

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Guillen, Ortega, Flores, Hernandez,  
Plesa, et al.

H.B. No. 1287

A BILL TO BE ENTITLED

AN ACT

relating to adjusting for inflation the maximum amount of a motor vehicle excluded in determining eligibility for the supplemental nutrition assistance program.

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

SECTION 1. Subchapter A, Chapter 33, Human Resources Code, is amended by adding Section 33.0215 to read as follows:

Sec. 33.0215. INFLATION ADJUSTMENT OF MOTOR VEHICLE VALUE EXCLUDED IN DETERMINING SNAP ELIGIBILITY. (a) Not later than August 1 of each odd-numbered year, the executive commissioner shall:

(1) determine, in the manner specified by Subsection (c), whether the maximum amount of the fair market value of a motor vehicle that may 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 a recommendation for the adjustment for the state fiscal biennium beginning September 1 of that odd-numbered year.

(b) Not later than September 1 of the odd-numbered year in

1 which the members of the Legislative Budget Board receive a  
2 recommendation under Subsection (a), the board shall approve or  
3 deny the recommendation and provide written notice to the executive  
4 commissioner of the approval or denial. The recommendation is  
5 considered approved if the board does not provide written notice of  
6 the approval or denial on or before September 1. If the board  
7 denies the recommendation, the maximum amount of the fair market  
8 value of a motor vehicle that may be excluded from an applicant's  
9 household resources remains the same as the amount excluded during  
10 the preceding state fiscal biennium.

11 (c) If the Legislative Budget Board approves a  
12 recommendation for an adjustment under Subsection (b), the  
13 commission shall, not later than October 1 of the odd-numbered year  
14 for which the recommendation was made, increase or decrease for  
15 that state fiscal biennium beginning September 1 of that year the  
16 maximum amount of the fair market value of a motor vehicle described  
17 by Subsection (a) that may be excluded from an applicant's  
18 household resources to reflect the percentage difference between:

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

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

25 (d) In calculating the maximum amount of the fair market  
26 value of a motor vehicle described by Subsection (a) that may be  
27 excluded from an applicant's household resources and

1 notwithstanding Subsection (c), the commission shall ensure that  
2 the maximum excluded amounts of the first household vehicle and  
3 each additional household vehicle remain proportionate to each  
4 other in the same proportion as the excluded amounts for those  
5 vehicles in effect on August 31, 2021.

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

10 (f) Notwithstanding this section, not later than October 1,  
11 2023, and for the state fiscal biennium beginning September 1,  
12 2023, the commission shall adjust for inflation in the manner  
13 specified by Subsection (c) the maximum amount of the fair market  
14 value of a motor vehicle that may be excluded from the resources of  
15 an applicant's household for purposes of determining the  
16 applicant's eligibility for supplemental nutrition assistance  
17 program benefits, including eligibility determined in accordance  
18 with 7 C.F.R. Section 273.2(j). In calculating the maximum amount  
19 under this subsection, the commission shall comply with Subsection  
20 (d).


21 (g) This subsection and Subsections (e) and (f) expire  
22 September 1, 2025.

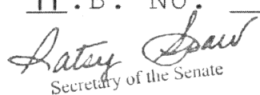
23 SECTION 2. The change in law made by this Act applies to an  
24 initial determination or recertification of eligibility of a person  
25 for the supplemental nutrition assistance program under Chapter 33,  
26 Human Resources Code, that is made on or after the effective date of  
27 this Act.

1           SECTION 3. If before implementing any provision of this Act  
2 a state agency determines that a waiver or authorization from a  
3 federal agency is necessary for implementation of that provision,  
4 the agency affected by the provision shall request the waiver or  
5 authorization and may delay implementing that provision until the  
6 waiver or authorization is granted.

7           SECTION 4. This Act takes effect September 1, 2023.

ADOPTED

By:   
Substitute the following for \_\_\_\_B. No. \_\_\_\_:  
By: 

MAY 24 2023  
H.B. No. 1287  
  
Secretary of the Senate  
C.S.H.B. No. 1287

A BILL TO BE ENTITLED

AN ACT

relating to the exclusion of certain resources in determining eligibility for the supplemental nutrition assistance program.

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

SECTION 1. Subchapter A, Chapter 33, Human Resources Code, is amended by adding Section 33.021 to read as follows:

Sec. 33.021. EXCLUSION OF CERTAIN RESOURCES IN DETERMINING SNAP ELIGIBILITY. In determining the eligibility of an applicant for or recertifying the eligibility of a recipient of supplemental nutrition assistance program benefits, the commission may not consider as resources the value of a motor vehicle in which the applicant or recipient or a member of the applicant's or recipient's household has an ownership interest up to:

(1) \$22,500 for the first vehicle; and

(2) \$8,700 for each additional vehicle.

