

SUBJECT: Allowing a pilot program for SNAP incentives for fruits and vegetables

COMMITTEE: Human Services — favorable, without amendment

VOTE: 8 ayes — Frank, Hinojosa, Clardy, Deshotel, Klick, Meza, Miller, Noble

0 nays

1 absent — Rose

SENATE VOTE: On final passage, April 25 — 26-4 (Bettencourt, Campbell, Hughes, Schwertner)

WITNESSES: *On House companion bill, HB 3541:*

For — Randy Lee, Anume Foundation; Alex Canepa, Sustainable Food Center; Ryan Lowery, Texas Pediatric Society (*Registered but did not testify*: Shelby Massey, American Heart Association; Mandi Kimball, Children at Risk; Christina Wright, City of San Antonio; Tim Schauer, Community Health Choice; Marilyn Hartman, National Alliance on Mental Illness-Austin; Greg Hansch and Alissa Sughrue, National Alliance on Mental Illness-Texas; Christine Yanas, Methodist Healthcare Ministries of South Texas, Inc.; David Feigen, Texans Care for Children; Michelle Romero, Texas Medical Association; Nataly Saucedo, United Ways of Texas; William Yarnell, YMCA Texas Alliance)

Against — None

On — (*Registered, but did not testify*: Todd Byrnes, Health and Human Services Commission)

DIGEST: SB 1834 would authorize the Health and Human Services Commission (HHSC) to create a pilot program to incentivize the purchase of Texas-grown fruits and vegetables under the supplemental nutrition assistance program (SNAP) and would require a study on existing programs that incentivized purchase of Texas-grown fruits or vegetables under SNAP.

"Eligible fruits and vegetables" would be defined as any variety of fresh, canned, dried, or frozen fruits or vegetables that were produced or harvested in Texas and had no added sugars, fats, oils or salt.

**Work group.** HHSC would have to establish a work group to assist with the study and provide input for the establishment of the pilot program created under the bill. The work group would be composed of relevant stakeholders from rural and urban areas throughout Texas who had expertise in providing SNAP incentives. At least one member of the work group would have to have direct marketing representative experience in operating a comparable program.

The work group would not be subject to laws governing state agency advisory committees. The executive commissioner of HHSC would have to appoint one member as providing officer. Work group members could not receive compensation for serving on the work group and could not be reimbursed for travel or other expenses incurred while conducting the business of the work group.

**Pilot program.** The bill would allow HHSC to establish a pilot program in one or more geographic areas of the state through which SNAP recipients could receive an incentive when purchasing eligible fruits or vegetables from a retailer that could be used toward a subsequent purchase of eligible fruits and vegetables. Retailers could publicize the incentive to SNAP recipients.

If the pilot program were established, HHSC could contract with entities with appropriate experience and expertise in administering programs comparable to the pilot program.

HHSC could solicit and accept gifts, grants, and donations from any source to establish and administer the pilot program or any other duty established by the bill.

If the pilot program were established, HHSC, with the assistance of the work group, would have to:

- develop any necessary applications for the executive commissioner of HHSC to submit to obtain a federal waiver to operate the pilot program; and
- apply for any available federal money to operate the program, including federal nutrition incentives.

HHSC could delay the operation of the pilot program, as applicable, until HHSC received federal money or money was appropriated or donated to operate the program.

**Study.** HHSC, in consultation with the work group, would have to conduct a study on programs in Texas that provided incentives for the purchase of eligible fruits and vegetables under SNAP. The study would have to include:

- an inventory of existing programs, including details on how the programs were funded;
- recommendations on increasing the number and availability of such programs;
- an analysis of strategies to encourage the purchase of eligible fruits or vegetables using SNAP;
- an analysis of the potential impact of such programs; and
- an analysis of federal programs and money available to encourage the purchase of eligible fruits or vegetables using SNAP, including the Food Insecurity Nutrition Incentive (FINI) Grant Program operated by the U.S. Department of Agriculture.

HHSC could solicit and accept gifts, grants, and donations from any source to conduct the study.

By December 1, 2020, HHSC would have to prepare and submit a written report summarizing the study's findings and recommending legislative or other action to the governor, lieutenant governor, House speaker, and each legislative committee with primary jurisdiction for health and human services. Provisions regarding the study would expire September 1, 2020.

**Implementation.** If before implementing any provision of the bill a state agency determined that a waiver or authorization from a federal agency was necessary, the agency affected by the provision would have to request the waiver or authorization and could delay implementing that provision until the waiver or authorization was granted.

The executive commissioner of HHSC would be required to adopt rules as necessary to implement the bill's provisions as soon as practicable after the bill's effective date.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.