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## SENATE COMMITTEE ON HUMAN SERVICES

Senator Hurtado, Chair

2021 - 2022 Regular

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**Bill No:** SB 1083

**Author:** Skinner

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**Urgency:** No

**Consultant:** Elizabeth Schmitt

**Hearing Date:** April 5, 2022

**Fiscal:** Yes

**Subject:** CalWORKs: pregnancy and homeless assistance

### SUMMARY

This bill makes various changes to the California Work Opportunity and Responsibility to Kids (CalWORKs) homeless assistance (HA) program, including expanding the number of days eligible families may receive temporary shelter assistance and extending CalWORKs HA to families at risk of homelessness and families facing eviction, as provided. This bill also changes CalWORKs HA benefit limits for families that include a pregnant person, by removing HA program benefit limits for those families, allowing counties to provide them additional days of temporary shelter assistance if the family would otherwise be without shelter, and making changes to their overall program eligibility, as provided.

### ABSTRACT

#### Existing Law:

- 1) Establishes the federal Temporary Assistance for Needy Families (TANF) program, which permits states to implement the program under a state plan. (*42 USC 601 et seq.*)
- 2) Establishes in state law the CalWORKs program to provide cash assistance and other social services for low-income families through the federal TANF program. Under CalWORKs, each county provides assistance through a combination of state, county, and federal TANF funds. (*WIC 11200 et seq.*)
- 3) Requires CalWORKs aid to be paid to a pregnant person for the month in which the birth is anticipated and for the six-month period immediately prior to the month in which the birth is anticipated, in the amount that would otherwise be paid to one person, as specified, and requires verification of pregnancy as a condition for this aid. (*WIC 11450(b)(2)(A)*)
- 4) Requires a county human services agency to refer all pregnant recipients of CalWORKs aid to a local provider of the California Special Supplemental Nutrition Program for Women, Infants, and Children (WIC). (*WIC 11450(c)(1)*)

- 5) Makes available an allowance for nonrecurring special needs for a homeless family seeking shelter when the family is eligible for CalWORKs aid. (*WIC 11450(f)(3)(A)*)
- 6) Defines a family to be considered homeless, for the purpose of eligibility for CalWORKs HA, when the family lacks a fixed and regular nighttime residence, among other criteria. Additionally defines a family to be considered homeless if the family has received a notice to pay rent or quit. (*WIC 11450(f)(3)(B)*)
- 7) Makes a nonrecurring special needs benefit of \$85 per day to families up to four members for the costs of temporary shelter, and \$15 per day for each additional family member, up to \$145. Allows county human services agencies to increase the daily amount available for temporary shelter as necessary to secure the additional bed space needed by the family. (*WIC 11450(f)(4)(A)(i)*)
- 8) Requires the temporary shelter benefit to be granted or denied on the same day upon the family's application for HA, and requires benefits to be available for a period of three working days, during which period the family provides a sworn statement that they are homeless. (*WIC 11450(f)(4)(A)(ii)*)
- 9) Requires the three-day temporary shelter assistance to be extended for a period of time that, when added to the initial benefits provided, does not exceed 16 calendar days. Requires this extension of benefits to be provided in increments of one week, and to be based upon: searching for permanent housing, which must be documented on a housing search form; good cause; or other circumstances defined by California Department of Social Services (CDSS). (*WIC 11450(f)(4)(A)(iii)*)
- 10) Allows a county to waive the three-day limit and provide increments of more than one week for a family that becomes homeless as a direct and primary result of a state or federally declared disaster. (*WIC 11450(f)(4)(iv)*)
- 11) Limits eligibility for temporary shelter assistance and permanent HA to 16 calendar days of temporary assistance and one payment of permanent assistance every 12 months, with certain exceptions, and requires that a person who applies for these benefits be informed of this time limit. Allows for exceptions to these limits in the case of domestic violence, illness, natural catastrophe, and state or federally declared disaster (*WIC 11450(f)(4)(E)(i)*)
- 12) Allows a county to require that a recipient of HA who qualifies for benefits for a second time in a 24-month period participate in a homelessness avoidance case plan as a condition of eligibility for HA benefits. (*WIC 11450(f)(4)(E)(iii)*)
- 13) In the case of domestic abuse, provides for expanded HA benefits in the form of two 16-day periods of temporary shelter assistance within the applicant's lifetime. Requires the second 16-day period of temporary shelter assistance to continue to be available when the applicant becomes a CalWORKs recipient during the first 16-day period (*WIC 11450(f)(4)(I)(ii)*)

**This Bill:**

- 1) Eliminates the condition that CalWORKs aid be paid to a pregnant person who is 18 years of age or younger only when the Cal-Learn program is operative.
- 2) Requires a county human services agency to refer all recipients of CalWORKs aid who are pregnant to perinatal home visiting services administered by the county public health department.
- 3) Extends CalWORKs HA to families that are in danger of becoming homeless.
- 4) Clarifies that CalWORKs HA must be granted immediately after the family's application is submitted.
- 5) Expands the criteria to determine whether a family is considered homeless to include if the family has received any notice that could lead to an eviction, regardless of the circumstances cited in the eviction notice.
- 6) Increases the maximum days a family is eligible for temporary shelter assistance from 16 days in a 12-month period to 40 days in a 12-month period.
- 7) Increases the maximum days of temporary HA from two periods of 16 days to two periods of 40 days, within the applicant's lifetime, in the case of domestic violence.
- 8) Requires a county to provide a caseworker to assist with securing permanent housing if that county chooses to require a recipient of HA to participate in a homeless avoidance case plan.
- 9) Prohibits a family that includes a pregnant person and is eligible for temporary and permanent homeless assistance from being subject to the maximum benefit limits, conditioned on verification of pregnancy.
- 10) Allows a county human services agency to provide additional days of temporary shelter assistance, for an indeterminate period, to a family that includes a pregnant person, if the pregnant person or family would be without any shelter if the assistance ended.
- 11) Provides that a family receiving CalWORKs HA shall remain eligible for CalWORKs HA for up to five months following termination of their participation in the CalWORKs program due to reporting income that makes the family ineligible for aid.
- 12) Makes other technical changes.

**FISCAL IMPACT**

This bill has not yet been analyzed by a fiscal committee.

## BACKGROUND AND DISCUSSION

### Purpose of the Bill:

According to the author, “among California’s large unhoused population, there is an alarming and rising number of families with children. While state funding to expand permanent housing for our unhoused has greatly increased, the transition to a new permanent home can take many months. By expediting access to temporary hotel vouchers for unhoused families and pregnant people and lengthening the time period a hotel voucher can be used, SB 1083 will help children stay in school, help parents maintain employment, and prevent unhoused families from falling through the cracks.”

### *Family Homelessness*

Families with children are increasingly affected by California’s homelessness crisis. California experienced the largest increase in homeless families in the United States from 2018 to 2019, when the number of homeless families increased by 14.6 percent. The California Interagency Council on Homelessness, formerly known as the California Homeless Coordinating and Financing Council, estimates that nearly 26,000 people experiencing homelessness in California are families with children.<sup>1</sup> According to the U.S. Department of Housing and Urban Development’s point-in-time (PIT) data on homelessness in California, there were 13,842 homeless families in California and over 8,000 homeless children in California on one night in 2021.<sup>2</sup> Given that the PIT data is a snapshot of people experiencing homelessness on a single night in January and other limitations with how this count is conducted, the total number of homeless families and children is likely higher.

The short- and long-term effects of homelessness on children are well documented. Research shows housing instability and homelessness contribute to children experiencing higher rates of mental, emotional and behavioral impairments and interferes with their learning and ability to develop social relationships. Furthermore, experiences of homelessness can be particularly damaging for children, as impacts span from hunger and related physical, cognitive, and developmental issues to increases in stress, depression, emotional instability, and overall poor mental health. A 2017 report titled, *Well-Being of Children after Experiencing Homelessness*, found that young children who have stayed in a shelter have higher risk for developmental delays and higher rates of behavioral challenges when compared to national norms.<sup>3</sup>

### *CalWORKs*

CalWORKs, the state’s largest anti-poverty program, provides temporary cash assistance aimed at moving children out of poverty and helping qualified low-income families meet their basic needs, such as rent, clothing, utility bills, food, and other items needed to ensure children are cared for at home and safely remain with their families. In addition to cash assistance, adult CalWORKs recipients are provided education and employment and training services designed to

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<sup>1</sup> Action Plan for Preventing and Ending Homelessness in California, March 2021.

<sup>2</sup> U.S. Department of Housing and Urban Development (HUD) Continuum of Care Homeless Assistance Programs Homeless Populations and Subpopulations Report for 2021. HUD notes that this count excludes unsheltered sub-population data due to survey constraints caused by COVID-19; actual numbers are likely higher.

<sup>3</sup> [https://www.acf.hhs.gov/sites/default/files/opre/opre\\_homefam\\_brief3\\_hhs\\_children\\_02\\_24\\_2017\\_b508.pdf](https://www.acf.hhs.gov/sites/default/files/opre/opre_homefam_brief3_hhs_children_02_24_2017_b508.pdf)

help remove barriers to work and promote self-sufficiency. These services are typically outlined in a Welfare to Work plan.

CalWORKs grant amounts generally are adjusted for family size, income level, and region. According to the Legislative Analyst's office, the average CalWORKs grant amounted to \$717 per month across all family sizes and income levels in 2021-22. CalWORKs is funded with a mix of federal TANF money and state and county funds. The CDSS is the designated state agency responsible for program supervision at the state level, and counties are responsible for administering the program at the local level. Families enrolled in CalWORKs typically are also eligible for CalFresh food assistance and Medi-Cal health coverage.