SECTION 2. The change in law made by this Act applies to a determination of eligibility, including an initial determination of eligibility, a determination of eligibility based on a reported change submitted to the Health and Human Services Commission, or a recertification of eligibility, of a person for the supplemental nutrition assistance program under Chapter 33, Human Resources Code, that is made on or after the effective date of this Act.

SECTION 3. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a

1 federal agency is necessary for implementation of that provision,  
2 the agency affected by the provision shall request the waiver or  
3 authorization and may delay implementing that provision until the  
4 waiver or authorization is granted.

5 SECTION 4. This Act takes effect September 1, 2023.

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**May 25, 2023**

**TO:** Honorable Dade Phelan, Speaker of the House, House of Representatives

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB1287** by Guillen (Relating to the exclusion of certain resources in determining eligibility for the supplemental nutrition assistance program.), **As Passed 2nd House**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would exclude certain resources from an applicant's resources when determining eligibility and recertification for the Supplemental Nutrition Assistance Program (SNAP). HHSC estimates there would be minimal costs associated with implementing the provisions of the bill. It is assumed that these costs could be absorbed within existing resources. All SNAP benefits are federally funded; therefore, there would be no additional cost to the state for an increased number of recipients receiving benefits.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 529 Health and Human Services Commission

**LBB Staff:** JMc, SD, NPe, ER, CST

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**May 21, 2023**

**TO:** Honorable Lois W. Kolkhorst, Chair, Senate Committee on Health & Human Services

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB1287** by Guillen (Relating to the exclusion of certain resources in determining eligibility for the supplemental nutrition assistance program.), **Committee Report 2nd House, Substituted**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would exclude certain resources from an applicant's resources when determining eligibility and recertification for the Supplemental Nutrition Assistance Program (SNAP). HHSC estimates there would be minimal costs associated with implementing the provisions of the bill. It is assumed that these costs could be absorbed within existing resources. All SNAP benefits are federally funded; therefore, there would be no additional cost to the state for an increased number of recipients receiving benefits.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 529 Health and Human Services Commission

**LBB Staff:** JMc, NPe, ER, CST



**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**May 16, 2023**

**TO:** Honorable Lois W. Kolkhorst, Chair, Senate Committee on Health & Human Services

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB1287** by Guillen (Relating to adjusting for inflation the maximum amount of a motor vehicle excluded in determining eligibility for the supplemental nutrition assistance program.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

The bill would direct the Health and Human Services Commission (HHSC) to determine, with approval from the Legislative Budget Board, the maximum amount of the fair market value of a motor vehicle that may be excluded from an applicant's resources when determining eligibility and recertification for the Supplemental Nutrition Assistance Program (SNAP). HHSC estimates there would be minimal costs associated with implementing the provisions of the bill. It is assumed that these costs could be absorbed within existing resources. All SNAP benefits are federally funded; therefore, there would be no additional cost to the state for an increased number of recipients receiving benefits.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 529 Health and Human Services Commission

**LBB Staff:** JMc, NPe, ER, CST

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**April 5, 2023**

**TO:** Honorable James B. Frank, Chair, House Committee on Human Services

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB1287** by Guillen (relating to adjusting for inflation the maximum amount of a motor vehicle excluded in determining eligibility for the supplemental nutrition assistance program.), **Committee Report 1st House, Substituted**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would direct the Health and Human Services Commission (HHSC) to determine, with approval from the Legislative Budget Board, the maximum amount of the fair market value of a motor vehicle that may be excluded from an applicant's resources when determining eligibility and recertification for the Supplemental Nutrition Assistance Program (SNAP). HHSC estimates there would be minimal costs associated with implementing the provisions of the bill. It is assumed that these costs could be absorbed within existing resources. All SNAP benefits are federally funded; therefore, there would be no additional cost to the state for an increased number of recipients receiving benefits.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 529 Health and Human Services Commission

**LBB Staff:** JMc, NPe, ER, CST

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**March 20, 2023**

**TO:** Honorable James B. Frank, Chair, House Committee on Human Services

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB1287** by Guillen (Relating to annually adjusting for inflation the maximum amount of a motor vehicle excluded in determining eligibility for the supplemental nutrition assistance program.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would direct the Health and Human Services Commission (HHSC) to change the current process of adjusting for inflation the value of a motor vehicle when determining the eligibility and recertification for the Supplemental Nutrition Assistance Program (SNAP). HHSC estimates there would be minimal costs associated with implementing the provisions of the bill. It is assumed that these costs could be absorbed within existing resources. All SNAP benefits are federally funded; therefore, there would be no additional cost to the state for an increased number of recipients receiving benefits.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 529 Health and Human Services Commission

**LBB Staff:** JMc, NPe, ER, CST