

# HOUSE . . . . . No. 3756

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House document numbered 3737, as changed by the committee on Bills in the Third Reading and as amended by the House [being the text of the House amendment to the Senate Bill fostering economic independence (Senate, No. 1806)]. November 6, 2013.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen  
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An Act to foster economic independence.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. To provide for supplementing certain items in the general appropriation act  
2 and other appropriation acts for fiscal year 2014 for the purpose of funding improvements to the  
3 department of transitional assistance in the commonwealth, the sums set forth in section 2 are  
4 hereby appropriated from the General Fund unless specifically designated otherwise in this act or  
5 in those other appropriation acts, for the several purposes and subject to the conditions specified  
6 in this act or in those other appropriation acts and subject to laws regulating the disbursement of  
7 public funds for the fiscal year ending June 30, 2014. The sums appropriated in this act shall be  
8 in addition to any amounts previously appropriated and made available for these purposes.

9           SECTION 2.

10          OFFICE OF CHILDREN, YOUTH AND FAMILY SERVICES

11          Department of Transitional Assistance.

12          4400-1100       .....\$3,000,000

13          EXECUTIVE OFFICE OF EDUCATION

14          Department of Early Education and Care.

15          3000-4050       .....\$5,000,000

16          Department of Higher Education.

17          7070-0066       .....\$1,000,000



SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide for an alteration of purpose for current appropriations, and to meet certain requirements of law, the sums set forth in this section are hereby appropriated from the General Fund unless specifically designated otherwise, for the several purposes and subject to the conditions specified in this section, and subject to laws regulating the disbursement of public funds for the fiscal year ending June 30, 2014. The sums shall be in addition to any amounts previously appropriated and made available for the purposes of these items.

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

Office of the Secretary.

4000-0010 For the operation of the commission created in section 27 of this act to support the research and publication of a report relative to: (a) the root causes of poverty in the commonwealth; (b) related solutions to reduce poverty; and (c) the cost savings for the commonwealth in reducing poverty.....\$100,000

EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

Department of Career Services.

7003-0810 For the department of career services to enhance participation in work, training, and education programs, including, but not limited to, the Precision Manufacturing Training Program, for clients referred by the department of transitional assistance; provided, that not less than \$6,000,000 shall be used to administer, in consultation with the Commonwealth Corporation, the pathways to self-sufficiency program, established pursuant to section 12 of chapter 23H of the General Laws..... \$11,000,000

SECTION 3. Section 16 of chapter 6A of the General Laws, as amended by section 1 of chapter 35 of the acts of 2013, is hereby further amended by adding the following paragraph:-

Notwithstanding any general or special law, subject to appropriation, the integrated eligibility system developed by the executive office of health and human services shall allow multiple state agencies and programs to access and share data by creating data hubs and streamlining information processes. Through the integrated eligibility system, the department of housing and community development, housing authorities and state health and human services agencies and programs, including, but not limited to, transitional aid to families with dependent children, temporary assistance for needy families and MassHealth shall share and have access to the data. Said departments and programs shall share information regarding cases of fraud committed by recipients.

SECTION 3A. Section 2 of chapter 18 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after the word "provision", in line 3, the



following words:-and administration of the supplemental nutrition assistance program, with benefits designed for use by participants to purchase eligible foods, including seeds and plants, for home consumption and use; the provision.

SECTION 4. Paragraph (B) of said section 2 of said chapter 18, as amended by section 1 of chapter 65 of the acts of 2013, is hereby further amended by adding the following 9 clauses:-

(m) provide notice to households and recipients of cash assistance benefits under emergency aid to the elderly, disabled and children and transitional aid to families with dependent children if the benefits have not been accessed for 270 days or more. The department shall expunge and recoup the balance of cash assistance benefits under emergency aid to elders, disabled and children and transitional aid to families with dependent children if no response is received by the department within 30 days;

(n) provide notice to households and recipients if they have not accessed supplemental nutrition assistance program benefits for 270 days or more. The department shall expunge and recoup the balance of supplemental nutrition assistance program benefits if no response is received by the department within 30 days;

(o) provide notice to all households of cash assistance benefits under emergency aid to the elderly, disabled and children and transitional aid to families with dependent children with balances higher than \$1,500 and instruct them to contact the department for a case review within 30 days of receiving notice in order to continue receiving benefits. The department shall expunge and recoup the balance of cash assistance benefits under emergency aid to the elderly, disabled and children and transitional aid to families with dependent children in excess of \$2,500 and for failure to complete a case review for continuation of benefits and shall notify all households immediately upon expunging the benefit;

