

By: Naishtat

H.B. No. 420

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of certain persons for the temporary assistance for needy families and food stamp programs.

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

SECTION 1. Section 31.032, Human Resources Code, is amended by adding Subsection (f) to read as follows:

(f) As authorized by 21 U.S.C. Section 862a(d)(1)(A), 21 U.S.C. Section 862a(a) does not apply in determining the eligibility of a person for financial assistance.

SECTION 2. 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 the eligibility of a person for the food stamp program.

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

SECTION 4. The changes in law made by this Act apply only to a determination of eligibility of a person for financial assistance or food stamps made on or after the effective date of this Act. A

1 determination of eligibility made before the effective date of this
2 Act is governed by the law in effect on the date the determination
3 was made, and the former law is continued in effect for that
4 purpose.

5 SECTION 5. This Act takes effect September 1, 2005.