

**HOUSE . . . . . No. 3756**

House document numbered 3737, as changed by the committee on Bills in the Third Reading and as amended by the House [being the text of the House amendment to the Senate Bill fostering economic independence (Senate, No. 1806)]. November 6, 2013.

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Thirteen**

An Act to foster economic independence.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. To provide for supplementing certain items in the general appropriation act  
2 and other appropriation acts for fiscal year 2014 for the purpose of funding improvements to the  
3 department of transitional assistance in the commonwealth, the sums set forth in section 2 are  
4 hereby appropriated from the General Fund unless specifically designated otherwise in this act or  
5 in those other appropriation acts, for the several purposes and subject to the conditions specified  
6 in this act or in those other appropriation acts and subject to laws regulating the disbursement of  
7 public funds for the fiscal year ending June 30, 2014. The sums appropriated in this act shall be  
8 in addition to any amounts previously appropriated and made available for these purposes.

9 SECTION 2.

10 OFFICE OF CHILDREN, YOUTH AND FAMILY SERVICES

11 Department of Transitional Assistance.

12 4400-1100 .....\$3,000,000

13 EXECUTIVE OFFICE OF EDUCATION

14 Department of Early Education and Care.

15 3000-4050 .....\$5,000,000

16 Department of Higher Education.

17 7070-0066 .....\$1,000,000

18 SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to  
19 provide for an alteration of purpose for current appropriations, and to meet certain requirements  
20 of law, the sums set forth in this section are hereby appropriated from the General Fund unless  
21 specifically designated otherwise, for the several purposes and subject to the conditions specified  
22 in this section, and subject to laws regulating the disbursement of public funds for the fiscal year  
23 ending June 30, 2014. The sums shall be in addition to any amounts previously appropriated and  
24 made available for the purposes of these items.

25 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

26 Office of the Secretary.

27 4000-0010 For the operation of the commission created in section 27 of this act to  
28 support the research and publication of a report relative to: (a) the root causes of poverty in the  
29 commonwealth; (b) related solutions to reduce poverty; and (c) the cost savings for the  
30 commonwealth in reducing  
31 poverty.....\$100,000

32 EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

33 Department of Career Services.

34 7003-0810 For the department of career services to enhance participation in work,  
35 training, and education programs, including, but not limited to, the Precision Manufacturing  
36 Training Program, for clients referred by the department of transitional assistance; provided, that  
37 not less than \$6,000,000 shall be used to administer, in consultation with the Commonwealth  
38 Corporation, the pathways to self-sufficiency program, established pursuant to section 12 of  
39 chapter 23H of the General Laws..... \$11,000,000

40 SECTION 3. Section 16 of chapter 6A of the General Laws, as amended by section 1 of  
41 chapter 35 of the acts of 2013, is hereby further amended by adding the following paragraph:-

42 Notwithstanding any general or special law, subject to appropriation, the integrated  
43 eligibility system developed by the executive office of health and human services shall allow  
44 multiple state agencies and programs to access and share data by creating data hubs and  
45 streamlining information processes. Through the integrated eligibility system, the department of  
46 housing and community development, housing authorities and state health and human services  
47 agencies and programs, including, but not limited to, transitional aid to families with dependent  
48 children, temporary assistance for needy families and MassHealth shall share and have access to  
49 the data. Said departments and programs shall share information regarding cases of fraud  
50 committed by recipients.

51 SECTION 3A. Section 2 of chapter 18 of the General Laws, as appearing in the 2012  
52 Official Edition, is hereby amended by inserting after the word “provision”, in line 3, the

53 following words:-and administration of the supplemental nutrition assistance program, with  
54 benefits designed for use by participants to purchase eligible foods, including seeds and plants,  
55 for home consumption and use; the provision.

56 SECTION 4. Paragraph (B) of said section 2 of said chapter 18, as amended by section 1  
57 of chapter 65 of the acts of 2013, is hereby further amended by adding the following 9 clauses:-

58 (m) provide notice to households and recipients of cash assistance benefits under  
59 emergency aid to the elderly, disabled and children and transitional aid to families with  
60 dependent children if the benefits have not been accessed for 270 days or more. The department  
61 shall expunge and recoup the balance of cash assistance benefits under emergency aid to elders,  
62 disabled and children and transitional aid to families with dependent children if no response is  
63 received by the department within 30 days;

64 (n) provide notice to households and recipients if they have not accessed supplemental  
65 nutrition assistance program benefits for 270 days or more. The department shall expunge and  
66 recoup the balance of supplemental nutrition assistance program benefits if no response is  
67 received by the department within 30 days;

68 (o) provide notice to all households of cash assistance benefits under emergency aid to  
69 the elderly, disabled and children and transitional aid to families with dependent children with  
70 balances higher than \$1,500 and instruct them to contact the department for a case review within  
71 30 days of receiving notice in order to continue receiving benefits. The department shall expunge  
72 and recoup the balance of cash assistance benefits under emergency aid to the elderly, disabled  
73 and children and transitional aid to families with dependent children in excess of \$2,500 and for  
74 failure to complete a case review for continuation of benefits and shall notify all households  
75 immediately upon expunging the benefit;

