

By: Christian

H.B. No. 4024

A BILL TO BE ENTITLED

AN ACT

relating to eligibility for certain nutritional assistance programs and certain nutritional and supportive services.

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

SECTION 1. Chapter 33, Human Resources Code, is amended by adding Section 33.0024 to read as follows:

Sec. 33.0024. DETERMINATION OF ELIGIBILITY FOR CERTAIN ASSISTANCE: QUALIFIED VOTER STATUS. (a) In this section, "qualified voter" has the meaning assigned by Section 11.002, Election Code, but does not include the requirements of Subdivisions (3), (4), and (6) of that section.

(b) A person who is 18 years of age or older is not eligible for nutritional assistance under the food stamp program or the child and adult care food program if the person is not a qualified voter.

(c) In determining whether a person who is 18 years of age or older is eligible for nutritional assistance under the food stamp program, the department shall verify that the person is a qualified voter.

(d) A person who provides nutritional assistance reimbursed by the child and adult care food program shall verify that each person who is 18 years of age or older and to whom that assistance is provided under the program is a qualified voter in accordance with rules adopted by the executive commissioner.

1 SECTION 2. Subchapter D, Chapter 161, Human Resources Code,  
2 is amended by adding Section 161.085 to read as follows:

3 Sec. 161.085. RESTRICTIONS ON ELIGIBILITY FOR CERTAIN  
4 NUTRITIONAL AND SUPPORTIVE SERVICES. (a) In this section:

5 (1) "Nutritional or supportive services" means  
6 services authorized and funded in accordance with Title III, Older  
7 Americans Act (42 U.S.C. Chapter 35).

8 (2) "Qualified voter" has the meaning assigned by  
9 Section 11.002, Election Code, but does not include the  
10 requirements of Subdivisions (3), (4), and (6) of that section.

11 (b) A person who is 18 years of age or older is not eligible  
12 to receive nutritional or supportive services if the person is not a  
13 qualified voter.

14 (c) The department shall require a person who receives funds  
15 from the department to provide nutritional or supportive services  
16 to verify that each person who is 18 years of age or older and to  
17 whom those services are provided using the funds is a qualified  
18 voter.

19 SECTION 3. (a) Section 33.0024, Human Resources Code, as  
20 added by this Act, applies only to a determination of eligibility of  
21 a person for nutritional assistance under Chapter 33, Human  
22 Resources Code, made on or after the effective date of this Act. A  
23 determination of eligibility made before the effective date of this  
24 Act is governed by the law in effect on the date the determination  
25 was made, and the former law is continued in effect for that  
26 purpose.

27 (b) Section 161.085, Human Resources Code, as added by this

1 Act, applies only to nutritional or supportive services provided on  
2 or after the effective date of this Act. Nutritional or supportive  
3 services provided before the effective date of this Act are  
4 governed by the law in effect on the date the services were  
5 provided, and the former law is continued in effect for that  
6 purpose.

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

13 SECTION 5. This Act takes effect September 1, 2009.