

By: Turner

H.B. No. 1474

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the exclusion of certain costs from income and
3 resources in determining eligibility for financial assistance.

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

5 SECTION 1. Subchapter A, Chapter 31, Human Resources Code,
6 is amended by adding Section 31.0039 to read as follows:

7 Sec. 31.0039. EXCLUSION OF CERTAIN COSTS. (a) To the
8 extent allowed by federal law, the department shall exclude from
9 the monthly income and resources of an applicant for financial
10 assistance an amount equal to the average amount charged for
11 electric utility service that is billed in the applicant's name for
12 the applicant's residence during the three months preceding the
13 date of the application for purposes of determining:

14 (1) whether the applicant meets the household income
15 and resource requirements for financial assistance; or

16 (2) the amount of financial assistance granted to the
17 applicant under this chapter for the support of dependent children.

18 (b) The executive commissioner of the Health and Human
19 Services Commission may adopt rules to implement this section.

20 SECTION 2. The change in law made by this Act applies only
21 to a determination of eligibility of a person for financial
22 assistance under Chapter 31, Human Resources Code, made on or after
23 the effective date of this Act. A determination of eligibility made
24 before the effective date of this Act is governed by the law in

1 effect on the date the determination was made, and the former law is
2 continued in effect for that purpose.

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

9 SECTION 4. This Act takes effect September 1, 2007.