

1 **SENATE FLOOR VERSION**

2 February 10, 2025

3 SENATE BILL NO. 113

By: Dossett

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5
6 An Act relating to the Temporary Assistance for Needy
7 Families (TANF) program; amending 56 O.S. 2021,
8 Section 230.52, as last amended by Section 116,
9 Chapter 452, O.S.L. 2024 (56 O.S. Supp. 2024, Section
10 230.52), which relates to minimum requirements;
11 modifying and adding resources exempt from resource
12 determination criteria; updating statutory language;
13 providing an effective date; and declaring an
14 emergency.

15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. AMENDATORY 56 O.S. 2021, Section 230.52, as
17 last amended by Section 116, Chapter 452, O.S.L. 2024 (56 O.S. Supp.
18 2024, Section 230.52), is amended to read as follows:

19 Section 230.52. A. Except for specific exceptions, conditions
20 or restrictions authorized by the Statewide Temporary Assistance
21 Responsibility System (STARS) and rules promulgated by the
22 ~~Commission for~~ Director of Human Services pursuant thereto, the
23 following are the minimum mandatory requirements for the Temporary
24 Assistance for Needy Families (TANF) program:

1. A recipient shall be eligible to receive assistance pursuant
to the TANF program only for a lifetime total of five (5) years,

1 subject to the exemptions allowed by federal law. Child-only cases
2 are not subject to the five-year limitation;

3 2. Single parents receiving temporary assistance pursuant to
4 the TANF program shall participate in work activities for a minimum
5 of twenty (20) hours per week during the month. Two-parent families
6 receiving temporary assistance pursuant to the TANF program shall
7 participate in work activities for a minimum of thirty-five (35)
8 hours per week during the month;

9 3. A recipient must be engaged in one or more of the work
10 activities set out in paragraph 4 of this subsection as soon as
11 required by the Department of Human Services pursuant to the TANF
12 program, but not later than twenty-four (24) months after
13 certification of the application for assistance, unless the person
14 is exempt from work requirements under rules promulgated by the
15 ~~Department~~ Director pursuant to the STARS;

16 4. The Department shall develop and describe categories of
17 approved work activities for the TANF program recipients in
18 accordance with this paragraph. Work activities that qualify in
19 meeting the requirements include, but are not limited to:

- 20 a. (1) unsubsidized employment which is full-time
21 employment or part-time employment that is not
22 directly supplemented by federal or state funds,
23 (2) subsidized private sector employment which is
24 employment in a private for-profit enterprise or

1 a private not-for-profit enterprise that is
2 directly supplemented by federal or state funds.
3 Prior to receiving any subsidy or incentive, the
4 employer shall enter into a written contract with
5 the Department, and

6 (3) subsidized public sector employment which is
7 employment by an agency of a federal, state, or
8 local governmental entity which is directly
9 supplemented by federal or state funds. Prior to
10 receiving any subsidy or incentive, the employer
11 shall enter into a written contract with the
12 Department.

13 Subsidized hourly employment or unsubsidized hourly
14 employment pursuant to this subparagraph shall only be
15 approved by the Department as work activity if such
16 employment is subject to:

- 17 (a) the federal minimum wage requirements
18 pursuant to the Fair Labor Standards Act of
19 1938, as amended,
- 20 (b) the federal Social Security tax and Medicare
21 tax, and
- 22 (c) regulations promulgated pursuant to the
23 federal Occupational Safety and Health Act
24

1 of 1970 and rules promulgated by the ~~State~~
2 Department of Labor pursuant thereto,

- 3 b. a program of work experience,
- 4 c. on-the-job training,
- 5 d. assisted job search which may include supervised or
6 unsupervised job-seeking activities,
- 7 e. job readiness assistance which may include, but is not
8 limited to:
 - 9 (1) orientation in the work environment and basic
10 job-seeking and job retention skills,
 - 11 (2) instruction in completing an application for
12 employment and writing a resume,
 - 13 (3) instruction in conducting oneself during a job
14 interview, including appropriate dress, and
 - 15 (4) substance abuse treatment and mental health
16 counseling,
- 17 f. job skills training which is directly related to
18 employment in a specific occupation for which there is
19 a written commitment by an employer to offer
20 employment to a recipient who successfully completes
21 the training. Job skills training includes, but is
22 not limited to, customized training designed to meet
23 the needs of a specific employer or a specific
24 industry,

- 1 g. community service programs which are job-training
2 activities provided in areas where sufficient public
3 or private sector employment is not available. Such
4 activities are linked to both education or training
5 and activities that substantially enhance a
6 recipient's employability,
- 7 h. literacy and adult basic education programs,
- 8 i. vocational-educational programs, not to exceed twelve
9 (12) months for any individual, which are directed
10 toward vocational-educational training and education
11 directly related to employment,
- 12 j. education programs which are directly related to
13 specific employment opportunities, if a recipient has
14 not received a high school diploma or ~~General~~
15 ~~Equivalency Degree~~ General Educational Development
16 certificate, and
- 17 k. child care for other STARS recipients. The recipient
18 must meet training and licensing requirements for
19 child care providers as required by the Oklahoma Child
20 Care Facilities Licensing Act;

21 5. Single, custodial parents with a child up to one (1) year of
22 age may be exempt from work activities for a lifetime total
23 exemption of twelve (12) months;

24

1 6. In order to receive assistance, unmarried teen parents of a
2 minor child at least twelve (12) weeks of age must participate in
3 educational activities or work activities approved by the state;

