

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1293

Public Assistance

SPONSOR(S): Coley

TIED BILLS:

IDEN./SIM. BILLS: SB 1306

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1)	Health Care Services Policy Committee	11 Y, 0 N	Schoonover	Schoolfield
2)	Health Care Appropriations Committee	10 Y, 0 N	Massengale	Massengale
3)	Health & Family Services Policy Council			
4)				
5)				

SUMMARY ANALYSIS

HB 1293 makes several revisions to law relating to the food stamp program & WAGES Program to conform to current federal and state law. The bill replaces all references in statute using either "food stamp" or "food stamp program," and replaces with either the "Supplemental Nutrition Assistance Program" or "food assistance." The bill replaces all references in statute using either "WAGES" or "WAGES Program" with "temporary cash assistance" or "Temporary Cash Assistance Program."

The bill does not appear to have a fiscal impact on state or local governments.

The bill becomes effective on July 1, 2010.

HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

In 2008 Congress passed the Food, Conservation and Energy Act, which changed the name of the federal Food Stamp Program to the Supplemental Nutrition Assistance Program (SNAP).¹ States retained flexibility to name the program but were encouraged to change the name to SNAP or another alternate name.² Food Stamps have not been issued in Florida since 1998 when the state converted to electronic benefit transfer cards.³

In 2000, the Florida Legislature passed the Workforce Innovation Act⁴ that defined temporary cash assistance as DCF's eligibility program for financial assistance to needy families with or expecting children.⁵ It also defined the welfare transition program as the state's program for providing work activities and providing parents with job presentation, work opportunities, and support services to enable them to leave the program and be self-sufficient.⁶ Prior to passage of the Workforce Innovation Act, the statute defined the Work and Gain Economic Self-sufficiency (WAGES) Program as the program providing these services.

Effect of Proposed Changes

The bill proposes several revisions to law relating to the food stamp program & WAGES Program to conform to current federal and state law.

The bill replaces all references in statute using either "food stamp" or "food stamp program," and replaces with either the "Supplemental Nutrition Assistance Program" or "food assistance". The effect of this change will conform to the current food assistance program under federal law.

¹ H.R. 2419 (2008).

² "A Short History of SNAP," Food and Nutrition Service, U.S. Department of Agriculture.
<http://www.fns.usda.gov/FSP/rules/Legislation/about.htm> (last visited March 4, 2010).

³ Staff Analysis (HB 1293), Department of Children and Family Services (On file with committee staff).

⁴ 2000-165, Laws of Florida.

⁵ Staff Analysis (HB 1293), Department of Children and Family Services (On file with committee staff).

⁶ Id.

The bill replaces all references in statute using either “WAGES” or “WAGES Program” with “temporary cash assistance” or “Temporary Cash Assistance Program.” The effect of this change will align DCF’s cash assistance program with the Workforce Innovation Act of 2000.

B. SECTION DIRECTORY:

- Section 1. Amends s. 97.021, F.S., relating to definitions.
- Section 2. Amends s. 163.2523, F.S., relating to grant program.
- Section 3. Amends s. 163.456, F.S., relating to Legislative findings and intent.
- Section 4. Amends s. 220.187, F.S., relating to credits for contributions to nonprofit scholarship-funding organizations.
- Section 5. Amends s. 288.9618, F.S., relating to microenterprises.
- Section 6. Amends s. 341.041, F.S., relating to transit responsibilities of the department.
- Section 7. Amends s. 379.353, F.S., relating to recreational licenses and permits; exemptions from fees and requirements.
- Section 8. Amends s. 402.33, F.S., relating to department authority to charge fees for services provided.
- Section 9. Amends s. 409.2554, F.S., relating to definitions.
- Section 10. Amends s. 409.2576, F.S., relating to state directory of new hires.
- Section 11. Amends s. 409.903, F.S., relating to mandatory payments for eligible persons.
- Section 12. Amends s. 409.942, F.S., relating to electronic benefit transfer program.
- Section 13. Amends s. 411.0101, F.S., relating to child care and early childhood resource and referral.
- Section 14. Amends s. 414.0252, F.S., relating to definitions.
- Section 15. Amends s. 414.065, F.S., relating to noncompliance with work requirements.
- Section 16. Amends s. 414.0655, F.S., relating to medical incapacity due to substance abuse or mental health impairment.
- Section 17. Amends s. 414.075, F.S., relating to resource eligibility standards.
- Section 18. Amends s. 414.085, F.S., relating to income eligibility standards.
- Section 19. Amends s. 414.095, F.S., relating to determining eligibility for temporary cash assistance.
- Section 20. Amends s. 414.14, F.S., relating to public assistance policy simplification.
- Section 21. Amends s. 414.16, F.S., relating to emergency assistance program.
- Section 22. Amends s. 414.17, F.S., relating to audits.
- Section 23. Amends s. 414.175, F.S., relating to review of existing waivers.
- Section 24. Amends s. 414.31, F.S., relating to state agency for administering federal food stamp program.
- Section 25. Amends s. 414.32, F.S., relating to prohibitions and restrictions with respect to food stamps.
- Section 26. Amends s. 414.33, F.S., relating to violations of food stamp program.
- Section 27. Amends s. 414.34, F.S., relating to annual report concerning administrative complaints and disciplinary actions involving food stamp program violations.
- Section 28. Amends s. 414.35, F.S., relating to emergency relief.
- Section 29. Amends s. 414.36, F.S., relating to public assistance overpayment recovery program; contracts.
- Section 30. Amends s. 414.39, F.S., relating to fraud.
- Section 31. Amends s. 414.41, F.S., relating to recovery of payments made due to mistake or fraud.
- Section 32. Amends s. 414.45, F.S., relating to rulemaking.
- Section 33. Amends s. 420.624, F.S., relating to local homeless assistance continuum of care.
- Section 34. Amends s. 430.2053, F.S., relating to aging resource centers.
- Section 35. Amends s. 445.004, F.S., relating to Workforce Florida, Inc.
- Section 36. Amends s. 445.009, F.S., relating to one-stop delivery system.
- Section 37. Amends s. 445.024, F.S., relating to work requirements.
- Section 38. Amends s. 445.026, F.S., relating to cash assistance severance benefit.
- Section 39. Amends s. 445.048, F.S., relating to waivers.
- Section 40. Amends s. 718.115, F.S., relating to common expenses and common surplus.
- Section 41. Amends s. 817.568, F.S., relating to criminal use of personal identification information.
- Section 42. Amends s. 921.0022, F.S., relating to Criminal Punishment Code; offense severity ranking chart.

Section 43. Amends s. 943.401, F.S., relating to public assistance fraud.

Section 44. Providing an effective date of July 1, 2010.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not appear to require counties or municipalities to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, nor reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES