

By: Naishtat

H.B. No. 420

Substitute the following for H.B. No. 420:

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C.S.H.B. No. 420

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of certain persons for the food stamp program.

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

SECTION 1. Chapter 33, Human Resources Code, is amended by adding Section 33.016 to read as follows:

Sec. 33.016. INAPPLICABILITY OF CERTAIN FEDERAL LAW IN DETERMINING ELIGIBILITY. As authorized by 21 U.S.C. Section 862a(d)(1)(A), 21 U.S.C. Section 862a(a) does not apply in determining whether a person convicted of an offense described by that section is eligible for the food stamp program if:

(1) as a result of the conviction, the person:

(A) is on community supervision under Article 42.12, Code of Criminal Procedure, at the time the eligibility determination is made; or

(B) was placed on community supervision and the period of community supervision has expired or has been terminated without revocation;

(2) the person is enrolled in a drug treatment program at the time the eligibility determination is made; or

(3) the person completed a drug treatment program after the person was convicted of the offense.

SECTION 2. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a

1 federal agency is necessary for implementation of that provision,
2 the agency affected by the provision shall request the waiver or
3 authorization and may delay implementing that provision until the
4 waiver or authorization is granted.

5 SECTION 3. The changes in law made by this Act apply only to
6 a determination of eligibility of a person for food stamps made on
7 or after the effective date of this Act. A determination of
8 eligibility made before the effective date of this Act is governed
9 by the law in effect on the date the determination was made, and the
10 former law is continued in effect for that purpose.

11 SECTION 4. This Act takes effect September 1, 2005.