

SENATE BILL NO. 932

June 13, 2024, Introduced by Senator ANTHONY and referred to the Committee on Appropriations.

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 57e, 57g, 57p, and 57r (MCL 400.57e, 400.57g, 400.57p, and 400.57r), sections 57e, 57p, and 57r as amended by 2011 PA 131 and section 57g as amended by 2014 PA 375.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 57e. (1) Each family receiving family independence
2 program assistance shall execute a family self-sufficiency plan
3 outlining the responsibilities of members of the family
4 independence program assistance group, the contractual nature of

1 family independence program assistance, and the focus on the goal
2 of attaining self-sufficiency. The family self-sufficiency plan
3 ~~shall~~**must** be developed by the department and the adult family
4 members of the family independence program assistance group with
5 the details of ~~JET-PATH~~**PATH** program participation to be included in the
6 family self-sufficiency plan being developed by the department, the
7 Michigan economic development corporation or a successor entity,
8 and the adult family members of the family independence program
9 assistance group. Except as described in section 57b, the
10 department shall complete a thorough assessment to facilitate
11 development of the family self-sufficiency plan, including
12 consideration of referral to a life skills program, and
13 determination as to whether the family independence program
14 assistance group's adult members are eligible to participate in the
15 ~~JET-PATH~~**PATH** program or are exempt from ~~JET-PATH~~**PATH** program participation
16 under section 57f. The family self-sufficiency plan ~~shall~~**must**
17 identify compliance goals that are to be met by members of the
18 family independence program assistance group and goals and
19 responsibilities of the members of the family independence program
20 assistance group, the department, and the ~~JET-PATH~~**PATH** program. The
21 family self-sufficiency plan ~~shall~~**must** reflect the individual
22 needs and abilities of the particular family, and ~~shall~~include at
23 least all of the following:

24 (a) The obligation of each adult and each child aged 16 or
25 older who is not attending elementary or secondary school full-time
26 to participate in the ~~JET-PATH~~**PATH** program unless exempt under section
27 57f.

28 (b) The obligation of each minor parent who has not completed
29 secondary school to attend school.

1 (c) Except as provided in section 57f(3) and (4), the
2 obligation of each adult to engage in employment, ~~JET-PATH~~ program
3 activities, education or training, community service activities, or
4 self-improvement activities, as determined appropriate by the
5 department.

6 (d) The obligation to cooperate in the establishment of
7 paternity and to assign child and spousal support to the department
8 as required by federal law and to cooperate in the procurement of
9 child support, if applicable.

10 (e) The obligation of a recipient who fails to comply with
11 compliance goals due to substance abuse to participate in substance
12 abuse treatment and submit to any periodic drug testing required by
13 the treatment program.

14 (f) If the recipient is determined to be eligible to
15 participate in the ~~JET-PATH~~ program, the obligation that the
16 requirements of the family self-sufficiency plan must, at a
17 minimum, meet federal guidelines for work participation. Exceptions
18 may be granted if it is determined that the recipient or a family
19 member in the recipient's household has a disability that needs
20 reasonable accommodation as required by section 504 of title V of
21 the rehabilitation act of 1973, 29 USC 794, subtitle A of title II
22 of the Americans with disabilities act of 1990, 42 USC 12131 to
23 12134, or another identified barrier that interferes with the
24 recipient's ability to participate in required activities.
25 Reasonable accommodation must be made to adjust the number of
26 required hours or the types of activities required to take the
27 identified limitations into account.

28 (g) The obligation that the recipient must enroll in a GED
29 preparation program, a high school completion program, or a

1 literacy training program, if the department determines the
2 resources are available and the assessment and plan demonstrate
3 that these issues present a barrier to the recipient meeting the
4 requirements in his or her family self-sufficiency plan. This basic
5 educational skills training ~~shall~~**must** be combined with other
6 occupational skills training, whenever possible, to ~~assure~~**ensure**
7 that it can be counted toward federal work participation
8 requirements.

9 (h) Notification to the recipient of the ~~48-month~~**60-month**
10 lifetime cumulative total for collecting family independence
11 program assistance.

12 (i) A prohibition on using family independence program
13 assistance to purchase lottery tickets, alcohol, or tobacco, for
14 gambling, or for illegal activities or any other nonessential
15 items.

16 (j) Information regarding sanctions that ~~shall~~**must** be imposed
17 under section 57g for noncompliance.

18 (k) Any other obligation the department determines is
19 necessary to enable the family to achieve independence.

20 (2) The department shall monitor each family's compliance with
21 the family self-sufficiency plan.

22 Sec. 57g. (1) Except as provided in subsection (5), if a
23 recipient does not meet ~~his or her~~**the recipient's** individual
24 family self-sufficiency plan requirements and is therefore
25 noncompliant, the department shall impose the penalties described
26 under this section. The department shall implement a schedule of
27 penalties for instances of noncompliance as described in this
28 subsection. The penalties ~~shall be~~**imposed under this subsection**
29 **are** as follows:

1 (a) For the first instance of noncompliance, the family is
2 ineligible to receive family independence program assistance for
3 not less than 3 calendar months.

