



House of Representatives

File No. 773

General Assembly

January Session, 2021

(Reprint of File No. 343)

Substitute House Bill No. 6520
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
June 1, 2021

AN ACT CONCERNING THE PROVISION OF TEMPORARY STATE SERVICES TO VICTIMS OF DOMESTIC VIOLENCE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 17b-112g of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*
3 *2021*):

4 (a) The Commissioner of Social Services shall offer immediate
5 diversion assistance designed to prevent certain families who are
6 applying for monthly temporary family assistance from needing such
7 assistance. Diversion assistance shall be offered to families that (1) upon
8 initial assessment are determined eligible for temporary family
9 assistance, (2) demonstrate a short-term need that cannot be met with
10 current or anticipated family resources, and (3) with the provision of a
11 service or short-term benefit, would be prevented from needing
12 monthly temporary family assistance. Within resources available to the
13 Department of Social Services, a person who requests diversion

14 assistance on the basis of being a victim of domestic violence, as defined
15 in section 17b-112a, shall be deemed to satisfy subdivision (2) of this
16 subsection and shall not be subject to the requirements of subdivision
17 (3) of this subsection. In determining whether the family of such a victim
18 of domestic violence satisfies the requirements of subdivision (1) of this
19 subsection and the appropriate amount of diversion assistance to
20 provide, the commissioner shall not include as a member of the family
21 the spouse, domestic partner or other household member credibly
22 accused of domestic violence by such victim, nor shall the commissioner
23 count the income or assets of such a spouse, domestic partner or other
24 household member. For purposes of this subsection, allegations of
25 domestic violence may be substantiated by the commissioner pursuant
26 to the provisions of subsection (b) of section 17b-112a.

27 Sec. 2. Section 17b-191 of the general statutes is repealed and the
28 following is substituted in lieu thereof (*Effective July 1, 2021*):

29 (a) Notwithstanding the provisions of sections 17b-190, 17b-195 and
30 17b-196, the Commissioner of Social Services shall operate a state-
31 administered general assistance program in accordance with this section
32 and sections 17b-131, 17b-193, 17b-194, 17b-197 and 17b-198.
33 Notwithstanding any provision of the general statutes, on and after
34 October 1, 2003, no town shall be reimbursed by the state for any general
35 assistance medical benefits incurred after September 30, 2003, and on
36 and after March 1, 2004, no town shall be reimbursed by the state for
37 any general assistance cash benefits or general assistance program
38 administrative costs incurred after February 29, 2004.

39 (b) The state-administered general assistance program shall provide
40 cash assistance of (1) two hundred dollars per month for an
41 unemployable person upon determination of such person's
42 unemployability; (2) two hundred dollars per month for a transitional
43 person who is required to pay for shelter; and (3) fifty dollars per month
44 for a transitional person who is not required to pay for shelter. The
45 standard of assistance paid for individuals residing in rated boarding
46 facilities shall remain at the level in effect on August 31, 2003. No person

47 shall be eligible for cash assistance under the program if eligible for cash
48 assistance under any other state or federal cash assistance program. The
49 standards of assistance set forth in this subsection shall be subject to
50 annual increases, as described in subsection (b) of section 17b-104.

51 (c) To be eligible for cash assistance under the program, a person shall
52 (1) be (A) eighteen years of age or older; (B) a minor found by a court to
53 be emancipated pursuant to section 46b-150; or (C) under eighteen years
54 of age and the commissioner determines good cause for such person's
55 eligibility, and (2) not have assets exceeding two hundred fifty dollars
56 or, if such person is married, such person and his or her spouse shall not
57 have assets exceeding five hundred dollars. In determining eligibility,
58 the commissioner shall not consider as income Aid and Attendance
59 pension benefits granted to a veteran, as defined in section 27-103, or the
60 surviving spouse of such veteran. No person who is a substance abuser
61 and refuses or fails to enter available, appropriate treatment shall be
62 eligible for cash assistance under the program until such person enters
63 treatment. No person whose benefits from the temporary family
64 assistance program have terminated as a result of time-limited benefits
65 or for failure to comply with a program requirement shall be eligible for
66 cash assistance under the program.

67 (d) Prior to or upon discontinuance of assistance, a person previously
68 determined to be a transitional person may petition the commissioner
69 to review the determination of his or her status. In such review, the
70 commissioner shall consider factors, including, but not limited to: (1)
71 Age; (2) education; (3) vocational training; (4) mental and physical
72 health; and (5) employment history and shall make a determination of
73 such person's ability to obtain gainful employment.

