

1 SB87  
2 155221-2  
3 By Senator Taylor  
4 RFD: Children, Youth Affairs, and Human Resources  
5 First Read: 14-JAN-14  
6 PFD: 01/09/2014

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8 SYNOPSIS: Under existing law, each adult recipient of  
9 public benefits offered by the state is not  
10 required to comply with mandatory community service  
11 program requirements in order to be eligible for  
12 the benefits.

13 This bill would require each adult recipient  
14 of public benefits offered by the state to comply  
15 with mandatory community service program  
16 requirements in order to be eligible for the  
17 benefits

18 This bill would provide that any person who  
19 does not comply shall be ineligible to receive  
20 public assistance for a specified period of time  
21 based on the frequency of noncompliance.

22 This bill would provide procedures and  
23 exceptions for such mandatory community service  
24 programs to be developed by the Alabama Department  
25 of Human Resources.

26 This bill would require each department or  
27 agency of the state that provides public assistance

1 to adults to comply with mandatory community  
2 service as required under this act.

3  
4 A BILL  
5 TO BE ENTITLED  
6 AN ACT  
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8 To require each adult recipient of public benefits  
9 to comply with mandatory community service program  
10 requirements in order to be eligible; to provide that any  
11 person who does not comply shall be ineligible to receive  
12 public assistance for a specified period of time based on the  
13 frequency of noncompliance; to provide procedures and  
14 exceptions for such mandatory community service programs to be  
15 developed by the Alabama Department of Human Resources; to  
16 require each department or agency that provides public  
17 assistance to adults to comply with mandatory community  
18 service as required under this act.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. As used in this act, the following words  
21 shall have the following meanings:

22 (1) DEPARTMENT. The Alabama Department of Human  
23 Resources.

24 (2) RECIPIENT. A natural person 18 years of age or  
25 older who is not physically or mentally disabled who receives  
26 federal, state, or local benefits.

1           Section 2. (a) Except as provided in subsection (f)  
2 or where exempted by federal law, on and after July 1, 2015,  
3 each recipient of state or local public benefits, as defined  
4 in 8 U.S.C. § 1621, or for federal public benefits, as defined  
5 in 8 U.S.C. § 1611, administered by an agency or a political  
6 subdivision of this state shall be required to participate in  
7 a community service program administered by the department.

8           (b) The department, in conjunction with the Alabama  
9 Department of Labor, shall establish and administer a  
10 community service program with the standards and procedures  
11 deemed necessary to accomplish the requirements of this  
12 section. The department shall establish a minimum number of  
13 hours of regulated community service to be required for  
14 persons receiving state or federal public benefits, to be  
15 determined by the age of the public benefit recipient, and  
16 which shall be a minimum of 20 hours of community service per  
17 week for each recipient. The department shall, on a monthly  
18 basis, issue a list of nonprofit 501(c)(3) programs which are  
19 eligible for community service work required under this  
20 section. No eligible nonprofit program shall be required to  
21 accept a recipient of public assistance for community service  
22 but shall be encouraged to do so. Volunteer service at a  
23 public or private school shall qualify for mandatory community  
24 service required under this section. Volunteer service at a  
25 church where the recipient of public assistance is a member  
26 shall not qualify for mandatory community service required  
27 under this section. The department shall issue regulations

1       prescribing forms and procedures for the verification of  
2       community service required by the recipients of public  
3       assistance.

4               (c) A person receiving federal, state, or local  
5       public benefits who does not comply with mandatory community  
6       service required shall be ineligible to receive the benefits  
7       for a period of time to be enforced by the appropriate state  
8       agency or department granting the benefits as follows:

9               (1) For the first noncompliance, a period of 90  
10       days.

11              (2) For the second noncompliance, a period of 180  
12       days.

13              (3) For the third and subsequent noncompliance, a  
14       period of one year, after which time the person shall be  
15       required to submit to a mandatory community service program  
16       before he or she shall be eligible to receive state or local  
17       public benefits.

18              (d) A recipient who receives federal, state, or  
19       local public benefits who refuses to submit to the mandatory  
20       community service program shall be ineligible to receive the  
21       benefits for a period of one year.

22              (e) This section shall be enforced without regard to  
23       race, religion, gender, ethnicity, or national origin.

24              (f) Mandatory community service under this section  
25       may not be required for any of the following:

26              (1) Assistance for health care items and services  
27       that are necessary for the treatment of an emergency medical

1 condition, as defined in 42 U.S.C. § 1396b(v)(3), of the  
2 person involved and are not related to an organ transplant  
3 procedure.

4 (2) Short-term, noncash, in-kind emergency disaster  
5 relief.

6 (3) Public health assistance for immunizations with  
7 respect to immunizable diseases and for testing and treatment  
8 of symptoms of communicable diseases whether or not the  
9 symptoms are caused by a communicable disease.

10 (4) Programs, services, or assistance such as soup  
11 kitchens, crisis counseling and intervention, and short-term  
12 shelter specified by the United States Attorney General in his  
13 or her sole and unreviewable discretion after consultation  
14 with appropriate federal agencies and departments, which:

15 a. Deliver in-kind services at the community level,  
16 including through public or private nonprofit agencies.

17 b. Do not condition the provision of assistance, the  
18 amount of assistance provided, or the cost of assistance  
19 provided on the individual recipient's income or resources.

20 c. Are necessary for the protection of life or  
21 safety.

22 d. Provide prenatal care.

23 e. Provide public postsecondary education.

24 (g) Each state agency or department which  
25 administers any program of state or local public benefits  
26 shall provide an annual report to the department with respect  
27 to its compliance with this section.

1           (h) Any and all errors and significant delays in  
2 benefits caused by compliance with this section shall be  
3 reported to the Governor who shall monitor mandatory community  
4 service errors and significant delays and report annually to  
5 the Alabama Legislature on such errors and significant delays  
6 to ensure that application of this section is not wrongfully  
7 denying benefits to residents of this state.

8           (i) The provisions of this section shall be  
9 implemented after the date the department or other appropriate  
10 state agency whose duty is to extend public benefits has  
11 received all federal waivers that are necessary to implement  
12 the provisions of this section from the United States  
13 Department of Health and Human Services.

14           Section 3. This act shall become effective on the  
15 first day of the third month following its passage and  
16 approval by the Governor, or its otherwise becoming law.