

BILL ANALYSIS

Senate Research Center

H.B. 3210
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Health & Human Services
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Engrossed

DIGEST AND PURPOSE

Prior to federal welfare reform laws, legal immigrants were treated the same as citizens when determining eligibility for public assistance benefits. Because of the passage of the federal Personal Responsibility and Work Opportunity Reconciliation Act in 1996, certain immigrants who entered the United States after August 22, 1996, are ineligible for federal welfare assistance programs for five years. For immigrants in an abusive relationship, not being eligible for financial assistance may force a victim to stay in an abusive situation, putting the victim and the victim's children at risk. H.B. 3210 establishes a temporary cash assistance program for certain immigrants who are victims of domestic abuse.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Department of Human Services in SECTION 1 (Sections 34.005 and 34.006, Human Resources Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Title 2C, Human Resources Code, by adding Chapter 34, as follows:

CHAPTER 34. STATE SELF-SUFFICIENCY PROGRAM FOR IMMIGRANTS WHO ARE VICTIMS OF BATTERY OR EXTREME CRUELTY

Sec. 34.001. **DEVELOPMENT AND IMPLEMENTATION OF STATE SELF-SUFFICIENCY PROGRAM; FUNDING.** Requires the Texas Department of Human Services (department), subject to available funding, by rule to develop and implement a program under which the state provides temporary cash assistance (assistance) to immigrants who meet the eligibility requirements prescribed by this chapter. Authorizes assistance provided under this chapter to be funded only with state money.

Sec. 34.002. **ELIGIBILITY.** Authorizes assistance to be provided only to certain lawfully present immigrants. Requires the department to make the determination of whether an immigrant meets the requirements of this section in a manner consistent with applicable federal guidelines.

Sec. 34.003. **AMOUNT OF ASSISTANCE.** (a) Requires the department, subject to Subsection (b), to develop a schedule that specifies the amount of assistance paid to an immigrant under this chapter. Sets forth certain requirements for the schedule.

(b) Prohibits the maximum monthly amount of assistance provided to an immigrant under this chapter from exceeding the total monthly cash value of financial assistance under Chapter 31 and food stamps under Chapter 33 that could be provided to a family of equal size as the immigrant's family.

Sec. 34.004. **TIME LIMIT ON ASSISTANCE.** Prohibits assistance under this chapter from

exceeding a cumulative total of 12 months.

Sec. 34.005. WORK ACTIVITIES REQUIREMENT. Provides that an immigrant receiving assistance under this chapter is required to participate in work activities designed to assist the immigrant in achieving self-sufficiency. Authorizes an immigrant to comply with the work activities requirement imposed by this section through participation in services available through local workforce development boards or other providers of employment services. Requires the department to adopt rules applicable to the work activities requirement imposed by this section. Sets forth certain requirements for the rules adopted under this section.

Sec. 34.006. RULES. Requires the department to adopt all rules necessary for implementation of this chapter, including rules regarding eligibility and benefit levels.

SECTION 2. Requires the department, subject to available funding, to begin providing benefits under Chapter 34, Human Resources Code, as added by this Act, not later than January 1, 2002.

SECTION 3. Effective date: September 1, 2001.