child support  
34 obligations; cooperate with work requirements established by the  
35 commissioner; make application for any other assistance for which  
36 members of the assistance unit may be eligible; be income and  
37 resource eligible as defined by the commissioner, including the  
38 deeming of income and resources as appropriate; provide all  
39 necessary documentation which shall include the federal Social  
40 Security number for all assistance unit members, except for an  
41 eligible 【alien】 immigrant who cannot be assigned a Social  
42 Security number due to his status, or make application for same;  
43 sign an agreement to repay benefits in the event of receipt of  
44 income or resources, including General Assistance repayment  
45 subject to a Supplemental Security Income Interim Assistance  
46 Reimbursement Agreement, but excluding repayment from  
47 unemployment benefits and other government benefits; and comply  
48 with personal identification requirements as a condition of receiving

1 benefits, which may employ the use of high technology processes  
2 for the detection of fraud.

3 c. Notwithstanding any other provision of law or regulation to  
4 the contrary, an applicant shall not be **[eligible]** deemed ineligible  
5 for benefits **[when]** on the grounds that the applicant's eligibility  
6 for benefits is the result of a **[voluntary]** cessation of employment  
7 **[without good cause, as determined by the commissioner]**, unless  
8 the applicant intentionally and voluntarily left employment within  
9 **[90]** 30 days prior to the date of application for benefits for the sole  
10 purpose of qualifying for Work First New Jersey benefits, without  
11 good cause. Good cause shall be considered broadly in  
12 consideration of the recipient's health, safety, family needs,  
13 financial considerations, and other factors as determined by the  
14 commissioner.

15 d. A voluntary assignment or transfer of income or resources  
16 within one year prior to the time of application for benefits for the  
17 purpose of qualifying therefor shall render the applicant and the  
18 applicant's assistance unit members ineligible for benefits for a  
19 period of time determined by regulation of the commissioner, which  
20 period shall not exceed the value of the income or resource divided  
21 by the monthly standard of need, established pursuant to section 9  
22 of P.L.1997, c.13 (C.44:10-42), or 12 months, whichever value is  
23 less.

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

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

34  
35 8. Section 5 of P.L.1997, c.14 (C.44:10-48) is amended to read  
36 as follows:

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

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

- 1 (1) non-needy caretakers, except that the eligibility of a  
2 dependent child shall not be affected by the income or resources of  
3 a non-needy caretaker;
- 4 (2) Supplemental Security Income recipients, except for the  
5 purposes of receiving emergency assistance benefits pursuant to  
6 section 8 of P.L.1997, c.14 (C.44:10-51);
- 7 (3) **【illegal aliens】** undocumented immigrants;
- 8 (4) other **【aliens】** immigrants who are not eligible **【aliens】**  
9 immigrants;
- 10 (5) a person absent from the home who is incarcerated in a  
11 federal, State, county or local corrective facility or under the  
12 custody of correctional authorities, except as provided by regulation  
13 of the commissioner;
- 14 (6) a person who: is fleeing to avoid prosecution, custody or  
15 confinement after conviction, under the laws of the jurisdiction  
16 from which the person has fled, for a crime or an attempt to commit  
17 a crime which is a felony or a high misdemeanor under the laws of  
18 the jurisdiction from which the person has fled; or is violating a  
19 condition of probation or parole imposed under federal or state law;
- 20 (7) (Deleted by amendment, P.L.2021, c.312).
- 21 (8) a person found to have fraudulently misrepresented his  
22 residence in order to obtain means-tested, public benefits in two or  
23 more states or jurisdictions, who shall be ineligible for benefits for  
24 a period of 10 years from the date of conviction in a federal or state  
25 court; or
- 26 (9) a person who intentionally makes a false or misleading  
27 statement or misrepresents, conceals or withholds facts for the  
28 purpose of receiving benefits, who shall be ineligible for benefits  
29 for a period of six months for the first violation, 12 months for the  
30 second violation, and permanently for the third violation.
- 31 c. A person who makes a false statement with the intent to  
32 qualify for benefits and by reason thereof receives benefits for  
33 which the person is not eligible is guilty of a crime of the fourth  
34 degree.
- 35 d. Pursuant to the authorization provided to the states under 21  
36 U.S.C. s.862a(d)(1), this State elects to exempt from the application  
37 of 21 U.S.C. s.862a(a):
- 38 (1) needy persons and their dependent children domiciled in New  
39 Jersey for the purposes of receiving benefits under the Work First  
40 New Jersey program and food assistance under the federal "Food  
41 and Nutrition Act of 2008," Pub.L.110-234 (7 U.S.C. s.2011 et  
42 seq.); and
- 43 (2) single persons and married couples without dependent  
44 children domiciled in New Jersey for the purposes of receiving food  
45 assistance under Pub.L.110-234.  
46 (cf: P.L.2021, c.312, s.17)

