

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1448

S.P. 566

In Senate, March 30, 2023

An Act to Change the Temporary Assistance for Needy Families Program Requirements by Reducing Benefits Commensurate with a Recipient's Salary, Reducing the Special Housing Allowance and Limiting Eligibility for 2-parent Families

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BRAKEY of Androscoggin.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §3762, sub-§3, ¶B**, as corrected by RR 2021, c. 2, Pt. B, §176,
3 is amended by amending subparagraph (3) to read:

4 (3) To provide benefits to 2-parent families ~~with children using the same eligibility~~
5 ~~requirements as apply to families headed by a single custodial parent or caretaker~~
6 relative when a child in the family is deprived of support or care as a result of a
7 parents' physical or mental incapacity;

8 **Sec. 2. 22 MRSA §3762, sub-§3, ¶B**, as corrected by RR 2021, c. 2, Pt. B, §176,
9 is amended by amending subparagraph (6) to read:

10 (6) To provide a special housing allowance for TANF families whose shelter
11 expenses for rent, mortgage or similar payments, homeowners insurance and
12 property taxes equal or exceed 50% of their monthly income ~~excluding any income~~
13 ~~disregarded pursuant to subparagraph (7-D), divisions (a) and (b).~~ The special
14 housing allowance is limited to ~~\$300~~ \$200 per month for each family. For purposes
15 of this subparagraph, "monthly income" means the total of the TANF monthly
16 benefit and all income countable under the TANF program, plus child support
17 received by the family, excluding the \$50 pass-through payment;

18 **Sec. 3. 22 MRSA §3762, sub-§3, ¶B**, as corrected by RR 2021, c. 2, Pt. B, §176,
19 is amended by amending subparagraph (7-C) to read:

20 (7-C) In determining ~~financial eligibility for applicants~~ benefit levels for TANF
21 recipients who have earnings from employment, the department shall disregard
22 from monthly earnings the following:

- 23 (a) One hundred and eight dollars;
- 24 (b) Fifty percent of the remaining earnings that are less than the federal
25 poverty level; ~~and~~
- 26 (c) All actual child care costs necessary for work, except that the department
27 may limit the child care disregard to \$175 per month per child or \$200 per
28 month per child under 2 years of age or with special needs;
- 29 (d) For a recipient employed 40 hours or more per week who meets work
30 participation requirements provided in federal regulations:
- 31 (i) One hundred percent of the gross income earned for the first 2
32 consecutive months of employment;
- 33 (ii) Seventy-five percent of the gross income earned for the 3rd to 9th
34 consecutive months of employment; and
- 35 (iii) Fifty percent of the gross income earned for each additional
36 consecutive month of employment; and
- 37 (e) For a recipient employed less than 40 hours per week who meets work
38 participation requirements provided in federal regulations:
- 39 (i) One hundred percent of the gross income earned for the first 2
40 consecutive months of employment;

1 (ii) Seventy-five percent of the gross income earned for the 3rd to 9th
2 consecutive months of employment; and

3 (iii) Fifty percent of the gross income earned for each additional
4 consecutive month of employment.

5 **Sec. 4. 22 MRSA §3762, sub-§3, ¶B**, as corrected by RR 2021, c. 2, Pt. B, §176,
6 is amended by repealing subparagraph (7-D).

7 **Sec. 5. 22 MRSA §3762, sub-§3, ¶B**, as corrected by RR 2021, c. 2, Pt. B, §176,
8 is amended by repealing subparagraph (7-E).

9 **Sec. 6. 22 MRSA §3762, sub-§3, ¶B**, as corrected by RR 2021, c. 2, Pt. B, §176,
10 is amended by repealing subparagraph (7-F).

11 **Sec. 7. 22 MRSA §3762, sub-§3, ¶B**, as corrected by RR 2021, c. 2, Pt. B, §176,
12 is amended by amending subparagraph (9) to read:

13 (9) In cases when the TANF recipient has child care costs, the department shall
14 determine a total benefit package, including TANF cash assistance, determined in
15 accordance with subparagraph ~~(7-D)~~ (7-C) and additional child care assistance, as
16 provided by rule, necessary to cover the TANF recipient's actual child care costs
17 up to the maximum amount specified in section 3782-A, subsection 5, paragraph
18 B. The benefit amount must be paid as provided in this subparagraph.

19 (a) Before the first month in which child care assistance is available to an
20 ASPIRE-TANF recipient under this paragraph and periodically thereafter, the
21 department shall notify the recipient of the total benefit package and the
22 following options of the recipient: to receive the total benefit package directly;
23 or to have the department pay the recipient's child care assistance directly to
24 the designated child care provider for the recipient and pay the balance of the
25 total benefit package to the recipient.

26 (b) If an ASPIRE-TANF recipient notifies the department that the recipient
27 chooses to receive the child care assistance directly, the department shall pay
28 the total benefit package to the recipient.

29 (c) If an ASPIRE-TANF recipient does not respond or notifies the department
30 of the choice to have the child care assistance paid directly to the child care
31 provider from the total benefit package, the department shall pay the child care
32 assistance directly to the designated child care provider for the recipient. The
33 department shall pay the balance of the total benefit package to the recipient;

34 **Sec. 8. 22 MRSA §3762, sub-§3** as corrected by RR 2021, c. 2, Pt. B, §176 is
35 amended by enacting at the end a new subparagraph (1) to read:

36 (1) The department may disregard only one time during any 12-month period
37 100% of earnings for a recipient as provided under division (d), subdivision (i) and
38 division (e), subdivision (i);

39 **SUMMARY**

40 This bill amends the Temporary Assistance for Needy Families program in the
41 following ways.

- 1 1. It changes the standard for eligibility for providing benefits to 2-parent families with
2 children to when deprivation is based on physical or mental incapacity.
- 3 2. It reduces the special housing allowance from \$300 per month to \$200 per month
4 and adjusts the calculation of housing expenses to monthly income from 50% to 75%.
- 5 3. It establishes disregards for employment earnings of 100% of the gross income
6 earned for the first 2 consecutive months of employment, 75% of the gross income earned
7 for the 3rd to 9th consecutive months of employment and 50% of the gross income earned
8 for each additional consecutive month of employment.