(p) on a biannual basis, on or before January 1 and July 1, file a report detailing the following: (i) the number of households and recipients receiving cash assistance under transitional aid to families with dependent children who are non-exempt from the work requirement as described in 106 CMR 203.400(A)(1)(a) to (c), inclusive; (ii) the number of households and recipients receiving cash assistance under transitional aid to families with dependent children who are exempt from the work requirement; (iii) the number of recipients who are required to meet the work requirement and in need of additional education, training or other barrier-removal services; (iv) the number of exemptions and extensions granted to recipients of cash assistance under transitional aid to families with dependent children; (v) the reasons for granting any exemptions and extensions; (vi) the reasons why recipients are applying for additional benefits beyond their initial 24 month period; provided, that this shall include, but not be limited to, an analysis of the recipient's economic independence goals, as required by section 15 of chapter 118; and (vii) information regarding caseloads, including how long recipients have been receiving cash assistance under transitional aid to families with dependent



children and how much recipients have received. The report shall not contain a recipient's personal identifying information. The report shall be filed with the clerks of the house of representatives and the senate who shall forward the report to the house and senate chairs of the joint committee on children, families and persons with disabilities and the house and senate committees on ways and means;

(q) on an annual basis, file a report detailing the number of cases referred to the department's program integrity division and the results of each investigation. The reports shall be filed with the clerks of the house of representatives and the senate who shall forward the reports to the house and senate chairs of the joint committee on children, families and persons with disabilities and the house and senate committees on ways and means;

(r) annually, on or before December 1, file a report detailing the use of economic independence accounts, established pursuant to section 16 of chapter 118, that have been opened by recipients of cash assistance under transitional aid to families with dependent children; provided, that this shall include, but not be limited to, the number of accounts opened and the average balances in the accounts and a detailed list of reasons for expenditures from the accounts. The report shall be filed with the clerks of the house of representatives and the senate who shall forward the report to the house and senate chairs of the joint committee on children, families and persons with disabilities and the house and senate committees on ways and means;

(s) annually, on or before March 1, file a report detailing the number of recipients receiving cash assistance under transitional aid to families with dependent children who are present in the United States under 1 of the eligible noncitizen statuses as described in 106 CMR 203.675 (A). The report shall be filed with the clerks of the house of representatives and the senate who shall forward the report to the house and senate chairs of the joint committee on children, families and persons with disabilities and the house and senate committees on ways and means;

(t) subject to appropriation, create an educational program to be implemented in each department of transitional assistance office that shall include, at a minimum, the following: proper card usage, card and PIN security, penalties for abuse or fraud associated with trafficking or fraudulent representation of need of transitional aid, advantages of having a bank account, basic financial management, available education and training resources and supports, local job opportunities and other topics as the department considers appropriate; and

(u) subject to appropriation, in consultation with the department of higher education, the community college system, the public university system, and the University of Massachusetts system, maintain in each local office of the department an up-to-date listing and description of all educational certificate programs, higher education programs, financial aid officials at public institutions of higher education and financial aid programs, including, but not limited to, scholarships, grants, loans and work study programs; and shall counsel children whose parents



receive transitional aid for families with dependent children age 14 and older on how to access higher education without incurring debt.

(v) annually, on or before March 1, file a report detailing the number of recipients exempt from having a photo ID on their EBT card and the reasons for said exemptions.

SECTION 5. Paragraph (D) of said section 2 of said chapter 18, as appearing in the 2012 Official Edition, is hereby amended by adding the following 2 clauses:-

(g) the recording and tracking of blank electronic benefit transfer cards that ensures the integrity of the cards and establishes a clear chain of custody and best practices in the shipment and custody of those cards; and

(h) the suspension of benefits to any recipient who has failed to notify the department of a change of address and who the department has attempted to contact by certified mail, but whose mail communication has been returned to the department as undeliverable; provided, however, that the department, after receiving notice that the mail communication has been returned as undeliverable or returned with a Massachusetts forwarding address, shall use all reasonable means to determine the address of the recipient and, in the event that it cannot be determined, subject the recipient's case to further review as to continued eligibility.

SECTION 6. Section 5J of said chapter 18, as so appearing, is hereby amended by inserting after the word "stores", in line 12, the following:- ; foreign transmittal agencies licensed pursuant to chapter 169.

SECTION 7. Section 5L of said chapter 18, as so appearing, is hereby amended by adding the following subsection:-

(f) An individual who traffics food stamp benefits, as described in subsection (b) and on 1 prior occasions has been convicted of trafficking food stamp benefits pursuant to said subsection (b) or conspiracy to traffic food stamp benefits shall be punished by imprisonment in a state prison for not more than 10 years or by a fine of not more than \$25,000 or both.

