

By: Menéndez

S.B. No. 1321

A BILL TO BE ENTITLED

AN ACT

relating to asset exclusions in the determination of eligibility for financial assistance benefits for certain persons.

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

SECTION 1. Subchapter B, Chapter 31, Human Resources Code, is amended by adding Section 31.0321 to read as follows:

Sec. 31.0321. DETERMINATION OF ELIGIBILITY OF GRANDPARENTS OF DEPENDENT CHILD. (a) This section applies only to a grandparent seeking or receiving financial assistance benefits under this subchapter on behalf of a dependent child.

(b) Notwithstanding Section 31.032, in determining whether the dependent child of a person to whom this section applies is eligible for assistance authorized under this chapter, the department shall exclude from the person's available resources:

(1) \$5,000 for the applicant's household; and  
(2) the fair market value of the applicant's ownership interest in a motor vehicle, but not more than \$7,000 plus or minus an amount to be determined annually by rule beginning on October 1, 2016, to reflect changes in the new car component of the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics.

(c) In addition to the increase authorized by Subsection (b)(2), the amounts under Subsection (b) to be excluded from the available resources of a person to whom this section applies may be

1 increased by rule.

2           SECTION 2. The changes in law made by this Act apply to an  
3 initial determination or redetermination of eligibility of a person  
4 for financial assistance under Chapter 31, Human Resources Code,  
5 that is made on or after the effective date of this Act.

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

12           SECTION 4. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2015.