76 (p) on a biannual basis, on or before January 1 and July 1, file a report detailing the  
77 following: (i) the number of households and recipients receiving cash assistance under  
78 transitional aid to families with dependent children who are non-exempt from the work  
79 requirement as described in 106 CMR 203.400(A)(1)(a) to (c), inclusive; (ii) the number of  
80 households and recipients receiving cash assistance under transitional aid to families with  
81 dependent children who are exempt from the work requirement; (iii) the number of recipients  
82 who are required to meet the work requirement and in need of additional education, training or  
83 other barrier-removal services; (iv) the number of exemptions and extensions granted to  
84 recipients of cash assistance under transitional aid to families with dependent children; (v) the  
85 reasons for granting any exemptions and extensions; (vi) the reasons why recipients are applying  
86 for additional benefits beyond their initial 24 month period; provided, that this shall include, but  
87 not be limited to, an analysis of the recipient's economic independence goals, as required by  
88 section 15 of chapter 118; and (vii) information regarding caseloads, including how long  
89 recipients have been receiving cash assistance under transitional aid to families with dependent

90 children and how much recipients have received. The report shall not contain a recipient's  
91 personal identifying information. The report shall be filed with the clerks of the house of  
92 representatives and the senate who shall forward the report to the house and senate chairs of the  
93 joint committee on children, families and persons with disabilities and the house and senate  
94 committees on ways and means;

95 (q) on an annual basis, file a report detailing the number of cases referred to the  
96 department's program integrity division and the results of each investigation. The reports shall be  
97 filed with the clerks of the house of representatives and the senate who shall forward the reports  
98 to the house and senate chairs of the joint committee on children, families and persons with  
99 disabilities and the house and senate committees on ways and means;

100 (r) annually, on or before December 1, file a report detailing the use of economic  
101 independence accounts, established pursuant to section 16 of chapter 118, that have been opened  
102 by recipients of cash assistance under transitional aid to families with dependent children;  
103 provided, that this shall include, but not be limited to, the number of accounts opened and the  
104 average balances in the accounts and a detailed list of reasons for expenditures from the  
105 accounts. The report shall be filed with the clerks of the house of representatives and the senate  
106 who shall forward the report to the house and senate chairs of the joint committee on children,  
107 families and persons with disabilities and the house and senate committees on ways and means;

108 (s) annually, on or before March 1, file a report detailing the number of recipients  
109 receiving cash assistance under transitional aid to families with dependent children who are  
110 present in the United States under 1 of the eligible noncitizen statuses as described in 106 CMR  
111 203.675 (A). The report shall be filed with the clerks of the house of representatives and the  
112 senate who shall forward the report to the house and senate chairs of the joint committee on  
113 children, families and persons with disabilities and the house and senate committees on ways and  
114 means;

115 (t) subject to appropriation, create an educational program to be implemented in each  
116 department of transitional assistance office that shall include, at a minimum, the following:  
117 proper card usage, card and PIN security, penalties for abuse or fraud associated with trafficking  
118 or fraudulent representation of need of transitional aid, advantages of having a bank account,  
119 basic financial management, available education and training resources and supports, local job  
120 opportunities and other topics as the department considers appropriate; and

121 (u) subject to appropriation, in consultation with the department of higher education, the  
122 community college system, the public university system, and the University of Massachusetts  
123 system, maintain in each local office of the department an up-to-date listing and description of all  
124 educational certificate programs, higher education programs, financial aid officials at public  
125 institutions of higher education and financial aid programs, including, but not limited to,  
126 scholarships, grants, loans and work study programs; and shall counsel children whose parents

127 receive transitional aid for families with dependent children age 14 and older on how to access  
128 higher education without incurring debt.

129 (v) annually, on or before March 1, file a report detailing the number of recipients exempt  
130 from having a photo ID on their EBT card and the reasons for said exemptions.

131 SECTION 5. Paragraph (D) of said section 2 of said chapter 18, as appearing in the 2012  
132 Official Edition, is hereby amended by adding the following 2 clauses:-

133 (g) the recording and tracking of blank electronic benefit transfer cards that ensures the  
134 integrity of the cards and establishes a clear chain of custody and best practices in the shipment  
135 and custody of those cards; and

136 (h) the suspension of benefits to any recipient who has failed to notify the department of a  
137 change of address and who the department has attempted to contact by certified mail, but whose  
138 mail communication has been returned to the department as undeliverable; provided, however,  
139 that the department, after receiving notice that the mail communication has been returned as  
140 undeliverable or returned with a Massachusetts forwarding address, shall use all reasonable  
141 means to determine the address of the recipient and, in the event that it cannot be determined,  
142 subject the recipient's case to further review as to continued eligibility.

143 SECTION 6. Section 5J of said chapter 18, as so appearing, is hereby amended by  
144 inserting after the word "stores", in line 12, the following:- ; foreign transmittal agencies licensed  
145 pursuant to chapter 169.

146 SECTION 7. Section 5L of said chapter 18, as so appearing, is hereby amended by  
147 adding the following subsection:-

148 (f) An individual who traffics food stamp benefits, as described in subsection (b) and on 1  
149 prior occasions has been convicted of trafficking food stamp benefits pursuant to said subsection  
150 (b) or conspiracy to traffic food stamp benefits shall be punished by imprisonment in a state  
151 prison for not more than 10 years or by a fine of not more than \$25,000 or both.