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

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

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

17       c. An assistance unit eligible for benefits and in receipt of child  
18 support shall receive, in addition to its regular grant of cash  
19 assistance benefits, a monthly amount of child support that is equal  
20 to the maximum benefit amount for which the federal  
21 reimbursement share is waived, based on the current child support  
22 received for the month **【**, as determined by regulations adopted by  
23 the commissioner, and in accordance with federal law**】**.  
24 (cf: P.L.2008, c.101, s.2)  
25

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

28       2. The Legislature finds and declares that:

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

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

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

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

44       e. Successful welfare reform **【requires】** is furthered by the  
45 active involvement of the private sector as well as all departments  
46 of State government;

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

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

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

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

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

37  
38 11. Section 3 of P.L.1997, c.38 (C.44:10-57) is amended to read as  
39 follows:

40 3. As used in this act:

41 "Alternative work experience" means unpaid work and training  
42 **【only】** with a public **【**, private nonprofit **】** or private **【charitable】**  
43 employer that provides a recipient with the experience necessary to  
44 adjust to, and learn how to function in, an employment setting and the  
45 opportunity to combine that experience with education and job  
46 training. An alternative work experience participant shall not be  
47 assigned to work for a private, for profit employer unless the



1 assignment is for a period of no more than six months and the  
2 assignment is likely to lead to full-time employment with the  
3 employer.

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

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

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

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

17 "Commissioner" means the Commissioner of Human Services.

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

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

30 "Dependent child" means a child:

- 31 a. under the age of 18;  
32 b. under the age of 19 and a full-time student in a secondary  
33 school or an equivalent level of vocational or technical training **【**, if,  
34 before the student attains age 19, the student may reasonably be  
35 expected to complete the student's program of secondary school or  
36 training**】**; or  
37 c. under the age of 21 and enrolled in a special education  
38 program,  
39 who is living in New Jersey with the child's natural or adoptive parent  
40 or legal guardian, or with a relative designated by the commissioner in  
41 a place of residence maintained by the relative as the relative's home.

42 "Eligible **【alien】** immigrant" means **【**one of the following:

- 43 a. a qualified alien admitted to the United States prior to August  
44 22, 1996, who is eligible for means-tested, federally funded public  
45 benefits pursuant to federal law;  
46 b. a refugee, asylee, or person granted withholding of deportation  
47 under federal law for the person's first five years after receiving that  
48 classification in the United States pursuant to federal law;

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

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

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

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

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

32 For the purposes of this section, "qualified alien" is defined  
33 pursuant to the provisions of section 431 of Title IV of Pub.L.104-  
34 193] an individual who meets program requirements and is lawfully  
35 present in the United States, regardless of the individual's date of entry  
36 into the United States. The term "eligible immigrant" shall include:  
37 any individual who is a "qualified alien," as that term is defined in 8  
38 U.S.C. s.1641; any individual who is "lawfully present" in the United  
39 States, as that term is defined in 45 CFR s.152.2; any individual  
40 granted relief from federal immigration laws under the federal  
41 Deferred Action for Childhood Arrivals program; and any other  
42 individual who is not a citizen or national of the United States and is  
43 authorized to live in the United States.

