

- SUBJECT:** Extending food stamp benefits to certain legal immigrants
- COMMITTEE:** Human Services — committee substitute recommended
- VOTE:** 5 ayes — Naishtat, Chavez, Noriega, Raymond
- 2 nays — J. Davis, Wohlgemuth
- 2 absent — Ehrhardt, Telford
- WITNESSES:** For — Adriana Cadena, Texas Immigrant and Refugee Coalition; Felicia Escobar, National Council of La Raza; Celia Hagert, Center for Public Policy Priorities; *Registered but did not testify:* Jennifer Corrigan, Texas Council on Family Violence; Charlotte Flynn, Gray Panthers; Linda Rushing, Texas Catholic Conference
- Against — None
- On — Judy Denton, Texas Department of Human Services
- BACKGROUND:** The federal Personal Responsibility and Work Opportunity Act of 1996, designed to create a program of time-limited welfare benefits in exchange for work, changed provisions for cash and nutritional assistance and child support. It excludes most legal immigrants from food stamp benefits unless they have contributed at least 40 quarters of Social Security earnings, are veterans or serving in the military, are refugees, or are over 65 or disabled.
- The Texas Department of Human Services (DHS) has a State Immigrant Food Assistance Program (SIFAP) for people who have lost their food stamp coverage from the change in federal law. Only current clients are eligible for assistance in this program, which is funded by state appropriations.
- DIGEST:** CSHB 1218 would direct DHS to adopt rules that would make a legal immigrant eligible for food stamps if he or she:

- ! is under 18 and entered the United States after August 22, 1996;
- ! is 60 or older and either was a lawful resident on August 22, 1996, or entered the United States after that date; or
- ! is disabled and entered the country after that date.

The income, resource, and other eligibility criteria for food stamps also would apply. People who would qualify but were receiving nutritional assistance through an existing DHS program would not be eligible for food stamps under this new program, which would not be intended to replace an existing program.

CSHB 1218 would take effect September 1, 2001.

**SUPPORTERS
SAY:**

CSHB 1218 would create a safety net for the most vulnerable legal aliens. Because of the income and resource eligibility guidelines, these food stamp benefits would help only the most needy legal immigrants, who also are the most vulnerable: children and elderly and disabled people. These groups comprise a few thousand people for whom nutritional assistance would mean the difference between eating or not.

This bill would codify into the Human Resources Code a current DHS program that was created by rule. It also would extend benefits to people 60 and older and to children under 18. Most legal immigrants in Texas over age 60 have worked and paid taxes here.

**OPPONENTS
SAY:**

CSHB 1218 would use state funds for a temporary solution, rather than using those funds to draw down federal funds. If these people were citizens, they would be eligible for food stamps paid with federal funds. The state should help these individuals become citizens.

This bill should not drop the age for elderly recipients from 65 to 60. Most programs designed for the elderly begin at age 65 because that is the age of retirement and marks a time when people may begin to be less able to earn income.

**OTHER
OPPONENTS
SAY:**

The state should wait for possible changes in federal regulations that could provide relief to these legal immigrants. There is reason to believe that the federal government may make similar changes that would make these people

eligible for federal food stamps during the coming biennium. This bill should direct DHS to take advantage of those changes if they occur.

NOTES:

The bill's fiscal note estimates that it would cost \$27.5 million in general revenue-related funds in fiscal 2002-03. The House included a contingency rider for this bill in Article 11 of its version of SB 1 by Ellis, the general appropriations bill for fiscal 2002-03.

HB 1218 as filed would have created a new state immigrant food assistance program, while the committee substitute would base eligibility for a food assistance program on the food stamp criteria.