

By: Lewis

H.B. No. 474

A BILL TO BE ENTITLED

AN ACT

relating to eligibility requirements for certain public benefits programs.

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

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.02416 to read as follows:

Sec. 531.02416. ELIGIBILITY FOR CERTAIN PROGRAMS: FORM I-9 REQUIREMENT. (a) In this section, "Form I-9" means the employment eligibility verification form designated or established by the United States attorney general in accordance with 8 U.S.C. Section 1324a(b).

(b) An applicant for benefits must complete a Form I-9 and provide documentation that establishes the applicant's identity and eligibility to work in the United States as required by that form to be eligible to receive benefits under any of the following benefits programs:

(1) the child health plan program under Chapter 62, Health and Safety Code;

(2) the financial assistance program under Chapter 31, Human Resources Code;

(3) the medical assistance program under Chapter 32, Human Resources Code; and

(4) the nutritional assistance program under Chapter 33, Human Resources Code.

1        (c) For purposes of completing a Form I-9 under this  
2 section:

3            (1) an applicant for benefits is considered an  
4 "employee";

5            (2) the commission or other state agency that  
6 administers the benefits program is considered an "employer"; and

7            (3) receipt of benefits under a benefits program is  
8 considered "employment."

9        (d) The executive commissioner shall adopt rules necessary  
10 to implement this section, including rules that further define  
11 terms used in Form I-9 and that provide instructions on how to  
12 complete the form for purposes of this section.

13        SECTION 2. Section 531.02416, Government Code, as added by  
14 this Act, applies to an initial determination of eligibility or  
15 redetermination of eligibility for benefits under a program subject  
16 to that section made on or after the effective date of this Act.

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

23        SECTION 4. This Act takes effect September 1, 2011.