

By: Kerwin

H.B. No. 5461

A BILL TO BE ENTITLED

AN ACT

relating to eligibility for supplemental nutrition assistance
program benefits following certain parental truancy convictions.

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

SECTION 1. Section 25.093, Education Code, is amended by
adding Subsection (h-1) to read as follows:

(h-1) If the defendant is a recipient of supplemental
nutrition assistance program benefits, the court in which a
conviction, deferred adjudication, or deferred disposition for an
offense under Subsection (a) occurs shall provide the defendant a
written warning that advises the defendant of the collateral
consequences under Section 33.018(d), Human Resources Code, that
are associated with a second or subsequent conviction under
Subsection (a). The executive commissioner of the Health and Human
Services Commission shall prescribe the form and contents of the
written warning required under this subsection.

SECTION 2. Section 33.018, Human Resources Code, is amended
by adding Subsection (d) to read as follows:

(d) Notwithstanding any other law, if a person who is
receiving supplemental nutrition assistance program benefits is
convicted of an offense under Section 25.093(a), Education Code,
the person's supplemental nutrition assistance program benefits
shall be reduced in the following manner:

(1) if the person is convicted two times of an offense

1 under Section 25.093(a), Education Code, the person is eligible to
2 receive a monthly benefit allotment equal to only 75 percent of the
3 monthly benefit allotment the person was determined eligible for
4 under the supplemental nutrition assistance program;

5 (2) if the person is convicted three times of an
6 offense under Section 25.093(a), Education Code, the person is
7 eligible to receive a monthly benefit equal to only 50 percent of
8 the monthly benefit allotment the person was determined eligible
9 for under the supplemental nutrition assistance program; and

10 (3) if the person is convicted four or more times of an
11 offense under Section 25.093(a), Education Code, the person is
12 ineligible for the supplemental nutrition assistance program.

13 SECTION 3. If before implementing any provision of this Act
14 a state agency determines that a waiver or authorization from a
15 federal agency is necessary for implementation of that provision,
16 the agency affected by the provision shall request the waiver or
17 authorization and may delay implementing that provision until the
18 waiver or authorization is granted.

19 SECTION 4. The changes in law made by this Act apply only to
20 an offense committed on or after the effective date of this Act. An
21 offense committed before the effective date of this Act is governed
22 by the law in effect on the date the offense was committed, and the
23 former law is continued in effect for that purpose. For purposes of
24 this section, an offense was committed before the effective date of
25 this Act if any element of the offense occurred before that date.

26 SECTION 5. This Act takes effect September 1, 2025.