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H.B. No. 4571

A BILL TO BE ENTITLED

AN ACT

relating to measures to address student hunger at postsecondary educational institutions.

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

SECTION 1. Subchapter 2, Chapter 51, Education Code, is amended by adding Section 51.9231 to read as follows:

Sec. 51.9231. FOOD VENDOR CONTRACT REQUIREMENT. (a) In this section, "institution of higher education" has the meaning assigned by Section 61.003.

(b) A contract entered into by an institution of higher education with a person for the person to sell or otherwise provide food on the institution's campus must require the person, if eligible, to seek authorization to become a retailer and accept benefits under the supplemental nutrition assistance program under Chapter 33, Human Resources Code.

SECTION 2. Subchapter C, Chapter 61, Education Code, is amended by adding Section 61.0763 to read as follows:

Sec. 61.0763. HUNGER-FREE CAMPUS PROGRAM. (a) The board shall establish and administer a hunger-free campus program to support institutions of higher education in establishing essential and sustainable solutions to hunger at institution campuses in this state. The solutions must include:

(1) allowing students to donate meal credits from the student's meal plan to be distributed to peers who may be facing

1 food insecurity;

2 (2) establishing food pantries on campus; and

3 (3) developing, in collaboration with the Health and
4 Human Services Commission, capacity-building strategies for
5 increasing student enrollment in the supplemental nutrition
6 assistance program.

7 (b) The board shall establish criteria under which the board
8 may designate a campus of an institution of higher education as a
9 Hunger-Free Campus if the campus applies and meets the
10 qualifications.

11 (c) The board may establish a task force to develop best
12 practices guidelines for addressing student hunger on the campuses
13 of institutions of higher education, including methods for
14 implementing the solutions to hunger described by Subsection (a).

15 SECTION 3. Subchapter A, Chapter 33, Human Resources Code,
16 is amended by adding Section 33.020 to read as follows:

17 Sec. 33.020. SNAP ELIGIBILITY OF CERTAIN STUDENTS ENROLLED
18 IN POSTSECONDARY EDUCATION PROGRAMS. (a) In this section,
19 "postsecondary educational institution" includes:

20 (1) an institution of higher education or a private or
21 independent institution of higher education as defined by Section
22 61.003, Education Code; and

23 (2) a career school or college as defined by Section
24 132.001, Education Code.

25 (b) The commission shall, as authorized under 7 U.S.C.
26 Section 2015(o)(6), provide an exemption from work requirements to
27 provide supplemental nutrition assistance program benefits to an

1 individual who is:

2 (1) ineligible to receive supplemental nutrition
3 assistance program benefits based solely on the work requirements;

4 and

5 (2) enrolled as a student in a postsecondary
6 educational institution.

7 (c) The executive commissioner shall adopt rules to
8 implement this section, including rules that ensure a student
9 remains eligible for supplemental nutrition assistance benefits
10 during a break in the semester or academic term of the postsecondary
11 educational institution in which the student is enrolled.

12 SECTION 4. Section 51.9231, Education Code, as added by
13 this Act, applies only to a contract entered into on or after the
14 effective date of this Act. A contract entered into before the
15 effective date of this Act is governed by the law in effect on the
16 date the contract was entered into, and the former law is continued
17 in effect for that purpose.

18 SECTION 5. Not later than December 31, 2024, the executive
19 commissioner of the Health and Human Services Commission shall
20 adopt the rules necessary to implement Section 33.020, Human
21 Resources Code, as added by this Act.

22 SECTION 6. Section 33.020, Human Resources Code, as added
23 by this Act, applies only to an initial determination or
24 recertification of eligibility for the supplemental nutrition
25 assistance program under Chapter 33, Human Resources Code, that is
26 made on or after the effective date of this Act. A determination or
27 recertification made before the effective date of this Act is

1 governed by the law in effect on the date the determination or
2 recertification was made, and the former law is continued in effect
3 for that purpose.

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

10 SECTION 8. This Act takes effect September 1, 2023.