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HOUSE BILL NO. 696

Offered January 10, 2018

Prefiled January 9, 2018

A BILL to amend the Code of Virginia by adding sections numbered 63.2-505.3 and 63.2-505.4, relating to eligibility for food stamp program; work requirement; employment and training program.

Patron—Poindexter

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding sections numbered 63.2-505.3 and 63.2-505.4 as follows:

§ 63.2-505.3. Eligibility for food stamps; work requirement.

A. No physically and mentally fit individual over 15 years of age or under 60 years of age shall be eligible to participate in the food stamp program if the individual:

1. Refuses, at the time of application for benefits through the food stamp program and every 12 months thereafter, to register for employment;

2. Refuses, without good cause, to participate in an employment and training program established pursuant to § 63.2-505.4 to the extent required by the Department;

3. Refuses, without good cause, to accept an offer of employment at a site or plant not subject to a strike or lockout at a wage not less than the higher of the applicable federal or state minimum wage or 80 percent of the wage that would have governed had the minimum hourly rate under § 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. § 206 (a)(1)) been applicable to the offer of employment;

4. Voluntarily and without good cause quits a job or reduces work hours to less than 30 hours per week; or

5. Refuses, without good cause, to provide the Department with sufficient information to allow the Department to determine the employment status or the job availability of the individual.

B. A person who would otherwise be required to comply with the requirements set forth in subsection A shall be exempt from such requirement if he is:

1. Currently subject to and complying with the work registration requirement under Title IV of the Social Security Act (42 U.S.C. § 601 et seq.) or the federal-state unemployment compensation system, in which case failure by such person to comply with any work requirement to which such person is subject shall be the same as a failure to comply with the requirements set forth in subsection A;

2. A parent or other member of a household with responsibility for the care of a dependent child under six years of age or an incapacitated person;

3. A student who is enrolled at least half-time in any recognized school, training program, or institution of higher education, subject to the requirements of subsection C for students enrolled in institutions of higher education;

4. A regular participant in a drug or alcohol addiction and rehabilitation program;

5. Employed a minimum of 30 hours per week or receiving weekly earnings that equal the minimum hourly rate under the Fair Labor Standards Act of 1938 (29 U.S.C. § 206(a)(1)) multiplied by 30 hours; or

6. A person 16 years of age or older but not more than 18 years of age who is not a head of a household or is attending school, or is enrolled in an employment training program, on at least a half-time basis.

C. No person who is otherwise eligible to participate in the food stamp program shall be eligible to participate as a member of a household if the individual is a student who is enrolled at least half-time in an institution of higher education, unless the individual is:

1. Under 18 years of age or 50 years of age or older;

2. Not physically or mentally fit;

3. Assigned to or placed in an institution of higher education through or in compliance with the requirements of (i) a program under Title I of the Workforce Innovation and Opportunity Act (29 U.S.C. § 3111 et seq.); (ii) an employment or training program that is part of a program of career and technical education that may be completed in not more than four years at an institution of higher education or is limited to remedial courses, basic adult education, literacy, or English as a second language; (iii) a program under § 236 of the Trade Act of 1974 (29 U.S.C. § 2296); or (iv) another program for the purpose of employment training operated by the Commonwealth or local government;

4. Employed at least 20 hours per week or participating in a work study program during the regular

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59 school year;

60 5. A parent with responsibility for a dependent child under six years of age or a child six years of
61 age or older but not more than 12 years of age for whom adequate child care is not available to enable
62 the individual to attend classes and satisfy the requirement of subdivision 4;

63 6. Receiving benefits under a program funded under Part A of Title IV of the Social Security Act (42
64 U.S.C. § 601 et seq.);

65 7. Enrolled as a result of participation in the work incentive program under Title IV of the Social
66 Security Act (42 U.S.C. § 601 et seq.); or

67 8. Enrolled full-time in an institution of higher education, as determined by the institution, and is a
68 single parent with responsibility for the care of a dependent child under 12 years of age.

69 **§ 63.2-505.4. Employment and training program.**

70 A. The Department shall establish an employment and training program for the purpose of assisting
71 members of households participating in the food stamp program in gaining skills, training, work, or
72 experience that will increase their ability to obtain regular employment. Such program shall include (i)
73 job search programs; (ii) job training programs; (iii) programs designed to improve the employability of
74 household members through actual work experience or training or both and to enable individuals
75 employed or trained through such program to move promptly into regular employment; (iv) educational
76 programs or activities to improve basic skills and literacy or otherwise improve employability; (v)
77 programs designed to increase the self-sufficiency of recipients through self-employment; (vi) programs
78 intended to ensure job retention by providing job retention services for up to 90 days after an individual
79 who received employment and training services through the program gains employment; and (vii) such
80 other employment, educational, and training programs and projects aimed at accomplishing the purpose
81 of the employment and training program as the Department may deem appropriate.

82 B. The Department shall establish criteria for identifying food stamp program participants for whom
83 participation in such program is appropriate and shall establish requirements for participation.

84 C. The total number of hours of participation in the education and training program established
85 pursuant to this section that may be required of any individual member of a household shall not exceed
86 120 hours in a one-month period.