

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 1004
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Health & Human Services
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Committee Report (Substituted)

DIGEST AND PURPOSE

In 1995, the 74th Legislature initiated welfare reform in Texas. When the federal Personal Responsibility and Work Opportunity Reconciliation Act passed in 1996, the state was allowed to take advantage of a waiver option authorizing a delay in implementing some of the new federal provisions. The waiver expires in March of 2002, and federal regulations do not allow Temporary Assistance for Needy Families (TANF) clients who pursue post-secondary education for more than 12 months to be counted in the data collected by a state in determining its work participation rates. However, the state is not prohibited from continuing to serve clients engaged in continuing education past this 12-month limit as long as the state continues to meet federal work participation rates without counting these students. C.S.H.B. 1004 codifies the work activities that currently count as participation under Texas Workforce Commission (TWC) rules with three additions and requires TWC to permit TANF clients under 20 years of age to attend full-time educational activities for an unlimited period of time.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Workforce Commission in SECTION 1 (Section 301.0675, Labor Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 301D, Labor Code, by adding Section 301.0675, as follows:

Sec. 301.0675. WORK OR EMPLOYMENT ACTIVITIES FOR RECIPIENTS OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES. (a) Requires the Texas Workforce Commission (commission) by rule to determine the work or employment activities in which a person must participate to comply with Section 31.012 (Mandatory Work or Participation in Employment Activities Through the Job Opportunities and Basic Skills Program), Human Resources Code.

(b) Requires that in adopting rules under this section, the commission provide for a broad array of permissible work or employment activities designed to perform certain duties.

(c) Requires the rules to provide for at least certain specific permissible work or employment activities within federal limits.

(d) Requires the commission to permit a person younger than 20 years of age to comply with Section 31.012, Human Resources Code, through participating solely in full-time educational activities authorized by Subsection (c)(7) for an unlimited amount of time.

(e) Requires the commission, the Texas Department of Human Services, and the local workforce development boards to perform agency and board duties related to requiring compliance with the work or employment activities requirements imposed by Section

31.012, Human Resources Code, in the least intrusive manner possible.

SECTION 2. Requires a state agency affected by a provision of this Act to request a waiver or authorization and authorizes the agency to delay implementing that provision until the waiver or authorization is granted, if the agency determines before implementing any provision of this Act that a waiver or authorization from a federal agency is necessary.

SECTION 3. Effective date: upon passage or September 1, 2001.

Makes application of this Act prospective.