

BILL ANALYSIS

Senate Research Center
84R22028 JSL-D

C.S.S.B. 723
By: Perry
Health & Human Services
4/16/2015
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Temporary Assistance for Needy Families (TANF) was established as a temporary safety net for very low income families and their children while they search for work and self-sufficiency. Adult recipients are required to work or receive or fulfill other training or education requirements.

However, work and training exemptions are made for nonrecipient parents who are able to work. Currently, over 57 percent of families who receive assistance are exempt from work and training requirements. These exemptions undermine the stated goal of TANF to create self-sufficient families.

C.S.S.B. 723 has taken recommendations from the Committee on Health and Human Services Interim Report, which requires nonrecipient parents, also known as child-only cases, to meet mandatory employment or employment training requirements. Good cause excuses will still apply under this bill.

C.S.S.B. 723 amends current law relating to mandatory participation in certain TANF employment and other programs by certain persons.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 2 (Section 31.012, Human Resources Code) of this bill.

Rulemaking authority previously granted to the executive commissioner of the Health and Human Services Commission is modified in SECTION 3 (Section 31.0126, Human Resources Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 31.0031(a) and (d), Human Resources Code, as amended by S.B. No. 219, Acts of the 84th Legislature, Regular Session, 2015, as follows:

(a) Requires the Health and Human Services Commission (HHSC) to require each adult recipient and nonrecipient parent to sign a bill of responsibilities that defines the responsibilities of the state and of the recipient or nonrecipient parent, as applicable, and encourages personal responsibility. Makes no further change to this subsection.

(d) Requires the responsibility agreement to require that:

(1)-(6) Makes no change to these subdivisions;

(7) Makes a nonsubstantive change;

(8) each recipient or nonrecipient parent, as applicable, attend appropriate parenting skills training classes, as determined by a needs assessment; and

(9) each nonrecipient parent, other than a nonrecipient parent exempt from the requirements, including a nonrecipient parent subject to Section 31.012(c) (relating to exemption for a person who is the caretaker of a physically or mentally disabled child) or (g), satisfy mandatory employment or employment training requirements under Section 31.012.

SECTION 2. Amends Section 31.012, Human Resources Code, by amending Subsection (a), as amended by S.B. No. 219, Acts of the 84th Legislature, Regular Session, 2015, and adding Subsections (g), as follows:

(a) Requires HHSC to require that, during any one-month period in which an adult is receiving or the child of a nonrecipient parent is receiving financial assistance under this chapter, the adult or nonrecipient parent, as applicable, shall during that period:

(1)-(2) Makes no change to these subdivisions.

(g) Provides that a nonrecipient parent who receives Supplemental Security Income (SSI) benefits under 42 U.S.C. Section 1381 et seq. is not subject to the requirements of this section. Authorizes the Texas Workforce Commission to provide services to the nonrecipient parent under this chapter in accordance with rules adopted by the executive commissioner of HHSC (executive commissioner).

SECTION 3. Amends Section 31.0126(c), Human Resources Code, as amended by S.B. No. 219, Acts of the 84th Legislature, Regular Session, 2015, as follows:

(c) Requires the executive commissioner, in adopting rules governing a program prescribed by this section, to:

(1) establish criteria consistent with this chapter for determining which recipients and nonrecipient parents who are eligible to participate in the Temporary Assistance for Needy Families employment programs established under Part A, Subchapter IV, Social Security Act (42 U.S.C. Section 601 et seq.), may be required to participate in a particular program; and

(2) Makes no change to this subdivision.

SECTION 4. Amends Sections 31.0135(a) and (b), Human Resources Code, as amended by S.B. No. 219, Acts of the 84th Legislature, Regular Session, 2015, as follows:

(a) Requires HHSC in cooperation with the Texas Education Agency, the Department of Family and Protective Services, the Texas A&M AgriLife Extension Service or any other public or private entity, to develop a parenting skills training program to assist a recipient of assistance under this chapter, including a child who receives assistance on behalf of a dependent child, and a nonrecipient parent.

(b) Requires HHSC to require that a caretaker relative or parent who is receiving assistance under this chapter on behalf of a dependent child, including a nonrecipient parent, receive appropriate parenting skills training as needed.

SECTION 5. Provides that the changes in law made by this Act apply to a person receiving financial assistance, including a nonrecipient parent, as defined by Section 31.0021 (Definition of Nonrecipient Parent), Human Resources Code, on or after the effective date of this Act, regardless of the date the determination of eligibility for that assistance was made.

SECTION 6. Requires a state agency, if necessary for implementation of a provision of the Act, to request a waiver or authorization from a federal agency, and authorizes delay of implantation until such a waiver or authorization is granted.

SECTION 7. Effective date: September 1, 2015.