

By: Zaffirini

S.B. No. 70

A BILL TO BE ENTITLED

AN ACT

relating to a state-funded financial assistance program for certain persons.

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

SECTION 1. Subtitle C, Title 2, Human Resources Code, is amended by adding Chapter 37 to read as follows:

CHAPTER 37. STATE TEMPORARY ASSISTANCE AND
SUPPORT SERVICES FOR CERTAIN RECIPIENTS

Sec. 37.001. DEFINITIONS. In this chapter:

(1) "Related support services" means services considered under federal law to be a component of money payments for purposes of the financial assistance program authorized by Chapter 31.

(2) "Temporary assistance" means money payments for needy persons authorized by this chapter.

Sec. 37.002. DEVELOPMENT AND IMPLEMENTATION OF STATE PROGRAM; FUNDING. (a) The Health and Human Services Commission, the department, and the Texas Workforce Commission, with the participation of local workforce development boards, shall jointly develop and implement a state program of temporary assistance and related support services that is distinct from the financial assistance program authorized by Chapter 31.

(b) Temporary assistance and related support services may be provided under the state program only to a person who has been

1 receiving financial assistance under Chapter 31, but has difficulty
2 complying with the requirements of the responsibility agreement
3 under Section 31.0031(d)(4) because the person is:

4 (1) an elderly person caring for a dependent child;

5 (2) disabled;

6 (3) the primary caretaker of a disabled spouse or
7 dependent child;

8 (4) a resident of a rural area of this state; or

9 (5) experiencing other personal circumstances that
10 require a customized program, as determined by rule.

11 (c) Temporary assistance and related support services
12 provided under the state program must be funded with maintenance of
13 effort funds and may not be funded with federal money provided to
14 the state for the financial assistance program authorized by
15 Chapter 31.

16 Sec. 37.003. RULES. (a) The Health and Human Services
17 Commission, the department, and the Texas Workforce Commission
18 shall adopt all rules necessary for implementation of the state
19 program, including rules regarding eligibility, work requirements,
20 work exemptions, time limits, and related support services.

21 (b) In adopting rules for the state program regarding
22 eligibility, the Health and Human Services Commission, the
23 department, and the Texas Workforce Commission shall prescribe
24 factors that determine when a recipient should be transferred from
25 the financial assistance under Chapter 31 to the state program.

26 (c) Rules adopted under the state program regarding work
27 requirements, work exemptions, and time limits must allow for

1 flexibility in designing customized requirements to accommodate
2 each recipient's personal circumstances.

3 (d) Except as provided by Subsection (c), the rules must be
4 designed to result in a state program that is substantively
5 identical to the financial assistance program authorized by Chapter
6 31, except to the extent that programmatic differences are
7 appropriate because of the populations served by those programs and
8 the sources of funding for those programs.

9 (e) The Health and Human Services Commission, the
10 department, and the Texas Workforce Commission shall form an
11 interagency work group to develop the rules required under this
12 section. The interagency work group shall provide for
13 participation in development of the rules by representatives of
14 local workforce development boards.

15 Sec. 37.004. ELIGIBILITY FOR MEDICAL ASSISTANCE. A
16 recipient of temporary assistance and related support services
17 under the state program is eligible for medical assistance under
18 Chapter 32 in the same manner as a person receiving financial
19 assistance under Chapter 31.

20 SECTION 2. If before implementing any provision of this Act
21 a state agency determines that a waiver or authorization from a
22 federal agency is necessary for implementation of that provision,
23 the agency affected by the provision shall request the waiver or
24 authorization and may delay implementing that provision until the
25 waiver or authorization is granted.

26 SECTION 3. This Act takes effect September 1, 2003.