152 SECTION 8. The first paragraph of section 22 of said chapter 18, as so appearing, is  
153 hereby amended by adding the following sentence:- Self-declarations by applicants or recipients  
154 of transitional aid to families with dependent children shall be signed under the penalties of  
155 perjury and, if possible, shall not be accepted as the sole verification of categorical and financial  
156 eligibility during eligibility evaluations and reviews.

157 SECTION 9. The second paragraph of said section 22 of said chapter 18, as so appearing,  
158 is hereby amended by striking out the first sentence and inserting in place thereof the following  
159 sentence:- The department shall determine which verification requirements can be reasonably  
160 met by third party affidavits and shall provide notification to recipients and applicants of the  
161 circumstances under which third party affidavits may be used; provided, however, that all work

162 participation forms shall be verified by a third party who shall sign the work participation form  
163 under the penalties of perjury; provided, however, for the purposes of verification, the  
164 department may accept other forms of documentation that include an employer's federal  
165 employment identification number.

166 SECTION 10. Said chapter 18 is hereby further amended by adding the following 4  
167 sections:-

168 Section 31. The department shall require applicants or recipients of cash assistance to  
169 provide their social security number upon application; provided, however, that this section shall  
170 not apply to recipients who are present in the United States under 1 of the eligible noncitizen  
171 statuses as described in 106 CMR 203.675(A) or 106 CMR 320.620(A) or a victim of domestic  
172 violence who has a pending petition for legal status under the federal Violence Against Women  
173 Act; provided further, that a three month placeholder social security number shall be made  
174 available for applicants or recipients who are expecting mothers in the third trimester of  
175 pregnancy or a child under four months of age. Failure to provide a valid social security number  
176 within 3 months shall result in the suspension of benefits until a valid social security number is  
177 provided and verified by the department. The department shall promulgate regulations in  
178 accordance with this section.

179 Section 32. Subject to appropriation, the department shall ensure that when recipients of  
180 cash assistance call the department during normal business hours they are able to speak with a  
181 caseworker.

182 Section 33. The department, in consultation with the bureau of program integrity,  
183 established pursuant to section 16V of chapter 6A, shall develop a fraud detection program. The  
184 fraud detection program shall analyze the risk of fraud and refer any cases of suspected fraud to  
185 the program integrity division and the bureau of special investigations in the office of the state  
186 auditor. In analyzing risk of fraud and identifying cases for investigation, the program shall  
187 consider: (i) even dollar transactions; (ii) full benefit withdrawal; (iii) usage patterns; (iv) high  
188 electronic benefit transfer card balances; (v) repeated duplicate electronic benefit transfer card  
189 requests; (vi) purchases of prohibited items; and (vii) other relevant data sources and (viii)  
190 reports to case workers of potential fraud. In order to assist the program in identifying and  
191 investigating likely cases of fraud, the department shall develop and make available reports  
192 identifying even dollar transactions by cardholder, instances of full benefit withdrawal, high  
193 electronic benefit transfer card balances, duplicate electronic benefit transfer card requests,  
194 purchases of prohibited items and other data reports, biannually.

195 Section 34. Notwithstanding any general or special law to the contrary, the department  
196 shall not approve an application for new benefits for any person required to register pursuant to  
197 sections 178C to 178P, inclusive, of chapter 6 and who has failed to register until the individual  
198 registers as required by said sections 178C to 178P, inclusive, of said chapter 6; provided,

199 however, that prior to the denial of benefits, the department shall provide the applicant with  
200 notice of the applicant's failure to register pursuant to said sections 178C to 178P, inclusive, of  
201 said chapter 6 and a reasonable opportunity to be heard.

202 SECTION 11. Chapter 23H of the General Laws is hereby amended by adding the  
203 following section:-

204 Section 12. The department shall develop a program designed to promote financial  
205 independence for recipients of transitional aid to families with dependent children, hereinafter  
206 referred to as TAFDC, by coordinating the placement of recipients with regional employers  
207 through employment agencies, including one-stop career centers, with the goal of permanent  
208 employment. Applicants to the program shall be referred from the department of transitional  
209 assistance, following a thorough intake and employment assessment process. The program shall  
210 be known as the pathways to self-sufficiency program and shall identify applicants with relevant  
211 job skills and experience, then match those applicants with appropriate employment for the  
212 required number of hours, as specified in 106 CMR 203.400(A)(5).

213 The department, in consultation with the Commonwealth Corporation, shall create  
214 selection criteria and guidelines for employment agencies seeking to participate in the placement  
215 of applicants, including, but not limited to: (1) experience with job-seeking difficulties facing  
216 recipients of public assistance; (2) demonstrated ability to identify and overcome barriers to  
217 employment; (3) geographic diversity; (4) experience with members of diverse populations and  
218 non-English speakers; (5) a willingness to accommodate job-seekers with dependent children or  
219 family members; and (6) a proven track record of job placement and retention.

220 The Commonwealth Corporation shall monitor the participation of applicants in the  
221 educational or training programs to which they are referred and the applicant shall provide  
222 documentation to the department of such participation.

223 For identified applicants who are not connected with appropriate employment within 60  
224 days of applying for TAFDC benefits, the department shall provide a written finding as to why  
225 the pathways to self-sufficiency program was not successful, which shall be part of the  
226 applicant's TAFDC case file. An applicant who is otherwise eligible for TAFDC assistance shall  
227 not be denied temporary benefits while awaiting employment placement under the program.

228 The department shall annually, file a report, in consultation with the Commonwealth  
229 Corporation, detailing the number of households and recipients receiving cash assistance under  
230 TAFDC who are participating in the pathways to self-sufficiency program who can reasonably  
231 be moved into gainful employment within 12 months of applying for TAFDC benefits, given the  
232 resources and funds allocated. This report shall include, but not be limited to, the following: (1)  
233 the cost of implementing the components of the pathways to self-sufficiency program; (2) the  
234 estimated placement cost per participant; (3) job placement and retention rates; (4) the extent to  
235 which appropriate activities and supports were available to recipients; (5) the components of the

236 pathways to self-sufficiency program that were implemented in light of available resources and  
237 appropriations; and (6) the reasons recipients were unsuccessful in obtaining gainful employment  
238 within 12 months. The report shall be filed with the clerks of the house of representatives and the  
239 senate who shall forward the report to the house and senate chairs of the joint committee on  
240 children, families and persons with disabilities and the house and senate committees on ways and  
241 means.

242 The department shall promulgate regulations in accordance with this section.

243 SECTION 12. Subsection (b) of section 21 of chapter 62C of the General Laws, as  
244 appearing in the 2012 Official Edition, is hereby amended by adding the following clause:-

245 (27) the disclosure of tax return information for individuals or households to an agency of  
246 the commonwealth, if the agency certifies that the information is relevant to determine eligibility  
247 of those individuals or households for benefits awarded by the agency.

248 SECTION 13. Section 3 of chapter 118 of the General Laws, as so appearing, is hereby  
249 amended by striking out, in line 35, the words “division of employment and training” and  
250 inserting in place thereof the following words:- department of career services.

251 SECTION 14. Said section 3 of said chapter 118, as so appearing, is hereby further  
252 amended by adding the following 2 paragraphs:-

253 The department of transitional assistance shall require all training and employment  
254 service programs contracted through the department to track the outcomes of individuals served  
255 by the program for at least 1 year after the individual transitions into employment. The  
256 department shall determine the number of individuals that each employment service program is  
257 required to track.

258 The department shall allow applicants or recipients who are employed, a monthly \$150  
259 work-related expense deduction from gross wages in determining eligibility and the amount of  
260 the cash assistance grant.

261 SECTION 15. Said chapter 118 is hereby further amended by inserting after section 3 the  
262 following 2 sections:-

263 Section 3½. The pathways to self-sufficiency program, established pursuant to section 12  
264 of chapter 23H, shall be mandatory for all identified applicants over the age of 18 who are not  
265 attending a secondary school full time or participating in an education or training activity, as  
266 defined in 106 CMR 203.400(A)(2)(i); provided, however, that the program shall not be  
267 mandatory for an applicant who is exempt from the work requirements pursuant to 106 CMR  
268 203.400(A)(1)(a) to (c), inclusive; and provided further, that the program shall not be mandatory  
269 for an applicant who is participating in a substance abuse treatment program licensed or  
270 approved by the department of public health while the applicant is in a substance abuse shelter or

271 other inpatient program. The department shall promulgate regulations in accordance with this  
272 section.

273           Section 3<sup>3</sup>/<sub>4</sub>. Subject to appropriation, the department shall establish an employment  
274 counseling program to assist recently employed recipients of cash assistance under transitional  
275 aid to families with dependent children. The program shall include, but not be limited to, job  
276 coaching, assistance in resolving workplace disputes, life skills development, counseling and  
277 tutoring, support services referrals, tax information forms regarding state and federal earned  
278 income tax credits and any other activities that may assist recipients through the first year after  
279 transitioning into employment. The department shall promulgate regulations in accordance with  
280 this section.

281           SECTION 16. Said chapter 118 is hereby further amended by adding the following 6  
282 sections:-

283           Section 12. A temporary absence from the commonwealth which exceeds 30 calendar  
284 days or 90 days in aggregate over the course of a calendar year shall create a rebuttable  
285 presumption that Massachusetts residency has been abandoned by a recipient of cash assistance  
286 under transitional aid to families with dependent children and the recipient is no longer eligible  
287 for assistance. The department shall promulgate regulations in accordance with this section.

