

March 2, 1970
Passed on File
Special Services 5/2

SENATE FILE 1268

By ORR

Passed Senate, Date..... Passed House, Date.....
Vote: Ayes..... Nays..... Vote: Ayes..... Nays.....
Approved.....

A BILL FOR

1 An Act relating to the manner in which aid to dependent
2 children, blind assistance, aid to the disabled, and old
3 age assistance grants are fixed and paid, requiring that
4 such grants be sufficient to permit the maintenance of a
5 minimum decent standard of living, and providing an
6 appropriation therefor.
7 *Be It Enacted by the General Assembly of the State of Iowa:*
8 Section 1. The department of social services shall at
9 least annually review information relevant to the cost of
10 obtaining the necessary food, clothing, shelter, and other
11 goods and services deemed essential to the maintenance of a
12 minimum decent standard of living, available from state and
13 federal agencies and other sources, and shall on the basis of
14 such information determine the amount necessary to permit the
15 maintenance of a minimum decent standard of living under
16 current conditions in this state. The amount so determined
17 may vary among persons of differing age and sex, and among
18 various areas of the state, if such variations are made on a
19 rational and consistent basis. Each grant of assistance to
20 a recipient approved under chapters two hundred thirty-nine
21 (239), two hundred forty-one (241), two hundred forty-one A
22 (241A), and two hundred forty-nine (249) of the Code shall be
23 fixed at the amount so determined for persons of the recipient's
24 age, sex, and place of actual residence but in no event less
25 than the amount to which the recipient was entitled, or would

1 have been entitled if he had been eligible for such grant, on
2 January 1, 1970, reduced by the amount of any income or other
3 resources available to or for the benefit of the recipient
4 which is not authorized to be disregarded for the purposes of
5 fixing such grant.

6 Sec. 2. There is hereby appropriated, from any money in
7 the general fund not otherwise appropriated, to the department
8 of social services, in addition to any amounts otherwise
9 appropriated by law, such additional amount in each fiscal
10 year as may be necessary to enable the department to comply with
11 the requirements of section one (1) of this Act, and of chapters
12 two hundred thirty-nine (239), two hundred forty-one (241),
13 two hundred forty-one A (241A), and two hundred forty-nine (249)
14 of the Code, respecting the fixing and payment of grants of
15 assistance to recipients under these chapters. When it is
16 necessary pursuant to this section to allocate money from the
17 general fund to the department of social services, in addition
18 to amounts specifically appropriated thereto, the state comptroller
19 shall notify the presiding officers of both houses of the general
20 assembly, immediately if it is in session when such allocation
21 becomes necessary, and otherwise upon the convening of the next
22 regular or special session thereafter.

23 Sec. 3. Section two hundred thirty-nine point five (239.5),
24 Code 1966, as amended by chapter one hundred sixty-four (164),
25 sections two (2) and three (3), and chapter one hundred sixty-five
26 (165), section one (1), Acts of the Sixty-third General Assembly,
27 First Session, is hereby further amended by striking lines twenty-
28 eight (28) through fifty (50) and amendments thereto and insert-
29 ing in lieu thereof the following:

30 "The county board, in accordance with rules and standards
31 established by the department of social services, shall fix the
32 amount of assistance necessary to assure any dependent child,
33 or family, a minimum decent standard of living, as determined
34 pursuant to section one (1) of this Act. In determining the
35 amount of assistance to be paid, the county board shall take into

1 consideration the income and resources of any child or relative
2 claiming assistance under this chapter. However, in fixing the
3 amount of assistance for any child or family, the county board,
4 in accordance with rules established by the department of social
5 services, may disregard a reasonable amount of the income of the
6 child or the family, in order to encourage the family or any of
7 its members to become self-supporting. The term 'income' as
8 used herein means income remaining after deduction of expenses
9 reasonably attributable to the earning or securing of that in-
10 come. Assistance granted under this chapter shall be paid from
11 the fund for aid to dependent children established by section
12 two hundred thirty-nine point twelve (239.12) of the Code, upon
13 the order of the department of social services. Notwithstanding
14 any other statute, no grant of assistance under this chapter
15 shall be prorated or in any other manner paid in an amount less
16 than the amount fixed by the county board in compliance with
17 this section. Assistance, when granted, shall be paid monthly
18 to a person eighteen years of age or older within the specified
19 degrees of relationship and with whom the child is living, ex-
20 cept that the county board may order the assistance payments
21 made to another individual who is interested in or concerned
22 with the welfare of the child or the person with whom the child
23 is living when it has been demonstrated that the person with
24 whom the child is living is unable to manage the assistance pay-
25 ments in the best interest of the child. Such protective pay-
26 ments shall not be made beyond one year and shall otherwise con-
27 form to the regulations established under the provisions of
28 Title XLII, United States Code, sections six hundred one (601)
29 through six hundred forty-four (644), inclusive, as amended to
30 January 1, 1970.