SECTION 8. The first paragraph of section 22 of said chapter 18, as so appearing, is hereby amended by adding the following sentence:- Self-declarations by applicants or recipients of transitional aid to families with dependent children shall be signed under the penalties of perjury and, if possible, shall not be accepted as the sole verification of categorical and financial eligibility during eligibility evaluations and reviews.

SECTION 9. The second paragraph of said section 22 of said chapter 18, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The department shall determine which verification requirements can be reasonably met by third party affidavits and shall provide notification to recipients and applicants of the circumstances under which third party affidavits may be used; provided, however, that all work



162 participation forms shall be verified by a third party who shall sign the work participation form  
163 under the penalties of perjury; provided, however, for the purposes of verification, the  
164 department may accept other forms of documentation that include an employer's federal  
165 employment identification number.

166 SECTION 10. Said chapter 18 is hereby further amended by adding the following 4  
167 sections:-

168 Section 31. The department shall require applicants or recipients of cash assistance to  
169 provide their social security number upon application; provided, however, that this section shall  
170 not apply to recipients who are present in the United States under 1 of the eligible noncitizen  
171 statuses as described in 106 CMR 203.675(A) or 106 CMR 320.620(A) or a victim of domestic  
172 violence who has a pending petition for legal status under the federal Violence Against Women  
173 Act; provided further, that a three month placeholder social security number shall be made  
174 available for applicants or recipients who are expecting mothers in the third trimester of  
175 pregnancy or a child under four months of age. Failure to provide a valid social security number  
176 within 3 months shall result in the suspension of benefits until a valid social security number is  
177 provided and verified by the department. The department shall promulgate regulations in  
178 accordance with this section.

179 Section 32. Subject to appropriation, the department shall ensure that when recipients of  
180 cash assistance call the department during normal business hours they are able to speak with a  
181 caseworker.

182 Section 33. The department, in consultation with the bureau of program integrity,  
183 established pursuant to section 16V of chapter 6A, shall develop a fraud detection program. The  
184 fraud detection program shall analyze the risk of fraud and refer any cases of suspected fraud to  
185 the program integrity division and the bureau of special investigations in the office of the state  
186 auditor. In analyzing risk of fraud and identifying cases for investigation, the program shall  
187 consider: (i) even dollar transactions; (ii) full benefit withdrawal; (iii) usage patterns; (iv) high  
188 electronic benefit transfer card balances; (v) repeated duplicate electronic benefit transfer card  
189 requests; (vi) purchases of prohibited items; and (vii) other relevant data sources and (viii)  
190 reports to case workers of potential fraud. In order to assist the program in identifying and  
191 investigating likely cases of fraud, the department shall develop and make available reports  
192 identifying even dollar transactions by cardholder, instances of full benefit withdrawal, high  
193 electronic benefit transfer card balances, duplicate electronic benefit transfer card requests,  
194 purchases of prohibited items and other data reports, biannually.

195 Section 34. Notwithstanding any general or special law to the contrary, the department  
196 shall not approve an application for new benefits for any person required to register pursuant to  
197 sections 178C to 178P, inclusive, of chapter 6 and who has failed to register until the individual  
198 registers as required by said sections 178C to 178P, inclusive, of said chapter 6; provided,



however, that prior to the denial of benefits, the department shall provide the applicant with notice of the applicant's failure to register pursuant to said sections 178C to 178P, inclusive, of said chapter 6 and a reasonable opportunity to be heard.

SECTION 11. Chapter 23H of the General Laws is hereby amended by adding the following section:-

Section 12. The department shall develop a program designed to promote financial independence for recipients of transitional aid to families with dependent children, hereinafter referred to as TAFDC, by coordinating the placement of recipients with regional employers through employment agencies, including one-stop career centers, with the goal of permanent employment. Applicants to the program shall be referred from the department of transitional assistance, following a thorough intake and employment assessment process. The program shall be known as the pathways to self-sufficiency program and shall identify applicants with relevant job skills and experience, then match those applicants with appropriate employment for the required number of hours, as specified in 106 CMR 203.400(A)(5).

The department, in consultation with the Commonwealth Corporation, shall create selection criteria and guidelines for employment agencies seeking to participate in the placement of applicants, including, but not limited to: (1) experience with job-seeking difficulties facing recipients of public assistance; (2) demonstrated ability to identify and overcome barriers to employment; (3) geographic diversity; (4) experience with members of diverse populations and non-English speakers; (5) a willingness to accommodate job-seekers with dependent children or family members; and (6) a proven track record of job placement and retention.