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

46 "Income" means, but is not limited to, commissions, salaries, self-  
47 employed earnings, child support and alimony payments other than  
48 child support payments provided to an assistance unit pursuant to

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

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

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

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

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

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

42 "Work activity" includes, but is not limited to, the following, as  
43 defined by regulation of the commissioner: employment; on-the-job  
44 training; job search and job readiness assistance; vocational  
45 educational training; job skills training related directly to  
46 employment; community work experience; alternative work  
47 experience; supportive work; community service programs, including

1 the provision of child care as a community service project; in the case  
2 of teenage parents or recipients under the age of 19 **【who are expected**  
3 **to graduate or complete their course of study by their 19th birthday】**,  
4 satisfactory attendance at a secondary school or in a course of study  
5 leading to a certificate of general equivalence; and education that is  
6 necessary for employment in the case of a person who has not received  
7 a high school diploma or a certificate of high school equivalency, a  
8 course of study leading to a certificate of general equivalence, or post-  
9 secondary education, when combined with community work  
10 experience participation or another work activity approved by the  
11 commissioner, including employment.  
12 (cf: P.L.1997, c.38, s.3)

13

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

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

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

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

42 d. The commissioner shall establish by regulation, standards  
43 and procedures to screen and identify recipients with a history of  
44 being subjected to domestic violence and refer these recipients to  
45 counseling and supportive services. The commissioner may waive  
46 program requirements, including, but not limited to, the time limit  
47 on benefits pursuant to section 2 of P.L.1997, c.37 (C.44:10-72),

1 residency requirements pursuant to section 6 of P.L.1997, c.38  
2 (C.44:10-60), child support cooperation requirements pursuant to  
3 subsection b. of section 2 of P.L.1997, c.14 (C.44:10-45) and the  
4 limitation on increase of cash assistance benefits as a result of the  
5 birth of a child pursuant to section 7 of P.L.1997, c.38 (C.44:10-  
6 61), in cases where compliance with such requirements would make  
7 it more difficult for a recipient to escape domestic violence or  
8 unfairly penalize the recipient who is or has been victimized by  
9 such violence, or who is at risk of further domestic violence.

10 e. The commissioner shall establish regulations determining  
11 eligibility and other requirements of the Work First New Jersey  
12 program. Regulations shall include provisions for the deeming of  
13 income, when appropriate, which include situations involving the  
14 sponsor of an eligible **alien** immigrant in accordance with federal  
15 law, and legally responsible relatives of assistance unit members.  
16 (cf: P.L.1997, c.38, s.5)

17  
18 13. Section 8 of P.L.1997, c.38 (C.44:10-62) is amended to read  
19 as follows:

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

38 A recipient may be assigned to a work activity or to an  
39 educational, training, work-study, internship, or other opportunity,  
40 as determined by the commissioner, that will enhance the  
41 recipient’s ability to find employment that will lead to the  
42 assistance unit’s removal from, and sustainable avoidance of,  
43 poverty. The recipient shall sign an individual responsibility plan,  
44 as provided in subsection f. of this section, in order to be able to  
45 participate in the program, which shall indicate the terms of the  
46 **work activity** requirements for the work activity or other  
47 opportunity that the recipient must fulfill in order to continue to  
48 receive benefits. In no case shall a recipient’s work activity

1 requirements include more than six months of community work  
2 experience within any 12-month period.