288           Section 13. (a) During the initial qualification process for full cash assistance under  
289 Transitional Aid to Families with Dependent Children, all adult applicants who are not exempt  
290 from the work requirement shall be required to conduct an initial job search unless the applicant  
291 has good cause for not participating as determined by the department which may include  
292 disability; provided further, that an applicant shall not be disqualified from receiving temporary  
293 assistance during the cash assistance eligibility determination process.(b) The department shall  
294 inform all applicants required to conduct an initial job search of available local job placement  
295 service providers. Applicants shall provide evidence of this search by returning to the department  
296 a list of the potential employers contacted recently, the date of contact and the name and  
297 telephone number of the person with whom the applicant spoke, to the extent feasible. All initial  
298 job search documentation shall be signed by the applicant under the penalties of perjury. The  
299 number of potential employers to be contacted by the applicant shall be determined by the  
300 department. An applicant shall provide the information before the applicant's case approval. An  
301 applicant who fails to provide this information within 60 days of filing the application shall be  
302 determined to be ineligible. The department shall promulgate regulations in accordance with this  
303 subsection. The submission to the department of proof of job search activities issued by a one-  
304 stop career center within the department of career services shall satisfy the requirements of this  
305 subsection .

306           (c) The department shall require adult recipients who are meeting their work requirement  
307 through job search and who did not receive full-time employment under the pathways to self-

308 sufficiency program to provide, on a weekly basis, evidence of job searches by returning to the  
309 department a list of the employers contacted, the date of contact and the name and telephone  
310 number of the person with whom the applicant spoke, to the extent feasible. The submission to  
311 the department of proof of job search activities issued by a one-stop career center within the  
312 department of career services shall satisfy the requirements of this subsection. The department  
313 shall terminate cash assistance under transitional aid to families with dependent children for a  
314 recipient who fails to provide accurate information; provided, however, that the department shall  
315 not terminate cash assistance for the recipient's dependent children. The department shall  
316 promulgate regulations in accordance with this subsection.

317 (d) Notwithstanding 106 CMR 203.400(A)(2)(i) or any general or special law to the  
318 contrary, an education or training activity, for the purpose of meeting the work requirement, is  
319 defined as any 4 year degree granting higher education institution, community college or  
320 certificate program, not to exceed 24 months, or a vocational education program, not to exceed  
321 12 months. If the education or training activity is less than the hours per week required to meet  
322 the work requirement, the recipient shall perform other work program activities to total the  
323 required hours per week.

324 Section 14. The department shall not calculate a separate 60-month benefit period for an  
325 individual who receives aid under transitional aid to families with dependent children if the  
326 individual is part of a two-parent assistance unit. The department shall promulgate regulations in  
327 accordance with this section.

328 Section 15. The department shall develop economic independence goals for all recipients  
329 of cash assistance under transitional aid to families with dependent children to be completed  
330 during the recipient's first 24-month period of receiving benefits. The economic independence  
331 goals shall assist a recipient in determining a path through which the recipient will be able to be  
332 self-sufficient. Recipients who apply for a continuation of benefits after the first 24-month period  
333 shall be required to demonstrate a good faith attempt to meet their goals prior to receiving  
334 additional benefits or an extension of benefits. Recipients who fail to demonstrate a good faith  
335 attempt to meet all of their goals shall not receive additional benefits or an extension of benefits;  
336 provided, however, that such failure shall not prohibit a recipient from receiving benefits on  
337 behalf of a dependent child.

338 Section 16. (a) The department shall develop a savings program that allows recipients of  
339 cash assistance under transitional aid to families with dependent children and emergency aid to  
340 the elderly, disabled and children to accumulate assets outside of the asset limit. The savings  
341 accounts shall be called economic independence accounts. The economic independence accounts  
342 shall be used to help recipients save for the first and last month of rent and the security deposit or  
343 later expenditure for costs related to education or training, health care, basic household  
344 necessities, debt reduction or other necessary expenses as identified by the department. The

345 economic independence accounts shall not be included as a countable asset pursuant to 106 CMR  
346 204.120.

347 (b) For recipients of cash assistance under transitional aid to families with dependent  
348 children and emergency aid to the elderly, disabled and children who elect to participate in the  
349 savings program, the department shall require a designated amount of a recipient's cash  
350 assistance to be held in an escrow account for the recipient until the recipient is no longer  
351 eligible for or in need of benefits; provided, that the department shall allow a recipient to deposit  
352 additional funds into the account. While a recipient is receiving benefits, funds in the economic  
353 independence account shall only be withdrawn for a department approved purpose. If a recipient  
354 who is currently receiving benefits uses funds from the account for any purpose other than a  
355 department approved purpose, the department shall reduce the recipient's monthly cash  
356 assistance until the cumulative reductions are equal to the amount used for a non-allowable  
357 purpose. The department shall promulgate regulations in accordance with this section; provided,  
358 that the commissioner of the department shall submit any proposed regulations to the joint  
359 committee on children, families and persons with disabilities and the house and senate  
360 committees on ways and means 30 days before their adoption by the department.

361 Section 17. The department shall treat as uncountable, with regard to any maximum  
362 countable income or asset limits or lump sum income, up to \$5,000 dollars that has been  
363 expended or placed in an economic independence account for costs relating to first and last  
364 months of rent and a security deposit, or a later expenditure for costs related to education or  
365 training, health care, basic household necessities, debt reduction or other necessary expenses as  
366 identified by the department including, the amount of any scholarship.

367 Section 18. The department shall require an unverified applicant for cash assistance for a  
368 dependent under transitional aid to families with dependent children to provide proof of income  
369 and assets. For the purposes of this section, an unverified applicant shall mean an applicant who  
370 has not provided the required information about citizenship or immigration status.

