

Sixty-fifth  
Legislative Assembly  
of North Dakota

ENGROSSED HOUSE BILL NO. 1308

Introduced by

Representatives Johnston, Rick C. Becker, Grueneich, Kiefert, Klemin, B. Koppelman, Lefor,  
Louser, Olson

Senators Campbell, Laffen, Roers

1 A BILL for an Act to amend and reenact subsection 1 of section 50-09-29 of the North Dakota  
2 Century Code, relating to mandatory addiction screening for temporary assistance for needy  
3 families program individual employment plan participants; and to provide an effective date.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 1 of section 50-09-29 of the North Dakota Century  
6 Code is amended and reenacted as follows:

- 7 1. Except as provided in subsections 2, 3, and 4, the department of human services, in  
8 its administration of the temporary assistance for needy families program, shall:
  - 9 a. Provide assistance to otherwise eligible women in the third trimester of a  
10 pregnancy;
  - 11 b. Except as provided in subdivision c, afford eligible households benefits for no  
12 more than sixty months;
  - 13 c. Exempt eligible households from the requirements of subdivision b due to mental  
14 or physical disability of a parent or child, mental or physical incapacity of a  
15 parent, or other hardship including a parent subject to domestic violence as  
16 defined in section 14-07.1-01;
  - 17 d. Unless an exemption, exclusion, or disregard is required by law, count income  
18 and assets whenever actually available;
  - 19 e. Except as provided in subdivision j, and as required to allow the state to receive  
20 funds from the federal government under title IV-A, provide no benefits to  
21 noncitizen immigrants who arrive in the United States after August 21, 1996;
  - 22 f. Limit eligibility to households with total available assets, not otherwise exempted  
23 or excluded, of a value established by the department;

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- 1 g. Exclude one motor vehicle of any value in determining eligibility;
- 2 h. Require work activities for all household members not specifically exempted by
- 3 the department of human services for reasons such as mental or physical
- 4 disability of a parent or child or mental or physical incapacity of a parent;
- 5 i. Establish goals and take action to prevent and reduce the incidence of
- 6 out-of-wedlock pregnancies and establish numerical goals for reducing the
- 7 illegitimacy rate for the state for periods through calendar year 2005;
- 8 j. To the extent required to allow the state to receive funds from the federal
- 9 government under title IV-A, provide benefits to otherwise eligible noncitizens
- 10 who are lawfully present in the United States;
- 11 k. Establish and enforce standards against program fraud and abuse;
- 12 l. Provide employment placement programs;
- 13 m. Exempt from assets and income the savings and proportionate matching funds in
- 14 individual development accounts;
- 15 n. Determine the unemployment rate of adults living in a county that includes Indian
- 16 reservation lands and a significant population of Indian individuals by using
- 17 unemployment data provided by job service North Dakota;
- 18 o. When appropriate, require household members to complete high school;
- 19 p. To the extent required to allow the state to receive funds from the federal
- 20 government under title IV-A, exempt single parents from required work activities;
- 21 q. Provide for sanctions, including termination of assistance to the household, if a
- 22 household member fails to cooperate with work requirements;
- 23 r. Provide for sanctions, including termination of assistance to the household, if a
- 24 household member fails, without good cause, to cooperate with child support
- 25 activities;
- 26 s. Deny assistance with respect to a minor child absent from the household for
- 27 more than one calendar month, except as specifically provided by the state
- 28 agency for absences;
- 29 t. Require each household to participate in developing an individual employment
- 30 plan and provide for sanctions, including termination of assistance to the

- 1 household, if adult or minor household members age sixteen or older fail to  
2 cooperate with the terms of the individual employment plan;
- 3 u. Provide pre-pregnancy family planning services that are to be incorporated into  
4 the temporary assistance for needy families program assessment;
- 5 v. Except in cases of pregnancy resulting from rape or incest, not increase the  
6 assistance amount to recognize the increase in household size when a child is  
7 born to a household member who was a recipient of assistance under this  
8 chapter during the probable month of the child's conception;
- 9 w. Disregard earned income as an incentive allowance for no more than twelve  
10 months;
- 11 x. Require each individual employment plan participant undergo a mandatory  
12 addiction screening, using a screening tool approved by the department. The  
13 department shall provide training to the jobs opportunity and basic skills program  
14 contractors on the use of the screening tool. Individual employment plan  
15 participants who are identified, via the screening tool as at-risk for an addiction,  
16 shall be referred to appropriate treatment services. The jobs opportunity and  
17 basic skills program contractor may seek assistance from the department to  
18 identify appropriate treatment;
- 19 ~~x.y.~~ Consider, and if determined appropriate, authorize demonstration projects in  
20 defined areas which may provide benefits and services that are not identical to  
21 benefits and services provided elsewhere; and
- 22 ~~y.z.~~ Unless at least seven years has elapsed since the most recent felony conviction  
23 that has as an element the possession, use, or distribution of a controlled  
24 substance, deny assistance to any individual who has been convicted of a felony  
25 offense that has as an element the possession, use, or distribution of a controlled  
26 substance as defined in section 102(6) of the Controlled Substances Act  
27 [21 U.S.C. 802(6)].

28 **SECTION 2. EFFECTIVE DATE.** This Act becomes effective on April 1, 2018.