Prior to the COVID-19 pandemic, the CalWORKs caseload had reached a low of approximately 366,000 cases in 2019-20. CalWORKs caseload temporarily increased by about 3 percent during March through May of 2020, when Executive Order N-29-20 automatically recertified all recipients whose redeterminations were due during those months. However, CalWORKs then experienced the fastest five-month period of caseload declines since at least 2002. The Legislative Analyst's office suggests that the unprecedented economic assistance provided by the state and federal government, including expanded unemployment insurance benefits, could be a cause for the unexpected decline in the CalWORKs caseload. In 2020-2021, the total CalWORKs caseload was 314,678, a nearly 14 percent decrease from 2019-20. CDSS estimates that the total CalWORKs caseload will increase by approximately 12 percent for 2022-21, largely due to the expiration of unemployment insurance benefits for many Californians.

This bill primarily makes changes to CalWORKs HA, as discussed below. However, it additionally makes two changes to CalWORKs generally for pregnant people. First, it requires a county human services agency to refer all recipients of aid who are pregnant to perinatal home visiting services administered by the county public health department. Home visiting aims to support positive health development and outcomes for pregnant and parenting people, families, and infants. Second, the bill eliminates the requirement CalWORKs aid be paid to a pregnant person who is 18 years of age or younger only when the Cal-Learn program is operative. The Cal-Learn program is a CalWORKs program for pregnant and parenting teens under age 19, and includes intensive case management and supportive services. According to the 2020 CalWORKs Annual Summary, Cal-Learn intensive case management services were suspended for one year in 2020; pregnant and parenting teens continued to receive CalWORKs.

#### *CalWORKs Homeless Assistance (HA)*

The CalWORKs HA program was established to help families in the CalWORKs program meet the costs of securing or maintaining permanent housing or to provide emergency shelter when a family is experiencing or at risk of homelessness. The program is an entitlement benefit available in all 58 counties. Assistance can be temporary or permanent. Temporary assistance provides a daily payment for families to secure housing for up to 16 calendar days in a 12-month period. Permanent assistance can be provided via security deposit costs or up to two months of rent arrearages. In 2020-21, the program approved temporary assistance for 30,863 families and permanent assistance for 1,683 families.

Eligible families may receive CalWORKs HA benefits once every 12 months, with certain exceptions due to domestic abuse, illness, inhabitability of the home, or declared disaster. When

a family receives CalWORKs HA based on a state or federally declared disaster, it does not count against their once-over-12-months limit, but is limited to once per disaster. In addition, a CalWORKs HA applicant who is a survivor of domestic abuse is eligible for expanded assistance of 32 days of temporary HA, rather than the general limit of 16 days of temporary HA.

CalWORKs HA was enacted in 1987 with a daily benefit of \$30, which increased to \$40 in 1999. In recent years, the program has undergone many changes in response to increased cost of living and the changing needs of low-income families.

Most recently, SB 1065 (*Hertzberg, Chapter 152, Statutes of 2020*) made a number of changes to the CalWORKs HA program. These changes included eliminating the \$100 resource limit, which made families ineligible for CalWORKs HA if they had over \$100; simplifying how homelessness is verified; requiring temporary shelter assistance to be granted or denied the same day the family's application is submitted; and extending CalWORKs HA to eligible families who experience homelessness as a result of any state or federally declared disaster, rather than only a "natural" disaster; among other changes.

This bill makes additional changes intended to improve CalWORKs HA, with a focus on better serving applicants and participants who are pregnant, as described below:

Extends eligibility: extends eligibility for CalWORKs HA to families that are in danger of becoming homeless.

Increases maximum benefits: existing law limits temporary shelter assistance under CalWORKs HA to 16 days in a 12-month period. This bill increases the maximum to 40 days in a 12-month period.

Expands benefits for pregnant people: exempts an eligible family that includes a pregnant person from the maximum benefits levels specified above, conditioned on verification of pregnancy. Additionally allows a county human services agency to provide additional days of temporary shelter assistance, for an indeterminate period, if the pregnant person or family would be without any shelter if the assistance were ended.

Extends benefits: allows a family receiving CalWORKs HA to remain eligible for assistance following the termination of their participation in the CalWORKs program due to reporting income that makes the family ineligible for aid, for up to five months.

Simplifies eviction criteria: modifies criteria to determine whether a family is considered homeless by including any notice that could lead to an eviction, regardless of the circumstances cited in the eviction notice.

