

By: Bucy

H.B. No. 4571

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to measures to address student hunger at postsecondary  
3 educational institutions.

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

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

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

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

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

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

23 (1) allowing students to donate meal credits from the  
24 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.