

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Health and Human Services Appropriations Committee

BILL: CS/SB 1306

INTRODUCER: Senator Storms

SUBJECT: Public Assistance

DATE: April 12, 2010 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hansson	Walsh	CF	Fav/CS
2.	Hardy	Hansen	HA	Favorable
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

Please see Section VIII. for Additional Information:

A. COMMITTEE SUBSTITUTE..... Statement of Substantial Changes

B. AMENDMENTS..... Technical amendments were recommended

Amendments were recommended

Significant amendments were recommended

I. Summary:

CS/SB 1306 replaces the terms “food stamps” and “food stamp program” with “food assistance” and “food assistance program”, respectively. It changes the reference to the Food Stamp Act of 1977 to the Food and Nutrition Act of 2008. The bill also changes the name of the “WAGES Program” to the “Temporary Cash Assistance Program”.

The bill substantially amends the following sections of the Florida Statutes: 97.021, 163.2523, 163.456, 220.187, 288.9618, 341.041, 379.353, 402.33, 409.2554, 409.2576, 409.903, 409.942, 414.0101, 414.0252, 414.065, 414.0655, 414.075, 414.085, 414.095, 414.14, 414.16, 414.17, 414.175, 414.31, 414.32, 414.33, 414.34, 414.35, 414.36, 414.39, 414.41, 414.45, 420.624, 430.2053, 445.004, 445.009, 445.024, 445.026, 445.048, 718.115, 817.568, 921.0022, and 943.401.

No fiscal impact is anticipated as a result of this legislation.

The bill provides an effective date of July 1, 2010.

II. Present Situation:

The Food and Nutrition Act of 2008

The federal food stamp program began as early as 1939, as a way to help people with low-income buy healthy food.¹ In 2008, the Food, Conservation and Energy Act replaced the Food Stamp Act of 1977 and increased the commitment to Federal food assistance programs.² The program now serves 28 million low-income individuals each month.³

Additionally, in an effort to fight stigma, as of October 1, 2008, the law changed the name of the federal food stamp program to the Supplemental Nutrition Assistance Program (SNAP).⁴ The name, Food Stamp Act of 1977, was also changed to the Food and Nutrition Act of 2008.⁵ According to the U.S. Department of Agriculture (department), the new name reflects the department's focus on nutrition, putting healthy food within reach for low income households, and improvement in accessibility.⁶

While states are permitted to name the program on their own, the federal government has encouraged states to change the name to SNAP, or another alternative name, as an opportunity to promote messages about healthy eating to consumers.⁷ Currently twenty-seven states have already changed the name (or are planning on changing the name) to SNAP.⁸ Only three states are still using the name Food Stamp Program.⁹

Furthermore, as of 1998, physical food stamps have been replaced in Florida with an electronic benefit transfer card (EBT). Food assistance benefits are deposited into a food assistance account each month and an EBT card, much like a bank card, is used to buy food.¹⁰ EBT eliminates paper coupons, which could be lost or stolen and were more cumbersome to produce.¹¹

The Florida Statutes currently use the words: food stamps; food stamp benefits; Food Stamp Program; and Food Stamp Act of 1977.

¹ United States Department of Agriculture (USDA), *A Short History of SNAP*, <http://www.fns.usda.gov/fsp/rules/Legislation/about.htm>, (last accessed March 5, 2010).

² This included an expenditure of more than \$10 billion over the next ten years. *Id.*

³ USDA, *SNAP Fact Sheet*, <http://www.fns.usda.gov/FSP/roll-out/snap-fact-sheet.pdf>, (last accessed March 5, 2010).

⁴ USDA, *A Short History of SNAP*, <http://www.fns.usda.gov/fsp/rules/Legislation/about.htm>, (last accessed March 5, 2010); SNAP is not a new program, only the name of the Food Stamp Program changed and all benefits remained the same. USDA, *Supplemental Nutrition Assistance Program*, <http://www.fns.usda.gov/FSP/snap.htm>, (last accessed March 5, 2010).

⁵ USDA, *A Short History of SNAP*, <http://www.fns.usda.gov/fsp/rules/Legislation/about.htm>, (last accessed March 5, 2010).

⁶ USDA, *Supplemental Nutrition Assistance Program*, <http://www.fns.usda.gov/FSP/snap.htm>, (last accessed March 5, 2010); USDA, *SNAP Fact Sheet*, <http://www.fns.usda.gov/FSP/roll-out/snap-fact-sheet.pdf>, (last accessed March 5, 2010).

⁷ USDA, *Supplemental Nutrition Assistance Program*, <http://www.fns.usda.gov/FSP/snap.htm>, (last accessed March 5, 2010).

