

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 2956

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 14, 2021

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 2956.

As amended by the committee, this bill revises certain requirements related to cash assistance benefits under the Work First New Jersey (WFNJ) program.

The bill provides that, when determining whether good cause exists to excuse noncompliance with program requirements, good cause is to be considered broadly in consideration of the recipient's health, safety, family needs, financial considerations, and other factors as determined by the commissioner.

As amended by the committee, the bill updates references in the current law that use the term "alien" to instead read "immigrant," and harmonizes a language discrepancy between the definition of "eligible immigrant" in section 3 of P.L.1997, c.38 (C.44:10-57) and the definition of "eligible immigrant" in section 1 of P.L.1997, c.14 (C.44:10-44).

The bill revises the requirements concerning provision of child support to an assistance unit to provide that the amount of child support will be based on the number of children in the assistance unit. The bill removes a requirement that the amount of pass-through child support be based on regulations adopted by the Commissioner of Human Services.

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

for teenage parents to complete school, and restrictions on eligibility for aliens.

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

The bill revises the sanctions that may be imposed for non-compliance with program requirements to provide that an adult beneficiary who is not in compliance will have up to six months to actively cooperate or participate, or demonstrate good cause for non-compliance, before the adult beneficiary's pro-rata share of the benefits amount for the assistance unit will be suspended. Under current law, the adult's pro rata share may be suspended for non-compliance after one month.

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

The bill requires that, commencing July 1, 2023, the Commissioner of Human Services will be required to conduct an annual assessment of the real cost of living and actual deprivation as reflected in the current standard of need established pursuant to section 9 of P.L.1997, c.13 (C.44:10-42); the commissioner will be required to transmit this assessment to the Legislature for consideration when deciding on appropriations to fund cash assistance benefits. In no case may benefit amounts be reduced.

The bill grants the Commissioner of Human Services emergency rulemaking authority to adopt rules and regulations to implement the provisions of the bill, which emergency rules will be in effect for no more than one year, after which the commissioner will be required to amend, adopt, or readopt the emergency rules in accordance with the requirements of the "Administrative Procedure Act."

COMMITTEE AMENDMENTS:

The committee amendments make a technical revision to the definition of "eligible immigrant" in section 3 of P.L.1997, c.38 (C.44:10-57) to harmonize it with the definition of "eligible immigrant" that appears in section 1 of P.L.1997, c.14 (C.44:10-44) by bringing in language providing that the term applies to certain victims of human trafficking.