

By: Allen

H.B. No. 3397

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of and requirements applicable to certain persons for supplemental nutrition assistance.

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

SECTION 1. Chapter 33, Human Resources Code, is amended by adding Section 33.016 to read as follows:

Sec. 33.016. INAPPLICABILITY OF CERTAIN FEDERAL LAW IN DETERMINING ELIGIBILITY FOR SUPPLEMENTAL NUTRITION ASSISTANCE. As authorized by 21 U.S.C. Section 862a(d)(1)(A), 21 U.S.C. Section 862a(a) does not apply in determining whether a person convicted of an offense described by that section is eligible to participate in the supplemental nutrition assistance program as long as the person otherwise complies with program requirements, including any applicable work requirement in accordance with 7 U.S.C. Section 2015(o).

SECTION 2. Section 33.016, Human Resources Code, as added by this Act, applies only to a determination of eligibility of a person for the supplemental nutrition assistance program made on or after the effective date of this Act. A determination of eligibility made before the effective date of this Act is governed by the law in effect on the date the determination was made, and the former law is continued in effect for that purpose.

SECTION 3. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a

1 federal agency is necessary for implementation of that provision,
2 the agency affected by the provision shall request the waiver or
3 authorization and may delay implementing that provision until the
4 waiver or authorization is granted.

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