

By: Guillen, Ortega, Flores, Hernandez,
Plesa, et al.

H.B. No. 1287

A BILL TO BE ENTITLED

AN ACT

relating to adjusting for inflation the maximum amount of a motor vehicle excluded in determining eligibility for the supplemental nutrition assistance program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 33, Human Resources Code, is amended by adding Section 33.0215 to read as follows:

Sec. 33.0215. INFLATION ADJUSTMENT OF MOTOR VEHICLE VALUE EXCLUDED IN DETERMINING SNAP ELIGIBILITY. (a) Not later than August 1 of each odd-numbered year, the executive commissioner shall:

(1) determine, in the manner specified by Subsection (c), whether the maximum amount of the fair market value of a motor vehicle that may be excluded from the resources of an applicant's household for purposes of determining the applicant's eligibility for supplemental nutrition assistance program benefits, including eligibility determined in accordance with 7 C.F.R. Section 273.2(j), should be adjusted for inflation; and

(2) if the executive commissioner determines under Subdivision (1) that the maximum amount should be adjusted, submit to each member of the Legislative Budget Board a recommendation for the adjustment for the state fiscal biennium beginning September 1 of that odd-numbered year.

(b) Not later than September 1 of the odd-numbered year in

1 which the members of the Legislative Budget Board receive a
2 recommendation under Subsection (a), the board shall approve or
3 deny the recommendation and provide written notice to the executive
4 commissioner of the approval or denial. The recommendation is
5 considered approved if the board does not provide written notice of
6 the approval or denial on or before September 1. If the board
7 denies the recommendation, the maximum amount of the fair market
8 value of a motor vehicle that may be excluded from an applicant's
9 household resources remains the same as the amount excluded during
10 the preceding state fiscal biennium.

11 (c) If the Legislative Budget Board approves a
12 recommendation for an adjustment under Subsection (b), the
13 commission shall, not later than October 1 of the odd-numbered year
14 for which the recommendation was made, increase or decrease for
15 that state fiscal biennium beginning September 1 of that year the
16 maximum amount of the fair market value of a motor vehicle described
17 by Subsection (a) that may be excluded from an applicant's
18 household resources to reflect the percentage difference between:

19 (1) the average index level set by the Bureau of Labor
20 Statistics; and

21 (2) the new vehicles index of the Consumer Price Index
22 for All Urban Consumers published by the Bureau of Labor Statistics
23 or its successor index during the most recent 12-month period
24 ending in June.

25 (d) In calculating the maximum amount of the fair market
26 value of a motor vehicle described by Subsection (a) that may be
27 excluded from an applicant's household resources and

1 notwithstanding Subsection (c), the commission shall ensure that
2 the maximum excluded amounts of the first household vehicle and
3 each additional household vehicle remain proportionate to each
4 other in the same proportion as the excluded amounts for those
5 vehicles in effect on August 31, 2021.

6 (e) Notwithstanding Subsection (a), the executive
7 commissioner is not required to make a determination or
8 recommendation under that subsection until August 1, 2025, for the
9 state fiscal biennium beginning September 1, 2025.

10 (f) Notwithstanding this section, not later than October 1,
11 2023, and for the state fiscal biennium beginning September 1,
12 2023, the commission shall adjust for inflation in the manner
13 specified by Subsection (c) the maximum amount of the fair market
14 value of a motor vehicle that may be excluded from the resources of
15 an applicant's household for purposes of determining the
16 applicant's eligibility for supplemental nutrition assistance
17 program benefits, including eligibility determined in accordance
18 with 7 C.F.R. Section 273.2(j). In calculating the maximum amount
19 under this subsection, the commission shall comply with Subsection
20 (d).

21 (g) This subsection and Subsections (e) and (f) expire
22 September 1, 2025.

23 SECTION 2. The change in law made by this Act applies to an
24 initial determination or recertification of eligibility of a person
25 for the supplemental nutrition assistance program under Chapter 33,
26 Human Resources Code, that is made on or after the effective date of
27 this Act.

1 SECTION 3. If before implementing any provision of this Act
2 a state agency determines that a waiver or authorization from a
3 federal agency is necessary for implementation of that provision,
4 the agency affected by the provision shall request the waiver or
5 authorization and may delay implementing that provision until the
6 waiver or authorization is granted.

7 SECTION 4. This Act takes effect September 1, 2023.