

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 88A, §§ 69 and 70.

In subsection (a)(1) and the introductory language of subsection (b) of this section, and throughout this subtitle, the references to the "local department" are substituted for the former references to the "local unit" in light of the definition of "local department" in § 5-101 of this title and for consistency within this subtitle.

In the introductory language of subsection (b) of this section, the former word "promptly" is deleted as surplusage.

Defined terms: "Administration" § 5-101

"Applicant" § 5-401

"Assistance" § 5-401

"County" § 1-101

"Local department" § 5-101

5-405. AMOUNT OF ASSISTANCE.

(A) DETERMINATION OF AMOUNT.

(1) THE LOCAL DEPARTMENT SHALL DETERMINE AN AMOUNT OF ASSISTANCE THAT IS SUFFICIENT, WHEN ADDED TO ALL OTHER INCOME AND SUPPORT AVAILABLE TO A RECIPIENT, TO PROVIDE THE RECIPIENT WITH A REASONABLE SUBSISTENCE COMPATIBLE WITH DECENCY AND HEALTH.

(2) IN DETERMINING THE AMOUNT OF ASSISTANCE, THE LOCAL DEPARTMENT SHALL CONSIDER THE RECIPIENT'S AVAILABLE RESOURCES AND NECESSARY EXPENDITURES AND THE CONDITIONS EXISTING FOR THE RECIPIENT.

(B) SUPPORT FROM CHILDREN.

IN DETERMINING THE AMOUNT OF ASSISTANCE, THE LOCAL DEPARTMENT SHALL CONSIDER SUPPORT FROM CHILDREN AS A POTENTIAL RESOURCE AND EVALUATE THE AMOUNT OF THE SUPPORT AND ITS AVAILABILITY TO THE RECIPIENT, IN ACCORDANCE WITH REGULATIONS THAT THE ADMINISTRATION ADOPTS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 88A, § 65(d) and the second paragraph of § 66.

In subsections (a)(2) and (b) of this section, the references to the local department "determining the amount of assistance" are added for clarity.

In subsection (b) of this section, the former reference to a "rule" is deleted in light of the reference to "regulations". See General Revisor's Note to article.

Defined terms: "Administration" § 5-101

"Assistance" § 5-401

"Local department" § 5-101

"Recipient" § 5-401