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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(20)

TO: Honorable Chairman Jean Monestime and Members, Board of County Commissioners

DATE: January 20, 2016

FROM: Abigail Price-Williams County Attorney

SUBJECT: Resolution opposing SB 750, and HB 563, or similar legislation that would, among other things, change how temporary cash assistance benefits are calculated for families that include an undocumented immigrant by counting the entire salary - rather than just a part of it - of a low-income undocumented immigrant against his or her family's benefits

Resolution No. R-69-16

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava.

Abigail Price-Williams
County Attorney

APW/jls

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: January 20, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(20)

Please note any items checked.

_____ "3-Day Rule" for committees applicable if raised

_____ 6 weeks required between first reading and public hearing

_____ 4 weeks notification to municipal officials required prior to public hearing

_____ Decreases revenues or increases expenditures without balancing budget

_____ Budget required

_____ Statement of fiscal impact required

_____ Statement of social equity required

✓ Ordinance creating a new board requires detailed County Mayor's report for public hearing

_____ No committee review

_____ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve

_____ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(20)
1-20-16

RESOLUTION NO. R-69-16

RESOLUTION OPPOSING SB 750 AND HB 563, OR SIMILAR LEGISLATION THAT WOULD, AMONG OTHER THINGS, CHANGE HOW TEMPORARY CASH ASSISTANCE BENEFITS ARE CALCULATED FOR FAMILIES THAT INCLUDE AN UNDOCUMENTED IMMIGRANT BY COUNTING THE ENTIRE SALARY - RATHER THAN JUST A PART OF IT - OF A LOW-INCOME UNDOCUMENTED IMMIGRANT AGAINST HIS OR HER FAMILY'S BENEFITS

WHEREAS, Senate Bill 750 ("SB 750") and House Bill 563 ("HB 563") have been filed for consideration during the Florida Legislature's 2016 session by Senator Travis Hutson (R – Palm Coast) and Representative Matt Gaetz (R – Shalimar), respectively; and

WHEREAS, SB 750 and HB 563 would, among other things, change the manner in which temporary cash assistance benefits are calculated for families that include an undocumented immigrant; and

WHEREAS, under current law, only a pro rata share of an undocumented immigrant's income is included in determining his or her family's eligibility for the program and the amount of benefits that the family can receive; and

WHEREAS, SB 750 and HB 563 would, if enacted, count an undocumented immigrant's entire salary - rather than just a part of it - against his or her family's benefits; and

WHEREAS, eligibility for state cash assistance programs is capped at 185 percent of the federal poverty level, or $37,166 for a family of three; and

WHEREAS, by boosting the portion of wages counted by the state, it is more likely that a family with an undocumented immigrant would not be eligible for temporary cash assistance; and

WHEREAS, as a consequence, families that include an undocumented immigrant may become ineligible for benefits or may receive less benefits than they otherwise would under existing law; and

WHEREAS, in addition, SB 750 and HB 563 would, if enacted, make other changes to the temporary cash assistance program that could negatively impact the families who most need such benefits; and

WHEREAS, for example, the proposed bills would reduce the limitation on lifetime cumulative total temporary cash assistance benefits from 48 months to 30 months; and

WHEREAS, in addition, the proposed bills would require individuals seeking temporary cash assistance to show a local workforce board three job applications to be eligible for temporary cash assistance benefits, when no such requirement currently exists; and

WHEREAS, the above-mentioned proposed changes in the law could lead to a decrease in temporary cash assistance benefits available to Florida's low-income residents; and

WHEREAS, accordingly, this Board wishes to express its opposition to these bills,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Opposes SB 750 and HB 563, or similar legislation that would, among other things, change how temporary cash assistance benefits are calculated for families that include an undocumented immigrant by counting the entire salary - rather than just a part of it - of a low-income undocumented immigrant against his or her family's benefits.

Section 2. Directs the Clerk of the Board to transmit certified copies of this resolution to the Governor, Senate President, House Speaker, Senator Travis Hutson, Representative Matt Gaetz, and the Chair and Members of the Miami-Dade State Legislative Delegation.

Section 3. Directs the County's state lobbyists to oppose the legislation described in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2016 state legislative package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Daniella Levine Cava. It was offered by Commissioner **Daniella Levine Cava**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman **aye**
Esteban L. Bovo, Jr., Vice Chairman **nay**

Bruno A. Barreiro	**aye**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Dennis C. Moss	**aye**	Rebeca Sosa	**nay**
Sen. Javier D. Souto	**absent**	Xavier L. Suarez	**aye**
Juan C. Zapata	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of January, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

James Eddie Kirtley