

By Mr. White, petition (accompanied by bill, Senate, No. 606) of W. Paul White, William R. Keating, David P. Magnani, Michael J. Barrett and Frederick E. Berry for legislation to preserve family integrity and reduce foster care placements. Human Services and Elderly Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Three.

AN ACT TO PRESERVE FAMILY INTEGRITY AND REDUCE FOSTER CARE PLACEMENTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 2 of Chapter 18B of the General Laws is hereby
2 amended by adding the following section: —
3 (A) (17) housing assistance in the form of a rent subsidy. Rent
4 subsidies shall be paid to or on behalf of any family for whom
5 lack of adequate housing is a primary factor in preventing the
6 discharge of a child or children from foster care and to any family
7 subject to protective intervention under section 23, section 24 or
8 section 51B of chapter one hundred nineteen for whom provision
9 of housing assistance would prevent the necessity of placing a child
10 or children in foster care. Rent subsidies shall be provided, to the
11 extent available, in the form of housing certificate assistance
12 allocated to the executive office of communities and development
13 under Section 8 of the United States Housing Act of 1937, 42
14 U.S.C. 1437f(x). If Section 8 housing assistance certificates are
15 not available, the department shall provide a monthly rent
16 subsidy, the amount of which shall be determined by the
17 department, and may vary by family size and by region within
18 the Commonwealth; provided, that the amount of the rent subsidy
19 shall be sufficient to enable the family to pay no more than fifty
20 percent of its regular income for shelter costs, and shall not exceed
21 five hundred dollars per month. Any subsidy other than Section 8
22 housing assistance certificates shall be paid for a period not to

23 exceed two years. The amounts paid as housing assistance shall
24 be disregarded in determining countable income under all state
25 and federal programs. Any subsidy other than Section 8 housing
26 certificate assistance shall be disregarded in determining income,
27 eligibility and preference status for public or subsidized housing
28 under all federal and state-funded housing programs and a family
29 receiving such subsidies shall be considered to be in temporary
30 shelter, and shall not be considered to be in standard, replacement
31 housing. Notwithstanding any other law to the contrary,
32 recipients of subsidies other than Section 8 housing certificates
33 assistance shall receive first preference for all federal and state-
34 funded housing programs for families of low income, including
35 any federally-funded programs to avoid unnecessary foster care
36 placement, if they are otherwise eligible for such programs. The
37 department shall determine eligibility for rent subsidies under this
38 section and shall administer all aspects of the program except
39 issuance of Section 8 housing certificates.