

2018 Regular Session

HOUSE BILL NO. 128

BY REPRESENTATIVE JAY MORRIS

SNAP/FOOD STAMPS: Requires legislative authorization for any waiver of SNAP work requirements for able-bodied adults without dependents

1 AN ACT

2 To enact Subpart E-5 of Part II of Chapter 3 of Title 46 of the Louisiana Revised Statutes
3 of 1950, to be comprised of R.S. 46:331 through 333, relative to eligibility for
4 benefits of the Supplemental Nutrition Assistance Program (SNAP); to limit the
5 authority of the state to waive work requirements for certain SNAP benefit
6 recipients; to require legislative approval of certain SNAP waiver applications; to
7 provide for the manner by which such approval may be granted; to require
8 participation in employment and training activities by certain SNAP beneficiaries;
9 and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. Subpart E-5 of Part II of Chapter 3 of Title 46 of the Louisiana Revised
12 Statutes of 1950, comprised of R.S. 46:331 through 333, is hereby enacted to read as
13 follows:

14 SUBPART E-5. SNAP WORK REQUIREMENTS

15 §331. Findings and intent

16 A. The legislature hereby finds and declares the following:

17 (1) It is the policy of this state to encourage self-sufficiency so that
18 Louisianians may reduce dependence on public benefits to meet basic needs and
19 become economically self-reliant.

1 (2) The Supplemental Nutrition Assistance Program, formerly known as
2 "food stamps" and referred to hereafter in this Subpart as "SNAP", provides support
3 to needy households and to persons making the transition from welfare to work.

4 (3) Pursuant to the federal Food Security Act of 1985, states are required to
5 provide employment and job training services to SNAP recipients who are not
6 exempt from the mandatory work registration requirements of the program.

7 (4) Federal regulations (7 CFR 273.24) limit the duration of receipt of SNAP
8 benefits by nonworking, able-bodied adults without dependents who do not qualify
9 for certain exemptions to a total of three months in any three-year period. However,
10 states may submit to the federal government applications, commonly known as
11 "waivers", to have this three-month limit waived. If approved, such waivers allow
12 able-bodied, nonworking, nonexempt adults to receive SNAP benefits for a
13 potentially unlimited duration.

14 B. It is the intent of this Subpart to provide a mechanism for legislative
15 approval of any waiver of SNAP work requirements for able-bodied adults without
16 dependents, and to require nonexempt SNAP beneficiaries to participate in
17 employment and training activities.

18 §332. Waiver of Supplemental Nutrition Assistance Program work requirements;
19 legislative approval required

20 A. Notwithstanding any provision of law or regulation to the contrary, the
21 secretary of the Department of Children and Family Services shall not submit to the
22 Food and Nutrition Service of the United States Department of Agriculture any
23 application for a waiver of the provisions of 7 CFR 273.24, or any other law or
24 regulation providing work requirements for able-bodied adults without dependents
25 who receive SNAP benefits, unless the submission of such an application has been
26 approved by the House Committee on Health and Welfare and the Senate Committee
27 on Health and Welfare.

28 B. Approval by a legislative committee of a waiver application as required
29 by Subsection A of this Section may be by favorable vote, *viva voce*, of a simple

1 majority of the committee's membership at a meeting of the committee; or by
 2 favorable vote of a simple majority of the committee's membership submitted by
 3 mail ballot.

4 §333. Supplemental Nutrition Assistance Program work requirements; mandatory
 5 participation in employment and training program

6 The Department of Children and Family Services shall assign individuals
 7 subject to work requirements established in 7 U.S.C. 2015(d)(1), but not subject to
 8 requirements established in 7 U.S.C. 2015(o), to participate in an employment and
 9 training program provided for in 7 U.S.C. 2015(d)(4).

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 128 Original

2018 Regular Session

Jay Morris

Abstract: Prohibits the state from applying for a waiver of SNAP work requirements for able-bodied adults without dependents absent legislative authorization therefor.

Proposed law provides that its purpose is to institute a requirement for legislative approval of any waiver of work requirements for able-bodied adults without dependents in the Supplemental Nutrition Assistance Program (formerly known as "food stamps" and referred to hereafter as SNAP).

Proposed law provides that the secretary of the Department of Children and Family Services (DCFS) shall not submit to the federal SNAP regulatory agency any application for a waiver of federal regulations providing work requirements for able-bodied adults without dependents who receive SNAP benefits, unless the submission of such an application has been approved by the legislative committees on health and welfare.

Proposed law provides that approval by a legislative committee of a waiver application as required by proposed law may be by favorable vote, *viva voce*, of a simple majority of the committee's membership at a meeting of the committee, or by mail ballot.

Proposed law requires that within 30 days of the effective date of proposed law, the secretary of DCFS shall take all such actions as are necessary to revoke, terminate, or otherwise render null and without effect any waiver of work requirements for able-bodied adults without dependents receiving SNAP benefits in effect on the effective date of proposed law.

Proposed law requires DCFS to assign individuals to participate in employment and training programs provided for in 7 U.S.C. 2015(d)(4).

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 46:331-333)