⁸ USDA, *From Food Stamps to SNAP: State Name Change Tracking Chart*, <http://www.fns.usda.gov/FSP/roll-out/state-chart.pdf>, (last accessed March 5, 2010).

⁹ Additionally, eight states have changed to an alternate name; nine states are keeping their current alternate name; and six states are undecided. *Id.*

¹⁰ Florida Department of Children and Families, *Electronic Benefits Transfer*, <http://www.dcf.state.fl.us/ebt/>, (March 5, 2010). EBT is used in all 50 states and U.S. territories. USDA, *A Short History of SNAP*, <http://www.fns.usda.gov/fsp/rules/Legislation/about.htm>, (last accessed March 5, 2010).

¹¹ USDA, *A Short History of SNAP*, <http://www.fns.usda.gov/fsp/rules/Legislation/about.htm>, (last accessed March 5, 2010).

The WAGES Program

The Work and Gain Economic Self-Sufficiency (WAGES) Program was enacted in Florida in 1996 to provide temporary assistance to families.¹² Temporary Cash Assistance (TCA), Support Services, Relocation Assistance, and other related programs were provided under the WAGES Program.¹³ In 2000, Florida eliminated the WAGES program.¹⁴ The Temporary Cash Assistance Program remains and currently operates to provide cash assistance to families with children under the age of 18 (or under age 19 if full time high school students), that meet the technical, income, and asset requirements.¹⁵ The program helps families become self-supporting while allowing children to remain in their own homes.¹⁶

The Florida Statutes have not been amended to reflect the fact that the WAGES Program no longer exists in Florida.

III. Effect of Proposed Changes:

The bill changes the definition of public assistance to mean assistance provided through the food assistance program under the federal Supplemental Nutrition Program; the Medicaid program; the Special Supplemental Food Program for Women, Infants, and Children; and the Temporary Cash Assistance Program.

The bill proposes the following name changes to all relevant sections¹⁷ of the Florida Statutes:

- “Food stamps” to “food assistance”;
- “Food stamp benefits” to “food assistance benefits”;
- “Food stamp program” to “food assistance program”;
- “Food Stamp Act of 1977” to “Food and Nutrition Act of 2008”;
- “Temporary assistance payments” to “temporary cash assistance payments”; and
- “WAGES Program” to “Temporary Cash Assistance Program”.

The bill also clarifies that Title XVI (Supplemental Security Income) is supplemental security income under Title XVI of the Social Security Act.

The bill removes the provision that for purposes of food stamp fraud, the value of an authorization to purchase food stamps shall be the difference between the coupon allotment and the amount paid by the recipient for that allotment.

¹² Transportation’s role in Florida’s WAGES Program, http://www.cutr.usf.edu/pubs/news_letters/articles/winter98/win98-4.htm, (last accessed March 5, 2010).

¹³ *Florida Work and Gain Economic Self-Sufficiency (WAGES) Program –Overview*, http://www.workworld.org/wwwwebhelp/florida_work_and_gain_economic_self_sufficiency_wages_program_overview.htm, http://www.workworld.org/wwwwebhelp/florida_work_and_gain_economic_self_sufficiency_wages_program_overview.htm, (last accessed March 5, 2010).

¹⁴ Phone call with the Florida Department of Children, Families and Elder Affairs, March 5, 2010.

¹⁵ Florida Department of Children and Families, *General Information about Temporary Cash Assistance (TCA)*, <http://www.dcf.state.fl.us/ess/tanf.shtml>, (last accessed March 5, 2010).

¹⁶ Pregnant women may also receive TCA, either in the third trimester of pregnancy if unable to work, or in the 9th month of pregnancy. *Id.*

¹⁷ See Technical Deficiencies *infra*.

The bill provides an effective date of July 1, 2010.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The provisions of this bill have no impact on municipalities and the counties under the requirements of Article VII, Section 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

The provisions of the bill have no impact on public records or open meetings issues under the requirements of Article I, Section 24(a) and (b) of the Florida Constitution.

C. Trust Funds Restrictions:

The provisions of this bill have no impact on the trust fund restrictions under the requirements of Article III, Subsection 19(f) of the Florida Constitution.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Children, Families, and Elder Affairs on March 9, 2010:

The committee substitute makes technical changes to the bill by changing the name from WAGES Program to Temporary Cash Assistance in all relevant sections of the Florida Statutes. The bill also replaces the terms food stamps and food stamp program with food

assistance and food assistance program, respectively, in all relevant sections of the Florida Statutes.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