Homelessness avoidance case plan: in the case that a recipient of CalWORKs HA qualifies for assistance a second time within a 24-month period, existing law allows a county to condition their eligibility for housing assistance on their participation in a homelessness avoidance case plan. This bill prevents a county from imposing that condition unless the county has also provided a caseworker who can assist with securing permanent housing.

**Related/Prior Legislation:**

***SB 1065 (Hertzberg, Chapter 152, Statutes of 2020)*** made various changes to CalWORKs HA, including removing liquid resource limits, simplifying verification of homelessness, and expanding eligibility as a result of a state or federally declared disaster, among other changes.

***SB 960 (Maienschein, Chapter 444, Statutes of 2019)*** expanded the type of housing for which a CalWORKs HA payment can be made to include a person with whom, or an establishment with which, the family requesting assistance has executed a valid lease, sublease, or shared housing agreement.

***SB 80 (Committee on Budget, Chapter 27, Statutes of 2019)*** allowed the use of temporary housing assistance for up to 16 cumulative days, instead of consecutive days, and one payment of permanent housing assistance, in a 12-month period.

***AB 1811 (Committee on Budget, Chapter 35, Statutes of 2018)*** increased, as of January 1, 2019, the daily rate for CalWORKs temporary homeless assistance from \$65 a day to \$85 a day for a family with up to four members, and increased the daily maximum from \$125 to \$145.

***AB 1921 (Maienschein and Santiago, 2018)*** would have expanded the housing arrangements for which a CalWORKs housing assistance payment may be used. This bill was vetoed by the Governor.

***AB 236 (Maienschein, Chapter 545, Statutes of 2017)*** adopted changes to CalWORKs housing assistance for temporary shelter to make the assistance available to certain families receiving reunification services through the child welfare services system and required CDSS to work with certain entities to report to the Legislature on shelter costs and best practices for transitioning families to permanent shelter.

***AB 557 (Rubio, Chapter 691, Statutes of 2017)*** authorized, as of July 1, 2018, applicants for and recipients of CalWORKs benefits who have experienced domestic violence to be eligible for CalWORKs HA and good-cause exemptions from school participation and immunization requirements under specified circumstances.

***AB 1603 (Committee on Budget, Chapter 25, Statutes of 2016)*** permitted CalWORKs families receiving a temporary or permanent benefit under the HA Program to, as of January 1, 2017, receive this benefit once every 12 months, versus once in a lifetime.

***AB 2631 (Santiago, 2016)*** would have removed the once-in-a-lifetime limit on CalWORKs homeless assistance benefits and extended from 16 days per lifetime to 30 days, per year, the permissible length of time for receipt of temporary shelter assistance. AB 2631 was held on the Assembly Appropriations Committee suspense file.

***AB 702 (Maienschein, 2015)*** would have deleted the requirement that CalWORKs temporary shelter assistance be provided consecutively to a limit of 16 days and instead allowed a family to receive temporary shelter assistance for a total of 16 calendar days to be used at any time they were both homeless and receiving CalWORKs aid. This bill was held on the Senate Appropriations Committee suspense file.

**AB 264 (Maienschein, 2014)** would have deleted the requirement that CalWORKs temporary shelter assistance be provided for 16 consecutive days and instead allowed a family to receive temporary shelter assistance for a total of 16 calendar days to be used at any time they were both homeless and receiving CalWORKs aid. AB 264 was held on the Senate Appropriations Committee suspense file.

**AB 1452 (Stone, 2014)** would have provided additional temporary assistance to homeless families receiving CalWORKs benefits by increasing the daily temporary shelter assistance amount from \$65 to \$75 and attaching an annual cost of living adjustment to that amount. AB 1452 was held on the Senate Appropriations Committee suspense file.

## COMMENTS

CalWORKs HA serves as a critical safety net for homeless families with children, providing temporary shelter assistance and financial support to help families transition into permanent housing. Given the severity of the homelessness crisis and its impact on families with children, expanding CalWORKs HA by lengthening the amount of time a family can receive assistance and expanding assistance to eligible pregnant people may help alleviate and prevent family homelessness in California.

At this time, questions have been raised regarding a number of potential implementation and operational challenges for counties and CDSS. The author's office is working with stakeholders to clarify these implementation and operational concerns in order to ensure the changes proposed by this bill can be implemented as the author intends.

## POSITIONS

### Support:

Access Reproductive Justice  
American College of Obstetricians and Gynecologists  
Birth Equity Advocacy Project  
Breastfeed LA  
California Alliance of Child and Family Services  
California Catholic Conference  
California Latinas for Reproductive Justice  
California Nurse Midwives Association  
California Partnership to End Domestic Violence  
Coalition of California Welfare Rights Organizations  
First 5 Alameda County  
NARAL Pro-Choice California  
Nurse-Family Partnership  
San Diego County Breastfeeding Coalition  
Western Center on Law & Poverty



**Oppose:**

None on file.

**-- END --**