

By: Leach

H.B. No. 1743

A BILL TO BE ENTITLED

AN ACT

relating to allowing certain inmates to apply for supplemental nutrition assistance program benefits to be provided at the time of discharge or release.

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

SECTION 1. Subchapter A, Chapter 501, Government Code, is amended by adding Section 501.0167 to read as follows:

Sec. 501.0167. NOTICE TO HEALTH AND HUMAN SERVICES COMMISSION REGARDING SNAP BENEFITS. (a) At least 45 days but not more than 60 days before an inmate is discharged or released on parole, mandatory supervision, or conditional pardon, the department shall notify the Health and Human Services Commission of the inmate's upcoming discharge or release for purposes of applying for supplemental nutrition assistance program benefits as provided by Section 33.0181, Human Resources Code.

(b) The notice provided under Subsection (a) must include the date that the inmate will be discharged or released.

(c) The department shall coordinate with the Health and Human Services Commission to determine:

(1) the method to be used by the department to provide the notice required under Subsection (a); and

(2) the time, place, and manner for providing application assistance and conducting the eligibility interview described by Section 33.0181(b)(2), Human Resources Code.

SECTION 2. Section 33.015(b), Human Resources Code, is amended to read as follows:

(b) For purposes of rules under Subsection (a)(2), a hardship includes a situation in which a person is prevented from personally appearing at commission offices because the person is:

- (1) subject to a work or training schedule;
- (2) subject to transportation difficulties;
- (3) subject to other difficulties arising from the person's residency in a rural area;
- (4) subject to prolonged severe weather;
- (5) ill; ~~or~~
- (6) needed to care for a member of the person's household; or
- (7) confined as an inmate in a facility operated by or under contract with the Texas Department of Criminal Justice.

SECTION 3. Subchapter A, Chapter 33, Human Resources Code, is amended by adding Section 33.0181 to read as follows:

Sec. 33.0181. APPLICATION PROCEDURE FOR CERTAIN INMATES NEARING ELIGIBILITY FOR DISCHARGE OR RELEASE; TIMING OF BENEFITS.

(a) Subject to Section 33.018, the commission, in cooperation with the Texas Department of Criminal Justice, shall establish a procedure to accept and process supplemental nutrition assistance program applications submitted by inmates who are confined in a facility operated by or under contract with the Texas Department of Criminal Justice for purposes of providing program benefits to the inmates at the time of discharge or release.

(b) The commission shall as soon as practicable but not

1 later than the 30th day after the date the commission receives:

2 (1) a notice from the Texas Department of Criminal  
3 Justice under Section 501.0167, Government Code, of the upcoming  
4 discharge or release of an inmate:

5 (A) assist the inmate in filling out forms and  
6 completing the application process; and

7 (B) coordinate with the Texas Department of  
8 Criminal Justice to, in accordance with Section 33.015, conduct the  
9 initial interview by telephone instead of through a personal  
10 appearance; and

11 (2) a completed application for supplemental  
12 nutrition assistance program benefits for an inmate, make a  
13 determination regarding the inmate's eligibility for benefits at  
14 the time of discharge or release.

15 (c) If the commission determines that an inmate is eligible  
16 for supplemental nutrition assistance program benefits, the  
17 commission shall begin providing benefits to the inmate at the time  
18 of discharge or release.

19 (d) The commission may contract with community partners to  
20 provide the application assistance required by this section.

21 (e) The executive commissioner, in consultation with the  
22 Texas Department of Criminal Justice, shall adopt rules to  
23 implement this section.

24 SECTION 4. If before implementing any provision of this Act  
25 a state agency determines that a waiver or authorization from a  
26 federal agency is necessary for implementation of that provision,  
27 the agency affected by the provision shall request the waiver or

1 authorization and may delay implementing that provision until the  
2 waiver or authorization is granted.

3         SECTION 5. This Act takes effect immediately if it receives  
4 a vote of two-thirds of all the members elected to each house, as  
5 provided by Section 39, Article III, Texas Constitution. If this  
6 Act does not receive the vote necessary for immediate effect, this  
7 Act takes effect September 1, 2023.