The Commonwealth Corporation shall monitor the participation of applicants in the educational or training programs to which they are referred and the applicant shall provide documentation to the department of such participation.

For identified applicants who are not connected with appropriate employment within 60 days of applying for TAFDC benefits, the department shall provide a written finding as to why the pathways to self-sufficiency program was not successful, which shall be part of the applicant's TAFDC case file. An applicant who is otherwise eligible for TAFDC assistance shall not be denied temporary benefits while awaiting employment placement under the program.

The department shall annually, file a report, in consultation with the Commonwealth Corporation, detailing the number of households and recipients receiving cash assistance under TAFDC who are participating in the pathways to self-sufficiency program who can reasonably be moved into gainful employment within 12 months of applying for TAFDC benefits, given the resources and funds allocated. This report shall include, but not be limited to, the following: (1) the cost of implementing the components of the pathways to self-sufficiency program; (2) the estimated placement cost per participant; (3) job placement and retention rates; (4) the extent to which appropriate activities and supports were available to recipients; (5) the components of the



pathways to self-sufficiency program that were implemented in light of available resources and appropriations; and (6) the reasons recipients were unsuccessful in obtaining gainful employment within 12 months. The report shall be filed with the clerks of the house of representatives and the senate who shall forward the report to the house and senate chairs of the joint committee on children, families and persons with disabilities and the house and senate committees on ways and means.

The department shall promulgate regulations in accordance with this section.

SECTION 12. Subsection (b) of section 21 of chapter 62C of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding the following clause:-

(27) the disclosure of tax return information for individuals or households to an agency of the commonwealth, if the agency certifies that the information is relevant to determine eligibility of those individuals or households for benefits awarded by the agency.

SECTION 13. Section 3 of chapter 118 of the General Laws, as so appearing, is hereby amended by striking out, in line 35, the words “division of employment and training” and inserting in place thereof the following words:- department of career services.

SECTION 14. Said section 3 of said chapter 118, as so appearing, is hereby further amended by adding the following 2 paragraphs:-

The department of transitional assistance shall require all training and employment service programs contracted through the department to track the outcomes of individuals served by the program for at least 1 year after the individual transitions into employment. The department shall determine the number of individuals that each employment service program is required to track.

The department shall allow applicants or recipients who are employed, a monthly \$150 work-related expense deduction from gross wages in determining eligibility and the amount of the cash assistance grant.

SECTION 15. Said chapter 118 is hereby further amended by inserting after section 3 the following 2 sections:-

Section 3½. The pathways to self-sufficiency program, established pursuant to section 12 of chapter 23H, shall be mandatory for all identified applicants over the age of 18 who are not attending a secondary school full time or participating in an education or training activity, as defined in 106 CMR 203.400(A)(2)(i); provided, however, that the program shall not be mandatory for an applicant who is exempt from the work requirements pursuant to 106 CMR 203.400(A)(1)(a) to (c), inclusive; and provided further, that the program shall not be mandatory for an applicant who is participating in a substance abuse treatment program licensed or approved by the department of public health while the applicant is in a substance abuse shelter or



other inpatient program. The department shall promulgate regulations in accordance with this section.

Section 3<sup>3</sup>/<sub>4</sub>. Subject to appropriation, the department shall establish an employment counseling program to assist recently employed recipients of cash assistance under transitional aid to families with dependent children. The program shall include, but not be limited to, job coaching, assistance in resolving workplace disputes, life skills development, counseling and tutoring, support services referrals, tax information forms regarding state and federal earned income tax credits and any other activities that may assist recipients through the first year after transitioning into employment. The department shall promulgate regulations in accordance with this section.

SECTION 16. Said chapter 118 is hereby further amended by adding the following 6 sections:-

Section 12. A temporary absence from the commonwealth which exceeds 30 calendar days or 90 days in aggregate over the course of a calendar year shall create a rebuttable presumption that Massachusetts residency has been abandoned by a recipient of cash assistance under transitional aid to families with dependent children and the recipient is no longer eligible for assistance. The department shall promulgate regulations in accordance with this section.

