

BILL ANALYSIS

Senate Research Center
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S.B. 1834
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Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1834 will give low-income Texans access to affordable healthy foods through a pilot supplemental nutrition assistance program (SNAP) incentive program that will further stretch SNAP dollars.

Low-income families are disproportionately impacted by obesity. SNAP is a program that helps millions of individuals and families with low incomes buy groceries. Almost 30 percent of all Texas children benefit from the SNAP program and over half of SNAP recipients in Texas are under 18.

Through the Farm Bill, the federal government set aside \$250 million over five years for SNAP incentive programs to encourage fresh produce consumption. Texas has started to take the steps to promote the availability of SNAP incentive programs statewide, like the popular Sustainable Food Center Double Dollars project. The Double Dollars program gives SNAP recipients an extra dollar for every dollar of SNAP benefits spent on locally grown fresh fruits and vegetables. Several other successful SNAP incentive programs exist at the local level, but no state-level programming or investment exists. Farmers, grocery store owners, farmers' market vendors, and small retail stores benefit from higher sales of locally grown produce.

This bill gives HHSC the authority to:

- study local SNAP incentive programs across the state; and
- create a state pilot program to incentivize the purchase of fresh fruits and vegetables in the SNAP program.

As proposed, S.B. 1834 amends current law relating to a study and pilot program regarding the use of incentives to purchase certain fruits or vegetables under the supplemental nutrition assistance program.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 2 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 33, Human Resources Code, by adding Sections 33.035 and 33.036, as follows:

Sec. 33.035. PILOT PROGRAM TO INCENTIVIZE PURCHASE OF TEXAS-GROWN FRUITS OR VEGETABLES UNDER SNAP. (a) Defines "eligible fruits or vegetables," "incentive," "pilot program," and "retailer" for purposes of this section.

(b) Requires the Health and Human Services Commission (HHSC), in consultation with the work group established under Subsection (c), to establish a pilot program in one or more geographic areas of this state through which:

(1) a recipient of supplemental nutrition assistance program (SNAP) benefits is able to receive an incentive when purchasing eligible fruits or vegetables from a retailer that is authorized to be used toward a subsequent purchase of eligible fruits or vegetables; and

(2) a retailer is authorized to publicize the incentive to recipients of SNAP benefits.

(c) Requires HHSC to establish a work group to provide input for the establishment of the pilot program. Requires the work group to be composed of relevant stakeholders from rural and urban areas throughout this state who have expertise in providing incentives under SNAP. Requires at least one member of the work group to have direct marketing representative experience in operating a comparable program.

(d) Requires the executive commissioner of HHSC (executive commissioner) to appoint one member of the work group to serve as presiding officer.

(e) Provides that the work group is not subject to Chapter 2110 (State Agency Advisory Committees), Government Code.

(f) Prohibits a member of the work group from receiving compensation for serving on the work group and from being reimbursed for travel or other expenses incurred while conducting the business of the work group.

(g) Authorizes HHSC to contract with an entity that has appropriate experience and expertise in administering comparable programs to administer the pilot program.

(h) Authorizes HHSC to solicit and accept gifts, grants, and donations from any source to establish and administer the pilot program or to perform any other duty required under this section.

(i) Requires HHSC, with assistance from the work group, to:

(1) develop and requires the executive commissioner to submit any necessary applications to obtain a federal waiver to operate the pilot program; and

(2) apply for any available federal money to operate the program, including federal nutrition incentives available under Section 4205, Agriculture Improvement Act of 2018 (7 U.S.C. Section 7517).

Sec. 33.036. STUDY ON EXISTING PROGRAMS THAT INCENTIVIZE PURCHASE OF TEXAS-GROWN FRUITS OR VEGETABLES UNDER SNAP. (a) Defines "eligible fruits or vegetables" and "incentive" for purposes of this section.

(b) Requires HHSC, in consultation with the work group established under Section 33.035, to conduct a study on programs in this state that provide incentives for the purchase of eligible fruits or vegetables SNAP. Requires the study to contain an inventory of existing programs and details on how they are funded, recommendations on increasing the number and availability of program in this state, and an analysis of certain strategies, potential impacts, and federal programs and money available.

(c) Authorizes HHSC to solicit and accept gifts, grants, and donations from any source to conduct the study.

(d) Requires HHSC, not later than December 1, 2020, to prepare and submit to the governor, the lieutenant governor, the speaker of the house of representatives, and

each standing committee of the legislature having primary jurisdiction over health and human services a written report that summarizes HHSC's findings under Subsection (b) and recommendations for legislative or other action.

(e) Provides that this section expires September 1, 2021.

SECTION 2. Requires the executive commissioner, as soon as practicable after the effective date of this Act, to adopt rules necessary to implement Sections 33.035 and 33.036, Human Resources Code, as added by this Act.

SECTION 3. Requires a state agency, if necessary for implementation of a provision of this Act, to request a waiver or authorization from a federal agency, and authorizes a delay of implementation until such a waiver or authorization is granted.

SECTION 4. Effective date: upon passage or September 1, 2019.