

**SUBJECT:** Proof of custody for state assistance to children

**COMMITTEE:** Human Services — favorable, without amendment

**VOTE:** 9 ayes — Hilderbran, Naishtat, Chavez, Christian, Davila, Krusee, Maxey, McReynolds, Wohlgemuth

0 nays

**WITNESSES:** For — None

Against — None

On — Judy Denton, Texas Department of Human Services; Patrick Bresette

**BACKGROUND :** By law, applicants for public assistance are required to provide the Department of Human Services (DHS) with certain information, including citizenship and residency status and proof that children have been immunized. As a matter of policy, DHS requires that applicants prove through school records or statements from relatives with no vested interest that they are the custodial parents or caretakers of the children for whom they will receive assistance.

**DIGEST:** HB 2678 would require applicants for public assistance to provide proof that they are the custodial parents or adult caretakers of the children for whom they will receive assistance. DHS would have to implement rules to prescribe the types of information constituting sufficient proof.

The bill would take effect on September 1, 1997, and would apply to an application for assistance filed on or after the effective date.

**SUPPORTERS SAY:** HB 2678 would help eliminate fraud in the welfare system and prevent persons who do not have actual custody of and financial responsibility for children from receiving public assistance benefits. This bill would help ensure that the money follows and benefits the child. There have been instances where a grandmother is actually raising and caring for the child while the parent who is living elsewhere is receiving the money intended for

HB 2678  
House Research Organization  
page 2

the child's benefit. Although DHS already requires proof of custody, HB 2678 would codify current practice for the future.

OPPONENTS  
SAY:

No apparent opposition.