

BILL ANALYSIS

Senate Research Center
76R6067 KKA-D

C.S.S.B. 51
By: Nelson
Health Services
3/24/1999
Committee Report (Substituted)

DIGEST

Currently, other states are requiring mandatory drug testing for drug offenders to be eligible to receive welfare benefits. Increased focus on moving families from welfare to work, time limits on the receipt of benefits, and the requirement to meet federal work participation rates has increased the emphasis by other states on early identification and removal of potential barriers to employment. C.S.S.B. 51 would prohibit persons convicted of certain drug-related offenses from receiving Temporary Assistance for Needy Families Benefits.

PURPOSE

As proposed, C.S.S.B. 51 prohibits persons convicted of certain drug-related offenses from receiving Temporary Assistance for Needy Families benefits.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 31A, Human Resources Code, by adding Section 31.0038, as follows:

Sec. 31.0038. INELIGIBILITY RESULTING FROM DRUG-RELATED FELONY CONVICTIONS. Provides that a person is ineligible for financial assistance if the person is convicted, for conduct occurring after August 22, 1996, of an offense under federal law or the law of this state or any other state that at the time of the conviction is a felony and has as an element the possession, use, or distribution of a controlled substance. Requires the Department of Human Services to require an applicant for financial assistance to indicate in writing whether the applicant or any member of the applicant's household has been convicted of an offense described by Subsection (a). Provides that this section does not affect the eligibility of certain persons.

SECTION 2. Requires a state agency to request the waiver and may delay implementing the provision until the waiver is granted, if the agency determines the waiver from a federal agency is necessary.

SECTION 3. Effective date September 1, 1999.
Makes application of this Act prospective.

SECTION 4. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Replaces Section 31.0038, Human Resources Code, with a new section relating to ineligibility resulting from drug-related felony convictions. Deletes proposed section regarding drug-related convictions and testing.

SECTION 3.

Amends SECTION 3 by deleting text regarding a person who initially applies for and id the

recipient of financial assistance.