

2024 Regular Session

SENATE BILL NO. 195

BY SENATOR MIGUEZ

WELFARE. Provides relative to work requirements within the Supplemental Nutrition Assistance Program. (gov sig)

1 AN ACT
2 To enact Subpart E-5 of Part II of Chapter 3 of Title 46 of the Louisiana Revised Statutes
3 of 1950, to be comprised of R.S. 46:331 and 332, relative to eligibility for benefits
4 of the Supplemental Nutrition Assistance Program; to limit the authority of the state
5 to waive work requirements for certain benefit recipients; to implement mandatory
6 employment and training assignments for certain benefit recipients; to provide for
7 an effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Subpart E-5 of Part II of Chapter 3 of Title 46 of the Louisiana Revised
10 Statutes of 1950, comprised of R.S. 46:331 and 332, is hereby enacted to read as follows:

11 **SUBPART E-5. SNAP WORK REQUIREMENTS**

12 **§331. Findings and intent**

13 **A. The legislature hereby finds and declares the following:**

14 **(1) It is the policy of this state to encourage self-sufficiency so that**
15 **Louisianians may reduce dependence on public benefits to meet basic needs and**
16 **become economically self-reliant.**

17 **(2) The Supplemental Nutrition Assistance Program, formerly known as**

1 "food stamps" and referred to hereafter in this Subpart as "SNAP", provides
2 support to needy households and to persons making the transition from welfare
3 to work.

4 (3) Federal regulations provided for in 7 CFR 273.24 limit the duration
5 of receipt of SNAP benefits by nonworking, able-bodied adults without
6 dependents (ABAWD) who do not qualify for certain exemptions to a total of
7 three months in any three-year period. However, states may submit to the
8 federal government applications, commonly known as "waivers", to have this
9 three-month limit waived. If approved, such waivers allow able-bodied,
10 nonworking, nonexempt adults to receive SNAP benefits for an unlimited
11 duration. Louisiana has long used these waivers to exempt the majority of
12 able-bodied adults without dependents from the federal work requirement.

13 (4) Federal law allows states to exempt up to eight percent of able-bodied
14 adults from the work requirement without providing any reason whatsoever.
15 These no-good-cause exemptions also accumulate and carry over from year to
16 year without limit. As a policy, Louisiana has not used these "no-good-cause
17 exemptions". However, because Louisiana has waived the work requirement,
18 there has been no reason to use these additional exemptions.

19 (5) Federal law also imposes a general work requirement on a bigger
20 population of able-bodied adults known as "work registrants" as a condition of
21 receiving SNAP benefits. Under this requirement, all work registrants are
22 required to register for work, take a suitable job if offered, and participate in
23 state employment and training services or workfare programs if assigned.
24 However, Louisiana does not make current use of mandatory employment and
25 training assignments. As a result, there is no use of this general work
26 requirement in this state.

27 B. It is the intent of this Subpart to institute a comprehensive, statewide
28 work requirement for able-bodied adults up to fifty-nine years old without
29 young children who receive SNAP benefits in this state.

1 §332. Supplemental Nutrition Assistance Program work requirements;
2 restriction on waivers and exemptions; mandatory employment
3 and training

4 A. Unless expressly required by federal law, the secretary of the
5 Department of Children and Family Services shall not seek, apply for, accept,
6 or renew any waiver of work requirements established by the Supplemental
7 Nutrition Assistance Program under 7 U.S.C. 2015(o).

8 B. The secretary of the Department of Children and Family Services
9 shall not exercise the state's option to provide any exemptions from the work
10 requirement under 7 U.S.C. 2015(o)(6)(F).

11 C. The secretary of the Department of Children and Family Services
12 shall establish mandatory employment and training assignments as provided in
13 this Subsection.

14 (1) Under the authority given to a state agency to operate the general
15 work requirement pursuant to 7 U.S.C. 2015(d), the Department of Children
16 and Family Services shall assign all individuals who are over the age of
17 seventeen and under the age of sixty to an employment and training program
18 as defined in 7 U.S.C. 2015(d)(4) unless the individual is:

19 (a) Currently subject to and complying with a work registration
20 requirement under Title IV of the Social Security Act, 42 U.S.C. 601 et seq., as
21 amended, 42 U.S.C. 602, or the federal-state unemployment compensation
22 system. Failure by the person to comply with any work requirement to which
23 the person is subject shall be the same as failure to comply with the general
24 work requirement.