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

14 c. A recipient shall comply with work activity participation  
15 requirements as a condition of remaining eligible for benefits. In  
16 accordance with the requirements of Pub.L.104-193 (42 U.S.C. s.  
17 601 et seq.), a minimum participation rate of 25% shall be realized  
18 in federal fiscal year 1997. The participation rate shall increase by  
19 5% in each federal fiscal year to a level of 50% in federal fiscal  
20 year 2002 and thereafter. For two-parent assistance units with  
21 dependent children receiving benefits, the participation rate shall be  
22 75% for federal fiscal years 1997 and 1998 and 90% in federal  
23 fiscal year 1999 and thereafter. The participation rate shall be  
24 calculated in accordance with federal requirements. A recipient  
25 may be required to participate in one or more work activities for a  
26 maximum aggregate hourly total of **【40】 30** hours per week, except  
27 that, if a child in the assistance unit is under six years of age, the  
28 maximum aggregate hourly total of work activities required for the  
29 recipient shall be 20 hours per week.

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

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

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

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

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

47 f. Upon a determination of eligibility for benefits, each adult  
48 recipient not otherwise deferred or exempted under this act shall be

1 given an assessment of that person's potential and readiness for  
2 work, including, but not limited to, skills, education, past work  
3 experience and any barriers to securing employment, including a  
4 screening and assessment for substance abuse, as appropriate. For  
5 all recipients not deferred or exempt, an annual individual  
6 responsibility plan shall be developed jointly by the county agency  
7 or municipal welfare agency, as appropriate, and the recipient  
8 specifying the steps that will be taken by each to assist the recipient  
9 to secure employment. The individual responsibility plan shall  
10 include specific goals for each adult member or minor parent in the  
11 assistance unit, and may include specific goals for a dependent  
12 child member of the assistance unit. The goals, as determined by  
13 regulation of the commissioner, shall include, but not be limited to,  
14 requirements for parental participation in a dependent child's  
15 primary school program, immunizations for a dependent child, and  
16 regular school attendance by a dependent child. Recipients who are  
17 job ready shall be placed immediately in a self-directed job search.  
18 Within the amount of funds allocated by the commissioner for this  
19 purpose, other recipients shall be placed in an appropriate work  
20 activity as indicated by their individual assessments.

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

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

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

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

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

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

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

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

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

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

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

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

29 j. The commissioner shall take such actions as are necessary to  
30 ensure that the program meets the requirements to qualify for the  
31 maximum amount of federal funds due the State under Pub.L.104-  
32 193 (42 U.S.C. s. 601 et seq.).

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

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

37  
38 14. Section 2 of P.L.2007, c.97 (C.44:10-63.1) is amended to  
39 read as follows:

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



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

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

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

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

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

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

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

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

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

1       b. ~~【In an assistance unit with one adult, if the】~~ If an adult  
2 receiving cash assistance fails to actively cooperate with the  
3 program or participate in work activities without good cause, the  
4 cash assistance benefit provided to the ~~【assistance unit】~~ non-  
5 compliant adult shall be reduced by the pro-rata share of the  
6 noncompliant adult for one month. If the adult fails to come into  
7 compliance by the end of the sanction month, the adult's pro-rata  
8 share shall continue to be suspended until the adult demonstrates an  
9 intent to comply. A reduction in the cash assistance benefit of a  
10 non-compliant adult member of an assistance unit pursuant to this  
11 subsection shall not apply to any other adult or dependent child  
12 member of the assistance unit who is in compliance with program  
13 requirements, which compliant member shall continue to receive  
14 the member's full pro-rata share of cash assistance benefits.

15       (1) ~~【If the adult fails to actively cooperate with the program or~~  
16 ~~participate in work activities by the end of the first-month pro-rata~~  
17 ~~sanction, without good cause, the assistance unit's cash assistance~~  
18 ~~case shall be suspended for one month. If the participant complies~~  
19 ~~by the end of the suspension month, the suspension shall be lifted.】~~  
20 ~~(deleted by amendment, P.L. \_\_\_\_\_, c. \_\_\_\_\_) (pending before the~~  
21 ~~Legislature as this bill)~~

