

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 161

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM; AMENDING SECTION 56-205, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING WORK REQUIREMENTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 56-205, Idaho Code, be, and the same is hereby amended to read as follows:

56-205. ISSUANCE OF SNAP BENEFITS. (1) In each month that the state department or its authorized agent issues benefits under the supplemental nutrition assistance program (SNAP) to eligible persons, such benefits shall be issued over the course of not less than ten (10) consecutive days within the month.

(2) To reduce the burden on state general funds, any implementation costs incurred by the department under subsection (1) of this section shall be paid using SNAP performance bonus money if such money is received from the United States department of agriculture. If the department does not receive sufficient SNAP performance bonus money, state general funds shall be requested to implement the provisions of this act. This act is dependent upon ongoing operating and personnel appropriations.

(3) Unless expressly required by federal law, the department of health and welfare shall obtain specific authorization from the legislature before seeking, applying for, accepting, or renewing any waiver of work requirements established by the supplemental nutrition assistance program under 7 U.S.C. 2015(o).

(4) The department of health and welfare may not exercise the state's option to provide any exemptions from the work requirement under 7 U.S.C. 2015(o) (6) (E).

(5) (a) Under the authority given to a state agency to operate the general work requirement pursuant to 7 U.S.C. 2015(d), the department of health and welfare shall assign all individuals who are over the age of seventeen (17) years and under the age of sixty (60) years to an employment and training program as defined in 7 U.S.C. 2015(d) (4), unless the individual is:

(i) Currently subject to and complying with a work registration requirement under title IV of the social security act, as amended, or the federal-state unemployment insurance system, in which case, failure by such person to comply with any work requirement to which such person is subject shall be the same as failure to comply with the general work requirement;

(ii) A parent or other member of a household with responsibility for the care of a dependent child under the age of six (6) years or of an incapacitated person;

1           (iii) A bona fide student enrolled at least half-time in any rec-  
2           ognized school, training program, or institution of higher educa-  
3           tion, except any such person enrolled in an institution of higher  
4           education who is ineligible to participate under 7 U.S.C. 2015(d);

5           (iv) A regular participant in a drug addiction or alcoholic treat-  
6           ment and rehabilitation program;

7           (v) Employed a minimum of thirty (30) hours per week or receiving  
8           weekly earnings that equal the minimum hourly rate under the fair  
9           labor standards act of 1938, as amended, multiplied by thirty (30)  
10           hours; or

11           (vi) A person between the ages of sixteen (16) and eighteen (18)  
12           years who is not a head of a household or who is attending school,  
13           or enrolled in an employment training program, on at least a half-  
14           time basis.

15       (b) The department of health and welfare may develop a list of addi-  
16       tional state-specific exemptions from participation, such as but not  
17       necessarily including exemptions for lack of transportation or preg-  
18       nancy, but may not, in any fiscal year, provide exemptions to a number  
19       of individuals equal to or greater than twenty percent (20%) of the to-  
20       tal number of work registrants enrolled the previous fiscal year with-  
21       out first obtaining specific authorization from the legislature to do  
22       so.

23       (c) In the event that the director of the department of health and wel-  
24       fare finds that employment and training assignments cannot be funded or  
25       provided to all individuals subject to such assignment under this sec-  
26       tion, the director shall:

27           (i) Submit a report within fourteen (14) days of first failing to  
28           make a required assignment to all members of the legislature and  
29           the governor containing:

30                   1. An attestation that the department has expended the  
31                   state's biennial employment and training grant from the fed-  
32                   eral government;

33                   2. An attestation that the department has received and ex-  
34                   pended its able-bodied adults without dependents pledge  
35                   funding from the federal government;

36                   3. A detailed explanation of the cost-saving measures con-  
37                   sidered and taken to increase the number of assignments,  
38                   including online training, work experience components, or  
39                   work partnerships, and why additional assignments cannot  
40                   be made within existing funding streams despite those mea-  
41                   asures;

42                   4. Recommendations for additional funding sources related  
43                   to workforce training that would be more effectively used to  
44                   increase workforce participation by directing funds toward  
45                   employment and training assignments or an explanation for  
46                   why such redirection from other funding sources would not be  
47                   more effective to that end;

48                   5. The percentage of work registrants assigned to an employ-  
49                   ment and training program in the previous month, to be up-

1 dated and resubmitted monthly to all members of the legisla-  
2 ture and the governor; and

3 6. A plan for how the department plans to restart assign-  
4 ments for all individuals subject to assignment within six  
5 (6) months without additional funding using more scalable  
6 and affordable employment and training assignments, such as  
7 participation in online training, work experience compo-  
8 ments, or work partnerships;

9 (ii) Provide updates to all members of the legislature and the  
10 governor every thirty (30) days as to the metrics and plans submit-  
11 ted in the first report for as long as the department is failing to  
12 make all such required assignments; and

13 (iii) Continue to assign as many individuals subject to the re-  
14 quirement as possible, prioritizing adults without dependents who  
15 have been enrolled for more than one (1) year.

16 (d) The department may not stop making assignments or decline to assign  
17 any individual to an employment and training program because the work  
18 requirement for able-bodied adults without dependents under 7 U.S.C.  
19 2015(o) has been suspended or waived partially or wholly by the depart-  
20 ment, state, or federal government.

21 SECTION 2. An emergency existing therefor, which emergency is hereby  
22 declared to exist, this act shall be in full force and effect on and after  
23 January 1, 2024.