

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

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SENATE BILL 129

Short Title: Family Welfare Responsibility.

(Public)

Sponsors: Senators Cochrane; Forrester, Allran, and Smith.

Referred to: Juveniles/Prevention.

February 15, 1994

A BILL TO BE ENTITLED

AN ACT TO EFFECT LONG-TERM CRIME PREVENTION BY PROVIDING CERTAIN INCENTIVES TO FAMILIES RECEIVING AID TO FAMILIES WITH DEPENDENT CHILDREN TO ACT RESPONSIBLY IN RAISING THEIR CHILDREN.

The General Assembly of North Carolina enacts:

Section 1. Part 2 of Article 2 of Chapter 108A of the General Statutes is amended by adding a new section to read:

"§ 108A-34.1. Family responsibility for education and health of dependent child.

Notwithstanding any law to the contrary, the Department shall ensure that a family receiving assistance pursuant to this Part acts responsibly in raising its children by seeing that its children attend public school, if required by the Compulsory Attendance Law, for at least eighty percent (80%) of the time and that its children receive all the immunizations and other health services that are provided for them by State and federal law.

If a dependent child does not attend public school for at least eighty percent (80%) of the time, the Department shall reduce the family's assistance by twenty-five dollars (\$25.00) each month the child's attendance does not meet the requirements of the Compulsory Attendance Law.

If a family does not provide a dependent child with the age-appropriate immunizations and other health services, including preventive health services, that are made available to the family, the Department shall reduce the family's assistance by twenty-five dollars (\$25.00) for each month the appropriate services are not provided.

1 If a family fails to ensure a dependent child's proper school attendance and fails as
2 well to provide the appropriate health services, the Department shall reduce the family's
3 assistance by a total of fifty dollars (\$50.00) per month for so long as the family
4 continues to fail to ensure the child's school attendance and fails to provide the
5 appropriate health services.

6 The Department shall not reduce any family's assistance more than a total of twenty-
7 five dollars (\$25.00) for any number of children's failure to attend school as required or
8 more than a total of twenty-five dollars (\$25.00) for failure to provide any number of
9 children the appropriate health services.

10 The Department, in cooperation with the State Board of Education, the Department
11 of Environment, Health, and Natural Resources, the Social Services Commission, Legal
12 Services of North Carolina, Inc., and the Commission for Health Services, shall ensure
13 that actual notice of pending failure to meet Compulsory Attendance Law requirements
14 and of due dates for immunizations and other available health services are received by
15 families receiving assistance pursuant to this Part. The Department, in cooperation with
16 these agencies, shall also ensure that clear and equitable rules are applied to the
17 monitoring of families' failures to act responsibly pursuant to this section and to
18 restoring the full unreduced assistance as soon as possible and that these rules are made
19 clear to the families. The Department shall also ensure that local departments of social
20 services work with their families to help them keep their children in school and keep
21 them provided with the appropriate health services, and, if possible, to keep them from
22 having to have their assistance reduced."

23 Sec. 2. If it considers that it will be necessary to obtain a waiver from the
24 federal government to implement Section 1 of this act without the risk of a substantial
25 monetary sanction, the Department of Human Resources shall immediately, as of the
26 effective date of this section, prepare and apply for the waiver. If the federal
27 government denies the waiver before the effective date of Sections 1 and 3 of this act or
28 if the waiver has not been accepted by the effective date of these sections, these sections
29 shall not become effective unless the General Assembly in the next appropriations act
30 passed after the denial appropriates sufficient funds to make up for the loss of federal
31 funds, in which case, they shall become effective on the effective date of the
32 appropriations act. If the waiver is denied or has not been accepted by the effective date
33 of these sections, funds appropriated by Section 3 of this act shall be held by the State
34 Treasurer in a special fund, which shall be released as appropriated if the General
35 Assembly does meet this condition.

36 Sec. 3. There is appropriated from the General Fund to the Department of
37 Human Resources the sum of fifty thousand dollars (\$50,000) for the 1994-95 fiscal
38 year to implement this act.

39 Sec. 4. Except for, and subject to the conditions set forth in, Section 2 of this
40 act, this act becomes effective October 1, 1994, and applies to determinations of
41 continuing assistance on or after that date. Section 2 of this act is effective upon
42 ratification.