

1-1 By: Birdwell, Nelson, Schwertner S.B. No. 191
 1-2 (In the Senate - Filed January 18, 2013; January 29, 2013,
 1-3 read first time and referred to Committee on Health and Human
 1-4 Services; May 6, 2013, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 6, Nays 3;
 1-6 May 6, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Nelson	X			
1-9 Deuell	X			
1-10 Huffman	X			
1-11 Nichols	X			
1-12 Schwertner	X			
1-13 Taylor	X			
1-14 Uresti		X		
1-15 West		X		
1-16 Zaffirini		X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 191 By: Deuell

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to Temporary Assistance for Needy Families benefits
 1-22 accounts.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subsection (b), Section 31.0355, Human Resources
 1-25 Code, is amended to read as follows:

1-26 (b) If a recipient of financial assistance who receives the
 1-27 assistance by electronic benefits transfer to an account is
 1-28 authorized to make a cash withdrawal from the account through a
 1-29 provider of the goods or services described by Subsection (a), the
 1-30 recipient may make the cash withdrawal only:

1-31 (1) at the customer service department of the provider
 1-32 and not at the provider's point-of-sale terminal; and

1-33 (2) after the provider verifies the recipient's
 1-34 identity in accordance with Section 31.0356, if applicable.

1-35 SECTION 2. Subchapter B, Chapter 31, Human Resources Code,
 1-36 is amended by adding Sections 31.0356 and 31.0357 to read as
 1-37 follows:

1-38 Sec. 31.0356. PHOTO IDENTIFICATION FOR CERTAIN CASH
 1-39 WITHDRAWALS. (a) In this section, "photo identification" means a
 1-40 card or other document that:

1-41 (1) is issued by a governmental entity to identify an
 1-42 individual; and

1-43 (2) displays a photograph of the individual identified
 1-44 on the card or other document.

1-45 (b) A recipient of financial assistance who receives the
 1-46 assistance by electronic benefits transfer to an account may not,
 1-47 using an electronic benefits transfer card subject to Section
 1-48 31.0357(a), make a cash withdrawal from the account through a
 1-49 provider of the goods or services described by Section 31.0355(a)
 1-50 unless the recipient presents photo identification verifying the
 1-51 recipient's identity as the card holder. A provider may presume
 1-52 that an electronic benefits transfer card that does not display the
 1-53 name of a recipient and any other authorized person is not subject
 1-54 to Section 31.0357(a) for purposes of this section.

1-55 Sec. 31.0357. NAMES ON ELECTRONIC BENEFITS TRANSFER CARDS.

1-56 (a) Except as provided by Subsection (b), each electronic benefits
 1-57 transfer card issued to a recipient, or other person authorized on
 1-58 the recipient's account, for purposes of delivering benefits under
 1-59 the financial assistance program must display the name of the
 1-60 recipient and any other authorized person, if applicable.

2-1 (b) An electronic benefits transfer card issued by a local
2-2 commission eligibility office is not subject to Subsection (a).

2-3 SECTION 3. Not later than December 1, 2013, the Health and
2-4 Human Services Commission shall ensure that electronic benefits
2-5 transfer cards issued for purposes of delivering benefits to
2-6 recipients under the financial assistance program under Chapter 31,
2-7 Human Resources Code, conform to Subsection (a), Section 31.0357,
2-8 Human Resources Code, as added by this Act.

2-9 SECTION 4. If before implementing any provision of this Act
2-10 a state agency determines that a waiver or authorization from a
2-11 federal agency is necessary for implementation of that provision,
2-12 the agency affected by the provision shall request the waiver or
2-13 authorization and may delay implementing that provision until the
2-14 waiver or authorization is granted.

2-15 SECTION 5. This Act takes effect September 1, 2013.

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