

Second Regular Session of the 122nd General Assembly (2022)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2021 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1361

AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 12-14-1-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2022]: **Sec. 0.5. As used in this chapter, "TANF assistance group" means persons whose income, resources, or needs are considered in determining one (1) or both of the following:**

- (1) The eligibility of the persons for assistance under TANF.**
- (2) The amount of TANF assistance for which the persons are eligible.**

SECTION 2. IC 12-14-1-1, AS AMENDED BY P.L.174-2021, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 1. (a) Assistance under TANF shall be given to a dependent child who otherwise qualifies for assistance if the child is living in a family home of a person who is:

- (1) at least eighteen (18) years of age; and
- (2) the child's relative, including:
 - (A) the child's mother, father, stepmother, stepfather, grandmother, or grandfather; or
 - (B) a relative not listed in clause (A) who has custody of the child.

(b) A TANF assistance group that has qualified for and is receiving assistance under TANF does not cease to qualify for assistance under TANF due solely to an increase in the value of the

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resources of the TANF assistance group so long as the resources of the TANF assistance group are valued at not more than ten thousand dollars (\$10,000).

~~(b)~~ **(c)** A parent or relative and a dependent child of the parent or relative are not eligible for TANF assistance when the physical custody of the dependent child was obtained for the purpose of establishing TANF eligibility.

~~(e)~~ **(d)** Except as provided in IC 12-14-28-3.3, a person convicted of a felony under IC 35-43-5 relating to public relief or assistance fraud or IC 35-48-4 is not eligible to receive assistance under TANF for ten (10) years after the conviction.

~~(d)~~ **(e)** The assistance paid to a dependent child under this section may not be affected by the conviction of a parent or an essential person of the dependent child under subsection ~~(e)~~: **(d)**.

SECTION 3. IC 12-14-2-1, AS AMENDED BY P.L.168-2021, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 1. (a) After the investigation under IC 12-14-1-6, the county office shall decide the following:

- (1) Whether the child is eligible for assistance under this article.
- (2) The amount of assistance.
- (3) The date assistance begins.

(b) The county office may not consider:

- (1) money in an individual development account under IC 4-4-28 that belongs to the child or a member of the child's family;
- (2) the value of the real property that is the child's primary residence;**
- ~~(2)~~ **(3)** ~~ten~~ **twenty** thousand dollars ~~(\$10,000)~~ **(\$20,000)** of total equity value (as defined in ~~470 IAC 10.1-3-1~~) **470 IAC 10.3-4-2**) in ~~one~~ **(1)** ~~motor vehicle~~ **vehicles** that ~~belongs~~ **belong** to a ~~member~~ **one (1) or more members** of the child's family;
- ~~(3)~~ **(4)** a Holocaust victim's settlement payment received by the child or a member of the child's family; or
- ~~(4)~~ **(5)** money earned by the child or a member of the child's family as a student participating in:
 - (A) a paid internship;
 - (B) a work based learning course (as defined in IC 20-43-8-0.7); or
 - (C) paid postsecondary work experience that allows the individual to apply for a related apprenticeship (as defined by IC 20-43-8-0.3);

when determining whether the individual is eligible for assistance under this article.

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SECTION 4. IC 12-14-31 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]:

Chapter 31. Child Care Development Fund Program Eligibility

Sec. 1. As used in this chapter, "CCDF program" refers to the federal Child Care and Development Fund voucher program administered under 45 CFR 98 and 45 CFR 99.

Sec. 2. Subject to approval by the United States Department of Health and Human Services, after a household has been determined to be eligible for assistance under the CCDF program, additional annual income of up to fifteen thousand dollars (\$15,000) earned by the household may not be considered as changing the household's eligibility status if the additional annual income is earned by an individual who:

- (1) resides in the household; and**
- (2) earns the additional annual income while the individual is a student participating in or pursuing:**
 - (A) the individual's first postsecondary degree;**
 - (B) a workforce certificate;**
 - (C) a preapprenticeship; or**
 - (D) an apprenticeship.**

SECTION 5. [EFFECTIVE JULY 1, 2022] (a) Not later than December 31, 2022, the office of the secretary of family and social services shall:

- (1) submit to the United States Department of Health and Human Services any state plan amendment necessary to implement; and**
- (2) amend the rules of the division of family resources in conformance with;**

IC 12-14-1-1, as amended by this act, and IC 12-14-31-2, as added by this act.

(b) This SECTION expires January 1, 2023.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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