

CHAPTER 249

H.B. No. 2557

AN ACT

relating to certain prohibited activities in the food stamp program.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Sections 33.011(a), (b), and (d), Human Resources Code, are amended to read as follows:

(a) A person commits an offense if the person knowingly uses, alters, or transfers food stamp *benefit permits* [~~coupons or authorizations to participate in the food stamp program~~] in any manner not authorized by law. An offense under this subsection is a Class A misdemeanor if the value of the *food stamp benefit permits* [~~coupons or authorization cards~~] is less than \$200 and a felony of the third degree if the value of the *food stamp benefit permits* [~~coupons or authorization cards~~] is \$200 or more.

(b) A person commits an offense if the person knowingly possesses food stamp *benefit permits* [~~coupons or authorizations to participate in the food stamp program~~] when not authorized by law to possess them, knowingly redeems food stamp *benefit permits* [~~coupons~~] when not authorized by law to redeem them, or knowingly redeems food stamp *benefit permits* [~~coupons~~] for purposes not authorized by law. An offense under this subsection is a Class A misdemeanor if the value of the *food stamp benefit permits* [~~coupons or authorization cards~~] is less than \$200 and a felony of the third degree if the value of the *food stamp benefit permits* [~~coupons or cards~~] is \$200 or more.

(d) When food stamp *benefit permits* [~~coupons or authorizations to participate in the food stamp program~~] of various values are obtained in violation of this section pursuant to one scheme or continuing course of conduct, whether from the same or several sources, the conduct may be considered as one offense and the values aggregated in determining the grade of the offense.

SECTION 2. Section 33.011, Human Resources Code, is amended by adding Subsections (f) and (g) to read as follows:

(f) For the purposes of Subsections (a) and (b), the value of food stamp benefit permits is the cash or exchange value obtained in violation of this section.

(g) In this section, "food stamp benefit permits" includes:

(1) food stamp coupons;

(2) electronic benefit transfer (EBT) cards; and

(3) authorizations to participate in the food stamp program.

SECTION 3. (a) The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. For purposes of this section, an offense is committed before the effective date of this Act if any element of the offense occurs before the effective date.

(b) An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 1993.

SECTION 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 4, 1993, by a non-record vote; passed by the Senate on May 14, 1993: Yeas 29, Nays 0.

Approved May 22, 1993.

Effective Sept. 1, 1993.