

BILL ANALYSIS

Senate Research Center
77R3115 KKA-D

S.B. 184
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Health and Human Services
2/22/2001
As Filed

DIGEST AND PURPOSE

Currently, Texas has the flexibility to change its Texas Assistance for Needy Families (TANF) vehicle counting policies to exclude the value of one vehicle entirely for the purposes of the asset test. Such a change would allow families with children to have a reliable vehicle and still receive food stamp benefits. S.B. 184 directs the Department of Human Services to exempt the entire fair market value of the applicant's ownership interest in one motor vehicle and the fair market value of any additional motor vehicle and to allow a recipient of food stamps to comply with periodic eligibility recertification requirements by phone if the recipients and each member of the household meet certain requirements.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Department of Human Services in SECTION 2 (Section 31.0061, Human Resources Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 11.001(5), Human Resources Code, to redefine "financial assistance."

SECTION 2. Amends Chapter 31A, Human Resources Code, by adding Section 31.0061, as follows:

Sec. 31.0061. SERVICES AND PROGRAMS RELATED TO FINANCIAL ASSISTANCE PROGRAM. Requires the Texas Department of Human Services (department) to develop and implement services or programs that are related to the financial assistance program and will be provided to eligible recipients under the financial assistance program. Requires the department, by rule, to prescribe eligibility criteria for the related services or programs and define the related services or programs to be provided.

SECTION 3. Amends Section 31.032(d), (e), Human Resources Code, to require the department, in determining eligibility, to exclude the entire fair market value of the applicant's ownership interest in one motor vehicle, and the fair market value of the applicant's ownership interest in any other motor vehicle, the value of which is not excluded under Subdivision (2), but not more than \$5,000 per motor vehicle plus or minus an amount to be determined annually. Provides that if the federal statute or regulations governing the maximum allowable resources under the food stamp program, 7 U.S.C. Section 2014(g) (Allowable Financial Resources which Eligible Household May Own), the department is required to adjust the standards that determine available resources under Subsection (d)(1) to reflect those revisions.

SECTION 4. Amends Chapter 33, Human Resources Code, by adding Sections 33.014 and 33.015, as follows:

Sec. 33.014. DETERMINATION OF RESOURCES: MOTOR VEHICLE ALLOWANCES. Requires the department, in determining whether a person meets resource requirements for eligibility for food stamps, to apply the motor vehicle allowance standards used by the department in the financial assistance program as authorized by 7 U.S.C. 2014(g)(2)(D), instead of the federal food stamp motor vehicle allowance standards.

Sec. 33.015. RECERTIFICATION OF ELIGIBILITY FOR CERTAIN RECIPIENTS. Authorizes the department, with an exception, to allow a recipient of food stamps to comply with periodic eligibility recertification requirements by telephone instead of through a personal appearance at department offices if the recipient and each member of the recipient's household have no earned income and are elderly or disabled, or the recipient is subject to a hardship, as determined by the department. Sets forth the elements of a hardship situation. Requires the department, in accordance with federal law, to require a recipient of food stamps to personally appear at department offices once each year to comply with periodic eligibility recertification requirements.

SECTION 5. 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 6. Effective date: September 1, 2001.
Makes application of this Act prospective.