

By: Turner

H.B. No. 1475

A BILL TO BE ENTITLED

AN ACT

relating to the exclusion of certain costs from income and resources in determining eligibility for nutritional assistance.

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

SECTION 1. Chapter 33, Human Resources Code, is amended by adding Section 33.014 to read as follows:

Sec. 33.014. EXCLUSION OF CERTAIN COSTS. (a) To the extent allowed by federal law, the department shall exclude from the monthly income and resources of an applicant for nutritional assistance an amount equal to the average amount charged for electric utility service that is billed in the applicant's name for the applicant's residence during the three months preceding the date of the application for purposes of determining:

(1) whether the applicant meets household income and resource requirements for eligibility for nutritional assistance;
or

(2) the amount of assistance or the types of other benefits for which the applicant is eligible under a nutritional assistance program.

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

SECTION 2. The change in law made by this Act applies only to a determination of eligibility of a person for nutritional assistance under Chapter 33, Human Resources Code, made on or after

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

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

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