371 SECTION 16A. Section 32 of chapter 121B of the General Laws, as appearing in the  
372 2012 Official Edition, is hereby amended by adding the following paragraph:-

373 Notwithstanding any general or special law or regulation to the contrary, an applicant for  
374 assisted housing under this chapter who is not eligible for federal assisted housing under 42  
375 U.S.C. section 1436a shall not displace or be given priority over any applicant who is so eligible.

376 SECTION 17. Chapter 121B of the General Laws is hereby amended by inserting after  
377 section 32F the following section:-

378 Section 32G. A temporary absence from the commonwealth which exceeds 30 calendar  
379 days or 90 days in aggregate over the course of a calendar year shall create a rebuttable  
380 presumption that Massachusetts residency has been abandoned by a recipient of state or

381 municipally-funded or subsidized housing and that the recipient is no longer eligible for such  
382 assistance under this chapter. The department shall promulgate regulations in accordance with  
383 this section.

384 SECTION 18. The definition of “Child of record” in subsection (a) of section 110 of  
385 chapter 5 of the acts of 1995 is hereby amended by inserting after the word “parent”, in line 11,  
386 the following words:- ; provided, however, that the commissioner shall develop specific criteria  
387 for approving exemptions or waivers to the family cap provision for extraordinary circumstances  
388 and shall only grant an exemption or waiver when the specific criteria is met.

389 SECTION 18A. Subsection (b) of said section 110 of said chapter 5, as amended by  
390 section 308 of chapter 159 of the acts of 2000, is hereby further amended by striking out the  
391 words “provided, however, that the fair market value of any licensed motor vehicle does not  
392 exceed an amount determined by the commissioner in consultation with the secretary of the  
393 executive office of transportation and construction and the equity value of any licensed motor  
394 vehicle does not exceed \$5,000; provided, further, that any value in excess of said five thousand  
395 dollars shall be attributed toward said family’s countable resources” and inserting in place  
396 thereof the following words:- provided, however, that an assistance unit shall be allowed 1 non-  
397 luxury vehicle the value of which does not exceed \$15,000; provided further, that any value in  
398 excess of \$15,000 shall be attributed toward the family’s countable resources; and provided  
399 further, that the commissioner, deputy commissioner or an assistant commissioner may grant a  
400 full or partial written waiver for a vehicle valued in excess of \$15,000 that the commissioner,  
401 deputy commissioner or assistant commissioner determines is necessary for a particular  
402 employment or family circumstance.

403 SECTION 19. Subsection (b) of said section 110 of said chapter 5 is hereby amended by  
404 adding the following paragraph:- The department shall exclude from a family’s countable  
405 resources any earned income of dependent children of the family who are working part-time  
406 while attending school full time. The department shall promulgate regulations in accordance with  
407 this section, including, but not limited to, updating 106 CMR 204.210(D)(2).

408 SECTION 20. Subsection (e) of said section 110 of said chapter 5 is hereby amended by  
409 striking out clauses (1) and (2) and inserting in place thereof the following 2 clauses:-

410 (1) recipients who are disabled, as defined by the federal Social Security Act, 42 U.S.C.  
411 section 423(d) or, in the commissioner’s discretion, a recipient who has been determined by the  
412 commonwealth’s disability evaluation service to have a disability that meets or equals medical  
413 standards established by the department or substantially reduces the recipient’s ability to support  
414 the recipient’s children, taking into account the recipient’s age, education and work experience;  
415 provided, that in families with 2 parents, both parents are disabled; provided further, that to the  
416 extent permitted by federal law, the word “disabled” shall not include recipients who are  
417 dependent on alcohol or drugs or whose disability is based in whole or in part on previous

418 dependency. A recipient who requests an exemption under this clause shall, as a condition of  
419 continued eligibility for transitional aid to families with dependent children, apply for  
420 supplemental security income, hereinafter referred to as SSI, and, if requested by the department,  
421 appeal a denial of SSI benefits. The department shall provide administrative assistance, if  
422 needed, to recipients required to apply for SSI. Recipients who do not comply with the  
423 department's request to apply for SSI or appeal a decision shall not be granted a work exemption  
424 under this clause.

425 (2) recipients who must care for a disabled child or spouse. A recipient who requests an  
426 exemption under this clause shall apply for SSI benefits on behalf of the disabled child or  
427 spouse.

428 SECTION 21. Clause (3) of said subsection (e) of said section 110 of said chapter 5 is  
429 hereby amended by striking out, in line 1, the words "recipients in their third trimester of  
430 pregnancy" and inserting in place thereof the following words:- recipients in their thirtieth week  
431 or later of pregnancy who have not quit a job without good cause within the last 30 days,  
432 recipients prior to their thirtieth week of pregnancy who have submitted documentation signed  
433 by a primary care provider, as defined in section 1 of chapter 111 of the General Laws, or an  
434 obstetrician, gynecologist, nurse-midwife or family practitioner registered and certified pursuant  
435 to chapter 112 of the General Laws that the recipient has a medical condition that prevents the  
436 recipient from working.