Section 13. (a) During the initial qualification process for full cash assistance under Transitional Aid to Families with Dependent Children, all adult applicants who are not exempt from the work requirement shall be required to conduct an initial job search unless the applicant has good cause for not participating as determined by the department which may include disability; provided further, that an applicant shall not be disqualified from receiving temporary assistance during the cash assistance eligibility determination process.(b) The department shall inform all applicants required to conduct an initial job search of available local job placement service providers. Applicants shall provide evidence of this search by returning to the department a list of the potential employers contacted recently, the date of contact and the name and telephone number of the person with whom the applicant spoke, to the extent feasible. All initial job search documentation shall be signed by the applicant under the penalties of perjury. The number of potential employers to be contacted by the applicant shall be determined by the department. An applicant shall provide the information before the applicant's case approval. An applicant who fails to provide this information within 60 days of filing the application shall be determined to be ineligible. The department shall promulgate regulations in accordance with this subsection. The submission to the department of proof of job search activities issued by a one-stop career center within the department of career services shall satisfy the requirements of this subsection .

(c) The department shall require adult recipients who are meeting their work requirement through job search and who did not receive full-time employment under the pathways to self-



sufficiency program to provide, on a weekly basis, evidence of job searches by returning to the department a list of the employers contacted, the date of contact and the name and telephone number of the person with whom the applicant spoke, to the extent feasible. The submission to the department of proof of job search activities issued by a one-stop career center within the department of career services shall satisfy the requirements of this subsection. The department shall terminate cash assistance under transitional aid to families with dependent children for a recipient who fails to provide accurate information; provided, however, that the department shall not terminate cash assistance for the recipient's dependent children. The department shall promulgate regulations in accordance with this subsection.

(d) Notwithstanding 106 CMR 203.400(A)(2)(i) or any general or special law to the contrary, an education or training activity, for the purpose of meeting the work requirement, is defined as any 4 year degree granting higher education institution, community college or certificate program, not to exceed 24 months, or a vocational education program, not to exceed 12 months. If the education or training activity is less than the hours per week required to meet the work requirement, the recipient shall perform other work program activities to total the required hours per week.

Section 14. The department shall not calculate a separate 60-month benefit period for an individual who receives aid under transitional aid to families with dependent children if the individual is part of a two-parent assistance unit. The department shall promulgate regulations in accordance with this section.

Section 15. The department shall develop economic independence goals for all recipients of cash assistance under transitional aid to families with dependent children to be completed during the recipient's first 24-month period of receiving benefits. The economic independence goals shall assist a recipient in determining a path through which the recipient will be able to be self-sufficient. Recipients who apply for a continuation of benefits after the first 24-month period shall be required to demonstrate a good faith attempt to meet their goals prior to receiving additional benefits or an extension of benefits. Recipients who fail to demonstrate a good faith attempt to meet all of their goals shall not receive additional benefits or an extension of benefits; provided, however, that such failure shall not prohibit a recipient from receiving benefits on behalf of a dependent child.

Section 16. (a) The department shall develop a savings program that allows recipients of cash assistance under transitional aid to families with dependent children and emergency aid to the elderly, disabled and children to accumulate assets outside of the asset limit. The savings accounts shall be called economic independence accounts. The economic independence accounts shall be used to help recipients save for the first and last month of rent and the security deposit or later expenditure for costs related to education or training, health care, basic household necessities, debt reduction or other necessary expenses as identified by the department. The



economic independence accounts shall not be included as a countable asset pursuant to 106 CMR 204.120.

(b) For recipients of cash assistance under transitional aid to families with dependent children and emergency aid to the elderly, disabled and children who elect to participate in the savings program, the department shall require a designated amount of a recipient's cash assistance to be held in an escrow account for the recipient until the recipient is no longer eligible for or in need of benefits; provided, that the department shall allow a recipient to deposit additional funds into the account. While a recipient is receiving benefits, funds in the economic independence account shall only be withdrawn for a department approved purpose. If a recipient who is currently receiving benefits uses funds from the account for any purpose other than a department approved purpose, the department shall reduce the recipient's monthly cash assistance until the cumulative reductions are equal to the amount used for a non-allowable purpose. The department shall promulgate regulations in accordance with this section; provided, that the commissioner of the department shall submit any proposed regulations to the joint committee on children, families and persons with disabilities and the house and senate committees on ways and means 30 days before their adoption by the department.

Section 17. The department shall treat as uncountable, with regard to any maximum countable income or asset limits or lump sum income, up to \$5,000 dollars that has been expended or placed in an economic independence account for costs relating to first and last months of rent and a security deposit, or a later expenditure for costs related to education or training, health care, basic household necessities, debt reduction or other necessary expenses as identified by the department including, the amount of any scholarship.

Section 18. The department shall require an unverified applicant for cash assistance for a dependent under transitional aid to families with dependent children to provide proof of income and assets. For the purposes of this section, an unverified applicant shall mean an applicant who has not provided the required information about citizenship or immigration status.