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

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

36       If both adults fail to actively cooperate with the program or  
37 participate in work activities without good cause, the cash  
38 assistance benefit provided to the assistance unit shall be reduced  
39 by the pro-rata share of the noncompliant adults for one month. If  
40 both adults fail to actively cooperate with the program or participate  
41 in work activities by the end of the sanction month, without good  
42 cause, the assistance unit's cash assistance case shall be closed for a  
43 minimum one-month period, and the assistance unit shall be  
44 required to reapply in order to receive further cash assistance  
45 benefits.】 ~~(deleted by amendment, P.L. \_\_\_\_\_, c. \_\_\_\_\_) (pending before~~  
46 ~~the Legislature as this bill)~~

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

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

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

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

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

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

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

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

1       2. a. Effective no later than the 30th day after the date of  
2 enactment of **【this act】** P.L.1997, c.37 (C.44:10-71 et al.), a  
3 recipient's eligibility for benefits shall be limited to a total of 60  
4 cumulative months, except as otherwise provided in **【this act】**  
5 P.L.1997, c.37 (C.44:10-71 et al.), regardless of whether the  
6 recipient meets more than one assistance unit criteria during that  
7 60-month period. Receipt of assistance from federal block grant  
8 funds for temporary assistance for needy families provided by  
9 another state or territory pursuant to the federal "Personal  
10 Responsibility and Work Opportunity Reconciliation Act of 1996,"  
11 Pub.L.104-193, shall count towards the 60-month time limit.  
12 Receipt of benefits as a dependent child or minor parent shall not  
13 count towards the 60-month time limit in the event that the  
14 dependent child or minor parent becomes a head of household in the  
15 child's or parent's own right for the purposes of receiving benefits.  
16 In the event that one or more adult recipients in an assistance unit  
17 becomes ineligible for benefits on the grounds that the recipient has  
18 reached the 60-month cumulative limit on benefits, the adult  
19 recipient's ineligibility for benefits shall in no way affect the  
20 eligibility for benefits of any other member of the assistance unit,  
21 including, but not limited to, a dependent child.

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

25       (1) over 60 years of age;

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

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

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

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

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

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

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

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

11 (4) the recipient was **【engaged in full-time employment】**  
12 employed and was income-ineligible for benefits but was  
13 terminated from the employment through no fault of the recipient;  
14 or

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

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

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

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

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

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

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

43  
44 16. (New section) For the period commencing July 1, 2022 and  
45 continuing through July 1, 2026, the benefit level in effect as of the  
46 effective date of P.L. , c. (pending before the Legislature as this  
47 bill) shall be annually increased by any increase in the consumer

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

19  
20 17. (New section) Any organization that receives a State or  
21 local economic incentive shall partner with one or more local  
22 community organizations that provide support and services to Work  
23 First New Jersey program recipients to provide work activity  
24 opportunities and other appropriate services to program recipients,  
25 which activities and services may include, but shall not be limited  
26 to: work-study programs, internships, sector-based contextualized  
27 literacy training, skills-based training in growth industries in New  
28 Jersey, and job retention and advancement services.

29 As used in this section:

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

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

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

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

45  
46 18. Section 3 of P.L.1997, c.14 (C.44:10-46) is repealed.

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

6  
7       20. This act shall take effect 120 days after enactment.  
8  
9

10                                   STATEMENT  
11

12       This bill revises various requirements for cash assistance benefits  
13 under the Work First New Jersey (WFNJ) program.

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

18       The bill allows recipients engaging in alternative work experience  
19 to engage in unpaid work and training with either a for-profit or  
20 nonprofit employer; current law only allows placement with nonprofit  
21 or charitable employer. An assignment to a for-profit employer may  
22 not exceed six months, and will be conditioned on the assignment  
23 likely leading to full-time employment with the employer. The bill  
24 limits the amount of time a recipient may be assigned to alternative  
25 work experience with any employer to no more than six months in a  
26 12-month period. The bill similarly limits the amount of time a  
27 recipient may be assigned to community work experience to no more  
28 than six months in a 12-month period.

