

Sub. H.B. 33
As Passed by the Senate
JFSCD69

_____ moved to amend as follows:

In line 177 of the title, after "5104.31," insert "5107.02,
5107.10," 1 2

In line 891, after "5104.31," insert "5107.02, 5107.10," 3

After line 99771, insert: 4

"**Sec. 5107.02.** As used in this chapter: 5

(A) "Adult" means an individual who is not a minor child. 6

(B) "Assistance group" means a group of individuals treated
as a unit for purposes of determining eligibility for and the
amount of assistance provided under Ohio works first. 7 8 9

(C) "Custodian" means an individual who has legal custody, as
defined in section 2151.011 of the Revised Code, of a minor child
or comparable status over a minor child created by a court of
competent jurisdiction in another state. 10 11 12 13

(D) "Domestic violence" means being subjected to any of the
following: 14 15

(1) Physical acts that resulted in, or threatened to result
in, physical injury to the individual; 16 17

(2) Sexual abuse; 18

(3) Sexual activity involving a dependent child;	19
(4) Being forced as the caretaker relative of a dependent child to engage in nonconsensual sexual acts or activities;	20 21
(5) Threats of, or attempts at, physical or sexual abuse;	22
(6) Mental abuse;	23
(7) Neglect or deprivation of medical care.	24
(E) "Guardian" means an individual that is granted authority by a probate court pursuant to Chapter 2111. of the Revised Code, or a court of competent jurisdiction in another state, to exercise parental rights over a minor child to the extent provided in the court's order and subject to residual parental rights of the minor child's parents.	25 26 27 28 29 30
(F) "LEAP program" means the learning, earning, and parenting program conducted under section 5107.30 of the Revised Code.	31 32
(G) "Minor child" means either of the following:	33
(1) An individual who has not attained age eighteen;	34
(2) An individual who has not attained age nineteen and is a full-time student in a secondary school or in the equivalent level of vocational or technical training.	35 36 37
(H) "Minor head of household" means a minor child who is either of the following:	38 39
(1) Is married, at least six months pregnant, and a member of an assistance group that does not include an adult;	40 41
(2) Is married and is a parent of a child included in the same assistance group that does not include an adult.	42 43
(I) "Ohio works first" means the program established by this chapter known as temporary assistance for needy families in Title	44 45

IV-A.	46
(J) "Payment standard" means the amount specified in rules adopted under section 5107.05 of the Revised Code that is the maximum amount of cash assistance an assistance group may receive under Ohio works first from state and federal funds.	47 48 49 50
(K) "Specified relative" means the following individuals who are age eighteen or older:	51 52
(1) The following individuals related by blood or adoption:	53
(a) Grandparents, including grandparents with the prefix "great," "great-great," or "great-great-great";	54 55
(b) Siblings;	56
(c) Aunts, uncles, nephews, and nieces, including such relatives with the prefix "great," "great-great," "grand," or "great-grand";	57 58 59
(d) First cousins and first cousins once removed.	60
(2) Stepparents and stepsiblings;	61
(3) Spouses and former spouses of individuals named in division (K)(1) or (2) of this section.	62 63
(L) "Title IV-A" or "Title IV-D" means Title IV-A or Title IV-D of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C. 301, as amended.	64 65 66
Sec. 5107.10. (A) As used in this section:	67
(1) "Countable income," "gross earned income," and "gross unearned income" have the meanings established in rules adopted under section 5107.05 of the Revised Code.	68 69 70
(2) "Federal poverty guidelines" has the same meaning as in section 5101.46 of the Revised Code, except that references to a	71 72

person's family in the definition shall be deemed to be references 73
to the person's assistance group. 74

(3) "Gross income" means gross earned income and gross 75
unearned income. 76

(4) "Strike" means continuous concerted action in failing to 77
report to duty; willful absence from one's position; or stoppage 78
of work in whole from the full, faithful, and proper performance 79
of the duties of employment, for the purpose of inducing, 80
influencing, or coercing a change in wages, hours, terms, and 81
other conditions of employment. "Strike" does not include a 82
stoppage of work by employees in good faith because of dangerous 83
or unhealthful working conditions at the place of employment that 84
are abnormal to the place of employment. 85

(B) Under the Ohio works first program, an assistance group 86
shall receive, except as otherwise provided by this chapter, 87
time-limited cash assistance. In the case of an assistance group 88
that includes a minor head of household or adult, assistance shall 89
be provided in accordance with the self-sufficiency contract 90
entered into under section 5107.14 of the Revised Code. 91

(C)(1) To be eligible to participate in Ohio works first, an 92
assistance group must meet all of the following requirements: 93

(a) The assistance group, except as provided in division (E) 94
of this section, must include at least one of the following: 95

(i) A minor child who, except as provided in section 5107.24 96
of the Revised Code, resides with a parent, or specified relative 97
caring for the child, or, to the extent permitted by Title IV-A 98
and federal regulations adopted until Title IV-A, resides with a 99
guardian or custodian caring for the child; 100

(ii) A parent residing with and caring for the parent's minor 101

child who receives supplemental security income under Title XVI of
the "Social Security Act," 86 Stat. 1475 (1972), 42 U.S.C.A. 1383,
as amended, or federal, state, or local adoption assistance;

(iii) A specified relative residing with and caring for a
minor child who is related to the specified relative in a manner
that makes the specified relative a specified relative and
receives supplemental security income or federal, state, or local
foster care assistance, kinship guardianship assistance, kinship
support program payments, or adoption assistance;

(iv) A pregnant woman ~~at least six months pregnant~~.