SECTION 16A. Section 32 of chapter 121B of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding the following paragraph:-

Notwithstanding any general or special law or regulation to the contrary, an applicant for assisted housing under this chapter who is not eligible for federal assisted housing under 42 U.S.C. section 1436a shall not displace or be given priority over any applicant who is so eligible.

SECTION 17. Chapter 121B of the General Laws is hereby amended by inserting after section 32F the following section:-

Section 32G. A temporary absence from the commonwealth which exceeds 30 calendar days or 90 days in aggregate over the course of a calendar year shall create a rebuttable presumption that Massachusetts residency has been abandoned by a recipient of state or



381 municipally-funded or subsidized housing and that the recipient is no longer eligible for such  
382 assistance under this chapter. The department shall promulgate regulations in accordance with  
383 this section.

384 SECTION 18. The definition of “Child of record” in subsection (a) of section 110 of  
385 chapter 5 of the acts of 1995 is hereby amended by inserting after the word “parent”, in line 11,  
386 the following words:- ; provided, however, that the commissioner shall develop specific criteria  
387 for approving exemptions or waivers to the family cap provision for extraordinary circumstances  
388 and shall only grant an exemption or waiver when the specific criteria is met.

389 SECTION 18A. Subsection (b) of said section 110 of said chapter 5, as amended by  
390 section 308 of chapter 159 of the acts of 2000, is hereby further amended by striking out the  
391 words “provided, however, that the fair market value of any licensed motor vehicle does not  
392 exceed an amount determined by the commissioner in consultation with the secretary of the  
393 executive office of transportation and construction and the equity value of any licensed motor  
394 vehicle does not exceed \$5,000; provided, further, that any value in excess of said five thousand  
395 dollars shall be attributed toward said family’s countable resources” and inserting in place  
396 thereof the following words:- provided, however, that an assistance unit shall be allowed 1 non-  
397 luxury vehicle the value of which does not exceed \$15,000; provided further, that any value in  
398 excess of \$15,000 shall be attributed toward the family’s countable resources; and provided  
399 further, that the commissioner, deputy commissioner or an assistant commissioner may grant a  
400 full or partial written waiver for a vehicle valued in excess of \$15,000 that the commissioner,  
401 deputy commissioner or assistant commissioner determines is necessary for a particular  
402 employment or family circumstance.

403 SECTION 19. Subsection (b) of said section 110 of said chapter 5 is hereby amended by  
404 adding the following paragraph:- The department shall exclude from a family’s countable  
405 resources any earned income of dependent children of the family who are working part-time  
406 while attending school full time. The department shall promulgate regulations in accordance with  
407 this section, including, but not limited to, updating 106 CMR 204.210(D)(2).

408 SECTION 20. Subsection (e) of said section 110 of said chapter 5 is hereby amended by  
409 striking out clauses (1) and (2) and inserting in place thereof the following 2 clauses:-

410 (1) recipients who are disabled, as defined by the federal Social Security Act, 42 U.S.C.  
411 section 423(d) or, in the commissioner's discretion, a recipient who has been determined by the  
412 commonwealth’s disability evaluation service to have a disability that meets or equals medical  
413 standards established by the department or substantially reduces the recipient’s ability to support  
414 the recipient’s children, taking into account the recipient’s age, education and work experience;  
415 provided, that in families with 2 parents, both parents are disabled; provided further, that to the  
416 extent permitted by federal law, the word “disabled” shall not include recipients who are  
417 dependent on alcohol or drugs or whose disability is based in whole or in part on previous



dependency. A recipient who requests an exemption under this clause shall, as a condition of continued eligibility for transitional aid to families with dependent children, apply for supplemental security income, hereinafter referred to as SSI, and, if requested by the department, appeal a denial of SSI benefits. The department shall provide administrative assistance, if needed, to recipients required to apply for SSI. Recipients who do not comply with the department's request to apply for SSI or appeal a decision shall not be granted a work exemption under this clause.

(2) recipients who must care for a disabled child or spouse. A recipient who requests an exemption under this clause shall apply for SSI benefits on behalf of the disabled child or spouse.

SECTION 21. Clause (3) of said subsection (e) of said section 110 of said chapter 5 is hereby amended by striking out, in line 1, the words "recipients in their third trimester of pregnancy" and inserting in place thereof the following words:- recipients in their thirtieth week or later of pregnancy who have not quit a job without good cause within the last 30 days, recipients prior to their thirtieth week of pregnancy who have submitted documentation signed by a primary care provider, as defined in section 1 of chapter 111 of the General Laws, or an obstetrician, gynecologist, nurse-midwife or family practitioner registered and certified pursuant to chapter 112 of the General Laws that the recipient has a medical condition that prevents the recipient from working.

