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State of Misconsin 2021 - 2022 LEGISLATURE

LRB-5606/P1 TJD:amn

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

AN ACT to create 49.79 (10) (c) of the statutes; relating to: prohibiting waiver

of time limits on FoodShare benefits for not fulfilling work requirements.

Analysis by the Legislative Reference Bureau

Current law requires able-bodied adults without dependents to comply with certain work requirements to maintain FoodShare eligibility, and, if they do not comply or meet a specified exception, their eligibility for FoodShare is limited to three months during a three-year period. The Department of Health Services is currently waiving, due to the coronavirus pandemic, the time limits on benefits for failing to comply with the FoodShare work requirement. The FoodShare program, also known as the food stamp program and the federal Supplemental Nutrition Assistance Program, provides financial assistance to individuals with limited financial resources for the purchase of food.

This bill prohibits the waiver or suspension of the time limits on eligibility for FoodShare for not fulfilling the work requirement except if the waiver or suspension is for a reason specified under a particular federal regulation. The current federal regulation allows states to waive the time limit if the area in which the individuals reside in the state has an unemployment rate of over 10 percent or if the area does not have sufficient number of jobs to provide employment for the individuals. The bill also requires DHS to withdraw its current waiver or suspension of the time limits but requires DHS to comply with the federal Families First Coronavirus Response Act as related to the time limits. The FFCRA provides that, during the federally declared public health emergency related to the novel coronavirus outbreak, COVID-19, eligibility for SNAP may not be time limited unless an individual does

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not comply with the requirements of a state-administered employment and training program, which is FSET in Wisconsin, or another training program specified in federal law.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 49.79 (10) (c) of the statutes is created to read:

49.79 (10) (c) The time limit on eligibility under par. (a) 2. for not fulfilling the work requirement may not be waived or suspended except for the reasons specified in 7 CFR 273.24 (f).

Section 2. Nonstatutory provisions.

(1) WITHDRAWAL OF TIME LIMIT WAIVER. The department of health services shall withdraw as soon as practicable any waiver or suspension of the time limits on eligibility for food stamps under s. 49.79 (10) (a) 2. for not fulfilling the work requirement for any reason other than a reason specified in 7 CFR 273.24 (f). The department of health services shall comply with section 2301 of the federal Families First Coronavirus Response Act during the applicability of section 2301 to the extent necessary while also complying with this subsection.

13 (END)