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

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

39       In addition to revising the definition of income, the bill also  
40 provides that the definition of resources is not to include: 1) funds in  
41 an individual retirement account established under State or federal law,  
42 or interest or dividend earnings from such an account, for any recipient  
43 who has not reached full retirement age; and 2) any retirement  
44 accounts excluded from consideration as a resource in the  
45 Supplemental Nutrition Program in the Food and Nutrition Act of  
46 2008. Furthermore, if an applicant or recipient meets the resource  
47 eligibility standards to qualify for benefits under the State Medicaid  
48 program or the NJ FamilyCare program, the applicant or recipient will

1 be deemed to meet the resource eligibility standards to qualify for  
2 benefits under the Work First New Jersey program.

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

14 The bill revises the earned income disregard to allow a 100 percent  
15 disregard for the first two full months of employment in which the  
16 earned income would be counted. This income disregard applies to all  
17 employment, regardless of the number of hours worked. The disregard  
18 would then drop to 75 percent for six cumulative months of  
19 employment, and to 50 percent for each month of employment  
20 thereafter. If a recipient loses employment then becomes reemployed,  
21 the two months of 100 percent income disregard and the six months of  
22 75 percent income may be reapplied no more than once every 12-  
23 months; otherwise, the 50 percent income disregard will apply.

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

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

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

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

46 The bill revises the eligibility criteria for aliens, which currently  
47 makes various distinctions on who is eligible based on the individual's  
48 date of entry into the United States, country of origin, length of time in



1 the United States, whether the individual is a veteran, whether the  
2 individual is a victim of domestic violence, and whether the individual  
3 has satisfied certain work requirements, among other factors. The bill  
4 replaces the term “aliens” with “eligible immigrants,” and provides  
5 that the term applies to all immigrants who otherwise meet program  
6 requirements and are lawfully present in the United States. The term  
7 will include individuals who are “qualified aliens” or “lawfully  
8 present” for the purposes of federal law, individuals granted relief  
9 from federal immigration laws under the federal Deferred Action for  
10 Childhood Arrivals program, and any other non-citizen or non-national  
11 of the United States who is otherwise authorized to live in the United  
12 States.

13 The bill provides that, in determining standards of income and  
14 resources under WFNJ, the Commissioner of Human Services will be  
15 prohibited from reducing benefit levels.

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

30 The bill also clarifies that the period of time an applicant is to be  
31 deemed ineligible for benefits due to a voluntary assignment or  
32 transfer of income or resources within one year prior to the time of  
33 application for benefits is not to exceed the value of the income or  
34 resource divided by the monthly standard of need, or 12 months,  
35 whichever value is less. Income and resources received by a recipient  
36 may not be used to prospectively disqualify a recipient from assistance  
37 and are to be considered only in the month received and at the time of  
38 any new application, except in the case of a voluntary assignment or  
39 transfer of income or resources. The bill also clarifies that the  
40 agreement a recipient must sign stating that repayment of benefits will  
41 be made, in the event of receipt of income or resources, includes the  
42 receipt of General Assistance repayment subject to a Supplemental  
43 Security Income Interim Assistance Reimbursement Agreement, but  
44 excludes repayment from unemployment benefits and other  
45 government benefits.

46 The bill revises language setting forth the general purposes and  
47 goals of the WFNJ program to provide that the purpose of the program  
48 is to provide recipients with the opportunities, training, and work skills

1 needed to help elevate them out of poverty. The bill removes certain  
2 language concerning how the program interacts with young parents  
3 and how the system can be disruptive to the family structure, as well as  
4 language stating that the program is consistent with federal law by  
5 including a time limit on benefits, work requirements, enhanced  
6 measures to determine paternity, enhanced child support collection,  
7 sanctions for noncompliance with program requirements, incentives  
8 for teenage parents to complete school, and restrictions on eligibility  
9 for aliens. The bill additionally removes language providing that  
10 WFNJ benefits will only be available when other forms of support and  
11 maintenance are unavailable.

