

Chapter 813. Food Stamp Employment and Training

The Texas Workforce Commission (Commission) proposes the repeal of §§813.1 and 813.2 and new §§813.1 and 813.2, relating to the Food Stamp Employment and Training program. The proposed repeal and proposed new sections are due to the mandates of recent federal guidance requiring the state to adopt these rules or risk losing federal funds.

Section 813.1 explains the expenditure of funds.

Section 813.2 sets forth the allowable activities for the Food Stamp Employment and Training Program.

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 requires able-bodied food stamp recipients, ages 18-50, with no dependents (ABAWDs) to participate in specific activities in order to receive food stamp benefits. Failure of these participants to comply with the federal requirements will limit their assistance to three months out of thirty-six (36) months. This targeted population is referred to as ABAWDs. Allowable activities include training funded by the Trade Adjustment Act of 1974 (TAA), Job Training Partnership Act (JTPA), workfare, and state training and education programs of at least twenty (20) hours a week. Recent federal guidance mandates that the state utilize at least eighty percent (80%) of federal Food Stamp Employment and Training funds to assist ABAWDs in allowable activities.

Randy Townsend, Director of Finance, has determined that for each year of the first five years the rules as proposed will be in effect, there will be no fiscal implications for state or local government as a result of enforcing or administering the rules.

Mike Sheridan, Executive Director of the Commission, has determined that the public benefit anticipated as a result of the rules as proposed will be to provide work opportunities for ABAWDs who would otherwise lose food assistance because of the time limits imposed under the Welfare Reform legislation which restricts participation in the Food Stamp Program to 3-in-36 months unless the individual is working or participating in a work program 20 hours per week, or participating in a workfare program. There is no cost to small businesses to comply with the new rules as proposed. There is no economic cost to persons required to comply with the rules.

Mark Hughes, Director of Labor Market Information, has determined that there is no significant negative impact upon employment conditions in this state as a result of these proposed rules. The only impact on private employers as a result of these rules would be an expanded applicant pool.

Comments on the proposed rules may be submitted to Larry Temple, Director of Welfare Reform, Texas Workforce Commission, 101 East 15th Street, Room 458-T, Austin, Texas 78778; Fax Number 512- 463-2209; or E-mail to larry.temple@twc.state.tx.us.

Comments must be received by the Commission no later than thirty days from the date this proposal is published in the Texas Register.

40 TAC §§813.1, 813.2

(Editor's note: The text of the following sections proposed for repeal will not be published. The sections may be examined in the offices of the Texas Workforce Commission or in the Texas Register office, Room 245, James Earl Rudder Building, 1019 Brazos Street, Austin.)

(The Texas Workforce Commission proposed for permanent adoption the repealed sections it adopts on an emergency basis in this issue.)

The repeals are proposed under the Texas Labor Code, Chapter 301, which provides the Texas Workforce Commission with the authority to adopt, amend, or repeal such rules as it deems necessary for the effective administration of Texas Workforce Commission programs.

The repeals affect the Texas Labor Code, Title 4.

This agency hereby certifies that the proposal has been reviewed by legal

counsel and found to be within the agency's legal authority to adopt.
Filed with the Office of the Secretary of State, on April 29, 1998.
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J. Randel (Jerry) Hill

General Counsel

Texas Workforce Commission

Earliest possible date of adoption: June 14, 1998

For further information, please call: (512) 463-8812

40 TAC §§813.1, 813.2

(Editor's note: The Texas Workforce Commission proposes for permanent adoption the new sections it adopts on an emergency basis in this issue. The text of the new sections are in the Emergency Rules section of this issue.)

The new rules are proposed under Texas Labor Code §301.061 which provides the Texas Workforce Commission with the authority to adopt, amend, or repeal such rules as it deems necessary for the effective administration of Texas Workforce Commission programs.

The proposal affects the Texas Labor Code, Title 4.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's legal authority to adopt.

Filed with the Office of the Secretary of State, on April 29, 1998.

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For further information, please call: (512) 463-8812