

## **BILL ANALYSIS**

C.S.H.B. 3451  
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Human Services  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The Texas Legislature has demonstrated a commitment to ensuring the health of families and children and understands the importance of the role preventive health care measures have on population health and the state economy. There is concern that tax dollars intended to provide families access to nutritional foods under the supplemental nutrition assistance program (SNAP) are being used to subsidize the purchase of items with minimal nutritional value. C.S.H.B. 3451 seeks to address this concern by directing the executive commissioner of the Health and Human Services Commission to request a waiver or authorization from the federal government to make changes to SNAP to improve nutrition and health outcomes among recipients of benefits under the program.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 3451 requires the executive commissioner of the Health and Human Services Commission to develop and seek a waiver or other appropriate authorization from the United States secretary of agriculture under the federal Food and Nutrition Act of 2008 to make changes to the supplemental nutrition assistance program (SNAP) to improve nutrition and health outcomes among recipients of benefits under the program and requires the executive commissioner to apply for and actively pursue the waiver or other authorization as soon as practicable after the effective date of the bill. The bill authorizes the executive commissioner, in developing the waiver or other authorization, to consider the feasibility, including the costs and benefits, of restricting the purchase of certain food items with minimal nutritional value under SNAP and promoting healthy food choices by recipients of SNAP benefits. The bill requires the executive commissioner, in developing the waiver or other authorization, to solicit input from interested persons, including state agencies that administer nutritional assistance programs, nonprofit organizations that administer hunger relief programs, health care providers, nutrition experts, food retailers, and food industry representatives. The bill sets out legislative findings and declaration of policy relating to access to adequate and nutritional food and preventive health care measures.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 3451 differs from the original, in a bill provision setting out legislative findings and declaration of policy relating to access to adequate and nutritional food and preventive health care measures, by establishing that the legislature finds that public benefits programs that

provide recipients with access to an adequate and nutritional diet should incorporate sound nutritional principles and promote the health and well-being of recipients, whereas the original establishes that the legislature finds that tax dollars intended to support a family's access to an adequate and nutritional diet should not be diverted to subsidize the purchase of items of minimal nutritional value.

C.S.H.B. 3451 differs from the original by requiring the executive commissioner of the Health and Human Services Commissioner to develop and seek a waiver or other appropriate authorization from the United States secretary of agriculture under the federal Food and Nutrition Act of 2008 relating to the supplemental nutrition assistance program (SNAP), whereas the original requires the executive commissioner, the Department of State Health Services, and the Texas Department of Agriculture to develop and seek such a waiver or other appropriate authorization. The substitute differs from the original by requiring the waiver or other authorization to be developed to make changes to SNAP to improve nutrition and health outcomes among recipients of benefits under the program, whereas the original requires the waiver or other authorization to be developed to restrict the purchase of food items with minimal nutritional value under SNAP by amending the list of allowable food items under the program to better align that list with the allowable food purchases under the Special Supplemental Nutrition Program for Women, Infants and Children and the national free or reduced-price lunch program.

C.S.H.B. 3451 contains a provision not included in the original authorizing the executive commissioner, in developing the waiver or other authorization, to consider the feasibility, including the costs and benefits, of restricting the purchase of certain food items with minimal nutritional value under SNAP and promoting healthy food choices by recipients of SNAP benefits. The substitute contains a provision not included in the original requiring the executive commissioner, in developing the waiver or other authorization, to solicit input from certain specified interested persons.

C.S.H.B. 3451 differs from the original in conforming ways.