SECTION 22. The fourth paragraph of subsection (f) of said section 110 of said chapter 5 is hereby amended by inserting after the word "extended", in line 2, the following words:- ; provided, however, that an extension of benefits shall not exceed 3 months.

SECTION 23. The first paragraph of subsection (j) of said section 110 of said chapter 5, as appearing in section 218 of chapter 149 of the acts of 2004, is hereby amended by striking out, in line 9, the word "older;" and inserting in place thereof the following:-

older. The department shall exempt from the work requirement a recipient who is age 66 or older; provided, however, that a recipient who is age 60 or over, who is the primary caregiver for a child and who was retired prior to applying for benefits shall be exempt from the work requirement; and provided further, that the department shall promulgate regulations in accordance with this sentence, including, but not limited to, updating 106 CMR 203.100(A)(1)(h).

SECTION 24. Said subsection (j) of said section 110 of said chapter 5, as so appearing, is hereby further amended by inserting after the second paragraph the following paragraph:-

An individual receiving cash assistance under transitional aid to families with dependent children who is not exempt from the work requirement as determined through regulations promulgated by the department may meet the work requirement by participating in an education



or training activity for up to the required hours per week as determined by the department. The education or training activity shall not exceed 24 months; provided, however, that the department may extend the duration of the education or training activity eligible to meet the work requirement if the department determines, using performance standards established by the department, that the individual is making substantial progress towards completion of a certificate or degree program. The department shall promulgate regulations in accordance with this section.

SECTION 25. Notwithstanding any general or special law to the contrary, in fiscal year 2014, the department of higher education shall expend no less than \$1,500,000 for the high demand scholarship program for students from the commonwealth who are enrolled in and pursuing a program of higher education in the University of Massachusetts, state universities and community colleges designated by the board of higher education to be a training program for an in-demand profession as defined by the executive office of labor and workforce development's study on labor market conditions pursuant to item 7070-0066 of section 2 of chapter 38 of the acts of 2013.

SECTION 26. Notwithstanding any general or special law to the contrary, a pregnant teen, aged 16 to 20 years old, who meets all other eligibility requirements shall be eligible to live in a teen parent shelter or participate in a teen living program during her entire pregnancy and shall be eligible to receive cash assistance under transitional aid to families with dependent children if she meets the school attendance requirements set forth in 106 CMR 203.610 and the requirements set forth in 106 CMR 203.630.

SECTION 27. (a) Notwithstanding any general or special law to the contrary, there shall be a special commission to investigate and study how poverty in the commonwealth can be reduced by 10 per cent in the next 5 years and 20 per cent in the next 10 years by engaging the public, private and non-profit sectors drawn from all regions of the commonwealth and representing rural, urban and suburban populations.

(b) The investigation and study shall include, but not be limited to: (1) appropriate measures of poverty; (2) the root causes of poverty; (3) analysis of income inequality in the commonwealth, in particular examining the number of people and families in the commonwealth living below 200 per cent of the federal poverty level and the socio-economic challenges they face, while also calculating the number of people and families living at multiples above and below the federal poverty level; (4) violence in urban areas, particularly gun violence, and its effect on youth, commercial activity, and job opportunities in the community; (5) the number and types of existing jobs and the economically competitive strengths of the commonwealth; (6) obstacles to job opportunities for the poor, including the ability to obtain adequate childcare; (7) barriers to education from pre-school through college and recommendations to remove barriers and increase education levels; (8) recent examples and categories of successful paths out of



poverty for youth, families and neighborhoods; (9) successful approaches and innovative system change efforts to reduce poverty and violence within the commonwealth and throughout North America; and (10) recommended action by the public, private and non-profit sectors to achieve the poverty reduction goals stated above. The commission shall also produce data and estimates and shall conduct analysis on the potential long-term municipal and state government savings that would result from effective poverty reduction efforts throughout the commonwealth as the number of people in need of government safety-net spending is reduced. The commission shall establish a methodology for calculating annually relevant and appropriate metrics of poverty in the commonwealth.

