

SESSION OF 2023

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2140

As Amended by House Committee on Welfare
Reform

Brief*

HB 2140, as amended, would amend law pertaining to eligibility requirements for the food assistance program (Supplemental Nutrition Assistance Program or SNAP). The bill would require the Kansas Department for Children and Families (DCF) to assign work registrants ages 50 through 59 without dependents who are not exempt under U.S.C. § 2015(d)(2) to an employment and training program as a condition of participation in SNAP. Under current law, only able-bodied adults ages 18 through 49 without dependents and individuals who are not employed at least 30 hours per week are required to participate in an employment and training program to receive SNAP benefits.

[Note: U.S.C. § 2015(d)(2) is a federal law that exempts the following work registrants between the ages of 16 and 59 from a work requirement:

- An individual currently subject to and complying with a work registration requirement under another federal program or the federal-state unemployment compensation system;
- A parent or other member of a household with responsibility for the care of a dependent child under six years of age or of an incapacitated person;

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

- A bona fide student enrolled at least half time in any recognized school, training program, or institution of higher education (except that any such person enrolled in an institution of higher education must meet additional requirements);
- A regular participant in a drug addiction or alcoholic treatment and rehabilitation program;
- An individual employed a minimum of 30 hours per week or receiving weekly earnings that equal the federal minimum hourly rate, multiplied by thirty hours; or
- A person between the ages of 16 and 18 who is not a head of a household or who is attending school, or enrolled in an employment training program, on at least a half-time basis.]

Background

The bill was introduced by the House Committee on Welfare Reform at the request of Representative Humphries.

House Committee on Welfare Reform

In the House Committee hearing, a representative of Opportunity Solutions Project testified as a **proponent** of the bill, stating the bill would move individuals from poverty to self-sufficiency through work requirements or work-related training and participation, help address the state's labor shortage, and help build on the success of DCF's SNAP Employment and Training Services Program.

Opponent testimony was provided by representatives of AARP Kansas, Kansas Action for Children, and Kansas Appleseed Center for Law and Justice, who generally stated the bill would destabilize children's care networks, punish Kansans who already face age discrimination in the workforce by making it more difficult for them to afford food,

and add administrative cost and complexity for state agency staff and older Kansans. Written-only opponent testimony was provided by a representative of Harvesters – The Community Food Network, the Kansas Food Bank, and Second Harvest Community Food Bank; and representatives of the American Heart Association; Community Health Council of Wyandotte County; DCF; Flint Hills Breadbasket; Kansas Association of Area Agencies on Aging and Disabilities; Kansas National Education Association; University of Kansas Institute for Policy and Social Research; and Wyandotte County Women, Infant, and Children (WIC) Program.

The House Committee amended the bill to replace references to able-bodied adults ages 18 through 59 without dependents with ages 18 through 49, which is current law, and add language to specify work registrants ages 50 through 59 without dependents not exempt under federal law would be required to participate in an employment and training program to receive SNAP benefits.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, DCF indicates states cannot impose additional limitations on federal SNAP benefits. Failure to comply with federal regulations and definitions could result in federal funds being at risk of being withheld. This could include federal funds to administer the SNAP program and benefits passed to families. In FY 2022, Kansas received over \$30.0 million in federal funding to administer the SNAP program. Additionally, annual SNAP benefits in excess of \$500.0 million are provided to approximately 95,000 Kansas families. Any fiscal effect associated with the bill is not reflected in *The FY 2024 Governor's Budget Report*.

Food assistance; supplemental nutrition assistance program; work registrants; employment and training program