

1-1 By: Creighton S.B. No. 1183  
1-2 (In the Senate - Filed February 7, 2025; February 28, 2025,  
1-3 read first time and referred to Committee on State Affairs;  
1-4 April 22, 2025, reported favorably by the following vote: Yeas 9,  
1-5 Nays 1; April 22, 2025, sent to printer.)

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|------|--------------------|-----|-----|--------|-----|
| 1-6  | COMMITTEE VOTE     |     |     |        |     |
| 1-7  |                    | Yea | Nay | Absent | PNV |
| 1-8  | Hughes             | X   |     |        |     |
| 1-9  | Paxton             | X   |     |        |     |
| 1-10 | Bettencourt        | X   |     |        |     |
| 1-11 | Birdwell           | X   |     |        |     |
| 1-12 | Hall               | X   |     |        |     |
| 1-13 | Hinojosa of Nueces | X   |     |        |     |
| 1-14 | Middleton          | X   |     |        |     |
| 1-15 | Parker             | X   |     |        |     |
| 1-16 | Perry              |     |     | X      |     |
| 1-17 | Schwertner         | X   |     |        |     |
| 1-18 | Zaffirini          |     | X   |        |     |

1-19 A BILL TO BE ENTITLED  
1-20 AN ACT

1-21 relating to electronic benefits transfer cards used by or for  
1-22 recipients of benefits under certain assistance programs.  
1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
1-24 SECTION 1. Subchapter B, Chapter 545, Government Code, as  
1-25 effective April 1, 2025, is amended by adding Sections 545.0058 and  
1-26 545.0059 to read as follows:  
1-27 Sec. 545.0058. PHOTOGRAPH AND OTHER INFORMATION ON CERTAIN  
1-28 ELECTRONIC BENEFITS TRANSFER CARDS. (a) In this section:  
1-29 (1) "Financial assistance program" means the  
1-30 financial assistance program established under Chapter 31, Human  
1-31 Resources Code.  
1-32 (2) "Recipient" means a person who receives benefits  
1-33 under the financial assistance program or the supplemental  
1-34 nutrition assistance program.  
1-35 (3) "Supplemental nutrition assistance program" has  
1-36 the meaning assigned by Section 33.0005, Human Resources Code.  
1-37 (b) Subject to Subsection (d), the commission shall ensure  
1-38 that the front side of each electronic benefits transfer card used  
1-39 by a recipient or other person authorized on the recipient's  
1-40 account for purposes of receiving benefits under the financial  
1-41 assistance program or the supplemental nutrition assistance  
1-42 program displays:  
1-43 (1) the name and photograph of the recipient or other  
1-44 authorized person, as appropriate;  
1-45 (2) the words "Fraud Hotline" followed by the  
1-46 telephone number of the commission's toll-free hotline for  
1-47 reporting suspected fraud required under Section 544.0202(b)(2);  
1-48 and  
1-49 (3) the Internet website address maintained by the  
1-50 commission for the purpose of allowing persons to report suspected  
1-51 fraud in either the financial assistance program or the  
1-52 supplemental nutrition assistance program.  
1-53 (c) The Department of Public Safety shall provide to the  
1-54 commission the photographs of a recipient and each person  
1-55 authorized on the recipient's account that the department has in  
1-56 its records. The commission shall use the photographs for purposes  
1-57 of complying with Subsection (b)(1). The commission and the  
1-58 department may enter into a memorandum of understanding for  
1-59 purposes of this subsection.  
1-60 (d) A recipient or other person authorized on the  
1-61 recipient's account is exempt from the photograph requirement

imposed by Subsection (b) if:

(1) the recipient or other authorized person is:

(A) 65 years of age or older;

(B) younger than 19 years of age;

(C) blind;

(D) disabled;

(E) a victim of domestic violence;

(F) homeless; or

(G) issued the electronic benefits transfer card

at a field, regional, or other local commission office; or

(2) the Department of Public Safety does not provide a photograph of the recipient or other authorized person to the commission under Subsection (c).

(e) The executive commissioner may adopt rules necessary to implement this section.

Sec. 545.0059. MONITORING AND REPORTING OF ELECTRONIC BENEFITS TRANSFER CARD REPLACEMENT REQUESTS. (a) In this section "financial assistance program," "recipient," and "supplemental nutrition assistance program" have the meanings assigned by Section 545.0058.

(b) The commission shall monitor the frequency with which recipients request replacements of their electronic benefits transfer cards used for purposes of receiving benefits under the financial assistance program or the supplemental nutrition assistance program. Not later than December 1 of each year, the commission shall submit a report regarding that frequency to the standing committees of the house of representatives and the senate with jurisdiction over the financial assistance and supplemental nutrition assistance programs.

SECTION 2. Section 730.007(c), Transportation Code, is amended to read as follows:

(c) This section does not:

(1) prohibit the disclosure of a person's photographic image to:

(A) a law enforcement agency, the Texas Department of Motor Vehicles, a county tax assessor-collector, or a criminal justice agency for an official purpose;

(B) an agency of this state investigating an alleged violation of a state or federal law relating to the obtaining, selling, or purchasing of a benefit authorized by Chapter 31 or 33, Human Resources Code; ~~or~~

(C) an agency of this state investigating an alleged violation of a state or federal law under authority provided by Title 4, Labor Code; or

(D) the Health and Human Services Commission for use on an electronic benefits transfer card as required by Section 545.0058, Government Code; or

(2) prevent a court from compelling by subpoena the production of a person's photographic image.

SECTION 3. Notwithstanding Section 545.0058, Government Code, as added by this Act, the Health and Human Services Commission:

(1) is not required to issue electronic benefits transfer cards that comply with that section until September 1, 2026, but is required to begin issuing cards that comply with that section beginning on that date; and

(2) shall ensure that on or before August 31, 2028, each electronic benefits transfer card used to deliver benefits to recipients under the financial assistance program under Chapter 31, Human Resources Code, or the supplemental nutrition assistance program under Chapter 33, Human Resources Code, conforms to Section 545.0058, Government Code, as added by this Act.

SECTION 4. Notwithstanding Section 545.0059, Government Code, as added by this Act, the Health and Human Services Commission shall submit the first report required by that section not later than December 1, 2026.

SECTION 5. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision,

3-1 the agency affected by the provision shall request the waiver or  
3-2 authorization and may delay implementing that provision until the  
3-3 waiver or authorization is granted.

3-4 SECTION 6. This Act takes effect September 1, 2025.

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