

BILL ANALYSIS

Senate Research Center
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H.B. 1287
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Inflation is making it increasingly difficult for many Texas families to afford food. The Supplemental Nutrition Assistance Program (SNAP) ensures that qualifying individuals in low-income households are able to purchase food, but eligibility for SNAP benefits in Texas is determined in part by calculating the total value of a household's resources, including motor vehicles. Current law excludes a portion of a motor vehicle's fair market value from a SNAP applicant's household resources for purposes of determining the applicant's eligibility for the benefits, but inflation-caused increases in motor vehicle values mean that the maximum amount that may be excluded no longer reflects market realities for Texas households.

H.B. 1287 seeks to address this issue by providing for a one-time inflationary adjustment of the maximum amount of a motor vehicle's fair market value that may be excluded from a SNAP applicant's household resources for the upcoming state fiscal biennium and provides a process for the Health and Human Services Commission and the Legislative Budget Board to determine whether subsequent inflationary adjustments are appropriate.

H.B. 1287 amends current law relating to adjusting for inflation the maximum amount of a motor vehicle excluded in determining eligibility for the supplemental nutrition assistance program.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 33, Human Resources Code, by adding Section 33.0215, as follows:

Sec. 33.0215. INFLATION ADJUSTMENT OF MOTOR VEHICLE VALUE EXCLUDED IN DETERMINING SNAP ELIGIBILITY. (a) Requires the executive commissioner of the Health and Human Services Commission (executive commissioner), not later than August 1 of each odd-numbered year, to:

(1) determine, in the manner specified by Subsection (c), whether the maximum amount of the fair market value of a motor vehicle that is authorized to be excluded from the resources of an applicant's household for purposes of determining the applicant's eligibility for supplemental nutrition assistance program benefits, including eligibility determined in accordance with 7 C.F.R. Section 273.2(j), should be adjusted for inflation; and

(2) if the executive commissioner determines under Subdivision (1) that the maximum amount should be adjusted, submit to each member of the Legislative Budget Board (LBB) a recommendation for the adjustment for the state fiscal biennium beginning September 1 of that odd-numbered year.

(b) Requires the LBB, not later than September 1 of the odd-numbered year in which the members of the LBB receive a recommendation under Subsection (a), to approve or deny the recommendation and provide written notice to the executive commissioner of the approval or denial. Provides that the recommendation is considered approved if LBB does not provide written notice of the approval or denial on or before September 1. Provides that the maximum amount of the fair market value of a motor vehicle that is authorized to be excluded from an applicant's household resources, if LBB denies the recommendation, remains the same as the amount excluded during the preceding state fiscal biennium.

(c) Requires the Health and Human Services Commission (HHSC), if the LBB approves a recommendation for an adjustment under Subsection (b), not later than October 1 of the odd-numbered year for which the recommendation was made, to increase or decrease for that state fiscal biennium beginning September 1 of that year the maximum amount of the fair market value of a motor vehicle described by Subsection (a) that is authorized to be excluded from an applicant's household resources to reflect the percentage difference between:

(1) the average index level set by the Bureau of Labor Statistics; and

(2) the new vehicles index of the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics or its successor index during the most recent 12-month period ending in June.

(d) Requires HHSC, in calculating the maximum amount of the fair market value of a motor vehicle described by Subsection (a) that is authorized to be excluded from an applicant's household resources and notwithstanding Subsection (c), to ensure that the maximum excluded amounts of the first household vehicle and each additional household vehicle remain proportionate to each other in the same proportion as the excluded amounts for those vehicles in effect on August 31, 2021.

(e) Provides that the executive commissioner, notwithstanding Subsection (a), is not required to make a determination or recommendation under that subsection until August 1, 2025, for the state fiscal biennium beginning September 1, 2025.

(f) Requires HHSC, notwithstanding this section, not later than October 1, 2023, and for the state fiscal biennium beginning September 1, 2023, to adjust for inflation in the manner specified by Subsection (c) the maximum amount of the fair market value of a motor vehicle that is authorized to be excluded from the resources of an applicant's household for purposes of determining the applicant's eligibility for supplemental nutrition assistance program benefits, including eligibility determined in accordance with 7 C.F.R. Section 273.2(j). Requires HHSC, in calculating the maximum amount under this subsection, to comply with Subsection (d).

(g) Provides that this subsection and Subsections (e) and (f) expire September 1, 2025.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Requires a state agency, if necessary for implementation of a provision of this Act, to request a waiver or authorization from a federal agency, and authorizes a delay of implementation until such a waiver or authorization is granted.

SECTION 4. Effective date: September 1, 2023.