

By: King of Taylor

H.B. No. 948

A BILL TO BE ENTITLED

AN ACT

relating to the operation and administration of the supplemental nutrition assistance program.

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

SECTION 1. Subchapter A, Chapter 33, Human Resources Code, is amended by adding Sections 33.032, 33.033, 33.034, and 33.035 to read as follows:

Sec. 33.032. PILOT PROJECTS TO ENCOURAGE HEALTHY FOOD CHOICES. (a) In this section, "private or independent institution of higher education" has the meaning assigned by Section 61.003, Education Code.

(b) The department shall develop and seek waivers or other appropriate authorization from the United States Department of Agriculture or other applicable federal agency to implement the following separate pilot projects:

(1) a five-year pilot project in which recipients of benefits under the supplemental nutrition assistance program are restricted from purchasing food of minimal nutritional value, as defined by Section 33.033; and

(2) a five-year pilot project in which recipients of benefits under the supplemental nutrition assistance program receive additional benefits at the point of sale if the recipients purchase certain healthy foods.

(c) A pilot project developed under this section may be

1 implemented only in a municipality or county the governing body of  
2 which authorizes participation in the pilot project.

3 (d) Not later than the 30th day after the two-year  
4 anniversary and the four-year anniversary of the date of the  
5 commencement of each pilot project implemented under this section,  
6 the department, in collaboration with a private or independent  
7 institution of higher education, shall submit a report containing  
8 an update on the pilot project to the legislature.

9 (e) Not later than the 90th day after the date a pilot  
10 project implemented under this section is completed, the  
11 department, in collaboration with a private or independent  
12 institution of higher education, shall submit a report containing  
13 an evaluation of the pilot project to the legislature, including  
14 recommendations regarding the continuation or expansion of the  
15 project.

16 (f) The department shall make available to the United States  
17 Department of Agriculture or other applicable federal agency any  
18 report prepared under Subsection (d) or (e) and any data collected  
19 by the department in relation to the report.

20 Sec. 33.033. ADVERTISING BY SNAP RETAILERS. (a) In this  
21 section, "retailer" means a business approved for participation in  
22 the supplemental nutrition assistance program.

23 (b) The department shall:

24 (1) encourage a retailer to promote the purchase of  
25 healthy foods in any advertising displayed by the retailer relating  
26 to the retailer's participation in the supplemental nutrition  
27 assistance program; and

1           (2) discourage a retailer from displaying advertising  
2 relating to the retailer's participation in the supplemental  
3 nutrition assistance program near food of minimal nutritional  
4 value.

5           (c) In this section, "food of minimal nutritional value" has  
6 the meaning assigned by 7 C.F.R. Section 210.11(a)(2).

7           Sec. 33.034. REPORT ON EFFORTS TO ENCOURAGE HEALTHY FOOD  
8 PURCHASES. (a) Not later than December 1 of each even-numbered  
9 year, the department shall submit to the legislature a report  
10 summarizing the department's efforts to:

11           (1) discourage recipients of supplemental nutrition  
12 assistance benefits from purchasing food of minimal nutritional  
13 value, as defined by Section 33.033; and

14           (2) encourage recipients of supplemental nutrition  
15 assistance benefits to purchase healthy foods.

16           (b) If appropriate, the department may include a report  
17 required under Subsection (a) in another report that the department  
18 is required to submit to the legislature.

19           Sec. 33.035. ADJUSTMENT OF BENEFITS UPON CHILD'S REMOVAL  
20 FROM HOUSEHOLD. The executive commissioner shall adopt rules to  
21 ensure that supplemental nutrition assistance benefits provided to  
22 a household are appropriately ceased or reduced when a child is  
23 removed from the household by the Department of Family and  
24 Protective Services or in accordance with a court order.

25           SECTION 2. Not later than January 1, 2014, the executive  
26 commissioner of the Health and Human Services Commission shall  
27 adopt the rules required by Section 33.035, Human Resources Code,

1 as added by this Act.

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

8       SECTION 4. This Act takes effect immediately if it receives  
9 a vote of two-thirds of all the members elected to each house, as  
10 provided by Section 39, Article III, Texas Constitution. If this  
11 Act does not receive the vote necessary for immediate effect, this  
12 Act takes effect September 1, 2013.