

By: Menéndez

S.B. No. 770

A BILL TO BE ENTITLED

AN ACT

relating to creating a reimbursement program to reimburse certain supplemental nutrition assistance program recipients for the cost of certain food delivery service fees.

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 33.033 to read as follows:

Sec. 33.033. FOOD DELIVERY FEE REIMBURSEMENT PROGRAM FOR CERTAIN ELIGIBLE SNAP RECIPIENTS. (a) In this section, "eligible recipient" means a recipient of supplemental nutrition assistance program benefits who:

(1) is 65 years of age or older; or

(2) has a disability, as defined by the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12101 et seq.).

(b) From appropriated money available for that purpose, the commission shall develop and implement a reimbursement program under which an eligible recipient may obtain financial assistance in the form of reimbursement to cover the cost of delivery service fees incurred by the recipient in connection with the purchase of eligible food items under the supplemental nutrition assistance program. In implementing the reimbursement program, the commission shall:

(1) prescribe the form and manner for an eligible recipient to request reimbursement, which may require the recipient

1 to submit an application online, by mail, or in person; and

2 (2) ensure that supplemental nutrition assistance
3 program benefits are not used to reimburse the cost of delivery
4 service fees under this section.

5 (c) The executive commissioner shall adopt rules necessary
6 to implement this section, including rules that:

7 (1) establish a reimbursement methodology for
8 determining the reimbursement amount that an eligible recipient may
9 receive to cover the cost of a delivery service fee assessed in
10 connection with the purchase of eligible food items, which may
11 include limits on:

12 (A) the total reimbursement amount that an
13 eligible recipient may receive to cover the cost of the delivery
14 service fee; and

15 (B) the total number of purchases for which an
16 eligible recipient may receive reimbursement over a period of time
17 the commission specifies; and

18 (2) restrict an eligible recipient from obtaining
19 reimbursement to cover the cost of delivery of a purchase that
20 includes items that are not eligible for purchase using
21 supplemental nutrition assistance benefits.

22 SECTION 2. If before implementing any provision of this Act
23 a state agency determines that a waiver or authorization from a
24 federal agency is necessary for implementation of that provision,
25 the agency affected by the provision shall request the waiver or
26 authorization and may delay implementing that provision until the
27 waiver or authorization is granted.

1 SECTION 3. This Act takes effect September 1, 2025.