

By: Howard

H.B. No. 4120

A BILL TO BE ENTITLED

AN ACT

relating to allowing certain inmates to apply for benefits under certain public benefits programs to be provided at the time of discharge or release.

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

SECTION 1. Section 33.0181, Human Resources Code, is transferred to Subchapter C, Chapter 545, Government Code, as effective April 1, 2025, redesignated as Section 545.01011, Government Code, and amended to read as follows:

Sec. 545.01011. [~~33.0181.~~] MEMORANDUM OF UNDERSTANDING REGARDING ELIGIBILITY DETERMINATIONS FOR CERTAIN INMATES. (a) In this section:

(1) [7] "Inmate [~~inmate~~]" means an individual confined in a facility operated by or under contract with the Texas Department of Criminal Justice.

(2) "Public benefits program" includes:

(A) Medicaid;

(B) the child health plan program;

(C) the Healthy Texas Women program operated by the commission that is substantially similar to the demonstration project operated under former Section 32.0248, Human Resources Code, and that is intended to expand access to preventive health and family planning services for women in this state;

(D) the Family Planning Program operated by the

1 commission that provides health care and core family planning
2 services to individuals in this state;

3 (E) the financial assistance program established
4 under Chapter 31, Human Resources Code;

5 (F) the supplemental nutrition assistance
6 program as defined by Section 33.0005, Human Resources Code; and

7 (G) the federal special supplemental nutrition
8 program for women, infants, and children authorized by 42 U.S.C.
9 Section 1786.

10 (b) The commission and the Texas Department of Criminal
11 Justice shall enter into a memorandum of understanding for the
12 purpose of ensuring that an inmate who is likely to be eligible for
13 the public ~~[supplemental nutrition assistance]~~ benefits program on
14 discharge or release on parole, mandatory supervision, or
15 conditional pardon is assessed by the commission for eligibility
16 for those benefits before the inmate's discharge or release.

17 (c) The memorandum of understanding required by this
18 section must:

19 (1) establish a procedure through which the commission
20 shall accept and process public benefits ~~[supplemental nutrition~~
21 ~~assistance]~~ program applications from inmates; and

22 (2) define the roles and responsibilities of each
23 agency under the memorandum.

24 (d) The memorandum of understanding required by Subsection
25 (b) must be tailored to achieve the goal of ensuring that an inmate
26 described by Subsection (b) who is determined eligible by the
27 commission for the public benefits ~~[supplemental nutrition~~

1 ~~assistance~~] program [~~benefits~~] may begin receiving services under
2 the program at the time of the inmate's discharge or release on
3 parole, mandatory supervision, or conditional pardon.

4 (e) The executive commissioner shall adopt rules necessary
5 to implement this section.

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

12 SECTION 3. This Act takes effect September 1, 2025.