

(2) THE AMOUNT OF ASSISTANCE TO BE PAID UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE COMPUTED WITH REGARD TO THE INCOME OF THE STEPPARENT IF THE TOTAL INCOME OF THE STEPPARENT EQUALS OR EXCEEDS 50% OF THE OFFICIAL POVERTY LEVEL, ADJUSTED FOR FAMILY SIZE, ESTABLISHED UNDER THE FEDERAL COMMUNITY SERVICES BLOCK GRANT ACT.

(E) DEPENDENT CHILD OVER 17 YEARS OF AGE WHO IS FULL-TIME STUDENT.

A DEPENDENT CHILD OVER THE AGE OF 17 YEARS IS ELIGIBLE FOR INCLUSION IN THE FIP GRANT IF:

(1) THE CHILD IS A FULL-TIME STUDENT IN SECONDARY SCHOOL OR THE EQUIVALENT; AND

(2) THE EDUCATION PROGRAM IS EXPECTED TO BE COMPLETED IN THE CALENDAR YEAR THAT THE CHILD ATTAINS THE AGE OF 19 YEARS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 88A, § 49(d), (e), (f), (g), and (h).

In subsection (a)(1) of this section, the defined term "FIP" is substituted for the former reference to "Family Investment Program" for consistency throughout this subtitle.

In subsection (a)(2) of this section, the former reference to a "Family Investment Program" recipient is deleted as surplusage in light of the definition of "recipient" in § 5-301.

In subsections (b), (c), and (d)(1), and the introductory language of subsection (e) of this section, the former requirements that the Secretary "revise the schedule of FIP assistance" and "revise the rules of eligibility" are deleted as obsolete.

In the introductory language of subsection (d)(1) and in subsection (d)(1)(ii) of this section, the former references to a "natural" parent are deleted as archaic and misleading. The Human Services Article Review Committee notes, for consideration by the General Assembly, that distinguishing between children living with "natural" and adoptive parents may violate the Equal Protection clause of the 14th Amendment of the U.S. Constitution.

Defined terms: "FIP" § 5-301

"Recipient" § 5-301

"Secretary" § 5-101

5-311. PERIODIC RECERTIFICATION; CANCELLATION, SUSPENSION, OR REVOCATION.

(A) PERIODIC RECERTIFICATION.

ALL ASSISTANCE GRANTED UNDER THIS SUBTITLE IS SUBJECT TO PERIODIC RECERTIFICATION.

(B) CANCELLATION, SUSPENSION, OR REVOCATION OF ASSISTANCE.