

## **BILL ANALYSIS**

C.S.H.B. 1743  
By: Leach  
Corrections  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

SNAP provides basic food assistance in supplementing inadequate income, which is critical for the formerly incarcerated who are reentering their communities. Federal SNAP rules require that states process applications within 30 days of an individual filing the request. However, recent staffing shortages at the Health and Human Services Commission (HHSC) have pushed this processing time to over 60 days in some cases according to HHSC staff. For Texans leaving the criminal justice system with no means of affording groceries, this delay can lead to hunger and undermine their reentry. As a result, this lack of access prevents Texans from attaining self-sufficiency and avoiding rearrest and reincarceration. C.S.H.B. 1743 seeks to address this issue by requiring HHSC to enter into a memorandum of understanding with the Texas Department of Criminal Justice to assess the eligibility of certain inmates for SNAP benefits on discharge or release from confinement.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 of this bill.

### **ANALYSIS**

C.S.H.B. 1743 amends the Human Resources Code to require the Health and Human Services Commission (HHSC) and the Texas Department of Criminal Justice (TDCJ) to enter into a memorandum of understanding (MOU) for the purpose of ensuring that an inmate confined in a facility operated by or under contract with TDCJ who is likely to be eligible for SNAP benefits on discharge or release on parole, mandatory supervision, or conditional pardon is assessed by HHSC to determine eligibility for those benefits before the inmate's discharge or release. The bill requires the MOU to be tailored to achieve the goal of ensuring that such an inmate determined eligible by HHSC may begin receiving services under SNAP at the time of discharge or release, to establish a procedure through which HHSC must accept and process SNAP applications from inmates, and to define the roles and responsibilities of each agency under the MOU. The bill requires the executive commissioner of HHSC to adopt rules necessary to implement these provisions.

C.S.H.B. 1743 provides for the delayed implementation of any provision for which an applicable state agency determines a federal waiver or authorization is necessary for implementation until the waiver or authorization is requested and granted.

## **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.

## **COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.B. 1743 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas the introduced required HHSC, in cooperation with TDCJ, to establish SNAP application procedures for certain inmates nearing eligibility for discharge or release and required TDCJ to notify HHSC of an inmate's upcoming discharge or release for purposes of providing eligible inmates SNAP benefits at the time of discharge or release, the substitute provides instead for an MOU between HHSC and TDCJ for purposes of ensuring inmates' SNAP eligibility is assessed before discharge or release and requires the MOU to establish a procedure for HHSC to accept and process SNAP applications from inmates and be tailored to achieve the goal of delivering SNAP benefits to qualifying inmates at the time of discharge of release. The substitute omits provisions that appeared in the introduced providing for HHSC's assistance with the application process and initial interview and its determination of an inmate's eligibility by a specified date.

The substitute also omits provisions that appeared in the introduced as follows:

- classifying confinement as an inmate in a TDCJ facility as a hardship that allows a person to apply for SNAP benefits without personally appearing at HHSC offices; and
- authorizing HHSC to contract with community partners to provide application assistance to inmates.

Whereas the introduced required the executive commissioner to consult with TDCJ in adopting rules under the bill's provisions, the substitute does not require this consultation.