

By: Creighton

S.B. No. 1443

A BILL TO BE ENTITLED

AN ACT

relating to electronic benefits transfer cards used for recipients of benefits under certain assistance programs.

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

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.0911 to read as follows:

Sec. 531.0911. PHOTOGRAPH AND OTHER INFORMATION ON CERTAIN ELECTRONIC BENEFITS TRANSFER CARDS. (a) In this section:

(1) "Financial assistance program" means the financial assistance program established under Chapter 31, Human Resources Code.

(2) "Recipient" means a person who receives benefits under the financial assistance program or the supplemental nutrition assistance program.

(3) "Supplemental nutrition assistance program" has the meaning assigned by Section 33.0005, Human Resources Code.

(b) Subject to Subsection (c), the commission shall ensure that the front side of each electronic benefits transfer card used by a recipient, or other person authorized on the recipient's account, for purposes of receiving benefits under the financial assistance program or the supplemental nutrition assistance program displays:

(1) the name and photograph of the recipient or other authorized person, as appropriate;

1 (2) the words "Fraud Hotline" followed by the
2 telephone number of the commission's toll-free hotline for
3 reporting suspected fraud required under Section 531.108(b)(2);
4 and

5 (3) the Internet website address maintained by the
6 commission for the purpose of allowing persons to report suspected
7 fraud in either the financial assistance program or the
8 supplemental nutrition assistance program.

9 (c) A recipient, or other person authorized on the
10 recipient's account, as appropriate, is exempt from the photograph
11 requirement imposed by Subsection (b) if the person is:

- 12 (1) 65 years of age or older;
13 (2) younger than 19 years of age;
14 (3) blind;
15 (4) disabled; or
16 (5) a victim of domestic violence.

17 (d) The executive commissioner may adopt rules necessary to
18 implement Subsection (c).

19 SECTION 2. Notwithstanding Section 531.0911, Government
20 Code, as added by this Act, the Health and Human Services Commission
21 is not required to issue electronic benefits transfer cards that
22 comply with that section until September 1, 2018, but is required to
23 begin issuing cards that comply with that section beginning on that
24 date. The commission shall ensure that on or before August 31, 2020,
25 each electronic benefits transfer card used to deliver benefits to
26 recipients under the financial assistance program under Chapter 31,
27 Human Resources Code, or the supplemental nutrition assistance

1 program under Chapter 33, Human Resources Code, conforms to Section
2 531.0911, Government Code, as added by this Act.

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

9 SECTION 4. This Act takes effect September 1, 2017.