(c) The commission shall consist of the following members: the governor, who shall serve as chair; the secretary of administration and finance, or a designee; the secretary of housing and economic development, or a designee; the secretary of health and human services, or a designee; 1 appointee to be chosen by the speaker of the house of representatives; 1 appointee to be chosen by the minority leader of the house of representatives; 1 appointee to be chosen by the president of the senate; 1 appointee to be chosen by the minority leader of the senate; 1 appointee to be chosen by the Massachusetts Mayors' Association; 1 appointee to be chosen by the chair from a chamber of commerce in the commonwealth; 1 appointee to be chosen by the Associated Industries of Massachusetts, Inc.; 1 appointee to be chosen by the Retailers Association of Massachusetts, Inc.; 1 appointee to be chosen by the Massachusetts Non-Profit Network, Inc.; 1 appointee to be chosen by the Massachusetts Association for Community Action; 1 appointee to be chosen by the chair from a non-profit organization assisting low-income individuals and families; 1 appointee to be chosen by the Massachusetts AFL-CIO; and 1 appointee to be chosen from the Massachusetts Workforce Investment Board. The commission shall be staffed by a social impact consulting firm or a Massachusetts based philanthropic foundation through a procurement managed by the secretary of administration and finance.

(d) The commission shall report its findings to the general court, along with draft legislation necessary to carry its recommendations into effect, by filing the report on or before September 1, 2014 with the clerks of the house of representatives and the senate, the house and senate chairs of the joint committee on children, families and persons with disabilities, the house and senate chairs of the joint committee on labor and workforce development, the house and senate chairs of the joint committee on economic development and emerging technologies and the chairs of the house and senate committees on ways and means. SECTION 28. Sections 14, 16, and 18 shall take effect 90 days after the effective date of this act.

SECTION 29. Notwithstanding any special or general law to the contrary, the secretary of administration and finance shall study the administration and efficacy of the current benefit systems and programs in the commonwealth and the resource inputs of said benefit system and programs, including, but not limited to, the following: electronic benefit transfer, supplemental nutrition assistance program, section 8 housing, low Income home energy assistance program, extending the earned income tax credit, the extension of a child and dependent care tax credit,



and any other programs deemed appropriate by the secretary that move individuals out of poverty and into situations of economic independence and autonomy. The study shall be conducted in consultation with the commissioner of the department of transitional assistance, the commissioner of the department of housing and community development and other executive agencies as the secretary deems appropriate. The secretary shall provide an opportunity for comments and input from members of the public and general court on or before January 1, 2014, provided that such opportunity shall include at least 1 public hearing. The secretary shall report on the findings of the study to the clerks of the house of representatives and senate and the house and senate committees on ways and means on or before April 1, 2014.

SECTION 30. Notwithstanding any general or special law to the contrary, and where federally permissible, the department of transitional assistance and the department of elementary and secondary education shall develop and implement a statewide system to verify school attendance.

SECTION 31. The department of transitional assistance may access income and employment data from the Department of Revenue to track the outcomes of individuals served by the program, provided that the privacy of individual clients is maintained according to state and federal laws.

SECTION 32. Notwithstanding any general or special law to the contrary, the department of transitional assistance shall issue a report to establish a cashless system by no later than January 1, 2019.

SECTION 33. Section 5M of Chapter 18 of the General Laws, as inserted by section 3 of chapter 161 of the acts of 2012, is hereby amended by striking subsection (f) and inserting in its place the following subsection:-

(f) A retail or wholesale organization owner who is convicted of organizational food stamp benefits trafficking and who also possesses a license to sell lottery tickets under sections 26 and 27 of chapter 10 shall have his or her license suspended for not less than two years and shall be referred to the director of the state lottery commission for possible further disciplinary action.

SECTION 34. Notwithstanding any general or special law to the contrary, there shall be a special commission to study and report on the feasibility of a tax credit for small businesses that hire Massachusetts residents who benefit from the comprehensive transitional assistance financial assistance program, pursuant to section 2 of chapter 18. The tax credit shall be conceptually modeled after the federal Work Opportunity Tax Credit (WOTC) which is set to expire on December 31, 2013. The commission shall consist of the following members: the commissioner of revenue, or a designee, who shall serve as chair of the commission; 2 members of the house of representatives, 1 of whom shall be appointed by the minority leader; 2 members of the senate, 1 of whom shall be appointed by the minority leader; a representative of the



567 Massachusetts Taxpayers Foundation; a representative of the Massachusetts Budget and Policy  
568 Center; a representative of the interests of benefit recipients who shall be appointed by the  
569 governor; and, a representative of the interests of small businesses who shall be appointed by the  
570 treasurer. The commission shall submit a final report of its findings and recommendations,  
571 together with drafts of legislation necessary to implement those recommendations, by filing the  
572 same with the clerks of the senate and house not later than March 31, 2014.

573         SECTION 35. Notwithstanding any general or special law to the contrary, the department  
574 of transitional assistance shall study the feasibility of placing a cap on the total amount of  
575 benefits individuals and households may receive in the aggregate. In determining feasibility, the  
576 department shall determine the appropriate cap on benefits per individual and household.