

BILL ANALYSIS

Senate Research Center

H.B. 1959
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Health & Human Services
5/11/2001
Engrossed

DIGEST AND PURPOSE

Current federal law makes certain legal immigrants ineligible for food stamps but allows states flexibility in determining how to count their income when determining the benefit levels of members of the same household who are eligible for food stamps. In 1998, there were more than 65,000 households in Texas that included both members eligible for food stamps and ineligible legal immigrants. Because of the way the Department of Human Services (DHS) counts the income of ineligible legal immigrants when determining the household's resources thousands of eligible members of these households have had their food stamp benefits reduced or taken away, including 145,000 children in Texas. H.B. 1959 requires DHS to exclude the income of legal immigrants who are ineligible for food stamps, to the extent allowed by federal law, when determining food stamp benefits for members of the same household who are eligible for food stamps.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 33, Human Resources Code, by adding Section 33.0126, as follows:

Sec. 33.0126. EXCLUSION OF PORTION OF INCOME OF CERTAIN HOUSEHOLD MEMBERS. Requires the Department of Human Services, to the maximum extent allowed by federal law under 7 C.F.R. Section 273.11, as amended, to exclude the income of a person who is ineligible because of 8 U.S.C. Section 1612, as amended, to participate in the food stamp program in determining the eligibility for food stamps of another person who is a member of the household in which the ineligible person is a member and the food stamp allotment for the eligible person.

SECTION 2. Effective date: September 1, 2001.
Makes application of this Act prospective.