31 The county board, under the supervision of the department of
32 social services, shall establish services to help families and
33 persons receiving assistance under this chapter to become self-
34 supporting; shall participate in the work and training program
35 established by chapter one hundred sixty-five (165), Acts of the

1 Sixty-third General Assembly, First Session, and shall cooperate
2 with other public agencies and with private agencies to obtain
3 employment, education, and vocational training for members of
4 such families.”

5 Sec. 4. Section two hundred thirty-nine point six (239.6),
6 Code 1966, is hereby amended by adding thereto the following:

7 “Each grant shall be recomputed at least annually, in
8 accordance with the finding of the department of social services
9 regarding the amount necessary to permit maintenance of a
10 minimum decent standard of living, pursuant to section one (1)
11 of this Act.”

12 Sec. 5. Section two hundred thirty-nine point eleven (239.11),
13 Code 1966, is hereby repealed.

14 Sec. 6. Section two hundred thirty-nine point twelve (239.12),
15 Code 1966, is hereby amended by striking all of such section
16 after the period in line fourteen (14) through line twenty-five
17 (25), inclusive.

18 Sec. 7. Section two hundred forty-one point twelve (241.12),
19 Code 1966, is hereby amended by adding thereto the following:

20 “Each grant shall be recomputed at least annually, in accor-
21 dance with the finding of the department of social services re-
22 garding the amount necessary to permit maintenance of a minimum
23 decent standard of living, pursuant to section one (1) of this
24 Act.”

25 Sec. 8. Section two hundred forty-one point twenty (241.20),
26 Code 1966, is hereby repealed.

27 Sec. 9. Section two hundred forty-one point twenty-one
28 (241.21), Code 1966, is hereby amended by striking all of such
29 section after the period in line fourteen (14) through line
30 twenty-five (25), inclusive.

31 Sec. 10. Section two hundred forty-one A point 3 (241A.3),
32 Code 1966, as amended by chapter one hundred sixty-five (165),
33 section two (2), Acts of the Sixty-third General Assembly, First
34 Session, is hereby further amended as follows:

35 1. By striking from line three (3) the word “determined” and

1 inserting in lieu thereof the words "fixed at the amount
2 necessary to permit maintenance of a minimum decent standard
3 of living, as determined pursuant to section one (1) of this
4 Act,".

5 2. By adding thereto the following new sentences:

6 "Notwithstanding any other statute, no grant of assistance
7 under this chapter shall be prorated or in any other manner
8 paid in an amount less than the amount fixed by the county
9 board in compliance with this section. Each grant shall be
10 recomputed at least annually, in accordance with the finding
11 of the department of social services regarding the amount
12 necessary to permit maintenance of a minimum decent standard
13 of living, pursuant to section one (1) of this Act."

14 Sec. 11. Section two hundred forty-one A point thirteen
15 (241A.13), Code 1966, is hereby repealed.

16 Sec. 12. Section two hundred forty-one A point fourteen
17 (241A.14), Code 1966, is hereby amended by striking all of such
18 section after line twelve (12).

19 Sec. 13. Section two hundred forty-nine point fifteen
20 (249.15), Code 1966, is hereby amended by inserting in line one
21 (1) before the word "The" the following new sentence:
22 "Each grant shall be recomputed at least annually, in
23 accordance with the finding of the department of social services
24 regarding the amount necessary to permit maintenance of a minimum
25 decent standard of living, pursuant to section one (1) of this
26 Act.

27 Sec. 14. Chapter one hundred sixty-five (165), section four
28 (4), Acts of the Sixty-third General Assembly, First Session,
29 is hereby amended as follows:

30 1. By striking from line eleven (11) the words "provide such
31 person with a reasonable subsistence" and inserting in lieu
32 thereof the words "permit maintenance by such person of a mini-
33 mum decent standard of living, as determined pursuant to section
34 one (1) of this Act".

35 2. By inserting after the period in line fourteen (14) the

1 following new sentence:

2 "Notwithstanding any other statute, no grant of assistance
3 under this chapter shall be prorated or in any other manner
4 paid in an amount less than the amount fixed in compliance with
5 this section."

6 Sec. 15. Chapter one hundred sixty-eight (168), section one
7 (1), Acts of the Sixty-third general Assembly, First Session,
8 is hereby amended by inserting in line sixteen (16) after the
9 word "fixed" the words "at the amount necessary to permit
10 maintenance of a minimum decent standard of living, as determined
11 pursuant to section one (1) of this Act."

EXPLANATION

This bill directs the Department of Social Services to determine the amount necessary to permit maintenance of a minimum decent standard of living, and to update this figure at least once a year to reflect current conditions. The bill requires that all Aid to Dependent Children, Blind Assistance, Aid to the Disabled, and Old Age Assistance grants be computed so as to assure each recipient the amount necessary to maintain a minimum decent standard of living, taking into account such income or other resources as may be available to the recipient. All grants must be paid at 100 percent of the amount so computed, and a "fall-back" open-end appropriation is provided to assure that the Department of Social Services will be able to do so at all times. The present statutes making the counties responsible for one-half the portion of the cost of Aid to Dependent Children, Blind Assistance, and Aid to the Disabled, grants which is not paid by federal funds are repealed. Old Age Assistance grants are now paid entirely from state and federal funds.