

HOUSE BILL No. 5444

November 22, 2005, Introduced by Rep. Stahl and referred to the Committee on Family and Children Services.

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
by amending sections 57, 57d, and 57e (MCL 400.57, 400.57d, and
400.57e), section 57 as added by 1995 PA 223 and sections 57d and
57e as amended by 2001 PA 280.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 57. (1) As used in this section and sections 57a to 57g:

2 (a) "Adult-supervised household" means either of the
3 following:

4 (i) The place of residence of a parent, stepparent, or legal
5 guardian of a minor parent.

6 (ii) A living arrangement not described in subparagraph (i) that
7 the ~~family independence agency~~ **DEPARTMENT** approves as a family

1 setting that provides care and control of a minor parent and his or
2 her child and supportive services including, but not limited to,
3 counseling, guidance, or supervision.

4 (b) "Caretaker" means an individual who is acting as parent
5 for a child in the absence or because of the disability of the
6 child's parent or stepparent and who is the child's legal guardian,
7 grandparent, great grandparent, great-great grandparent, sibling,
8 stepsibling, aunt, great aunt, great-great aunt, uncle, great
9 uncle, great-great uncle, nephew, niece, first cousin, or first
10 cousin once-removed, a spouse of any person listed above, a parent
11 of the putative father, or an unrelated individual aged 21 or older
12 whose appointment as legal guardian of the child is pending.

13 (c) "Child" means an individual who is not emancipated under
14 ~~Act No. 293 of the Public Acts of 1968, being sections 722.1 to~~
15 ~~722.6 of the Michigan Compiled Laws 1968 PA 293, MCL 722.1 TO~~
16 **722.6**, who lives with a parent or caretaker, and who is either of
17 the following:

18 (i) Under the age of 18.

19 (ii) Age 18 or 19, a full-time high school student, and
20 reasonably expected to graduate from high school before the age of
21 20.

22 (d) "Family" means 1 or more of the following:

23 (i) A household consisting of a child and either of the
24 following:

25 (A) A parent or stepparent of the child.

26 (B) A caretaker of the child.

27 (ii) A pregnant woman.

1 (iii) A parent of a child in foster care.

2 (e) "Family independence assistance" means financial
3 assistance provided to a family under the family independence
4 program.

5 (f) "Family independence assistance group" means all those
6 members of a program group who receive family independence
7 assistance.

8 (g) "Family independence program" means the program of
9 financial assistance established under section 57a.

10 (h) "Minor parent" means an individual under the age of 18 who
11 is not emancipated under ~~Act No. 293 of the Public Acts of 1968~~
12 **1968 PA 293, MCL 722.1 TO 722.6**, and who is either the biological
13 parent of a child living in the same household or a pregnant woman.

14 (i) "Payment standard" means the standard upon which family
15 independence program benefits are based if the family independence
16 assistance group has no net income.

17 **(J) "PERSONAL DEVELOPMENT PLAN" MEANS A DOCUMENT DESCRIBED IN**
18 **SECTION 57E THAT IS EXECUTED BY A FAMILY IN RETURN FOR RECEIVING**
19 **FAMILY INDEPENDENCE ASSISTANCE.**

20 **(K)** ~~-(j)-~~ "Program group" means a family and all those
21 individuals living with a family whose income and assets are
22 considered for purposes of determining financial eligibility for
23 family independence assistance.

24 **(l)** ~~-(k)-~~ "Recipient" means an individual receiving family
25 independence assistance.

26 ~~——-(l) "Social contract" means a document described in section 57e~~
27 ~~that is executed by a family in return for the receipt of family~~

1 ~~independence assistance.~~

2 (m) "Substance abuse" means that term as defined in section
3 6107 of the public health code, ~~Act No. 368 of the Public Acts of~~
4 ~~1978, being section 333.6107 of the Michigan Compiled Laws 1978 PA~~
5 **368, MCL 333.6107.**

6 (n) "Substance abuse treatment" means outpatient or inpatient
7 services or participation in alcoholics anonymous or a similar
8 program.

9 (O) **"SUPPLEMENTAL SECURITY INCOME" MEANS THE PROGRAM OF**
10 **SUPPLEMENTAL SECURITY INCOME PROVIDED UNDER TITLE XVI.**

11 (P) ~~(e)~~ "Work first" means the program of employment and
12 training administered by the ~~Michigan jobs commission~~ **DEPARTMENT**
13 **OF LABOR AND ECONOMIC GROWTH** for applicants and recipients of
14 family independence assistance.

15 (2) A reference in this act to "aid to dependent children" or
16 "aid to families with dependent children" means "family
17 independence assistance".

18 Sec. 57d. (1) The department ~~of career development~~ and the
19 ~~family independence agency~~ **DEPARTMENT OF LABOR AND ECONOMIC GROWTH**
20 shall conduct joint orientation sessions for family independence
21 assistance applicants no less frequently than weekly. After the
22 ~~family independence agency~~ **DEPARTMENT** makes an initial
23 determination that an adult or a child aged 16 or older who is not
24 attending elementary or secondary school full-time might be
25 eligible for family independence assistance, that individual shall
26 attend a joint orientation session as a condition of eligibility
27 prior to receipt of family independence assistance. After

1 completion of the orientation, the individual, ~~and the family~~
2 ~~independence agency~~ **DEPARTMENT, AND A WORK FIRST REPRESENTATIVE**
3 shall develop the family's ~~social contract~~ **PERSONAL DEVELOPMENT**
4 **PLAN** in accordance with section 57e.

