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# A BILL FOR AN ACT

RELATING TO PUBLIC ASSISTANCE.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Chapter 346, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§346-       Temporary assistance for needy families and  
5 temporary assistance for other needy families; definition; legal  
6 guardians and their minor wards eligible for assistance. (a)

7 For the purposes of this section:

8           "Caretaker" means a person, regardless of blood, hanai, or  
9 marital relation, or lack thereof, who assumes the  
10 responsibility for the daily care of an eligible minor who lives  
11 in a primary residence maintained in a family setting by the  
12 person as the minor's own home.

13           "Guardian" means a person who has qualified as a guardian  
14 of a minor pursuant to appointment by the court under the  
15 guardianship statute. The term does not include a guardian ad  
16 litem or a limited, emergency, or temporary substitute guardian.

17           "Ward" means a minor for whom a guardian has been  
18 appointed.



1        (b) Regardless of blood, hanai, or marital relation, or  
2 lack thereof, the guardian of a ward shall be categorically  
3 eligible for assistance from the temporary assistance for other  
4 needy families program;  
5 provided that:

6        (1) The eligible ward is living in a primary residence  
7 maintained by the legal guardian in a family setting  
8 as the ward's own home;

9        (2) The legal guardian has assumed the responsibility for  
10 the daily care of the needy ward, regardless of  
11 whether the ward or the legal guardian is temporarily  
12 absent from the home; and

13        (3) The legal guardian and the guardian's ward meet the  
14 financial, residential, procedural, and other  
15 requirements set by the department of human services.

16        (c) Regardless of blood, hanai, or marital relation, or  
17 lack thereof, the caretaker of an eligible minor shall be  
18 categorically eligible for assistance from the temporary  
19 assistance for needy families program and the temporary  
20 assistance for other needy families program;  
21 provided that:



- 1        (1) The eligible minor is living in a primary residence
- 2                    maintained by the caretaker in a family setting as the
- 3                    minor's own home;
- 4        (2) The caretaker has assumed the responsibility for the
- 5                    daily care of the needy minor, regardless of whether
- 6                    the minor or the caretaker is temporarily absent from
- 7                    the home; and
- 8        (3) The caretaker and the eligible minor meet the
- 9                    financial, residential, procedural, and other
- 10                   requirements set by the department of human services."

11        SECTION 2. New statutory material is underscored.

12        SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:   
JAN 23 2008

**Report Title:**

TANF & TAONF; Legal Guardians; Eligibility

**Description:**

Makes the guardian or caretaker of an eligible ward or minor, respectively, eligible for assistance as follows: a caretaker may receive assistance from the temporary assistance for needy families and temporary assistance for other needy families programs; and a guardian may receive assistance only from the temporary assistance for other needy families program.

