

ORDINANCE NO 10302 (NEW SERIES)

AN ORDINANCE AMENDING COUNTY OF SAN DIEGO ADMINISTRATIVE  
CODE ARTICLE XV-C RELATING TO THE GENERAL RELIEF PROGRAM

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1: Article XV-C of the County of San Diego Administrative Code is hereby amended to read as follows:

ARTICLE XV-C GENERAL RELIEF PROGRAM

SEC. 257. ESTABLISHMENT OF GENERAL RELIEF PROGRAM.

This article establishes the San Diego County General Relief Program, to provide temporary relief and support in the amount authorized by the Board, to indigent residents of the County as authorized under the California Welfare and Institutions Code. Aid shall be provided in-kind or in cash or any combination of in-kind and cash aid. The value of any in-kind aid that is made available shall be deducted from the cash aid payment. General Relief shall be granted only to indigent residents of the County meeting the property limitations and other requirements set forth in this Article. General Relief shall be granted only after the filing of an application and all General Relief paid in cash shall be a repayable obligation.

SEC. 257.1. RESTRICTIONS.

Notwithstanding the provisions of section 257, the General Relief program shall not be used to provide assistance to any individual who -

- (a) is fleeing to avoid prosecution, or custody or confinement after conviction, under the laws of the place from which the individual flees, for a crime, or an attempt to commit a crime, which is a felony under the laws of the place from which the individual flees, or which, in the case of the State of New Jersey, is a high misdemeanor under the laws of such State; or
- (b) is violating a condition of probation or parole imposed under Federal or State law; or
- (c) has an outstanding misdemeanor warrant; or
- (d) has been convicted after December 31, 1997 of a felony for possession, use or distribution of a controlled substance, and is a member of an assistance unit receiving CalWORKs benefits and is ineligible for CalWORKs due to a drug-related conviction pursuant to Welfare & Institutions Code Section 11251.3.

This section shall not apply with respect to conduct of an individual for any month beginning after the President of the United States grants a pardon with respect to the conduct.

#### SEC. 257.2. LIMITED ELIGIBILITY FOR EMPLOYABLE RECIPIENTS.

Otherwise eligible employable recipients shall become ineligible to receive General Relief benefits after receiving three months of benefits within any twelve month period. Participants in the General Relief Grant Diversion program shall be eligible for up to an additional three months of General Relief Grant Diversion program benefits once in a lifetime. Any sanctions imposed on a recipient shall be completed as required prior to any General Relief benefits payment.

#### SEC. 257.3. RESTRICTIONS.

Notwithstanding the provisions of section 257, the General Relief Program shall not be used to provide assistance to any individual who--

- (a) is not eligible for aid as a result of any federal or state time or other limitation on cash aid or assistance until all of the children of the individual on whose behalf aid was received, whether or not currently living in the home with the individual, are 18 years of age or older; or
- (b) is receiving aid on behalf of an eligible child, but who is either ineligible for aid or whose needs are not otherwise taken into account in determining the amount of aid to the family due to the imposition of a sanction or penalty.

#### SEC. 257.4. MAXIMUM FAMILY GRANT CHILDREN.

Children who are members of a CalWORKs Assistance Unit but are not receiving a grant from the CalWORKs case due to the Maximum Family Grant rule shall be aided under this section as long as the following conditions are met:

- (a) All other General Relief eligibility criteria (including income and property) are met; and
- (b) The CalWORKs case is a zero-grant case; and
- (c) The children have received the age- appropriate immunizations as defined by the Centers for Disease Control; and
- (d) The children, if six years of age or older, are attending school regularly as defined by the CalWORKs Program.

#### SEC. 258. APPLICATION FOR GENERAL RELIEF.

(a) All applications for General Relief shall be made in person under oath and shall contain the following:

- (1) the usual identifying information;
- (2) a statement of current and prior income, property, and resources;
- (3) a statement of current and prior employment;
- (4) a statement of current and prior residence;
- (5) a statement of current living arrangements; and
- (6) other information as needed to determine eligibility.

(b) For the purpose of establishing the identity of General Relief applicants and recipients and avoiding duplicate aid payments, the Director of the Health and Human Services Agency, hereinafter referred to in this article as the Director, is authorized to implement either or both of the following requirements: fingerprint or photographic identification requirements. Prior to implementation of fingerprint or photographic identification requirements, the Director may conduct a test or pilot project of each requirement.

#### SEC. 258.1. SCREENING, TESTING AND PROGRAM REQUIREMENT FOR GENERAL RELIEF APPLICANTS AND RECIPIENTS.

The Director shall establish a mandatory substance abuse screening, testing and treatment program requirement for General Relief applicants and recipients. General Relief applicants and recipients who are identified as substance abusers through the screening process shall be referred to a mandatory substance abuse treatment program. All General relief applicants and recipients who are referred to a mandatory substance abuse treatment program are required to comply with all program requirements as a condition of eligibility to General Relief. The Director shall establish sanction periods of ineligibility for applicant or recipient households who fail, without good cause, to comply with the substance abuse treatment program requirements.

