



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0843/1
FFK:kjf:jf

DOA:.....Iwata, BB0310 – Work requirements for FoodShare

FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; **relating to:** the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

PUBLIC ASSISTANCE

Under current law, DHS administers the federal Supplemental Nutrition Assistance Program (SNAP), formerly known as the food stamp program and currently known in Wisconsin as FoodShare, under which eligible households receive benefits to purchase food at retail food stores. Under current law, DHS may require a recipient of SNAP benefits who is able and who is 18 to 60 years of age to participate in the FoodShare employment and training program (FSET) to be eligible for SNAP benefits, with exceptions for an individual who is participating in a Wisconsin Works employment position, an individual who is the caretaker of a child under the age of 12 weeks, and an individual who is enrolled at least half time in school or in a training program or an institution of higher education. This bill expands the exception for an individual who is the caretaker of a child under the age of 12 weeks to a caretaker of a child under the age of six to comply with federal law. Currently, DHS may contract with a county, multicounty consortium, or tribal governing body to administer FSET. Under this bill, DHS may also contract with a local workforce development board or another organization to administer FSET.

This bill also authorizes DHS to implement a federal policy under which DHS may limit the amount of SNAP benefits that an able-bodied adult may receive to three months during a three-year period if the adult does not meet certain work

requirements. An able-bodied adult, as defined by the bill, is an individual who is 18 to 49 years old, is fit for employment, is not a parent of a household member who is younger than 18, is not pregnant, and is not otherwise exempt from specific work requirements under federal law. DHS may implement this policy in addition to the current employment and training program.

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

SECTION 1. 20.435 (4) (nn) of the statutes is amended to read:

20.435 (4) (nn) *Federal aid; income maintenance.* All moneys received from the federal government for the costs of contracting for the administration of the Medical Assistance program under subch. IV of ch. 49 and the Badger Care health care program under s. 49.665 and the food stamp program, other than moneys received under par. (pa), for costs to administer income maintenance programs, as defined in s. 49.78 (1) (b) and the food stamp employment and training program under s. 49.79 (9).

SECTION 2. 49.78 (1) (b) of the statutes is amended to read:

49.78 (1) (b) “Income maintenance program” means the Medical Assistance program under subch. IV of ch. 49, the Badger Care health care program under s. 49.665, the food stamp program under [7 USC 2011 to 2036](#) except for the employment and training program described in s. 49.79 (9), or the cemetery, funeral, and burial expenses program under s. 49.785.

SECTION 3. 49.79 (9) (a) 1. of the statutes is amended to read:

49.79 (9) (a) 1. The department shall administer an employment and training program for recipients under the food stamp program and may contract with county departments under ss. 46.215, 46.22, and 46.23, multicounty consortia, ~~and with~~ local workforce development boards established under [29 USC 2832](#), tribal

governing bodies, or other organizations to carry out the administrative functions. ~~The department may contract, or a~~ A county department, multicounty consortium, ~~or local workforce development board,~~ tribal governing body, or other organization may subcontract, with a Wisconsin Works agency or another provider to administer the employment and training program under this subsection. Except as provided in subds. 2. and 3., the department may require able individuals who are 18 to 60 years of age who are not participants in a Wisconsin Works employment position to participate in the employment and training program under this subsection.

SECTION 4. 49.79 (9) (a) 2. of the statutes is amended to read:

49.79 (9) (a) 2. The department may not require an individual who is a recipient under the food stamp program and who is the caretaker of a child under the age of ~~12 weeks~~ 6 to participate in any employment and training program under this subsection.

SECTION 5. 49.79 (9) (b) (intro.) of the statutes is amended to read:

49.79 (9) (b) (intro.) ~~An~~ Except as provided in par. (c), an individual who fails to comply with the work requirements under par. (a) without good cause is ineligible to participate in the food stamp program as follows:

SECTION 6. 49.79 (9) (c) of the statutes is created to read:

49.79 (9) (c) If the department implements a policy under sub. (10), par. (b) does not apply to an individual who is required to fulfill the work requirement under sub. (10) (b).

SECTION 7. 49.79 (10) of the statutes is created to read:

49.79 (10) **ELIGIBILITY AND WORK REQUIREMENTS FOR ABLE-BODIED ADULTS.** (a) In this subsection, “able-bodied adult” means an individual who is not any of the following:

1. Younger than 18 years of age.
2. Fifty years of age or older.
3. Determined by the department to be medically certified as physically or mentally unfit for employment, as described in [7 CFR 273.24](#) (c) (2).
4. A parent of a household member who is younger than 18 years old, even if the household member who is younger than 18 years old is not eligible for food stamps.
5. Residing in a household that includes a household member who is younger than 18 years old, even if the household member who is younger than 18 years old is not eligible for food stamps.
6. Exempt from the work requirement under the food stamp program, as described in [7 CFR 273.24](#) (c) (5).
7. Pregnant.

(b) The department may implement a policy that complies with [7 CFR 273.24](#). If the department implements a policy under this paragraph, all of the following apply:

1. The department shall require an able-bodied adult who is participating in the food stamp program to fulfill the work requirement defined under [7 CFR 273.24](#) (a) (1).
2. If an able-bodied adult does not fulfill the work requirement, the department may limit the able-bodied adult's eligibility for food stamps to no more than 3 months during a 3-year period.
3. The department may exempt up to 15 percent of the able-bodied adults who are participating in the food stamp program from the time limit under subd. 2.

(c) If the department determines that a waiver, or an amendment to a waiver, is necessary to implement a policy that complies with [7 CFR 273.24](#), the department shall request the waiver or the amendment to the waiver from the federal department of agriculture to permit the department to implement a policy that complies with [7 CFR 273.24](#) as provided under this subsection.

SECTION 9318. Initial applicability; Health Services.

(1) **FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM CONTRACTS.** The treatment of section 49.79 (9) (a) 1. of the statutes first applies to a contract to administer the food stamp employment and training program under section 49.79 (9) of the statutes on the effective date of this subsection.

(END)