

By: Thompson of Harris, Naishtat, et al.

H.B. No. 1267

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of certain persons for 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 Section 33.018 to read as follows:

Sec. 33.018. SNAP ELIGIBILITY FOLLOWING CERTAIN CRIMINAL CONVICTIONS. (a) As authorized by 21 U.S.C. Section 862a(d)(1) and except as provided by this section, 21 U.S.C. Section 862a(a)(2) does not apply in determining the eligibility of any person for the supplemental nutrition assistance program.

(b) 21 U.S.C. Section 862a(a)(2) applies in determining the eligibility for the supplemental nutrition assistance program of a person who has been convicted of, and released on parole or placed on community supervision for, any felony offense that has as an element the possession, use, or distribution of a controlled substance, as defined in 21 U.S.C. Section 802, if the person violates any condition of that parole or community supervision. A person described by this subsection is ineligible for the supplemental nutrition assistance program only for a two-year period beginning on the date the person is found to have violated the condition of parole or community supervision, as authorized by 21 U.S.C. Section 862a(d)(1)(B).

(c) A person convicted of an offense described by Subsection

1 (b) who is receiving supplemental nutrition assistance program
2 benefits and who is convicted of a subsequent felony offense,
3 regardless of the elements of the offense, is ineligible for the
4 supplemental nutrition assistance program.

5 SECTION 2. The changes in law made by this Act apply only to
6 a determination of eligibility of a person for supplemental
7 nutrition assistance benefits made on or after the effective date
8 of this Act. A determination of eligibility made before the
9 effective date of this Act is governed by the law in effect on the
10 date the determination was made, and the former law is continued in
11 effect for that purpose.

12 SECTION 3. If before implementing any provision of this Act
13 a state agency determines that a waiver or authorization from a
14 federal agency is necessary for implementation of that provision,
15 the agency affected by the provision shall request the waiver or
16 authorization and may delay implementing that provision until the
17 waiver or authorization is granted.

18 SECTION 4. This Act takes effect September 1, 2015.