

ASSEMBLY, No. 2137

STATE OF NEW JERSEY

INTRODUCED JUNE 10, 1996

By Assemblywoman CRUZ-PEREZ

1 AN ACT concerning eligibility for benefits under the program of aid to  
2 families with dependent children and supplementing chapter 10 of  
3 Title 44 of the Revised Statutes.

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5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*

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8 1. The Legislature finds and declares that every child deserves to  
9 know who both parents are and to receive financial support and  
10 nurturing from both parents; that the State has demonstrated its  
11 commitment to the support and development of children and their  
12 families who are receiving public assistance by establishing the Family  
13 Development Initiative pursuant to the "Family Development Act,"  
14 P.L.1991, c.523 (C.44:10-19 et seq.); and that further reform of the  
15 welfare system is necessary to ensure paternity establishment for  
16 children, and the right of each child to receive the support necessary  
17 to grow and develop to that child's maximum potential.

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19 2. a. An applicant for, or recipient of benefits under, the program  
20 of aid to families with dependent children, or AFDC, established  
21 pursuant to P.L.1959, c.86 (C.44:10-1 et seq.) shall be required to  
22 furnish the following information as a condition of that person's and  
23 that person's dependent child's eligibility for AFDC benefits: the name  
24 of the dependent child's other parent, and that parent's social security  
25 number, if known, or the last known address of that parent's place of  
26 employment, and any additional information that may assist in  
27 identifying or locating the other parent as determined by the  
28 Commissioner of Human Services.

29 b. The Commissioner of Human Services shall exempt from the  
30 provisions of subsection a. of this section an AFDC applicant or  
31 recipient who, in the determination of the commissioner, is unable to  
32 supply the required information, or whom the commissioner  
33 determines has an acceptable reason for refusing to supply the  
34 information, including, but not limited to, evidence that the other  
35 parent: poses a threat to the physical safety of the applicant or  
36 recipient and the applicant's or recipient's dependent child; or has  
37 physically or sexually abused the applicant or recipient, or the

1 applicant's or recipient's dependent child, or poses a risk of doing so.

2 c. A recipient of AFDC benefits shall be requested to furnish the  
3 information required pursuant to subsection a. of this section, if the  
4 recipient has not already done so, at the time of that person's  
5 redetermination of eligibility for benefits.

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7 3. Notwithstanding the provisions of the "Family Development  
8 Act," P.L.1991, c.523 (C.44:10-19 et seq.) to the contrary, an  
9 applicant for, or recipient of, aid to families with dependent children  
10 benefits who would be eligible to receive those benefits except for the  
11 provisions of P.L. , c. (C. )(pending before the  
12 Legislature as this bill), shall be eligible to receive financial assistance  
13 for day care services for the applicant's or recipient's child on the same  
14 basis as participants in the Family Development Initiative established  
15 pursuant to that act, in accordance with the provisions of section 7 of  
16 P.L.1991, c.523 (C.44:10-25) and the rules and regulations adopted  
17 by the Commissioner of Human Services to effectuate those  
18 provisions.

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20 4. The Commissioner of Human Services, pursuant to the  
21 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
22 seq.), shall adopt rules and regulations to effectuate the purposes of  
23 this act.

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25 5. This act shall take effect immediately.

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#### STATEMENT

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30 This bill requires that an aid to families with dependent children  
31 (AFDC) applicant or recipient furnish the following information as a  
32 condition of that person's and that person's dependent child's eligibility  
33 for AFDC benefits: the name of the dependent child's other parent,  
34 and that parent's social security number, if known, or the last known  
35 address of that parent's place of employment, and any additional  
36 information that may assist in identifying or locating the other parent  
37 as determined by the Commissioner of Human Services.

38 It should be noted that this bill does not affect the eligibility of an  
39 AFDC applicant's or recipient's child for Medicaid or food stamps. In  
40 addition, the bill provides that if an AFDC applicant or recipient were  
41 denied AFDC benefits under the provisions of this bill, the applicant's  
42 or recipient's child would still be eligible for child care benefits under  
43 the "Family Development Act," P.L.1991, c.523 (C.44:10-19 et seq.)  
44 on the same basis as the children of AFDC recipients who are  
45 participating in the Family Development Initiative established under  
46 that law.

1       The bill provides that the Commissioner of Human Services shall  
2 exempt from the requirement of identifying the dependent child's other  
3 parent an AFDC applicant or recipient who, in the determination of the  
4 commissioner, is unable to supply the required information, or who the  
5 commissioner determines has an acceptable reason for refusing to  
6 supply the information, including, but not limited to, evidence that the  
7 other parent poses a threat to the physical safety of the applicant or  
8 recipient and the applicant's or recipient's dependent child, or has  
9 physically or sexually abused the applicant or recipient, or the  
10 applicant's or recipient's dependent child.

11       The bill further provides that an AFDC recipient shall be requested  
12 to furnish the information required under the bill, if the recipient has  
13 not already done so, at the time of that person's redetermination of  
14 eligibility for benefits.

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20       Conditions a parent's eligibility for AFDC benefits on that person's  
identifying the other parent, unless unable to do so.