

# DCF LEGISLATIVE TESTIMONY



02/07/2023

**TESTIMONY OF**

Deputy Secretary Tanya Keys

Kansas Department for Children and Families

**TESTIMONY ON**

HB 2140, Written Only

**Chair**

Representative Averkamp

**Vice Chair**

Representative Howell

**Ranking Member**

Representative Meyer

**and**

**Members of the Committee**

## SUMMARY OF ISSUE & DCF POSITION

Chairperson Averkamp and members of the committee, thank you for the opportunity to testify in opposition to House Bill 2140.

HB 2140 addresses the state's Food Assistance or SNAP program. The bill would increase the maximum age in the definition of an Able-Bodied Adult Without Dependents (ABAWD) from 49 to 59 years of age and apply ABAWD benefit limitations and work requirements to individuals ages 50 - 59.

Federal law dictates that ABAWDS are limited to three months of food assistance within a three-year period if not working at least 20 hours or more per week. The federal regulation allows exceptions to this time limit for individuals under 18 and over 50. This can be found in **7 CFR 273.24**:

(c) Exceptions. The time limit does not apply to an individual if he or she is:

(1) Under 18 or 50 years of age or older.

States cannot impose additional limitations on federal food assistance benefits in regard to the age range for exception. Failure to comply with federal regulations and definitions could result in federal funds being at risk of being withheld.

The target population for this bill (ages 50 – 59) is already required by federal statute to register for work and maintain 30 hours a week unless exempt. Failure to meet these requirements puts an individual age 16 – 59 at risk for a potential employment violation (PEV). The first offense makes the individual ineligible for Food Assistance for 3 months; a second offense equals 6 months; and a third offense is a full year.

Individuals between ages 16 and 59 receiving food assistance are considered registrants unless they meet exemption criteria identified in federal regulations. If someone is a work registrant they must:

- 1) Register for work
- 2) Accept any job offer you receive, unless there are extenuating circumstances
- 3) If they have a job, don't quit the job, or choose to work less than 30 hours each week without having a good reason, such as illness, discrimination, or lack of compensation
- 4) Tell DCF about the job and how much they are working, if asked

Because the language in the bill would make the state non-compliant with federal SNAP regulations and current work requirements apply to the target population, DCF cannot support HB 2140.

Thank you again for the opportunity to provide testimony.