

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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28 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.