25 (b) A parent or other member of a household with responsibility for the
26 care of a dependent child under age six or of an incapacitated person.

27 (c) A bona fide student enrolled at least half time in any recognized
28 school, training program, or institution of higher education, except any person
29 enrolled in an institution of higher education who is ineligible to participate

1 under 7 U.S.C. 2015(d).

2 (d) A regular participant in a drug addiction or alcoholic treatment and
3 rehabilitation program.

4 (e) Employed a minimum of thirty hours per week or receiving weekly
5 earnings which equal the minimum hourly rate under the Fair Labor Standards
6 Act of 1938, 29 U.S.C. 206(a)(1), as amended, multiplied by thirty hours.

7 (f) A person between the ages of sixteen and eighteen who is not a head
8 of a household or who is attending school or enrolled in an employment training
9 program on at least a half-time basis.

10 (2) The department may develop a list of additional state-specific
11 exemptions from participation such as, but not necessarily including,
12 exemptions for lack of public or private transportation or pregnancy, but may
13 not, in any fiscal year, provide exemptions to a number of individuals equal to
14 or greater than ten percent of the total number of work registrants enrolled the
15 previous fiscal year without first obtaining specific authorization from the
16 legislature to do so.

17 (3) In the event that the secretary of the Department of Children and
18 Family Services finds that employment and training assignments cannot be
19 funded or provided to all individuals subject to such assignment under this
20 Section, the secretary shall:

21 (a) Submit a report within fourteen days of first failing to make a
22 required assignment to all members of the legislature and the governor
23 containing:

24 (i) An attestation that the department has expended the state's biennial
25 employment and training grant from the federal government.

26 (ii) An attestation that the department has received and expended its
27 ABAWD pledge funding from the federal government.

28 (iii) A detailed explanation of the cost-saving measures considered and
29 taken to increase the number of assignments, including online training, work

1 experience components, or work partnerships, and why additional assignments
2 cannot be made within existing funding streams despite those measures.

3 (iv) Recommendations for additional funding sources related to
4 workforce training that would be more effectively used to increase workforce
5 participation by directing funds toward employment and training assignments
6 or an explanation for why such redirection from other funding sources would
7 not be more effective to that end.

8 (v) The percentage of work registrants assigned to an employment and
9 training program in the previous month, to be updated and resubmitted
10 monthly to all members of the legislature.

11 (vi) A plan for how the department plans to resume assignments for all
12 individuals subject to assignment within six months without additional funding,
13 using more scalable and affordable employment and training assignments such
14 as participation in online training, work experience components, or work
15 partnerships.

16 (b) Provide updates to all members of the legislature and the governor
17 every thirty days as to the metrics and plans submitted in the first report for as
18 long as the department is failing to make all such required assignments.

19 (c) Continue to assign as many individuals subject to the requirement as
20 possible, prioritizing adults without dependents.

21 Section 2. Within thirty days of the effective date of this Act, the secretary of the
22 Department of Children and Family Services shall take all such actions as are necessary to
23 revoke, terminate, or otherwise render null and without effect any waiver of or exemptions
24 from work requirements for able-bodied adults without dependents receiving SNAP benefits

25 Section 3. This Act shall become effective upon signature by the governor or, if not
26 signed by the governor, upon expiration of the time for bills to become law without signature
27 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
28 vetoed by the governor and subsequently approved by the legislature, this Act shall become
29 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Amanda Trapp.

DIGEST

SB 195 Original

2024 Regular Session

Miguez

Proposed law provides legislative findings and intent regarding work requirements within the Supplemental Nutrition Assistance Program, "SNAP", formerly known as "food stamps".

Proposed law prohibits the secretary of the Dept. of Children and Family services from seeking, applying for, accepting, or renewing any work requirement waiver not exercised and from exercising the state's option to provide any exemptions from the work requirement for SNAP.

Proposed law requires the secretary to establish mandatory employment and training assignments for all individuals over the age of 17 and under the age of 60 with exemptions for certain individuals.

Proposed law requires the secretary to provide certain information to the legislature and the governor if the employment and training assignments cannot be funded or provided to all required individuals.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 46:331 and 332)