437 SECTION 22. The fourth paragraph of subsection (f) of said section 110 of said chapter 5  
438 is hereby amended by inserting after the word "extended", in line 2, the following words:- ;  
439 provided, however, that an extension of benefits shall not exceed 3 months.

440 SECTION 23. The first paragraph of subsection (j) of said section 110 of said chapter 5,  
441 as appearing in section 218 of chapter 149 of the acts of 2004, is hereby amended by striking out,  
442 in line 9, the word "older;" and inserting in place thereof the following:-

443 older. The department shall exempt from the work requirement a recipient who is age 66  
444 or older; provided, however, that a recipient who is age 60 or over, who is the primary caregiver  
445 for a child and who was retired prior to applying for benefits shall be exempt from the work  
446 requirement; and provided further, that the department shall promulgate regulations in  
447 accordance with this sentence, including, but not limited to, updating 106 CMR  
448 203.100(A)(1)(h).

449 SECTION 24. Said subsection (j) of said section 110 of said chapter 5, as so appearing,  
450 is hereby further amended by inserting after the second paragraph the following paragraph:-

451 An individual receiving cash assistance under transitional aid to families with dependent  
452 children who is not exempt from the work requirement as determined through regulations  
453 promulgated by the department may meet the work requirement by participating in an education

454 or training activity for up to the required hours per week as determined by the department. The  
455 education or training activity shall not exceed 24 months; provided, however, that the department  
456 may extend the duration of the education or training activity eligible to meet the work  
457 requirement if the department determines, using performance standards established by the  
458 department, that the individual is making substantial progress towards completion of a certificate  
459 or degree program. The department shall promulgate regulations in accordance with this section.

460 SECTION 25. Notwithstanding any general or special law to the contrary, in fiscal year  
461 2014, the department of higher education shall expend no less than \$1,500,000 for the high  
462 demand scholarship program for students from the commonwealth who are enrolled in and  
463 pursuing a program of higher education in the University of Massachusetts, state universities and  
464 community colleges designated by the board of higher education to be a training program for an  
465 in-demand profession as defined by the executive office of labor and workforce development's  
466 study on labor market conditions pursuant to item 7070-0066 of section 2 of chapter 38 of the  
467 acts of 2013.

468 SECTION 26. Notwithstanding any general or special law to the contrary, a pregnant  
469 teen, aged 16 to 20 years old, who meets all other eligibility requirements shall be eligible to live  
470 in a teen parent shelter or participate in a teen living program during her entire pregnancy and  
471 shall be eligible to receive cash assistance under transitional aid to families with dependent  
472 children if she meets the school attendance requirements set forth in 106 CMR 203.610 and the  
473 requirements set forth in 106 CMR 203.630.

474

475 SECTION 27. (a) Notwithstanding any general or special law to the contrary, there shall  
476 be a special commission to investigate and study how poverty in the commonwealth can be  
477 reduced by 10 per cent in the next 5 years and 20 per cent in the next 10 years by engaging the  
478 public, private and non-profit sectors drawn from all regions of the commonwealth and  
479 representing rural, urban and suburban populations.

480 (b) The investigation and study shall include, but not be limited to: (1) appropriate  
481 measures of poverty; (2) the root causes of poverty; (3) analysis of income inequality in the  
482 commonwealth, in particular examining the number of people and families in the commonwealth  
483 living below 200 per cent of the federal poverty level and the socio-economic challenges they  
484 face, while also calculating the number of people and families living at multiples above and  
485 below the federal poverty level; (4) violence in urban areas, particularly gun violence, and its  
486 effect on youth, commercial activity, and job opportunities in the community; (5) the number and  
487 types of existing jobs and the economically competitive strengths of the commonwealth; (6)  
488 obstacles to job opportunities for the poor, including the ability to obtain adequate childcare; (7)  
489 barriers to education from pre-school through college and recommendations to remove barriers  
490 and increase education levels; (8) recent examples and categories of successful paths out of

491 poverty for youth, families and neighborhoods; (9) successful approaches and innovative system  
492 change efforts to reduce poverty and violence within the commonwealth and throughout North  
493 America; and (10) recommended action by the public, private and non-profit sectors to achieve  
494 the poverty reduction goals stated above. The commission shall also produce data and estimates  
495 and shall conduct analysis on the potential long-term municipal and state government savings  
496 that would result from effective poverty reduction efforts throughout the commonwealth as the  
497 number of people in need of government safety-net spending is reduced. The commission shall  
498 establish a methodology for calculating annually relevant and appropriate metrics of poverty in  
499 the commonwealth.

