

By: Perry

S.B. No. 723

A BILL TO BE ENTITLED

AN ACT

relating to mandatory participation in certain TANF employment and other programs by certain persons.

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

SECTION 1. Sections 31.0031(a) and (d), Human Resources Code, are amended to read as follows:

(a) The department shall require each adult recipient and nonrecipient parent to sign a bill of responsibilities that defines the responsibilities of the state and of the recipient or nonrecipient parent, as applicable, and encourages personal responsibility. The department shall explain to the applicant the work requirements and time-limited benefits in addition to the other provisions of the agreement before the applicant signs the agreement. The department shall provide each applicant with a copy of the signed agreement. The agreement shall include pertinent case information, including the case number and a listing of the state's benefits.

(d) The responsibility agreement shall require that:

(1) the parent of a dependent child cooperate with the department and the Title IV-D agency if necessary to establish the paternity of the dependent child and to establish or enforce child support;

(2) if adequate and accessible providers of the services are available in the geographic area and subject to the

1 availability of funds, each dependent child, as appropriate,
2 complete early and periodic screening, diagnosis, and treatment
3 checkups on schedule and receive the immunization series prescribed
4 by Section 161.004, Health and Safety Code, unless the child is
5 exempt under that section;

6 (3) each adult recipient, or teen parent recipient who
7 has completed the requirements regarding school attendance in
8 Subdivision (6), not voluntarily terminate paid employment of at
9 least 30 hours each week without good cause in accordance with rules
10 adopted by the executive commissioner of the Health and Human
11 Services Commission [~~department~~];

12 (4) each adult recipient for whom a needs assessment
13 is conducted participate in an activity to enable that person to
14 become self-sufficient by:

15 (A) continuing the person's education or
16 becoming literate;

17 (B) entering a job placement or employment skills
18 training program;

19 (C) serving as a volunteer in the person's
20 community; or

21 (D) serving in a community work program or other
22 work program approved by the department;

23 (5) each caretaker relative or parent receiving
24 assistance not use, sell, or possess marihuana or a controlled
25 substance in violation of Chapter 481, Health and Safety Code, or
26 abuse alcohol;

27 (6) each dependent child younger than 18 years of age

1 or teen parent younger than 19 years of age attend school regularly,
2 unless the child has a high school diploma or high school
3 equivalency certificate or is specifically exempted from school
4 attendance under Section 25.086, Education Code;

5 (7) each recipient comply with department rules
6 regarding proof of school attendance; ~~and~~

7 (8) each recipient or nonrecipient parent, as
8 applicable, attend appropriate parenting skills training classes,
9 as determined by a ~~the~~ needs assessment; and

10 (9) each nonrecipient parent, other than a
11 nonrecipient parent subject to Section 31.012(c) or (g), satisfy
12 mandatory employment or employment training requirements under
13 Section 31.012.

14 SECTION 2. The heading to Section 31.012, Human Resources
15 Code, is amended to read as follows:

16 Sec. 31.012. MANDATORY WORK OR PARTICIPATION IN EMPLOYMENT
17 ACTIVITIES ~~[THROUGH THE JOB OPPORTUNITIES AND BASIC SKILLS~~
18 ~~PROGRAM]~~.

19 SECTION 3. Section 31.012, Human Resources Code, is amended
20 by amending Subsection (a) and adding Subsections (c-1) and (g) to
21 read as follows:

22 (a) The department shall require that, during any one-month
23 period in which an adult is receiving or the child of a nonrecipient
24 parent is receiving financial assistance under this chapter, the
25 adult or nonrecipient parent, as applicable, shall during that
26 period:

27 (1) work not less than 30 hours a week; or

1 (2) participate for not less than 20 hours a week in an
2 activity established under a Temporary Assistance for Needy
3 Families employment program under Part A, Title IV, Social Security
4 Act (42 U.S.C. Section 601 et seq.) [~~the job opportunities and basic~~
5 ~~skills (JOBS) training program under Part F, Subchapter IV, Social~~
6 ~~Security Act (42 U.S.C. Section 682)] .~~

7 (c-1) Notwithstanding Section 531.0055, Government Code,
8 the executive commissioner of the Health and Human Services
9 Commission may not adopt rules that provide exceptions to a
10 person's required participation in work or employment activities
11 that are in addition to the exceptions provided by Subsections (c)
12 and (g).

13 (g) A nonrecipient parent who receives Supplemental
14 Security Income (SSI) benefits under 42 U.S.C. Section 1381 et seq.
15 is not subject to the requirements of this section. The Texas
16 Workforce Commission may provide services to the nonrecipient
17 parent under this chapter in accordance with rules adopted by the
18 executive commissioner of the Health and Human Services Commission.

19 SECTION 4. Sections 31.0135(a) and (b), Human Resources
20 Code, are amended to read as follows:

21 (a) The department, in cooperation with the Texas Education
22 Agency, the Department of Family and Protective [~~and Regulatory~~]
23 Services, the Texas A&M AgriLife [~~Agricultural~~] Extension Service,
24 or any other public or private entity, shall develop a parenting
25 skills training program to assist a recipient of assistance under
26 this chapter, including a child who receives assistance on behalf
27 of a dependent child, and a nonrecipient parent. The program shall

1 include nutrition education, budgeting and survival skills, and
2 instruction on the necessity of physical and emotional safety for
3 children.

4 (b) The department shall require that a caretaker relative
5 or parent who is receiving assistance under this chapter on behalf
6 of a dependent child, including a nonrecipient parent, receive
7 appropriate parenting skills training as needed. The training must
8 include one or more components of the parenting skills training
9 program that the department determines will be useful to the
10 caretaker relative or parent.

11 SECTION 5. Section 31.014(a), Human Resources Code, is
12 amended to read as follows:

13 (a) The department shall provide financial assistance, in
14 accordance with ~~[department]~~ rules adopted by the executive
15 commissioner of the Health and Human Services Commission, to a
16 two-parent family if the primary wage earner parent, other than a
17 nonrecipient parent subject to Section 31.012(c) or (g), is
18 registered with a Temporary Assistance for Needy Families
19 employment program under Part A, Title IV, Social Security Act (42
20 U.S.C. Section 601 et seq.) ~~[in the job opportunities and basic~~
21 ~~skills (JOBS) training program under Part F, Subchapter IV, Social~~
22 ~~Security Act (42 U.S.C. Section 682)]~~, or is registered with the
23 Texas Workforce ~~[Employment]~~ Commission.

24 SECTION 6. Section 31.0126(c), Human Resources Code, is
25 repealed.

26 SECTION 7. The changes in law made by this Act apply to a
27 person receiving financial assistance, including a nonrecipient

1 parent, as defined by Section 31.0021, Human Resources Code, on or
2 after the effective date of this Act, regardless of the date the
3 determination of eligibility for that assistance was made.

4 SECTION 8. If before implementing any provision of this Act
5 a state agency determines that a waiver or authorization from a
6 federal agency is necessary for implementation of that provision,
7 the agency affected by the provision shall request the waiver or
8 authorization and may delay implementing that provision until the
9 waiver or authorization is granted.

10 SECTION 9. This Act takes effect September 1, 2015.