

An act to amend Sections 11375 and 11390 of the Welfare and Institutions Code, relating to public social services.

SECURED  
COPY



241489224114BILL

## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 11375 of the Welfare and Institutions Code is amended to read:

11375. ~~The Both of the~~ following shall apply to any child or nonminor in receipt of state-funded Kin-GAP benefits:

(a) ~~He or she~~ The child or nonminor is eligible to request and receive independent living services pursuant to Section 10609.3.

(b) ~~He or she may retain cash savings, not to exceed ten thousand dollars (\$10,000), including interest, in addition to any other property accumulated pursuant to Section 11257 or 11257.5.~~

(c) ~~He or she shall have earned income disregarded pursuant to Section 11008.15.~~

(b) Income or property received after the beginning date of receipt of Kin-GAP benefits shall be disregarded.

SEC. 2. Section 11390 of the Welfare and Institutions Code is amended to read:

11390. (a) A person who is a kinship guardian under this article, and who has met the requirements of Section 361.4, is exempt from identity verification requirements for the CalWORKs program. A guardian who is also an applicant for, or a recipient of, benefits under the CalWORKs program shall comply with the identity verification requirements for the CalWORKs program, as those statutory and regulatory requirements existed on October 1, 2018.

(b) Any exemptions exercised pursuant to this section shall be implemented in accordance with Section 11393.

(c) Income to the child, including the Kin-GAP payment, shall not be considered income to the kinship guardian for purposes of determining the kinship guardian's eligibility for any other aid program, unless required by federal law as a condition of the receipt of federal financial participation.

(d) Each county that formally had court-ordered jurisdiction under Section 300 or Section 601 or 602 over a child receiving benefits under the Kin-GAP Program shall be responsible for paying the child's aid regardless of where the child actually resides.

(e) Notwithstanding any other law, when a child receiving benefits under the AFDC-FC program becomes eligible for benefits under the Kin-GAP Program during any month, the child shall continue to receive benefits under the AFDC-FC program, as appropriate, through the day that the juvenile court dismisses the dependency or terminates the wardship, and Kin-GAP payments shall begin the day following the day that the juvenile court dismisses the dependency or terminates the wardship.

(f) ~~At~~ Both of the following shall apply to any child or nonminor in receipt of Kin-GAP benefits:

(1) The child or nonminor is eligible to request and receive independent living services pursuant to Section 10609.3.

~~(2) The child or nonminor may retain cash savings, not to exceed ten thousand dollars (\$10,000), including interest, pursuant to Section 11155.5.~~

~~(3) The child or nonminor shall have earned income disregarded pursuant to Section 11008.15.~~

(2) Income or property received after the beginning date of receipt of Kin-GAP benefits shall be disregarded.



## LEGISLATIVE COUNSEL'S DIGEST

Bill No.  
as introduced, \_\_\_\_\_.  
General Subject: Kinship Guardianship Assistance Payment program: cash savings  
and income disregard.

Existing law establishes the federally funded and state-funded Kinship Guardianship Assistance Payment Program (Kin-GAP), which provides aid on behalf of eligible children who are placed in the home of a relative guardian. Existing law limits the cash savings of a child or nonminor in receipt of Kin-Gap benefits to \$10,000, and requires that the child or nonminor have earned income disregarded.

This bill would remove that cash savings limitation, and would instead require that income or property received after the beginning date of receipt of Kin-GAP benefits be disregarded.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

