
OLR Bill Analysis

sHB 6520 (as amended by House "A")*

AN ACT CONCERNING THE PROVISION OF TEMPORARY STATE SERVICES TO VICTIMS OF DOMESTIC VIOLENCE.

SUMMARY

This bill generally provides a one-time cash assistance benefit to eligible domestic violence (DV) victims under temporary family assistance (TFA) or state administered general assistance (SAGA). It allows allegations of domestic violence to be substantiated in accordance with existing law (see BACKGROUND).

It also makes technical changes.

*House Amendment "A" eliminates the provisions in the underlying bill on benefits for DV victims under the supplemental nutrition assistance program (SNAP) and Care-4-Kids (C4K) childcare subsidy program and changes the underlying bill's provisions on TFA and SAGA benefits to provide a one-time cash benefit rather than ongoing benefits.

EFFECTIVE DATE: July 1, 2021

§ 1 — TFA DIVERSION CASH ASSISTANCE

By law, the Department of Social Services (DSS) commissioner must offer immediate diversion assistance to prevent certain families who are applying for monthly TFA from needing such assistance. Under the law, diversion assistance must be offered to families that (1) upon initial assessment are determined eligible for TFA, (2) demonstrate a short-term need that cannot be met with current or anticipated family resources, and (3) with the provision of a service or short-term benefit, would be prevented from needing monthly TFA.

The bill requires DSS, within available resources, to (1) deem a person who requests diversion assistance based on being a DV victim

to have met the short-term need requirement (i.e., the second requirement above) and (2) not subject such person to the third requirement above.

Under the bill, in determining (1) whether the DV victim's family is eligible for TFA and (2) the appropriate amount of diversion assistance to provide, the DSS commissioner must exclude as a member of the family the spouse, domestic partner, or other household member credibly accused of domestic violence by the victim. Also, the commissioner must not count the income or assets of such a spouse, domestic partner, or other household member. By law, "family" means one or more individuals who apply for or receive assistance together under the TFA program (CGS § 17b-112).

§ 2 — SAGA CASH ASSISTANCE

Under the bill, a DV victim who is not eligible for TFA diversion assistance must be eligible for a one-time assistance payment under SAGA, within available DSS resources. The one-time payment must be equal to what the victim would be entitled to receive as diversion assistance if the victim and his or her family, if any, were eligible for diversion assistance.

In determining whether and in what amount a DV victim and his or her family are eligible for a one-time assistance payment, the commissioner must exclude as a member of the victim's family the spouse, domestic partner, or other household member credibly accused of domestic violence by the victim. Additionally, the commissioner must not count the income or assets of such a spouse, domestic partner, or other household member. Under this provision, "family" has the same meaning as used under the TFA program.

In general, SAGA provides cash assistance to single or married childless individuals who have very low incomes, do not qualify for any other cash assistance program, and are considered "transitional" or "unemployable."

BACKGROUND

Substantiating Domestic Violence Allegations

The law defines “victim of domestic violence” as a person who has been abused or subjected to extreme cruelty by:

- physical acts that resulted in, or were threatened to result in, physical injury;
- sexual abuse or being forced to participate in nonconsensual sexual acts or activities;
- sexual activity involving a child in the home;
- threats of or attempts at physical or sexual abuse;
- mental abuse; or
- neglect or deprivation of medical care.

By law, a DV victim’s allegations may be enough to establish domestic violence where DSS has no independent, reasonable basis to find the applicant or recipient not credible. A victim may be required to provide a sworn statement or to submit to the department any available evidence including: (1) police, government agency, or court records; (2) documentation from a shelter worker, legal, medical, clerical, or other professional from whom the applicant or recipient has sought assistance in dealing with domestic violence; or (3) a statement from someone with knowledge of the circumstances that provide the basis for the claim (CGS § 17b-112a).

Related Bill

sSB 1091, as amended by Senate “A” and passed by the Senate, has identical provisions (§§ 13 & 14).

COMMITTEE ACTION

Human Services Committee

Joint Favorable Substitute

Yea 19 Nay 0 (03/18/2021)