74 (e) Notwithstanding any other provision of this section or section
75 17b-194, a victim of domestic violence, as defined in section 17b-112a,
76 who is not eligible for diversion assistance under the provisions of
77 section 17b-112g, as amended by this act, shall be eligible for a one-time
78 assistance payment under the state-administered general assistance
79 program within resources available to the Department of Social

80 Services. Such payment shall be equivalent to that which such victim
 81 would be entitled to receive as diversion assistance if such victim and
 82 his or her family, if any, were eligible for diversion assistance. In
 83 determining whether and in what amount a victim of domestic violence
 84 and his or her family are eligible for a one-time assistance payment
 85 pursuant to this subsection, the commissioner shall not include as a
 86 member of such victim's family the spouse, domestic partner or other
 87 household member credibly accused of domestic violence by such
 88 victim, nor shall the commissioner count the income or assets of such a
 89 spouse, domestic partner or other household member. For purposes of
 90 this subsection, allegations of domestic violence may be substantiated
 91 by the commissioner pursuant to the provisions of subsection (b) of
 92 section 17b-112a, and "family" has the same meaning as used in section
 93 17b-112, except as otherwise provided in this subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2021	17b-112g(a)
Sec. 2	July 1, 2021	17b-191

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 22 \$	FY 23 \$
Social Services, Dept.	GF - Potential Cost	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill could result in a cost to the Department of Social Services (DSS) associated with providing temporary assistance to domestic violence victims. The number of individuals who would qualify for diversion assistance or state administered general assistance and the value of the benefit under the bill is unknown. The maximum benefit cannot exceed the equivalent of three months of Temporary Family Assistance benefits, which is approximately \$1,420 per case.

House "A" strikes the language in the underlying bill and the associated fiscal impact and results in the impact described above.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sHB 6520 (as amended by House "A")******AN ACT CONCERNING THE PROVISION OF TEMPORARY STATE SERVICES TO VICTIMS OF DOMESTIC VIOLENCE.*****SUMMARY**

This bill generally provides a one-time cash assistance benefit to eligible domestic violence (DV) victims under temporary family assistance (TFA) or state administered general assistance (SAGA). It allows allegations of domestic violence to be substantiated in accordance with existing law (see BACKGROUND).

It also makes technical changes.

*House Amendment "A" eliminates the provisions in the underlying bill on benefits for DV victims under the supplemental nutrition assistance program (SNAP) and Care-4-Kids (C4K) childcare subsidy program and changes the underlying bill's provisions on TFA and SAGA benefits to provide a one-time cash benefit rather than ongoing benefits.

EFFECTIVE DATE: July 1, 2021

§ 1 — TFA DIVERSION CASH ASSISTANCE

By law, the Department of Social Services (DSS) commissioner must offer immediate diversion assistance to prevent certain families who are applying for monthly TFA from needing such assistance. Under the law, diversion assistance must be offered to families that (1) upon initial assessment are determined eligible for TFA, (2) demonstrate a short-term need that cannot be met with current or anticipated family resources, and (3) with the provision of a service or short-term benefit, would be prevented from needing monthly TFA.

The bill requires DSS, within available resources, to (1) deem a person who requests diversion assistance based on being a DV victim to have met the short-term need requirement (i.e., the second requirement above) and (2) not subject such person to the third requirement above.

Under the bill, in determining (1) whether the DV victim's family is eligible for TFA and (2) the appropriate amount of diversion assistance to provide, the DSS commissioner must exclude as a member of the family the spouse, domestic partner, or other household member credibly accused of domestic violence by the victim. Also, the commissioner must not count the income or assets of such a spouse, domestic partner, or other household member. By law, "family" means one or more individuals who apply for or receive assistance together under the TFA program (CGS § 17b-112).

§ 2 — SAGA CASH ASSISTANCE

Under the bill, a DV victim who is not eligible for TFA diversion assistance must be eligible for a one-time assistance payment under SAGA, within available DSS resources. The one-time payment must be equal to what the victim would be entitled to receive as diversion assistance if the victim and his or her family, if any, were eligible for diversion assistance.

In determining whether and in what amount a DV victim and his or her family are eligible for a one-time assistance payment, the commissioner must exclude as a member of the victim's family the spouse, domestic partner, or other household member credibly accused of domestic violence by the victim. Additionally, the commissioner must not count the income or assets of such a spouse, domestic partner, or other household member. Under this provision, "family" has the same meaning as used under the TFA program.

In general, SAGA provides cash assistance to single or married childless individuals who have very low incomes, do not qualify for any other cash assistance program, and are considered "transitional" or "unemployable."

BACKGROUND***Substantiating Domestic Violence Allegations***

The law defines “victim of domestic violence” as a person who has been abused or subjected to extreme cruelty by:

- physical acts that resulted in, or were threatened to result in, physical injury;
- sexual abuse or being forced to participate in nonconsensual sexual acts or activities;
- sexual activity involving a child in the home;
- threats of or attempts at physical or sexual abuse;
- mental abuse; or
- neglect or deprivation of medical care.

By law, a DV victim’s allegations may be enough to establish domestic violence where DSS has no independent, reasonable basis to find the applicant or recipient not credible. A victim may be required to provide a sworn statement or to submit to the department any available evidence including: (1) police, government agency, or court records; (2) documentation from a shelter worker, legal, medical, clerical, or other professional from whom the applicant or recipient has sought assistance in dealing with domestic violence; or (3) a statement from someone with knowledge of the circumstances that provide the basis for the claim (CGS § 17b-112a).

Related Bill

sSB 1091, as amended by Senate “A” and passed by the Senate, has identical provisions (§§ 13 & 14).

COMMITTEE ACTION

Human Services Committee

Joint Favorable Substitute

Yea 19 Nay 0 (03/18/2021)