#### SEC. 259. EFFECTIVE DATE OF GRANTING AID.

Applicants shall not be eligible for General Relief, except emergency aid, until the applicant has completed and submitted all documentation and obtained and submitted all verifications required to establish eligibility. The effective date of aid shall be the date the Agency receives the application. Emergency aid, with the appropriate Agency approval, may be granted to an applicant or recipient household to prevent hardship, when the required verification must be secured from a source outside the County of San Diego, or when there are exceptional

circumstances upon which the application of a specific regulation would cause severe hardship, and the applicant or recipient household is otherwise eligible.

SEC. 260. WORK FOR BENEFIT REQUIREMENT.

(a) The Director shall establish regulations, subject to Board approval, requiring able-bodied applicant or recipient households to register for employment, to participate in work projects, to participate in job search activities, or to participate in required training programs to the maximum extent possible in order to be eligible for General Relief.

(b) The Director shall establish appropriate exemptions, subject to Board approval, to the requirements of subsection (a) of this section and shall establish sanction periods of ineligibility for applicant or recipient households who fail, without good cause, to participate in the requirement of subsection (a) of this section.

SEC. 261. REAL PROPERTY LIMITS, EXCEPTIONS.

(a) No General Relief, except aid expressly approved by the Director shall be granted to an applicant or recipient household owning or having equity in real property.

(b) Notwithstanding the provisions of subsection (a) of this section, the Director may grant General Relief to an applicant or recipient household owning real property where, but for the ownership of such property, the applicant or recipient household would otherwise be eligible, extreme hardship would result if General Relief were not granted, and a lien has been executed pursuant to the provisions of Section 265 of this Article.

SEC. 262. PERSONAL PROPERTY LIMITS, EXCEPTIONS.

(a) No General Relief shall be granted to an applicant or recipient household owning personal property in the form of negotiable assets with a value of \$50 or more. For the purpose of this subsection, assets include, but are not limited to, cash, savings and checking accounts, securities, negotiable instruments, life insurance with cash surrender value, and other evidence of indebtedness, such as notes, mortgages, and deeds of trust, or other liquid resources. For recipients participating in direct deposit, the minimum balance required by the financial institution for purposes of retaining a bank account shall be exempt from consideration when determining the recipient's property limit.

SEC. 263. LIEN REQUIREMENTS, EXCEPTIONS.

(a) No General Relief shall be granted to an applicant or recipient household unless the applicant or recipient household as grantor, executes a lien naming the County as a grantee which shall secure any and all real property of the grantor and reimburse the County for all

General Relief theretofore advanced or thereafter to be advanced. Such liens shall not bear interest nor be foreclosable during the lifetime of the grantor, except in the following instances:

(1) When there is any attempt by the grantor to sell or otherwise transfer any interest in such property without making satisfactory arrangements for payment of the amount of General Relief secured by the lien;

(2) When it is discovered that General Relief was obtained by fraud or any other deceitful means; and

(3) After termination of General Relief and the Director determines that the grantor has not made a reasonable attempt to meet the obligation of the lien.

(b) No General Relief shall be granted to an applicant or recipient household who has a claim pending for workers' compensation or other potential income from receipt of proceeds from claims involving civil actions, estate matters, fishing catches, farm crops, or insurance settlements, unless the applicant or recipient household executes an assignment of proceeds against such claims in favor of the County to secure such proceeds to reimburse the County for the General Relief paid pending the settlement of claim.

(c) Notwithstanding subsection (a) and (b) of this section, no lien shall be required to be executed from guardians of wards as a prerequisite to receipt of General Relief by such ward.

#### SEC. 264. REPORTING OF INDIGENT ALIENS.

Whenever any application for General Relief is approved on behalf of any alien who is or has been a recipient of General Relief during the three-year sponsorship period, the Director shall report such facts and the sponsor's information to the Citizenship and Immigration Services of the United States Department of Homeland Security and request that further investigation and action be taken by that office.

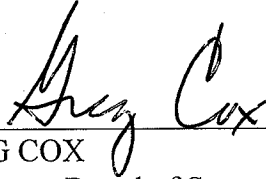
#### SEC. 265. CITIZENSHIP AND LAWFUL ALIEN STATUS.

No General Relief shall be granted to an applicant or recipient household unless the applicant or recipient is (1) a United States citizen, (2) if not a citizen, lawfully admitted to permanent residence in the United States. This does not apply to dependent children of the court.

#### SEC. 265.5. [RESERVED.]

Section 2: Effective Date. This ordinance shall take effect thirty (30) days after its adoption. Within fifteen days after the date of adoption of this ordinance, a summary shall be published once with the name of those members voting for and against the same in the newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 3<sup>rd</sup> day of December, 2013.



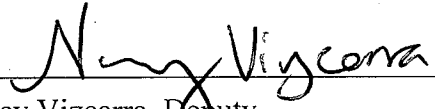
GREG COX  
Chairman, Board of Supervisors  
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

ATTEST my hand and the seal of the Board of Supervisors this 3<sup>rd</sup> day of December, 2013.

THOMAS J. PASTUSZKA  
Clerk of the Board of Supervisors

By   
Nancy Vizcarra, Deputy

Ordinance No. 10302 (N.S.)

12-03-2013 (14)

