

REFERENCE TITLE: TANF; diversion program; sanctions

State of Arizona  
House of Representatives  
Forty-eighth Legislature  
First Regular Session  
2007

## **HB 2247**

Introduced by  
Representatives Hershberger, Alvarez, Anderson, Bradley, Murphy, Tobin,  
Senators Gray L, Landrum Taylor, Rios: Representatives Ableser, Barto,  
Burgess, Senators Harper, Huppenthal

AN ACT

AMENDING SECTIONS 46-298 AND 46-300, ARIZONA REVISED STATUTES; RELATING TO  
TEMPORARY ASSISTANCE FOR NEEDY FAMILIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 46-298, Arizona Revised Statutes, is amended to  
3 read:

4 46-298. Diversion from long-term assistance; definition

5 A. At the time an applicant's employability is assessed during the  
6 initial application for assistance, the department shall determine whether  
7 the applicant should be offered services under the diversion option. The  
8 assessment shall consider the following:

9 1. The applicant's employment history.

10 2. The likelihood of the applicant obtaining ~~immediate~~, full-time  
11 employment given the applicant's education, training and work experience  
12 WITHIN NINETY DAYS OF THE INITIAL APPLICATION.

13 3. The applicant's need for cash assistance.

14 B. If the department finds that the applicant is eligible for the  
15 diversion option, it shall explain the benefits and requirements to the  
16 applicant, including the amount of the cash assistance payment determined  
17 appropriate by the department. ~~In determining the amount of the cash  
18 assistance, the department shall consider housing expenses, automobile  
19 expenses, repair or replacement of major household appliances, improvements  
20 to restore real property to a habitable condition and work related expenses.~~

21 C. If the department and the applicant agree to select the diversion  
22 option as the appropriate means to self-sufficiency, the department shall  
23 issue benefits, if the applicant is eligible, within three working days after  
24 the applicant submits a completed application, including all required  
25 information and necessary documentation.

26 D. The department shall provide a dollar amount of cash assistance of  
27 not more than three times the monthly amount of cash assistance for which the  
28 applicant qualifies. THE APPLICANT IS ALSO ELIGIBLE TO RECEIVE CASE  
29 MANAGEMENT AND EMPLOYMENT SERVICES, AS DEFINED IN SECTION 46-300.01,  
30 SUBSECTION I, UNDER THE JOBS PROGRAM FOR NINETY DAYS FROM THE INITIAL  
31 APPLICATION TO EXPEDITE EMPLOYMENT PLACEMENT.

32 E. The applicant must sign an agreement that lists the requirements  
33 and conditions of the diversion option.

34 F. The department shall expedite employment placement services if  
35 these services are requested by an applicant who is approved for and  
36 participating in the diversion option.

37 G. An applicant approved for the diversion option is eligible for all  
38 other services for which recipients of temporary assistance for needy  
39 families are automatically eligible.

40 H. If the applicant decides to reapply for long-term cash assistance  
41 within three months from the date of initial application, the department  
42 shall prorate the diversion payment to the applicant over a three month  
43 period beginning on the date of initial application and subtract this amount  
44 from the temporary assistance for needy families payment the applicant's  
45 assistance unit receives.

1 I. If the diversion option is not appropriate for an applicant **OR THE**  
2 **APPLICANT CHOOSES NOT TO PARTICIPATE IN THE DIVERSION OPTION**, the applicant  
3 may receive assistance as provided under this chapter.

4 J. For purposes of calculating assistance pursuant to section 46-292,  
5 subsection ~~F~~ G and section 46-294, subsection A, the department shall use  
6 the initial date of application. The payment amount offered under the  
7 diversion option shall be converted into the amount of time the individual  
8 would have been on the temporary assistance for needy families program to  
9 receive that amount of cash assistance. This time period shall apply towards  
10 the calculation pursuant to section 46-294, subsection A.

11 K. The director of the department shall submit a full report to the  
12 joint legislative budget committee five years after the initial  
13 implementation date of the diversion program. The report shall include:

14 1. The number of applicants offered services under the diversion  
15 option.

16 2. The number of applicants who reapply for long-term cash assistance  
17 after initially participating in the diversion program.

18 **3. THE NUMBER OF APPLICANTS WHO OBTAINED EMPLOYMENT WITHIN NINETY DAYS**  
19 **OF RECEIVING ASSISTANCE UNDER THE DIVERSION OPTION.**

20 L. The joint legislative budget committee shall review the report and  
21 make a recommendation to the legislature to continue or discontinue the  
22 program.

23 M. For **THE** purposes of this section, "diversion option" means granting  
24 an amount of cash assistance to certain applicants who are eligible for  
25 long-term cash assistance but who have only short-term cash assistance needs  
26 and who find the assistance services described in this section the most  
27 appropriate means to self-sufficiency.

28 Sec. 2. Section 46-300, Arizona Revised Statutes, is amended to read:  
29 **46-300. Sanctions**

30 A. The department shall impose a series of graduated sanctions as  
31 described in subsection C of this section for any noncompliance with:

32 1. The child support enforcement efforts required by section 46-292,  
33 subsection C unless good cause is established as provided in section 46-292,  
34 subsections E and F.

35 2. The work activities requirements described in section 46-299,  
36 unless good cause is established as provided in section 46-299, subsection H  
37 and department rules. **A RECIPIENT WHO DOES NOT COMPLY WITH THE WORK**  
38 **ACTIVITIES REQUIREMENTS SHALL DEMONSTRATE COMPLIANCE WITH THE WORK ACTIVITIES**  
39 **REQUIREMENTS IN ORDER TO CONTINUE BENEFIT ELIGIBILITY AND TO AVOID SANCTIONS.**

40 3. The school enrollment and attendance ~~provisions~~ **REQUIREMENTS** of  
41 section 46-292, subsection P.

42 4. The immunization requirements of section 46-292, subsection Q.

43 B. Noncompliance with one or more of the requirements listed in  
44 subsection A of this section during any calendar month is deemed to be a  
45 month of noncompliance and shall result in the sanctions prescribed in

1 subsection C of this section. The department shall impose these graduated  
2 sanctions even if the instances of noncompliance do not occur in consecutive  
3 months.

4 C. The department shall impose the following sanctions:

5 1. For the first instance of noncompliance, the department shall  
6 reduce the household's cash assistance grant by twenty-five per cent for one  
7 month.

8 2. For a second instance of noncompliance that occurs in a month other  
9 than the month in which the first noncompliance occurred, the department  
10 shall reduce the household's cash assistance grant by fifty per cent for one  
11 month.

12 3. For a third instance of noncompliance that occurs in a month other  
13 than the month in which the second noncompliance occurred and any instance of  
14 noncompliance thereafter, the department shall terminate the household's cash  
15 assistance grant for at least one month or until the household complies.