

FEB 28 1996
HUMAN RESOURCES

HOUSE FILE
BY BRAND

2395

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

A BILL FOR

1 An Act relating to the family investment program by prohibiting
2 the department of human services from applying any additional
3 limitation on the number of children in a family eligible for
4 assistance under the program and providing an effective date.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2395

1 Section 1. Section 239.5, Code 1995, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 2A. On or after the effective date of
4 this Act, the department shall not adopt or revise a rule or
5 apply any other requirement to limit the number of dependent
6 children considered to be in a recipient family, so as to not
7 include a child born while the family receives assistance
8 under this chapter, in determining the amount of assistance
9 paid to a recipient family or eligibility for a related
10 benefit. However, the provisions of this subsection shall not
11 apply to existing rules and other requirements in effect prior
12 to the effective date of this Act that limit the number of
13 dependent children considered to be in a recipient family, for
14 purposes of determining the amount of assistance or providing
15 a sanction authorized by law. If federal law permits the
16 state to limit the number of dependent children in a recipient
17 family considered to be eligible for assistance under this
18 chapter and under any successor program established by federal
19 law that is applicable to recipients under this chapter, the
20 provisions of this subsection shall continue to apply. If
21 federal law requires or directs the state to apply such a
22 limit under this chapter or under such successor program
23 unless the state enacts a provision providing for the use of
24 federal funds to continue including additional children, this
25 subsection shall constitute such an enactment.

26 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
27 immediate importance, takes effect upon enactment.

28 EXPLANATION

29 This bill relates to the family investment program under
30 chapter 239 by prohibiting the department of human services
31 from applying a limitation on the number of children in a
32 family eligible for assistance under the program. The
33 provisions of the bill shall continue to apply in the event
34 that federal law authorizes the state to apply such a
35 limitation. If federal law directs the state to apply the

1 limitation unless the state enacts a provision providing
2 otherwise, the bill shall constitute such an enactment. The
3 bill does not apply to a sanction authorized by law in effect
4 on the effective date of the bill. The bill takes effect upon
5 enactment.

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