

Senate Engrossed  
child only case; definition

State of Arizona  
Senate  
Fifty-fifth Legislature  
First Regular Session  
2021

# **SENATE BILL 1144**

AN ACT

AMENDING SECTION 46-101, ARIZONA REVISED STATUTES; RELATING TO WELFARE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 46-101, Arizona Revised Statutes, is amended to  
3 read:

4 46-101. Definitions

5 In this title, unless the context otherwise requires:

6 1. "Aid to families with dependent children" means assistance  
7 granted under section 403 of title IV of the social security act as it  
8 existed before August 22, 1996.

9 2. "Applicant" means a person who has applied for assistance or  
10 services under this title, or a person who has applied for assistance or  
11 services under this title and who has custody of a dependent child.

12 3. "Assistance" means payments in cash or kind to or on behalf of a  
13 person or persons in need as provided for in this title.

14 4. "Assistance unit" means those members of a needy family, as  
15 prescribed by the department in rule, or a child only case, that meets the  
16 nonfinancial eligibility criteria for cash assistance and whose needs and  
17 other circumstances are considered as a whole to determine a cash  
18 assistance benefit amount.

19 5. "Cash assistance" means temporary assistance for needy families  
20 paid to a recipient for the purpose of meeting basic living expenses as  
21 defined by the department.

22 6. "Child care personnel" means any person who supervises children  
23 in a day care home or center that receives child care food program monies  
24 under this article.

25 7. "Child only case" means a case in which the eligible dependent  
26 child is EITHER:

27 (a) In the legal custody of the department of child safety, a  
28 tribal court or a tribal child welfare agency located in this state and  
29 placed in foster care with an unrelated adult or with a nonparent relative  
30 who is not receiving cash assistance OR A LICENSED FOSTER HOME CARE  
31 PAYMENT.

32 (b) PLACED PURSUANT TO THE ORDER OF A COURT OR TRIBAL COURT WITH AN  
33 UNRELATED ADULT OR WITH A NONPARENT RELATIVE WHO IS NOT RECEIVING CASH  
34 ASSISTANCE.

35 8. "Dependent child" means a needy child who has been deprived of  
36 parental support or care by reason of the death, unemployment of the  
37 supporting parent as defined and prescribed by the rules of the  
38 department, continued absence from the home, or physical or mental  
39 incapacity of a parent, and whose relatives who are responsible under the  
40 law for the child's support are not able to provide adequate care and  
41 support of the child without public assistance, and who is living with his  
42 father, mother, grandfather, grandmother, brother, sister, stepfather,  
43 stepmother, stepbrother, stepsister, uncle, aunt, niece, nephew or cousin  
44 in a place of residence maintained by one or more of such relatives as his  
45 or their own home or who is in the legal custody of the department of

1 child safety and placed in a foster home or with an unrelated adult as a  
2 recipient of temporary assistance for needy families. Such dependent  
3 child must be under eighteen years of age or, if eighteen, must be a  
4 full-time student in a high school, or in the equivalent level of  
5 vocational or technical training, and shall be reasonably expected to  
6 complete the program before reaching age nineteen.

7 9. "Director" means the director of the department of economic  
8 security.

9 10. "Domestic violence" means battered or subject to extreme  
10 cruelty as defined in section 408(a)(7)(C)(iii) of the social security  
11 act.

12 11. "Employment plan" means an agreement between the department and  
13 the cash assistance recipient regarding the participant's work activities  
14 and services provided by the department.

15 12. "Federal poverty level" means the poverty guidelines that are  
16 issued by the United States department of health and human services  
17 pursuant to section 673(2) of the omnibus budget reconciliation act of  
18 1981 and that are reported annually in the federal register.

19 13. "Head of household" means a dependent child's parent or the  
20 spouse of the parent, or the dependent child's nonparent relative or  
21 spouse of the nonparent relative, who receives cash assistance for himself  
22 and on behalf of the dependent child or only on behalf of the dependent  
23 child.

24 14. "Homestead property" means a home owned and occupied by the  
25 applicant or recipient, or his spouse.

26 15. "Jobs program" means services established by the department to  
27 ensure that participants comply with work requirements as prescribed in  
28 Public Law 104-193.

29 16. "Needy family":

30 (a) Means a family that resides in the same home and includes a  
31 dependent child, one or more of the dependent child's parents and  
32 nonparent relatives of the dependent child and their spouses who meet  
33 financial cash assistance eligibility criteria established by this title  
34 and by department rule.

35 (b) Does not include a child only case.

36 17. "Nonparent relative" means a dependent child's grandfather,  
37 grandmother, brother, sister, stepfather, stepmother, stepbrother,  
38 stepsister, uncle, aunt, niece, nephew or cousin and includes a permanent  
39 guardian who is appointed pursuant to section 8-872.

40 18. "Participant" means a recipient of cash assistance engaged in  
41 work activities through the JOBS program.

42 19. "Personal responsibility declaration" means a document that is  
43 prescribed by the department and in which the applicant acknowledges  
44 understanding of the applicant's personal responsibility.

- 1           20. "Recipient" means a person who receives assistance or services  
2 under the provisions of this title.
- 3           21. "Services" includes social casework, rehabilitation counseling  
4 and similar services rendered to a person or persons in need as provided  
5 for in this title.
- 6           22. "Sponsor" means any political subdivision of this state, any  
7 federally recognized Indian tribe, any military base or any other person,  
8 partnership, corporation or association contracting with this state to  
9 provide assistance in the distribution of child care food program monies  
10 pursuant to this article.
- 11           23. "State department" or "department" means the department of  
12 economic security.
- 13           24. "Temporarily deferred" means the postponement of work  
14 activities.
- 15           25. "Temporary assistance for needy families" means assistance  
16 granted under section 403 of title IV of the social security act as it  
17 exists after August 21, 1996.
- 18           26. "Vendor payment" means any payment to a person other than the  
19 recipient on his behalf.
- 20           27. "Work activities" means the following activities that are  
21 countable toward the federal work participation rate as prescribed in  
22 Public Law 104-193, section 407 (1996):
- 23           (a) Unsubsidized employment.
- 24           (b) Subsidized private or public employment.
- 25           (c) Work experience.
- 26           (d) On-the-job training.
- 27           (e) Job search and job readiness assistance.
- 28           (f) Community service programs.
- 29           (g) Vocational educational training.
- 30           (h) Job skills training directly related to employment.
- 31           (i) Education directly related to employment in the case of a  
32 recipient who has not received a high school diploma or a certificate of  
33 high school equivalency.
- 34           (j) Satisfactory attendance at secondary school or in a course of  
35 study leading to a certificate of general equivalency, in the case of a  
36 recipient who has not completed secondary school or received such a  
37 certificate.