

State of Arizona  
House of Representatives  
Fifty-fourth Legislature  
Second Regular Session  
2020

**CHAPTER 23**  
**HOUSE BILL 2695**

AN ACT

AMENDING SECTION 46-299, ARIZONA REVISED STATUTES; RELATING TO CASH ASSISTANCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 46-299, Arizona Revised Statutes, is amended to  
3 read:

4 46-299. Jobs program; definition

5 A. As a condition of eligibility or continuing eligibility for cash  
6 assistance, all recipients shall engage in work activities that are  
7 established in this article and determined appropriate by the department.  
8 An individual with a disability shall engage in work activities as  
9 required by this subsection unless the individual with a disability  
10 provides the department verification of a condition that meets disability  
11 or temporary disability criteria established by the department. The  
12 following individuals are temporarily deferred from the requirement to  
13 engage in work activities:

14 1. A parent in a single parent family or a nonparent relative  
15 personally caring for a child who is under twelve months of age for a  
16 period of not more than twelve months in the recipient's lifetime. This  
17 deferral does not apply to teenaged custodial parents who do not have a  
18 high school diploma or its equivalent.

19 2. An unmarried custodial parent who is under eighteen years of age  
20 and who is personally caring for a child who is under twelve weeks of age.

21 3. An individual who provides verification acceptable to the  
22 department that the individual is personally caring for the individual's  
23 dependent who is a person with a disability and who is unable to care for  
24 himself.

25 4. Victims of domestic violence whose participation in work  
26 activities causes an immediate threat to their own safety or the safety of  
27 their children.

28 5. Dependent children as defined in this article.

29 B. To the extent that the state meets the federally required work  
30 participation rates, unmarried custodial parents may attend education  
31 directly related to employment full time in lieu of standard work  
32 participation requirements. The department may require additional work  
33 activities. For the purposes of this subsection, "education directly  
34 related to employment" includes a general education development program, a  
35 career and technical education program, an associate degree program or a  
36 postsecondary education program.

37 C. Teenaged heads of household who are under twenty years of age  
38 and who have not attained their high school diploma or its equivalent are  
39 required to either:

40 1. Maintain satisfactory attendance at a secondary school or the  
41 equivalent.

42 2. Satisfactorily participate in education directly related to  
43 employment at the level of participation established by the department.

1 D. The department may establish the minimum work participation  
2 level required to meet the work requirements established in Public Law  
3 104-193, section 407 (1996).

4 E. All cash assistance recipients, excluding dependent children,  
5 shall complete a personal responsibility declaration.

6 F. All cash assistance recipients, excluding dependent children  
7 complying with compulsory school requirements as prescribed in section  
8 15-803, shall also participate in the development of an employment plan  
9 and shall receive services in support of and as specified in that plan.

10 G. Participants who fail or refuse to engage in work activities as  
11 required by the department are subject to the graduated sanctions  
12 prescribed in section 46-300.

13 H. The department shall adopt rules that establish good cause  
14 reasons that excuse the participant from engaging in work activities.

15 I. THE DEPARTMENT MAY ALLOW A COURSE IN FINANCIAL LITERACY AND  
16 PERSONAL FINANCE TO QUALIFY AS A WORK ACTIVITY FOR THE PURPOSES OF THIS  
17 ARTICLE. A COURSE IN FINANCIAL LITERACY AND PERSONAL FINANCE INCLUDES  
18 INSTRUCTION ON HOUSEHOLD CASH MANAGEMENT TECHNIQUES, CAREER ADVICE TO  
19 OBTAIN WELL-PAYING AND SECURE EMPLOYMENT, USING CHECKING AND SAVINGS  
20 ACCOUNTS, OBTAINING AND USING SHORT-TERM AND LONG-TERM CREDIT OR SECURING  
21 A LOAN OR OTHER LONG-TERM FINANCING ARRANGEMENTS FOR HIGH-COST ITEMS.

22 ~~I.~~ J. The department shall provide the Jobs program to eligible  
23 families transitioning off ~~of~~ cash assistance due to the time limit if  
24 needed to obtain employment, to maintain employment or to receive a higher  
25 level of employment. The Jobs program shall be provided for up to twelve  
26 months after a cash assistance case closure.

27 ~~J.~~ K. For a participant to qualify for Jobs program services after  
28 a cash assistance case closure, all of the following must apply:

- 29 1. The cash assistance case was closed due to the time limit.  
30 2. The participant was enrolled in the Jobs program at the time of  
31 case closure.  
32 3. The case was not in a Jobs sanction at the time of closure.  
33 4. The department has sufficient monies to pay for activities or  
34 services.