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

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

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

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

47 The bill also increases the age at which a dependent child's failure  
48 to comply with school attendance requirements or requirements for

1 other work activity participation, without good cause, would result in a  
2 sanction. Under current law, this provision applies until age 16; as  
3 revised by the bill, this provision applies until age 19. Further, the bill  
4 provides for a specific reduction of 50 percent in the dependent child's  
5 pro-rata share of cash assistance benefits for one month for such  
6 noncompliance.

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

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

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

21 Under the bill, a sanctioned assistance unit or recipient that  
22 returns to compliance within 60 days is to be provided the balance  
23 of any benefit amounts withheld or reduced during the period in  
24 which the assistance unit or recipient was out of compliance, in  
25 addition to any amounts to which the assistance unit or recipient is  
26 otherwise eligible. Further, a sanctioned assistance unit or recipient  
27 that returns to compliance more than 60 days after the sanction date  
28 is to be provided the balance of any benefit amounts withheld or  
29 reduced during the period after which the assistance unit or  
30 recipient demonstrated an intent to comply, in addition to any  
31 amounts to which the assistance unit or recipient is otherwise  
32 eligible.

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

39 Current law provides for certain exceptions to this 60-month limit.  
40 The bill revises the exceptions involving employment to provide that  
41 they will apply to any form of employment, not just full-time  
42 employment. The bill expands the existing exceptions to include any  
43 parent of a minor child who was in compliance with program  
44 requirements for the six months of enrollment immediately preceding  
45 the date the recipient reached the 60-month limit.

46 Current law provides for an extension to the 60-month benefit  
47 limit, including up to 12 additional months of benefits, in certain cases.  
48 The bill expands this to allow an extension for a recipient who is the

1 parent of a dependent child who is a member of the recipient's  
2 household, which recipient has remained in compliance with the  
3 requirements of the program for, at a minimum, the six months of  
4 enrollment immediately preceding the date the recipient reaches the  
5 60-month time limit. The bill also provides that, following this 12-  
6 month extension, a recipient may receive an additional 12 months of  
7 assistance under the same circumstances or if the recipient meets  
8 certain other criteria, as determined by the commissioner,  
9 demonstrating that the extension is necessary for the recipient to  
10 protect the health, safety, or well-being of the recipient's family,  
11 including, but not limited to, preserving family unity.

12 Under the bill, any benefit received for months during which a  
13 State of Emergency or Public Health Emergency exists are not to be  
14 considered for purposes of any time limit provisions.

15 The bill provides for a schedule of increases in WFNJ benefit  
16 levels. For the period commencing July 1, 2022 and continuing  
17 through July 1, 2026, the benefit level in effect as of the effective date  
18 of the bill is to be annually increased by any increase in the consumer  
19 price index for all urban wage earners and clerical workers (CPI-W) as  
20 calculated by the federal government for the 12 months prior to the  
21 March 31 preceding that July 1, plus an additional amount equal to 20  
22 percent of the difference between the benefit level in effect as of the  
23 effective date of the bill and 50 percent of the federal poverty level in  
24 effect as of the effective date of the bill. Commencing July 1, 2027,  
25 the benefit level is to be annually increased by any amount as is  
26 necessary to make the benefit level equivalent to at least 50 percent of  
27 the federal poverty level in effect on that July 1. Commencing July 1,  
28 2027, and annually thereafter, the Commissioner of Human Services is  
29 to assess the real cost of living and actual deprivation as reflected in  
30 the standard of need established pursuant to section 9 of P.L.1997,  
31 c.13 (C.44:10-42), and other cost of self-sufficiency measures. The  
32 assessment is to be transmitted to the Legislature by the commissioner  
33 for consideration when deciding on appropriations to fund cash  
34 assistance benefits to recipients.

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

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

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