

INITIAL STATEMENT OF REASONS

a) Specific Purpose of the Regulations and Factual Basis for Determination that Regulations Are Necessary

Section 63-503.7

Specific Purpose

This section is amended to provide clarity to the section title when determining food stamp eligibility and benefits and there is a substantial failure to comply with other assistance program requirements.

Factual Basis

This amendment is necessary to comply with the Federal Regulations at 7 Code of Federal Regulations (CFR) 273.11(j) regarding substantive failure to comply when another assistance program's requirements are involved. The county shall not increase the household's food stamp allotment as a result of the decrease in income when there is a substantial failure to comply with another assistance program's requirements.

Section 63-503.71

Specific Purpose

This section is amended to clarify a substantive failure to comply with requirements in another assistance program.

Factual Basis

This amendment is necessary to comply with 7 CFR 273.11(j) regarding the substantive failure to comply involving another programs substantive requirements. Currently, state regulations do not distinguish between the two categories: procedural vs. substantive and therefore need to be amended. A substantive requirement would trigger a food stamp sanction when another program reduces or terminates benefits and the food stamp benefits shall not increase. A procedural requirement would not trigger a sanction when another program reduces or terminates benefits and the food stamp allotment can be reduced by an amount up to 25 percent.

Section 63-503.714 and Handbook Example .714(a)

Specific Purpose

This section is amended to instruct the county that a sanction or overpayment that is a result of a substantive failure to comply shall be included in the calculation when determining food stamp benefits. A handbook example is adopted to provide examples of the failure to comply with other assistance programs.

Factual Basis

This amendment is necessary to comply with the 7 CFR 273.11(j) regarding the action to take when calculating food stamp benefits that result in a sanction or overpayment that is the result of a substantive failure to comply. Handbook guidance is provided to give examples of failure to comply with other assistance programs.

b) Identification of Documents Upon Which Department Is Relying

- 7 CFR 273.11(j)

c) Local Mandate Statement

These regulations do impose a mandate upon local agencies, but not on school districts. There are no “state-mandated local costs” in these regulations which require state reimbursement under Section 17500 et seq. of the Government Code because any costs associated with the implementation of these regulations are costs mandated by the federal government within the meaning of Section 17513 of the Government Code.

d) Statement of Alternatives Considered

CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective and less burdensome to affected private persons than the proposed action.

e) Statement of Significant Adverse Economic Impact On Business

CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.