

By: Howard

H.B. No. 4021

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the eligibility of certain students enrolled in a  
3 postsecondary educational institution for the supplemental  
4 nutrition assistance program.

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

6 SECTION 1. Subchapter A, Chapter 33, Human Resources Code,  
7 is amended by adding Section 33.020 to read as follows:

8 Sec. 33.020. SNAP ELIGIBILITY OF CERTAIN STUDENTS ENROLLED  
9 IN POSTSECONDARY EDUCATION PROGRAMS. (a) In this section,  
10 "postsecondary educational institution" includes:

11 (1) an institution of higher education or a private or  
12 independent institution of higher education as defined by Section  
13 61.003, Education Code; and

14 (2) a career school or college as defined by Section  
15 132.001, Education Code.

16 (b) The commission shall, as authorized under 7 U.S.C.  
17 Section 2015(o)(6), provide an exemption from work requirements to  
18 provide supplemental nutrition assistance program benefits to an  
19 individual who is:

20 (1) ineligible to receive supplemental nutrition  
21 assistance program benefits based solely on the work requirements;  
22 and

23 (2) enrolled as a student in a postsecondary  
24 educational institution.

1        (c) The executive commissioner shall adopt rules to  
2 implement this section, including rules that ensure a student  
3 remains eligible for supplemental nutrition assistance benefits  
4 during a break in the semester or academic term of the postsecondary  
5 educational institution in which the student is enrolled.

6        SECTION 2. Not later than December 31, 2024, the executive  
7 commissioner of the Health and Human Services Commission shall  
8 adopt the rules necessary to implement Section 33.020, Human  
9 Resources Code, as added by this Act.

10        SECTION 3. Section 33.020, Human Resources Code, as added  
11 by this Act, applies only to an initial determination or  
12 recertification of eligibility for the supplemental nutrition  
13 assistance program under Chapter 33, Human Resources Code, that is  
14 made on or after the effective date of this Act. A determination or  
15 recertification made before the effective date of this Act is  
16 governed by the law in effect on the date the determination or  
17 recertification was made, and the former law is continued in effect  
18 for that purpose.

19        SECTION 4. 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 5. This Act takes effect September 1, 2023.