(b) The assistance group must meet the income requirements
established by division (D) of this section.

(c) No member of the assistance group may be involved in a
strike.

(d) The assistance group must satisfy the requirements for
Ohio works first established by this chapter and section 5101.83
of the Revised Code.

(e) The assistance group must meet requirements for Ohio
works first established by rules adopted under section 5107.05 of
the Revised Code.

(2) In addition to meeting the requirements specified in
division (C)(1) of this section, a member of an assistance group
who is required by section 5116.10 of the Revised Code to
participate in the comprehensive case management and employment
program must participate in that program to be eligible to
participate in Ohio works first.

(D)(1) Except as provided in division (D)(4) of this section,
to determine whether an assistance group is initially eligible to
participate in Ohio works first, a county department of job and

family services shall do the following: 131

(a) Determine whether the assistance group's gross income 132
exceeds fifty per cent of the federal poverty guidelines. In 133
making this determination, the county department shall disregard 134
amounts that federal statutes or regulations and sections 5101.17 135
and 5117.10 of the Revised Code require be disregarded. The 136
assistance group is ineligible to participate in Ohio works first 137
if the assistance group's gross income, less the amounts 138
disregarded, exceeds fifty per cent of the federal poverty 139
guidelines. 140

(b) If the assistance group's gross income, less the amounts 141
disregarded pursuant to division (D)(1)(a) of this section, does 142
not exceed fifty per cent of the federal poverty guidelines, 143
determine whether the assistance group's countable income is less 144
than the payment standard. The assistance group is ineligible to 145
participate in Ohio works first if the assistance group's 146
countable income equals or exceeds the payment standard. 147

(2) For the purpose of determining whether an assistance 148
group meets the income requirement established by division 149
(D)(1)(a) of this section, the annual revision that the United 150
States department of health and human services makes to the 151
federal poverty guidelines shall go into effect on the first day 152
of July of the year for which the revision is made. 153

(3) To determine whether an assistance group participating in 154
Ohio works first continues to be eligible to participate, a county 155
department of job and family services shall determine whether the 156
assistance group's countable income continues to be less than the 157
payment standard. In making this determination, the county 158
department shall disregard an amount specified in rules adopted 159
under section 5107.05 of the Revised Code and fifty per cent of 160

the remainder of the assistance group's gross earned income. No 161
amounts shall be disregarded from the assistance group's gross 162
unearned income. The assistance group ceases to be eligible to 163
participate in Ohio works first if its countable income, less the 164
amounts disregarded, equals or exceeds the payment standard. 165

(4) If an assistance group reapplies to participate in Ohio 166
works first not more than four months after ceasing to 167
participate, a county department of job and family services shall 168
use the income requirement established by division (D)(3) of this 169
section to determine eligibility for resumed participation rather 170
than the income requirement established by division (D)(1) of this 171
section. 172

(E)(1) An assistance group may continue to participate in 173
Ohio works first even though a public children services agency 174
removes the assistance group's minor children from the assistance 175
group's home due to abuse, neglect, or dependency if the agency 176
does both of the following: 177

(a) Notifies the county department of job and family services 178
at the time the agency removes the children that it believes the 179
children will be able to return to the assistance group within six 180
months; 181

(b) Informs the county department at the end of each of the 182
first five months after the agency removes the children that the 183
parent, guardian, custodian, or specified relative of the children 184
is cooperating with the case plans prepared for the children under 185
section 2151.412 of the Revised Code and that the agency is making 186
reasonable efforts to return the children to the assistance group. 187

(2) An assistance group may continue to participate in Ohio 188
works first pursuant to division (E)(1) of this section for not 189
more than six payment months. This division does not affect the 190

eligibility of an assistance group that includes a <u>pregnant</u> woman	191
at least six months pregnant.	192

In line 124714, after "5104.31," insert "5107.02, 5107.10,"	193
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The motion was _____ agreed to.

SYNOPSIS

Ohio Works First eligibility	194
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R.C. 5107.02 and 5107.10	195
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Restores a House-added provision removed by the Senate that	196
expands eligibility for cash assistance under Ohio Works First to	197
include any eligible pregnant woman, rather than only those who	198
are at least six months pregnant.	199