35 ~~K.~~ L. This state shall provide workers' compensation coverage for  
36 cash assistance recipients who are engaged in unpaid work experience or  
37 community service programs as established in this article. The cost shall  
38 be paid from the temporary assistance for needy families monies.

39 ~~L.~~ M. The department may operate on a statewide basis a wage  
40 subsidy program. Employers may hire recipients of cash assistance and  
41 supplemental nutrition assistance for subsidized job slots that are full  
42 time and that offer a reasonable possibility of unsubsidized employment  
43 after the subsidy period. This program shall provide that:

1           1. Employers who operate an approved wage subsidy program shall  
2 receive a subsidy for up to six months. The department may grant an  
3 extension of three months to employers operating in areas identified as  
4 having a higher unemployment rate than the state average, as defined by  
5 the department, if the extension increases the likelihood of ongoing  
6 unsubsidized employment for the subsidized employee.

7           2. The department shall ensure that subsidized jobs made available  
8 to subsidized employees:

9           (a) Do not require work in excess of forty hours per week.

10          (b) Pay a wage that is substantially like the wage paid for similar  
11 jobs with the employer with appropriate adjustments for experience and  
12 training but not less than the federal minimum hourly wage.

13          (c) Do not impair an existing contract or collective bargaining  
14 agreement.

15          (d) Do not displace currently employed workers or fill positions  
16 that are vacant due to a layoff.

17          3. Wage subsidy employers shall:

18          (a) Maintain health, safety and working conditions at or above  
19 levels generally acceptable in the industry and not less than those of  
20 comparable jobs offered by the employer.

21          (b) Provide on-the-job training necessary for subsidized employees  
22 to perform their duties.

23          (c) Sign an agreement for each placement outlining the specific job  
24 offered to a subsidized employee and agree to abide by all of the  
25 requirements of the program. All agreements shall contain a provision  
26 that sets forth the employer's responsibility to repay subsidies paid  
27 under this article if the employer violates program requirements.

28          (d) Provide workers' compensation coverage for each subsidized  
29 employee they employ.

30          (e) Provide the subsidized employee with benefits equal to those  
31 for new employees or as required by state and federal law, whichever is  
32 greater. For the purposes of this subdivision, "benefits" includes health  
33 care coverage, paid sick leave and holiday and vacation pay.

34          4. Eligible subsidized employees are those who:

35          (a) Do not have sufficient work experience to obtain unsubsidized  
36 employment.

37          (b) Have completed an employment preparation program.

38          (c) Are deemed able to benefit from this employment strategy by the  
39 department.

40          5. The department shall:

41          (a) Disregard income earned by the subsidized employee in the  
42 subsidized job when determining the household's eligibility for cash  
43 assistance and the supplemental nutrition assistance program.

1 (b) Suspend regular payments of cash assistance and supplemental  
2 nutrition assistance to the household at the end of the calendar month in  
3 which an employer makes the first subsidized wage payment to a subsidized  
4 employee who is otherwise eligible to receive the cash assistance and  
5 supplemental nutrition assistance.

6 (c) Reimburse employers each month, from cash assistance and the  
7 supplemental nutrition assistance program, the lesser of a fixed subsidy  
8 amount determined by the department or the gross wages paid to the  
9 subsidized employee.

10 (d) Determine eligibility for supplemental payments as follows:

11 (i) If the net monthly full-time wage paid to a subsidized employee  
12 is less than the combined monthly total of the cash assistance and  
13 supplemental nutrition assistance the participant is eligible to receive,  
14 the department shall authorize issuance of a supplemental cash payment to  
15 compensate for the deficit. To determine if a deficit exists, the  
16 department shall adopt, through rules, an equivalency scale that is  
17 adjustable to household size and other factors. For the purposes of this  
18 item, "net monthly full-time wage" means a participant's wages after  
19 required payroll deductions.

20 (ii) The department shall monthly determine and pay in advance  
21 supplemental payments to eligible subsidized employees. In calculating  
22 the payment, the department shall assume that the participant will work  
23 forty hours per week during the month unless an employer provides  
24 information that the number of hours to be worked by a subsidized employee  
25 will be reduced.

26 ~~M.~~ N. For the purposes of this section, "subsidized employee"  
27 means an individual who is engaged in this subsidized employment activity.

APPROVED BY THE GOVERNOR MARCH 23, 2020.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 23, 2020.