

BILL ANALYSIS

Senate Research Center
76R9288 CLG-D

C.S.S.B. 1158
By: Carona
Human Services
3/31/1999
Committee Report (Substituted)

DIGEST

Currently, Texas Department of Human Services rules provide penalties for Temporary Assistance for Needy Families (TANF) and food stamp fraud convictions, ending with permanent disqualification upon the third violation. TANF violation penalties, which are not prescribed by state or federal law, were recently updated to be consistent with federally prescribed food stamp-related penalties. C.S.S.B. 1158 establishes fraudulent conduct and imposes immediate permanent disqualification from financial assistance programs upon a first violation.

PURPOSE

As proposed, C.S.S.B. 1158 establishes a description for fraudulent conduct with respect to Temporary Assistance for Needy Families benefits under this section, and permanently disqualifies offenders from receiving financial assistance.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Department of Human Services in SECTION 1 (Section 21.017(f), Human Resources Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 31A, Human Resources Code, by adding Section 31.017, as follows:

Sec. 31.017. FRAUD. Prohibits a person from intentionally taking certain actions to maintain eligibility for financial assistance. Requires the Texas Department of Human Services (TDHS) to take certain actions subsequent to the determination of a violation. Requires TDHS to disqualify a person who violates this section from receiving financial assistance. Authorizes a violator to appeal the determination, and sets forth appeal procedures. Disqualifies a convicted offender under the Penal Code, from ever receiving financial assistance. Provides that a person who is convicted of a non-Penal Code offense is disqualified from receiving financial assistance for three years after the first violation, and permanently after multiple violations. Requires TDHS to adopt rules.

SECTION 2. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 3. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 31.017, Human Resources Code, to add text regarding a person who is convicted of a non-Penal Code offense, and grants rulemaking authority to TDHS. Deletes existing Subsection (e). Makes nonsubstantive and conforming changes.