

March 2, 2015

The Honorable Mark Hutton, Chairperson  
House Committee on Commerce, Labor and Economic Development  
Statehouse, Room 521-E  
Topeka, Kansas 66612

Dear Representative Hutton:

**SUBJECT:** Fiscal Note for HB 2381 by House Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2381 is respectfully submitted to your committee.

HB 2381 would recodify public assistance statutes and incorporate existing policies in statute, repeal obsolete statutes and add three new policies. The following describes the existing policies that would be placed in statute:

Temporary Assistance for Needy Families (TANF) Cash Assistance

1. Include progressive periods of ineligibility for not complying with TANF work requirements;
2. Include a 48-month TANF lifetime limit, with an additional 12 months of eligibility if hardship criteria are met;
3. Prohibit TANF cash assistance from being used in liquor stores, casinos, gaming establishments, and retail establishments providing adult entertainment;
4. Authorize diversion payments in lieu of monthly cash assistance;
5. Include current application requirements, such as completing a work assessment;
6. Establish an exemption from the TANF work participation requirements for parents with a child less than three months of age;
7. Require a 90-day review for clients placed in a “work experience” activity; and
8. Require persons with disabilities to participate in work activities to an extent consistent with their disabilities.

### TANF Cash Assistance and Child Care Assistance

1. Include progressive periods of ineligibility for TANF cash assistance and child care assistance for not complying with child support requirements;
2. Establish fraud penalties and allow assistance to the children in the family to be continued under a third party, protective payee; and
3. Count the income of cohabitating partners when determining eligibility and benefits.

### Child Care Assistance

1. Establish a 20-hour minimum weekly work eligibility requirement for employed parents who are not receiving TANF cash assistance;
2. Reduce the minimum weekly work requirement to 15 hours for parents engaged in post-secondary education.

### Supplemental Nutrition Assistance Program (SNAP)

1. Prohibit the state from adopting the U.S. Department of Agriculture option of “broad-based categorical eligibility” which expands SNAP eligibility and assistance;
2. Prohibit the use of federal or state funds for advertising to promote SNAP participation;
3. Prohibit DCF from requesting or implementing a U.S. Department of Agriculture waiver or program that would relax the 1996 Welfare Reform Act’s time limit on employable adults with no children; and
4. Count the income of non-citizens when determining SNAP benefits.

HB 2381 would repeal several statutes concerning the General Assistance, Transitional General Assistance, and KanWork programs which no longer exist. Another statute that would be repealed that requires the Department for Children and Families (DCF) to apply to the federal government for the approval to implement electronic benefit transfers. A final repeal concerns a statute under which DCF would establish and operate child care centers.

HB 2381 would also add three new DCF assistance policies:

1. SNAP adult recipients would be required to cooperate with child support requirements;
2. SNAP recipients would be disqualified for a felony drug conviction after July 2015; and
3. TANF recipients would be prohibited from using cash assistance for sexually oriented adult materials, in sexually oriented businesses, or in any business or retail establishment where minors under age 18 are not permitted.

DCF states that of the proposed policy changes, the requirement to cooperate with child support requirements in the SNAP Program would be the most substantial. This policy would

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affect approximately 19,900 SNAP cases. DCF would absorb the administrative costs of the policy. Making cooperation with child support mandatory for SNAP recipients is projected to increase child support payments to custodial families. DCF assumes there would be concurrent SNAP benefit savings resulting from disqualified adults who fail to cooperate with the child support requirements. Child support payments and SNAP benefits are not included in the state budget; therefore, HB 2381 would have no fiscal effect on state revenues or expenditures.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Sullivan", with a horizontal line extending to the right.

Shawn Sullivan,  
Director of the Budget

cc: Jackie Aubert, Children & Families