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HOUSE BILL NO. 780

Offered January 8, 2014

Prefiled January 7, 2014

A *BILL to amend and reenact §§ 63.2-600 and 63.2-621 of the Code of Virginia, relating to the Temporary Assistance for Needy Families (TANF) Program; distribution of benefits; restrictions.*

Patrons—Wilt and Bell, Robert B.

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That §§ 63.2-600 and 63.2-621 of the Code of Virginia are amended and reenacted as follows:

§ 63.2-600. Temporary Assistance for Needy Families (TANF); purpose; administration.

A. There is hereby created the Temporary Assistance for Needy Families Program, hereinafter referred to as TANF or the "Program." The Program shall be administered by the Department in compliance with Titles IV-A and IV-F of the Social Security Act and related federal regulations (excluding 45 C.F.R. Parts 255 and 256), as such laws and regulations were in effect at the time of the enactment of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193 on August 22, 1996, to the extent that such laws and regulations do not conflict with (i) those sections of P.L. 104-193 which are mandatory; (ii) waivers granted by the Department of Health and Human Services to Virginia in effect as of January 1, 1997; (iii) state laws and regulations; (iv) the State Plan For Title IV-A of the Social Security Act: Financial Assistance Aid to Families with Dependent Children in effect as of September 30, 1996; or (v) the Title IV-F of the Social Security Act Job Opportunities and Basic Skills Training Program State Plan in effect as of September 30, 1996. Further, in any instance where a state law or regulation enacted pursuant to a waiver conflicts with the terms of P.L. 104-193 or the Title IV-A or IV-F State Plans, such state law or regulation shall control.

B. The General Assembly declares that it is the policy of the Commonwealth to support the efforts of public agencies and charitable and community groups seeking to assist low-income Virginians in their efforts to become self-sufficient. To this end, the Department is designated as the state agency responsible for coordinating state efforts in this regard.

C. *The Department shall ensure TANF benefits are distributed to recipients through electronic benefit cards or direct deposits into savings or checking accounts. TANF benefits shall not be distributed in the form of a paper check. All electronic benefit cards used to distribute or redeem TANF benefits shall be limited to the TANF Program and shall not be used for electronic transfers of benefits for other programs. Each TANF card shall conspicuously indicate on the face of the card that it is issued for the purpose of redeeming TANF benefits.*

§ 63.2-621. Restrictions on use of TANF cash assistance.

Recipients of TANF benefits pursuant to this chapter shall not access TANF cash benefits ~~through an electronic benefit transaction~~ (i) for the purchase of alcoholic beverages, tobacco products, lottery tickets, or sexually explicit visual materials as defined in § 18.2-374.1; (ii) in any transaction in any (a) government store established for the sale of alcoholic beverages, (b) establishment in which pari-mutuel wagering or charitable gaming is conducted, or (c) establishment in which tattooing or body-piercing, as defined in § 54.1-700, is performed for hire or consideration; or (iii) in any establishment that provides adult-oriented entertainment in which performers or other individuals connected with the business appear nude or partially nude. *No person shall accept TANF benefits in exchange for any item or service listed in this section.*

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HB780