

LEGISLATURE OF NEBRASKA  
ONE HUNDREDTH LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 82**

Introduced By: Synowiecki, 7;  
Read first time: January 5, 2007  
Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to the Welfare Reform Act; to amend section  
2 68-1724, Reissue Revised Statutes of Nebraska; to change  
3 provisions relating to family size; and to repeal the  
4 original section.

5 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 68-1724 Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           68-1724. (1) Cash assistance shall be provided for a period  
4 or periods of time not to exceed a total of two years for recipient  
5 families with children subject to the following:

6           (a) If the state fails to meet the specific terms of the  
7 self-sufficiency contract developed under section 68-1719, the  
8 two-year time limit established in this section shall be extended for  
9 an additional period of not more than two years;

10           (b) The two-year time period for cash assistance shall begin  
11 when the self-sufficiency contract is signed or when any children born  
12 into the recipient family ~~prior to the initial ten months of~~  
13 ~~assistance~~ reach the age of six months, whichever is later

14           (c) When no longer eligible to receive cash assistance,  
15 assistance shall be available to reimburse work-related child care  
16 expenses even if the recipient family has not achieved economic  
17 self-sufficiency. The amount of such assistance shall be based on a  
18 cost-shared plan between the recipient family and the state which  
19 shall provide assistance up to one hundred eighty-five percent of the  
20 federal poverty level for up to twenty-four months. A recipient family  
21 may be required to contribute up to twenty percent of such family's  
22 gross income for child care. It is the intent of the Legislature that  
23 transitional health care coverage be made available on a sliding-scale  
24 basis to individuals and families with incomes up to one hundred  
25 eighty-five percent of the federal poverty level if other health care  
26 coverage is not available;

27           (d) After receiving cash assistance under this section for

1 two years at a monthly payment level not exceeding that provided in  
2 section 43-512, families shall receive no further cash assistance  
3 pursuant to this section for at least two years after the assistance  
4 period ends; and

5 (e) The self-sufficiency contract shall be revised and the  
6 two-year time period for cash assistance extended when there is no job  
7 available for adult members of the recipient family. It is the intent  
8 of the Legislature that available job shall mean a job which results  
9 in an income of at least equal to the amount of cash assistance that  
10 would have been available if receiving assistance minus unearned  
11 income available to the recipient family.

12 The department shall develop policy guidelines to allow for  
13 cash assistance to persons who have received the maximum cash  
14 assistance provided by this section and who face extreme hardship  
15 without additional assistance. For purposes of this section, extreme  
16 hardship means a recipient family does not have adequate cash  
17 resources to meet the costs of the basic needs of food, clothing, and  
18 housing without continuing assistance or the child or children are at  
19 risk of losing care by and residence with their parent or parents.

20 (2) Cash assistance conditions under the Welfare Reform Act  
21 shall be as follows:

22 (a) Adults in recipient families shall mean individuals at  
23 least nineteen years of age living with and related to a child  
24 eighteen years of age or younger and shall include parents, siblings,  
25 uncles, aunts, cousins, or grandparents, whether the relationship is  
26 biological, adoptive, or step;

27 (b) The payment standard shall be based upon family size;

1 ~~. Any child born into the recipient family after the initial ten~~  
2 ~~months of participation in the program shall not increase the cash~~  
3 ~~assistance payment, except that child support or other income~~  
4 ~~received on behalf of such child or children shall not be considered~~  
5 ~~as countable income to the recipient family in determining the amount~~  
6 ~~of their cash assistance payment;~~

7 (c) The adults in the recipient family shall ensure that the  
8 minor children regularly attend school. Education is a valuable  
9 personal resource. The cash assistance provided to the recipient  
10 family may be reduced when the parent or parents have failed to take  
11 reasonable action to encourage the minor children of the recipient  
12 family ages sixteen and under to regularly attend school. No reduction  
13 of assistance shall be such as may result in extreme hardship. It is  
14 the intent of the Legislature that a process be developed to insure  
15 communication between the case manager, the parent or parents, and the  
16 school to address issues relating to school attendance;

17 (d) Two-parent families which would otherwise be eligible  
18 under section 43-504 or a federally approved waiver shall receive cash  
19 assistance under this section;

20 (e) For minor parents, the assistance payment shall be based  
21 on the minor parent's income. If the minor parent lives with at least  
22 one parent, the family's income shall be considered in determining  
23 eligibility and cash assistance payment levels for the minor parent.  
24 If the minor parent lives independently, support shall be pursued from  
25 the parents of the minor parent. If the absent parent of the minor's  
26 child is a minor, support from his or her parents shall be pursued.  
27 Support from parents as allowed under this subdivision shall not be

1       pursued when the family income is less than three hundred percent of  
2       the federal poverty guidelines; and

3               (f) For adults who are not biological or adoptive parents or  
4       stepparents of the child or children in the family, if assistance is  
5       requested for the entire family, including the adults, a  
6       self-sufficiency contract shall be entered into as provided in section  
7       68-1719. If assistance is requested for only the child or children in  
8       such a family, such children shall be eligible after consideration of  
9       the family's income and if (i) the family cooperates in pursuing child  
10      support and (ii) the minor children of the family regularly attend  
11      school.

12              Sec. 2. Original section 68-1724, Reissue Revised Statutes  
13      of Nebraska, is repealed.