500 (c) The commission shall consist of the following members: the governor, who shall  
501 serve as chair; the secretary of administration and finance, or a designee; the secretary of housing  
502 and economic development, or a designee; the secretary of health and human services, or a  
503 designee; 1 appointee to be chosen by the speaker of the house of representatives; 1 appointee to  
504 be chosen by the minority leader of the house of representatives; 1 appointee to be chosen by the  
505 president of the senate; 1 appointee to be chosen by the minority leader of the senate; 1 appointee  
506 to be chosen by the Massachusetts Mayors' Association; 1 appointee to be chosen by the chair  
507 from a chamber of commerce in the commonwealth; 1 appointee to be chosen by the Associated  
508 Industries of Massachusetts, Inc.; 1 appointee to be chosen by the Retailers Association of  
509 Massachusetts, Inc.; 1 appointee to be chosen by the Massachusetts Non-Profit Network, Inc.; 1  
510 appointee to be chosen by the Massachusetts Association for Community Action; 1 appointee to  
511 be chosen by the chair from a non-profit organization assisting low-income individuals and  
512 families; 1 appointee to be chosen by the Massachusetts AFL-CIO; and 1 appointee to be chosen  
513 from the Massachusetts Workforce Investment Board. The commission shall be staffed by a  
514 social impact consulting firm or a Massachusetts based philanthropic foundation through a  
515 procurement managed by the secretary of administration and finance.

516 (d) The commission shall report its findings to the general court, along with draft  
517 legislation necessary to carry its recommendations into effect, by filing the report on or before  
518 September 1, 2014 with the clerks of the house of representatives and the senate, the house and  
519 senate chairs of the joint committee on children, families and persons with disabilities, the house  
520 and senate chairs of the joint committee on labor and workforce development, the house and  
521 senate chairs of the joint committee on economic development and emerging technologies and  
522 the chairs of the house and senate committees on ways and means. SECTION 28. Sections 14,  
523 16, and 18 shall take effect 90 days after the effective date of this act.

524 SECTION 29. Notwithstanding any special or general law to the contrary, the secretary  
525 of administration and finance shall study the administration and efficacy of the current benefit  
526 systems and programs in the commonwealth and the resource inputs of said benefit system and  
527 programs, including, but not limited to, the following: electronic benefit transfer, supplemental  
528 nutrition assistance program, section 8 housing, low Income home energy assistance program,  
529 extending the earned income tax credit, the extension of a child and dependent care tax credit,

530 and any other programs deemed appropriate by the secretary that move individuals out of  
531 poverty and into situations of economic independence and autonomy. The study shall be  
532 conducted in consultation with the commissioner of the department of transitional assistance, the  
533 commissioner of the department of housing and community development and other executive  
534 agencies as the secretary deems appropriate. The secretary shall provide an opportunity for  
535 comments and input from members of the public and general court on or before January 1, 2014,  
536 provided that such opportunity shall include at least 1 public hearing. The secretary shall report  
537 on the findings of the study to the clerks of the house of representatives and senate and the house  
538 and senate committees on ways and means on or before April 1, 2014.

539           SECTION 30. Notwithstanding any general or special law to the contrary, and where  
540 federally permissible, the department of transitional assistance and the department of elementary  
541 and secondary education shall develop and implement a statewide system to verify school  
542 attendance.

543           SECTION 31. The department of transitional assistance may access income and  
544 employment data from the Department of Revenue to track the outcomes of individuals served  
545 by the program, provided that the privacy of individual clients is maintained according to state  
546 and federal laws.

547           SECTION 32. Notwithstanding any general or special law to the contrary, the department  
548 of transitional assistance shall issue a report to establish a cashless system by no later than  
549 January 1, 2019.

550           SECTION 33. Section 5M of Chapter 18 of the General Laws, as inserted by section 3 of  
551 chapter 161 of the acts of 2012, is hereby amended by striking subsection (f) and inserting in its  
552 place the following subsection:-

553           (f) A retail or wholesale organization owner who is convicted of organizational food  
554 stamp benefits trafficking and who also possesses a license to sell lottery tickets under sections  
555 26 and 27 of chapter 10 shall have his or her license suspended for not less than two years and  
556 shall be referred to the director of the state lottery commission for possible further disciplinary  
557 action.

558           SECTION 34. Notwithstanding any general or special law to the contrary, there shall be  
559 a special commission to study and report on the feasibility of a tax credit for small businesses  
560 that hire Massachusetts residents who benefit from the comprehensive transitional assistance  
561 financial assistance program, pursuant to section 2 of chapter 18. The tax credit shall be  
562 conceptually modeled after the federal Work Opportunity Tax Credit (WOTC) which is set to  
563 expire on December 31, 2013. The commission shall consist of the following members: the  
564 commissioner of revenue, or a designee, who shall serve as chair of the commission; 2 members  
565 of the house of representatives, 1 of whom shall be appointed by the minority leader; 2 members  
566 of the senate, 1 of whom shall be appointed by the minority leader; a representative of the

567 Massachusetts Taxpayers Foundation; a representative of the Massachusetts Budget and Policy  
568 Center; a representative of the interests of benefit recipients who shall be appointed by the  
569 governor; and, a representative of the interests of small businesses who shall be appointed by the  
570 treasurer. The commission shall submit a final report of its findings and recommendations,  
571 together with drafts of legislation necessary to implement those recommendations, by filing the  
572 same with the clerks of the senate and house not later than March 31, 2014.

573           SECTION 35. Notwithstanding any general or special law to the contrary, the department  
574 of transitional assistance shall study the feasibility of placing a cap on the total amount of  
575 benefits individuals and households may receive in the aggregate. In determining feasibility, the  
576 department shall determine the appropriate cap on benefits per individual and household.