



## 2015 ASSEMBLY BILL 245

May 27, 2015 – Introduced by Representatives SUBECK, KOLSTE, BERCEAU, BOWEN, BROSTOFF, GOYKE, JOHNSON, JORGENSEN, OHNSTAD, SARGENT, SINICKI, SPREITZER, C. TAYLOR and ZAMARRIPA. Referred to Committee on Public Benefit Reform.

1     **AN ACT to create** 49.79 (9) (a) 6. of the statutes; **relating to:** permitting a  
2             nutrition class to be an appropriate activity under the FoodShare employment  
3             and training program.

---

### *Analysis by the Legislative Reference Bureau*

The federal Supplemental Nutrition Assistance Program, known as FoodShare in this state and formerly known as the food stamp program, provides benefits to eligible low-income individuals and households for the purchase of food. FoodShare is administered by the Department of Health Services (DHS). The state and the federal government share the cost of administration and benefits are paid entirely with federal funds. Under current law, DHS may require a FoodShare recipient who is able and 18 to 60 years of age to participate in the FoodShare employment and training program (FSET), unless the recipient is participating in a Wisconsin Works employment position, is the caretaker of a child under the age of six years, or is enrolled at least half time in school, a training program, or an institution of higher education. Individuals participating in FSET must fulfill any work, employment search, or training requirements set by the entity administering FSET. With some exceptions, a FoodShare recipient who is an able-bodied individual between the ages of 18 and 50 who does not fulfill certain work requirements is eligible for FoodShare benefits for no more than three months during a three-year period. Participation in FSET satisfies those work requirements.

Under this bill, DHS is required to permit a participant in FSET, including an individual who is an able-bodied individual between the ages of 18 and 50 who is

**ASSEMBLY BILL 245**

required to fulfill certain work requirements to remain eligible for FoodShare benefits, to attend a class on nutrition as an appropriate work or employment and training activity. The class must be available in the participant's community and offered for free or at a low cost. DHS must count the number of hours spent in the class toward the fulfillment of any amount of time that the participant is required to spend working or on employment and training activities. In addition, the bill provides that, if DHS determines that it may not permit a participant in FSET to attend a nutrition class as an appropriate work or employment and training activity without a federal waiver, DHS must request a waiver from the federal department of agriculture and may not implement the requirement under the bill unless the waiver is granted and in effect.

---

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

1           **SECTION 1.** 49.79 (9) (a) 6. of the statutes is created to read:

2           49.79 (9) (a) 6. a. The department shall permit a participant in an employment  
3           and training program under this subsection to attend a class on nutrition as an  
4           appropriate employment and training activity for the participant under the program  
5           and shall count the number of hours the participant spends attending the class  
6           toward fulfillment of any amount of time that the participant must participate in  
7           employment and training activities. The class must be available in the participant's  
8           community and offered to the public for free or at a low cost. If the participant is an  
9           individual who is participating in the employment and training program under this  
10          subsection to fulfill the work requirement under sub. (10) (a), the department shall  
11          count attendance at the class as a qualifying activity for satisfying the work  
12          requirement under sub. (10) (a) and shall count the number of hours the individual  
13          spends attending the class toward fulfillment of the number of hours required to  
14          fulfill the work requirement under sub. (10) (a).

15          b. If the department determines that it may not implement the requirement  
16          under subd. 6. a. without a federal waiver or an amendment to a federal waiver, the

**ASSEMBLY BILL 245**

1 department shall request the waiver or the amendment to the waiver from the  
2 secretary of the federal department of agriculture and may not implement the  
3 requirement under subd. 6. a. unless the waiver or the amendment to the waiver is  
4 granted and in effect.

5

(END)