

By: Leach, Noble, Jones of Dallas, et al.

H.B. No. 1743

Substitute the following for H.B. No. 1743:

By: Herrero

C.S.H.B. No. 1743

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a memorandum of understanding between the Health and
3 Human Services Commission and the Texas Department of Criminal
4 Justice to assess the eligibility of certain inmates for
5 supplemental nutrition assistance program benefits on discharge or
6 release from confinement.

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

8 SECTION 1. Subchapter A, Chapter 33, Human Resources Code,
9 is amended by adding Section 33.0181 to read as follows:

10 Sec. 33.0181. MEMORANDUM OF UNDERSTANDING REGARDING
11 ELIGIBILITY DETERMINATIONS FOR CERTAIN INMATES. (a) In this
12 section, "inmate" means an individual confined in a facility
13 operated by or under contract with the Texas Department of Criminal
14 Justice.

15 (b) The commission and the Texas Department of Criminal
16 Justice shall enter into a memorandum of understanding for the
17 purpose of ensuring that an inmate who is likely to be eligible for
18 supplemental nutrition assistance benefits on discharge or release
19 on parole, mandatory supervision, or conditional pardon is assessed
20 by the commission for eligibility for those benefits before the
21 inmate's discharge or release.

22 (c) The memorandum of understanding required by this
23 section must:

24 (1) establish a procedure through which the commission

1 shall accept and process supplemental nutrition assistance program
2 applications from inmates; and

3 (2) define the roles and responsibilities of each
4 agency under the memorandum.

5 (d) The memorandum of understanding required by Subsection
6 (b) must be tailored to achieve the goal of ensuring that an inmate
7 described by Subsection (b) who is determined eligible by the
8 commission for supplemental nutrition assistance program benefits
9 may begin receiving services under the program at the time of the
10 inmate's discharge or release on parole, mandatory supervision, or
11 conditional pardon.

12 (e) The executive commissioner shall adopt rules necessary
13 to implement this section.

14 SECTION 2. As soon as practicable after the effective date
15 of this Act, the Health and Human Services Commission and Texas
16 Department of Criminal Justice shall enter into the memorandum of
17 understanding required by Section 33.0181, Human Resources Code, as
18 added by this Act.

19 SECTION 3. If before implementing any provision of this Act
20 a state agency determines that a waiver or authorization from a
21 federal agency is necessary for implementation of that provision,
22 the agency affected by the provision shall request the waiver or
23 authorization and may delay implementing that provision until the
24 waiver or authorization is granted.

25 SECTION 4. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2023.