

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

House Bill 2215

By Delegate Steele

[Introduced February 12, 2025; referred to the

Committee on the Judiciary]

1 A BILL to amend and reenact §9-8-4 of the Code of West Virginia, 1931, as amended, relating to
2 conditions for eligibility for certain applicants for public assistance that are non-custodial
3 parents and custodial parents; and authorizing rulemaking.

Be it enacted by the Legislature of West Virginia:

ARTICLE 8. ELIGIBILITY AND FRAUD REQUIREMENTS FOR PUBLIC ASSISTANCE.

§9-8-4. Eligibility verification.

1 (a) All applications for benefits ~~must~~ shall be processed through a system as set forth in
2 this article. Complete applications, including the interview, shall be processed within 10 days of
3 receipt or the maximum period required by federal law. Prior to determining eligibility, the
4 department shall access information for every applicant from federal, state, and other sources:
5 *Provided*, That such access does not violate any federal law.

1 (b) The department shall require individuals who are non-custodial parents to cooperate
2 with child support enforcement as a condition of eligibility, pursuant to 7 C.F.R. §273.11(p), and
3 shall promulgate rules, consistent with this requirement, for legislative approval in accordance with
4 §29A-3-1 et seq..

5 (c) The department shall disqualify individuals who are non-custodial parents during any
6 month in which the individual is delinquent in any payment due under a court order for the support
7 of a child pursuant to 7 CFR 273.11(q).

8 (d) The department shall request individuals who are custodial parents to cooperate with
9 child support enforcement in establishing paternity as a condition of eligibility, pursuant to 7 C.F.R.
10 §273.11(o), and shall promulgate rules, consistent with this requirement, for legislative approval in
11 accordance with §29A-3-1 et seq.: Provided, That the custodial parent may not be required to
12 conduct any investigative activities pertaining to the non-custodial parent.

13 (e) The department shall promulgate rules to implement this section.

14 (f) This section shall be effective January 1, 2025, or in coordination with the department's
15 transition to the new enhanced eligibility verification system, whichever is earlier.

NOTE: The purpose of this bill is to require non-custodial parents to cooperate with child support enforcement as a condition of eligibility for public assistance, as well as custodial parents to cooperate with child support enforcement in establishing paternity as a condition of eligibility for public assistance,

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.