

## 1 SENATE BILL NO. 356

2 INTRODUCED BY J. GROSS

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4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE MONTANA PARENTS AS  
 5 SCHOLARS PROGRAM; PROVIDING ELIGIBILITY FOR STUDENTS IN GRADUATE AND PROFESSIONAL  
 6 DEGREE PROGRAMS; AMENDING SECTIONS 53-4-201 AND 53-4-209, MCA; AND PROVIDING AN  
 7 IMMEDIATE EFFECTIVE DATE."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 53-4-201, MCA, is amended to read:12 **"53-4-201. Definitions.** As used in part 6 and this part, the following definitions apply:

13 (1) "Approved educational program" means:

14 (a) a program in a unit of the Montana university system, as provided in 20-25-201, a community  
 15 college, a tribal college, or any other accredited college in Montana in which an individual is enrolled in pursuit  
 16 of an associate's ~~or degree,~~ baccalaureate degree, graduate degree, or professional degree; or

17 (b) an accredited high school or training program approved by the department by rule.

18 (2) "Assessment" means the process of evaluating a recipient's skills, education, job readiness, and  
 19 barriers to employment. The term may include further in-depth examination to identify and access services and  
 20 resources to assist the recipient in eliminating barriers to employment if barriers are identified during the initial  
 21 assessment.

22 (3) "Cash assistance" means the programs designed to provide families with monthly cash grants and  
 23 opportunities leading to self-support and funded, in part, with temporary assistance for needy families block  
 24 grant funds as provided in 45 CFR 260.31(a).

25 (4) "Department" means the department of public health and human services provided for in 2-15-  
 26 2201.

27 (5) (a) "Dependent child", for public assistance purposes, means:

28 (i) a child under 18 years of age; or

1 (ii) a person under 19 years of age who is a student, as defined by the department by rule.

2 (b) The person described in subsection (5)(a)(i) or (5)(a)(ii) must be living with a specified caretaker  
3 relative, as defined by the department by rule.

4 (6) "Family" means a group of people who live with a dependent child, each of whom is related to the  
5 dependent child by blood, marriage, or adoption or by law, such as:

6 (a) a parent, including a natural or adoptive parent, a stepparent, or a person considered by law to be  
7 a parent in the case of a child conceived by artificial insemination; or

8 (b) a sibling.

9 (7) "Federal poverty level" means the measure of indigence established annually by the U.S. office of  
10 management and budget.

11 (8) "Individual responsibility plan" means a plan developed pursuant to 42 U.S.C. 608(b) that outlines  
12 the employment goals and service needs of a person receiving cash assistance or nonfinancial assistance and  
13 required to participate in employment and training activities.

14 (9) "Nonfinancial assistance" means the programs funded, in part, with temporary assistance for  
15 needy families, as provided in 45 CFR 260.31(b).

16 (10) "Public assistance" or "assistance" means a type of monetary or other assistance furnished under  
17 this title to a person by a state or county agency, regardless of the original source of the assistance.

18 (11) "Specified caretaker relative" means a person within a degree of kinship to the dependent child,  
19 as specified by department rule, who lives with the child and exercises care and control over the child.

20 (12) "State plan" means the policies and procedures governing the programs funded by temporary  
21 assistance for needy families as prepared by the department and certified by the federal agency that provides  
22 funding for the programs.

23 (13) "Temporary assistance for needy families" means the federal block grant established pursuant to  
24 42 U.S.C. 601, et seq."

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26 **Section 2.** Section 53-4-209, MCA, is amended to read:

27 **"53-4-209. Montana parents as scholars program -- department duties.** (1) There is a Montana  
28 parents as scholars program administered by the department.

1 (2) The department shall:

2 (a) use state maintenance of effort funds or temporary assistance for needy families funds in a  
3 program to provide assistance to eligible households for the purpose of continuation of education leading  
4 toward a high school diploma, a high school equivalency diploma, vocational training, an associate's degree, or  
5 a baccalaureate degree, a graduate degree, or a professional degree;

6 (b) allow an individual receiving temporary assistance for needy families to attend an approved  
7 educational program if the individual:

8 (i) meets the income and resource eligibility requirements for temporary assistance for needy families;  
9 and

10 (ii) qualifies as a full-time student pursuant to subsection (4); and

11 (c) limit approved educational programs to educational courses that are intended to promote  
12 economic self-sufficiency, ~~not to exceed the baccalaureate level.~~

13 (d) A participant who meets the income and resource eligibility requirements pursuant to subsection  
14 (2)(b)(i) but who is not currently receiving assistance is eligible for child-care assistance under this section  
15 REGARDLESS OF WHETHER THE PARTICIPANT IS CURRENTLY RECEIVING TEMPORARY ASSISTANCE FOR NEEDY FAMILIES.

16 (3) The participants may apply for and may be eligible for child-care assistance provided by the  
17 department to be paid from the temporary assistance for needy families block grant funds that are transferred to  
18 discretionary funding for child care.

19 (4) A program must require a participant to be a full-time student, which means that a participant:

20 (a) (i) shall maintain enrollment in at least 12 credit hours each semester or 30 credit hours a year; or

21 ~~(b)(i)~~ (ii) must be a full-time high school student, student studying for a high school equivalency diploma,  
22 or vocational training student as defined by the institution in which the participant is enrolled; and

23 ~~(c)(b)~~ shall maintain a 2.0 grade point average on a 4.0 grade point scale or be making satisfactory  
24 progress as defined by the institution in which the participant is enrolled; ~~and~~

25 ~~(d)~~ may not be allowed to remain in the program after receiving a baccalaureate degree.

26 (5) (a) There may be no more than 25 participants in the program at any one time. THE DEPARTMENT  
27 SHALL PRIORITIZE PARTICIPANTS SEEKING A HIGH SCHOOL DIPLOMA, A HIGH SCHOOL EQUIVALENCY DIPLOMA,  
28 VOCATIONAL TRAINING, AN ASSOCIATE'S DEGREE, OR A BACCALAUREATE DEGREE BEFORE SELECTING PARTICIPANTS

1 SEEKING A GRADUATE OR PROFESSIONAL DEGREE.

2 (b) Temporary assistance for needy families participants within the 12-month period allowed by  
3 federal law do not count in the total number of participants in the parents as scholars program. However, the  
4 parents as scholars program may be used to extend a participant's education beyond the 12-month federal  
5 period.

6 (6) The department shall provide annual reports to the legislative finance committee and the children,  
7 families, health, and human services interim committee."

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9 NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval.

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