

BILL ANALYSIS

Senate Research Center

S.B. 1148
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Health & Human Services
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As Filed

DIGEST

Currently, in implementing welfare reform, other states have found that many victims of domestic violence encounter unique problems when such victims begin job training or educational programs. The individual who abuses the victim may perceive that the work or educational activities will eventually help the recipient gain the independence necessary to leave the abusive situation. The individual who abuses the victim may become even more violent or may purposefully hinder the recipient in meeting the program requirements. This bill would require the Texas Department of Human Services to adopt procedures to identify individuals applying for or receiving financial assistance who are victims of domestic violence, and, on a case-by-case basis, waive eligibility requirements if the requirements would make it more difficult for the individual to escape domestic violence or unfairly penalize the individual.

PURPOSE

As proposed, S.B. 1148 requires the Texas Department of Human Services to adopt procedures to identify individuals applying for or receiving financial assistance who are victims of domestic violence, and, on a case-by-case basis, waive eligibility requirements under certain conditions.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Department of Human Services in SECTION 1 (Section 31.0321(a), Human Resources Code) of this Act.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 31B, Human Resources Code, by adding Section 31.0321, as follows:

Sec. 31.0321. VICTIMS OF DOMESTIC VIOLENCE. Requires the Texas Department of Human Services (DHS), by rule, to adopt procedures to identify individuals applying for or receiving financial assistance who are victims of domestic violence, while maintaining confidentiality; and on a case-by-case basis after a determination of good cause, waive eligibility requirements for an individual identified under Subdivision (1) if application of the requirements would make it more difficult for the individual to escape domestic violence; or unfairly penalize the individual. Prohibits DHS from denying an individual access to education, training, employment, or other services because the individual is a victim of domestic violence. Requires DHS to seek comments from the Texas Workforce Commission, the office of the attorney general, and at least one statewide advocacy group for victims of domestic violence in developing procedures under this section. Defines "domestic violence."

SECTION 2. Requires DHS or other state agency, if, before implementing any provision of this Act, DHS or other state agency determines that a waiver or authorization from a federal agency is necessary for implementation, to request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

SECTION 3. Emergency clause.
Effective date: upon passage.