

By: Kolkhorst

H.B. No. 1257

A BILL TO BE ENTITLED

AN ACT

relating to the application and verification of eligibility 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 Sections 531.02417 and 531.02419 to read as follows:

Sec. 531.02417. TEXAS INTEGRATED ELIGIBILITY REDESIGN SYSTEM DESIGN REQUIREMENTS. The commission shall ensure that the Texas Integrated Eligibility Redesign System (TIERS) is designed so that:

(1) automated controls prohibit a person from continuing to process an application for benefits under a public benefits program until an applicant's residency, social security number, citizenship status, or immigration status, as applicable, is verified by a third party if required under the public benefits program;

(2) if a public benefits program allows self-declaration as an acceptable method of verifying an applicant's residency, social security number, citizenship status, or immigration status, a manual system override is necessary before a person may continue to process an application for benefits;

(3) automated controls prohibit a person from continuing to process an application for recertification of

1 eligibility for benefits under a public benefits program if the
2 applicant's social security number was not verified at the time of
3 the applicant's initial determination of eligibility for benefits;
4 and

5 (4) the income eligibility and verification system
6 (IEVS) required under Section 1137, Social Security Act (42 U.S.C.
7 Section 1320b-7), is fully integrated into the system.

8 Sec. 531.02419. CERTAIN APPLICATIONS FOR
9 ASSISTANCE. (a) In this section:

10 (1) "Federally funded public benefits programs" means
11 the following federally funded assistance programs administered by
12 the commission or a health and human services agency:

13 (A) the financial assistance program;

14 (B) the medical assistance program; and

15 (C) the supplemental nutritional assistance
16 program.

17 (2) "Undocumented resident" means a person who is not
18 eligible to receive benefits under a federally funded benefits
19 program because the person does not have or is unable to provide
20 information required under the program relating to the person's
21 citizenship status or immigration status.

22 (b) The commission shall ensure that any application form
23 used by the commission or other health and human services agency
24 that allows a person to simultaneously apply for benefits under
25 federally funded public benefits programs contains the following
26 statement in conspicuous bold print: "Undocumented residents are
27 not eligible for benefits."

1 (c) An application form described under Subsection (b) may
2 not contain:

3 (1) a statement that informs a person who does not
4 qualify for benefits because of the person's citizenship status or
5 immigration status that the person may apply for benefits on behalf
6 of other members of the person's household, including the person's
7 children; and

8 (2) any information related to voter registration.

9 (d) To the extent permitted by federal law, a person who
10 applies for benefits using the application form described under
11 Subsection (b) must complete the entire application before:

12 (1) the commission or other health and human services
13 agency may determine whether the person qualifies for benefits; and

14 (2) the person may receive benefits.

15 SECTION 2. If before implementing any provision of this Act
16 a state agency determines that a waiver or authorization from a
17 federal agency is necessary for implementation of that provision,
18 the agency affected by the provision shall request the waiver or
19 authorization and may delay implementing that provision until the
20 waiver or authorization is granted.

21 SECTION 3. This Act takes effect September 1, 2011.