4 7. For single-parent families, except for teen parents,
5 educational activities, other than vocational-technical training, do
6 not count toward meeting the required twenty (20) hours of work
7 activity. For two-parent families, educational activities, except
8 vocational-technical training, do not count toward meeting the
9 required thirty-five (35) hours of work activity;

10 8. A teen parent must live at home or in an approved, adult-
11 supervised setting as specified in Section 230.55 of this title to
12 receive TANF assistance;

13 9. An applicant or recipient with an unborn child and who does
14 not have children living in the home qualifies for TANF to the same
15 extent as a parent with minor children living in the home;

16 10. A recipient must comply with immunization requirements
17 established pursuant to the TANF program;

18 11. The following recipient resources are exempt from resource
19 determination criteria:

20 a. an automobile with an equity allowance of not more
21 than Five Thousand Dollars (\$5,000.00) pursuant to
22 Section 230.53 of this title,

23 b. individual development accounts established pursuant
24 to the Family Savings Initiative Act, or individual

1 development accounts established prior to November 1,
2 1998, pursuant to the provisions of Section 230.54 of
3 this title in an amount not to exceed Two Thousand
4 Dollars (\$2,000.00),

5 c. the equity value of funeral arrangements owned by a
6 recipient that does not exceed the limitation
7 specified by Section 165 of this title, ~~and~~

8 d. monthly child support payments not to exceed One
9 Hundred Dollars (\$100.00) per month for one child or
10 Two Hundred Dollars (\$200.00) per month for two or
11 more children, and

12 e. earned income disregards not to exceed ~~One Hundred~~
13 ~~Twenty Dollars (\$120.00) and one-half (1/2)~~ seventy-
14 five percent (75%) of the remainder of the earned
15 income;

16 12. An applicant who applies and is otherwise eligible to
17 receive TANF benefits but who has resided in this state less than
18 twelve (12) months shall be subject to Section 230.57 of this title;

19 13. The recipient shall enter into a personal responsibility
20 agreement with the Department for receipt of assistance pursuant to
21 Section 230.65 of this title;

22 14. The Department shall, beginning November 1, 2023, screen
23 all adult TANF recipients as part of the required TANF employability
24 plan to determine if they are engaged in the illegal use of a

1 controlled substance or substances. If the Department has made a
2 determination that the recipient is engaged in the illegal use of a
3 controlled substance or substances, the recipient's TANF
4 employability plan will include substance abuse treatment and/or
5 mental health counseling as a part of the assigned work activities
6 as set out in paragraph 4 of this subsection. The ~~Department of~~
7 ~~Human Services~~ Director shall adopt rules to implement the
8 requirements of this paragraph consistent with the following:

- 9 a. the Department shall create a controlled substance
10 screening process to be administered during the
11 assessment process that determines the TANF
12 employability plan. The process shall, at a minimum,
13 include a Substance Abuse Subtle Screening Inventory
14 (SASSI) or other similar screening methods. If
15 necessary to establish a reasonable expectation of
16 certainty, the Department is authorized to use further
17 screening methods, which may include, but are not
18 limited to, a clinical interview and consideration of
19 the Department's history with the applicant. If the
20 Department has reasonable cause to believe that the
21 recipient is engaged in the illegal use of a
22 controlled substance or substances, the Department is
23 authorized, though not required, to request
24 administration of a chemical drug test. The cost of

1 all such initial screenings shall not be borne by the
2 recipient,

3 b. if at any time during the controlled substance
4 screening process, the recipient refuses to
5 participate without good cause, that refusal shall
6 lead to a closure of TANF benefits;

7 15. a. As a condition of participating in the STARS, all
8 recipients are deemed to have given authorization for
9 the release of any and all information necessary to
10 allow all state and federal agencies to meet the
11 program needs of the recipient.

12 b. The recipient shall be provided a release form to sign
13 in order to obtain the required information. Failure
14 to sign the release form may result in case closure;
15 and

16 16. The recipient shall comply with all other conditions and
17 requirements of the STARS, and rules of the ~~Commission~~ Director
18 promulgated pursuant thereto.

19 B. 1. Agencies of this state involved in providing services to
20 recipients pursuant to the STARS shall exchange information as
21 necessary for each agency to accomplish objectives and fulfill
22 obligations created or imposed by the STARS and rules promulgated
23 pursuant thereto.

24

1 2. Information received pursuant to the STARS shall be
2 maintained by the applicable agency and, except as otherwise
3 provided by this subsection, shall be disclosed only in accordance
4 with any confidentiality provisions applicable to the agency
5 originating the information.

6 3. The various agencies of the state shall execute operating
7 agreements to facilitate information exchanges pursuant to the
8 STARS.

9 C. In implementing the TANF program, the Department shall:

10 1. Provide assistance to aliens pursuant to Section 230.73 of
11 this title;

12 2. Provide for the closure of the TANF case when the adult
13 recipient refuses to cooperate with agreed upon work activities or
14 other case requirements pursuant to the TANF program;

15 3. Provide for the sanctioning of parents who do not require
16 their minor children to attend school; and

17 4. Deny temporary assistance to fugitive felons.

18 D. In order to ensure that the needy citizens of this state are
19 receiving necessary benefits, the Department shall maintain a
20 listing of all recipients receiving public assistance. The listing
21 shall reflect each recipient's income, ~~social security~~ Social
22 Security number, and the programs in which the recipient is
23 participating including, but not limited to, TANF, food stamps,
24 child care, and medical assistance.

1 E. The Department is hereby authorized to establish a grant
2 diversion program and emergency assistance services.

3 SECTION 2. This act shall become effective July 1, 2025.

4 SECTION 3. It being immediately necessary for the preservation
5 of the public peace, health or safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

8 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
9 February 10, 2025 - DO PASS

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