Summary

Any child for whom welfare eligibility is sought may be in the custody of the mother, the father, or both jointly. The current welfare system fails to determine whether the parent receiving welfare coverage actually has custody of the child. If one parent presents a child for welfare eligibility while the other parent (or the parents jointly) actually have legal custody of the child, a fraud has been committed.

Model Legislation

Section 1. Title: This act may be cited as the Proof of Custody Act.

Section 2. Purpose Section. To eliminate cases of welfare fraud based on a non-custodial parent seeking assistance for a child which is not legally their own.

Section 3. Main Provision. No funds shall be available under this Act for payment to a parent on behalf of a child unless the parent seeking eligibility has sole custody of the child or, in cases of joint custody, the parents apply jointly for benefits.

Section 4. {Severability Clause}

Section 5. {Repealer Clause}

Section 6. {Effective Date}

Related Files

Proof of Custody Act (Adobe PDF File)