4 (b) For the second instance of noncompliance, the family is
5 ineligible to receive family independence program assistance for
6 not less than 6 calendar months.

7 (c) For the third instance of noncompliance, the family is
8 permanently ineligible to receive family independence program
9 assistance.

10 (2) For the purposes of subsections (1) to (4),
11 "noncompliance" means 1 or more of the following:

12 (a) A recipient quits a job.

13 (b) A recipient is fired for misconduct or absenteeism.

14 (c) A recipient voluntarily reduces employment hours or
15 earnings.

16 (d) A recipient refuses a bona fide offer of employment or
17 additional hours up to 40 hours per week.

18 (e) A recipient does not participate in PATH program
19 activities.

20 (f) A recipient is noncompliant with ~~his or her~~ **the**
21 **recipient's** family self-sufficiency plan.

22 (g) A recipient states orally or in writing ~~his or her~~ **the**
23 **recipient's** intent not to comply with family independence program
24 or PATH program requirements.

25 (h) A recipient refuses employment support services if the
26 refusal prevents participation in an employment or self-sufficiency
27 related activity.

28 (3) For any instance of noncompliance, the recipient shall
29 receive notice of the noncompliance. The recipient ~~shall have~~ **has**

1 not less than a 12-day negative action period before the penalties
2 prescribed in this section are imposed. If the recipient
3 demonstrates good cause for the noncompliance during this period
4 and if the family independence specialist caseworker and the PATH
5 program caseworker agree that good cause exists for the recipient's
6 noncompliance, a penalty ~~shall~~**must** not be imposed. For the purpose
7 of this subsection, good cause is 1 or more of the following:

8 (a) The recipient suffers from a temporary debilitating
9 illness or injury or an immediate family member has a debilitating
10 illness or injury and the recipient is needed in the home to care
11 for the family member.

12 (b) The recipient lacks child care as described in section
13 ~~407(e)(2)~~**607(e)(2)** of the personal responsibility and work
14 opportunity reconciliation act of 1996, 42 USC 607.

15 (c) Either employment or training commuting time is more than
16 2 hours per day or is more than 3 hours per day when there are
17 unique and compelling circumstances, such as a salary at least
18 twice the applicable minimum wage or the job is the only available
19 job placement within a 3-hour commute per day, not including the
20 time necessary to transport a child to child care facilities.

21 (d) Transportation is not available to the recipient at a
22 reasonable cost.

23 (e) The employment or participation involves illegal
24 activities.

25 (f) The recipient is physically or mentally unfit to perform
26 the job, as documented by medical evidence or by reliable
27 information from other sources.

28 (g) The recipient is illegally discriminated against on the
29 basis of age, race, disability, gender, color, national origin, or

1 religious beliefs.

2 (h) Credible information or evidence establishes 1 or more
3 unplanned or unexpected events or factors that reasonably could be
4 expected to prevent, or significantly interfere with, the
5 recipient's compliance with employment and training requirements.

6 (i) The recipient quit employment to obtain comparable
7 employment.

8 (4) For all instances of noncompliance resulting in
9 termination of family independence program assistance for any
10 period of time described in subsection (1), the period of time the
11 recipient is ineligible to receive family independence program
12 assistance applies toward the recipient's ~~48-month~~**60-month**
13 cumulative lifetime total.

14 (5) Family independence program assistance benefits ~~shall~~**must**
15 be denied or terminated if a recipient fails, without good cause,
16 to comply with applicable child support requirements including
17 efforts to establish paternity, and assign or obtain child support.
18 The family independence program assistance group is ineligible for
19 family independence program assistance for not less than 1 calendar
20 month. After family independence program assistance has been
21 terminated for not less than 1 calendar month, family independence
22 program assistance may be restored if the noncompliant recipient
23 complies with child support requirements including the action to
24 establish paternity and obtain child support. As used in this
25 subsection, "good cause" includes an instance in which efforts to
26 establish paternity or assign or obtain child support would harm
27 the child or in which there is danger of physical or emotional harm
28 to the child or the recipient.

29 Sec. 57p. Any month in which a recipient has been exempted

1 from the ~~JET-PATH~~ program under section 57f(3) or (4)(b) ~~shall-is~~
2 not ~~be~~-counted toward the cumulative total of ~~48-60~~ months in a
3 lifetime for family independence program assistance. Any month in
4 which a recipient has been exempted from the ~~JET-PATH~~ program under
5 section 57f(4)(e) or (f) may, in the department's discretion, be
6 excluded from the count toward the cumulative total of ~~48-60~~ months
7 in a lifetime for family independence program assistance.

8 Sec. 57r. Beginning October 1, 2007, family independence
9 program assistance ~~shall-must~~ be paid to an individual for not
10 longer than a cumulative total of 48 months during that
11 individual's lifetime. **Beginning on the effective date of the**
12 **amendatory act that added this sentence, family independence**
13 **program assistance must be paid to an individual for not longer**
14 **than a cumulative total of 60 months during the individual's**
15 **lifetime.**