5 (2) If the individual fails to cooperate with work first joint
6 orientation or other required employment and training activities,
7 the family is ineligible for family independence assistance.

8 (3) The ~~family independence agency~~ **DEPARTMENT** shall impose
9 penalties under section 57g if the individual fails to comply with
10 any of the following:

11 (a) Work first activities.

12 (b) Employment and training activities.

13 (c) Child support requirements.

14 (4) The ~~family independence agency may~~ **DEPARTMENT SHALL**
15 impose penalties under section 57g if the individual fails to
16 comply with the individual's ~~social contract~~ **PERSONAL DEVELOPMENT**
17 **PLAN** requirements.

18 (5) If the individual is complying with the ~~social contract~~
19 **PERSONAL DEVELOPMENT PLAN**, the ~~family independence agency~~
20 **DEPARTMENT, A WORK FIRST REPRESENTATIVE**, and the recipient shall
21 revise the ~~social contract~~ **PERSONAL DEVELOPMENT PLAN** if necessary
22 and the family independence assistance group shall continue to
23 receive family independence assistance so long as the recipients
24 meet family independence assistance program requirements.

25 Sec. 57e. (1) Each family receiving family independence
26 assistance shall execute a ~~social contract~~ **PERSONAL DEVELOPMENT**
27 **PLAN** outlining the responsibilities of members of the family

1 independence assistance group. The ~~social contract~~ **PERSONAL**
2 **DEVELOPMENT PLAN** shall be developed jointly by the ~~family~~
3 ~~independence agency~~ **DEPARTMENT, A WORK FIRST REPRESENTATIVE,** and
4 the adult family members ~~and~~ **OF THE FAMILY INDEPENDENCE**
5 **ASSISTANCE GROUP. THE DEPARTMENT AND THE WORK FIRST REPRESENTATIVE**
6 **SHALL COMPLETE A THOROUGH ASSESSMENT TO FACILITATE DEVELOPMENT OF**
7 **THE PERSONAL DEVELOPMENT PLAN, INCLUDING CONSIDERATION OF REFERRAL**
8 **TO A LIFE SKILLS PROGRAM, AND DETERMINATION AS TO WHETHER THE**
9 **FAMILY INDEPENDENCE ASSISTANCE GROUP'S ADULT MEMBERS ARE ELIGIBLE**
10 **TO PARTICIPATE IN THE WORK FIRST PROGRAM OR ARE EXEMPT FROM WORK**
11 **FIRST PARTICIPATION UNDER SECTION 57G. THE PERSONAL DEVELOPMENT**
12 **PLAN** shall identify compliance goals that are to be met by members
13 of the family independence assistance group **AND GOALS AND**
14 **RESPONSIBILITIES OF THE MEMBERS OF THE FAMILY INDEPENDENCE**
15 **ASSISTANCE GROUP, THE DEPARTMENT, AND THE WORK FIRST PROGRAM.** The
16 ~~social contract~~ **PERSONAL DEVELOPMENT PLAN** shall reflect the
17 individual needs and abilities of the particular family, and shall
18 include at least all of the following:

19 (a) The obligation of each adult and each child aged 16 or
20 older who is not attending elementary or secondary school full-time
21 to participate in work first unless exempt under section 57f.

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

24 (c) Except as provided in section 57f(3), the obligation of
25 each adult to engage in employment, work first activities,
26 education or training, community service activities, or self-
27 improvement activities, as determined appropriate by the ~~family~~

1 ~~independence agency~~ **DEPARTMENT**, up to 40 hours per week.

2 (d) The obligation to cooperate in the establishment of
3 paternity and the procurement of child support, if applicable.

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

8 (f) Any other obligation the ~~family independence agency~~
9 **DEPARTMENT** determines is necessary to enable the family to achieve
10 independence.

11 (2) The ~~family independence agency~~ **DEPARTMENT** shall monitor
12 each family's compliance with the ~~social contract~~ **PERSONAL**
13 **DEVELOPMENT PLAN**.

14 **Enacting section 1. This amendatory act does not take effect**
15 **unless all of the following bills of the 93rd Legislature are**
16 **enacted into law:**

17 (a) Senate Bill No. _____ or House Bill No. 5445(request no.
18 04044'05).

19 (b) Senate Bill No. _____ or House Bill No. 5439(request no.
20 04624'05).

21 (c) Senate Bill No. _____ or House Bill No. 5446(request no.
22 04625'05).

23 (d) Senate Bill No. _____ or House Bill No. 5441(request no.
24 04626'05).

25 (e) Senate Bill No. _____ or House Bill No. 5440(request no.
26 05231'05).

27 (f) Senate Bill No. _____ or House Bill No. 5442(request no.

1 05232'05).

2 (g) Senate Bill No. _____ or House Bill No. 5443(request no.

3 05233'05).

4 (h) Senate Bill No. _____ or House Bill No. 5438(request no.

5 05272'05).