

2016 Regular Session

HOUSE BILL NO. 421

BY REPRESENTATIVE AMEDEE

SNAP/FOOD STAMPS: Prohibits the state from waiving SNAP work requirements for able-bodied adults without dependents absent legislative authorization

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 and 332, relative to eligibility for benefits
4 of the Supplemental Nutrition Assistance Program (SNAP); to limit the authority of
5 the state to waive work requirements for certain SNAP benefit recipients; to require
6 legislative approval of certain SNAP waiver applications; to provide for the manner
7 by which such approval may be granted; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Subpart E-5 of Part II of Chapter 3 of Title 46 of the Louisiana Revised
10 Statutes of 1950, comprised of R.S. 46:331 and 332, is hereby enacted to read as follows:

11 SUBPART E-5. SNAP WORK REQUIREMENTS

12 §331. Findings and intent

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

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

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

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

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

11 B. It is the intent of this Subpart to institute a requirement for legislative
12 approval of any waiver of SNAP work requirements for able-bodied adults without
13 dependents in this state.

14 §332. Supplemental Nutrition Assistance Program work requirements; legislative
15 approval of waiver required

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

24 B. Approval by a legislative committee of a waiver application as required
25 by Subsection A of this Section may be by favorable vote, viva voce, of a simple
26 majority of the committee's membership at a meeting of the committee, or by mail
27 ballot.

28 Section 2. Within thirty days of the effective date of this Act, the secretary of the
29 Department of Children and Family Services shall take all such actions as are necessary to

1 revoke, terminate, or otherwise render null and without effect any waiver of work
2 requirements for able-bodied adults without dependents receiving SNAP benefits in effect
3 on the effective date of this Act.

4 Section 3. This Act shall become effective upon signature by the governor or, if not
5 signed by the governor, upon expiration of the time for bills to become law without signature
6 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
7 vetoed by the governor and subsequently approved by the legislature, this Act shall become
8 effective on the day following such approval.

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 421 Original

2016 Regular Session

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Abstract: Prohibits the state from applying for a waiver of SNAP work requirements for able-bodied adults without dependents absent legislative authorization, and revokes any such waiver currently in effect.

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.

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

(Adds R.S. 46:331 and 332)