

SESSION OF 2023

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2141

As Amended by Senate Committee on Public
Health and Welfare

Brief*

HB 2141, as amended, would amend a statute governing eligibility for various public assistance programs administered by the Department for Children and Families (DCF).

The bill would require custodial and non-custodial parents to cooperate with the child support enforcement program administered by DCF to be eligible for food assistance under the federal Supplemental Nutrition Assistance Program (SNAP). Under current law, individuals who have not cooperated with child support services without good cause are ineligible to participate in the food assistance program. The bill would clarify that this requirement applies to both custodial and non-custodial parents.

A parent who is delinquent in making a child support payment subject to a court order would be disqualified from receiving food assistance benefits under the bill. The Secretary for Children and Families (Secretary) would be required to review compliance with child support enforcement in the following circumstances:

- Upon application for food assistance;
- When the Secretary renews or redetermines a parent's eligibility for food assistance; and

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

- Any time the Secretary has reason to review compliance.

Disqualification from food assistance benefits would not apply if:

- A court is allowing the parent to delay payment;
- The parent is complying with a payment plan approved by a court or the Secretary; or
- The Secretary determines the parent has good cause for not complying with child support enforcement.

Background

The bill was introduced by the House Committee on Welfare Reform at the request of Representative Humphries.

House Committee on Welfare Reform

In the House Committee hearing on the bill, **proponent** testimony was provided by a representative of the Opportunity Solutions Project. The proponent stated the bill would encourage parents who are delinquent on their child support payments to begin making payments and would strengthen the comprehensive welfare reform measures enacted by the Kansas Legislature in 2015.

Opponent testimony was provided by representatives of Kansas Action for Children and Kansas Appleseed Center for Law and Justice; a representative of Harvesters—The Community Food Network, Kansas Food Bank, and Second Harvest Community Food Bank; and two private citizens. Opponents stated that suspension of food benefits would impact a parent's ability to make child support payments and could have unintended consequences on food availability for all members of the affected households.

Written-only opponent testimony was provided by representatives of Cultivate Kansas City, DCF, the Kansas National Education Association, the Kansas Public Health Association, and United Community Services of Johnson County.

The House Committee amended the bill to:

- Modify the frequency with which custodial and non-custodial parents would be reviewed for compliance with child support; and
- Add conditions in which failure to comply with child support would not result in disqualification.

Senate Committee on Public Health and Welfare

In the Senate Committee hearing on the bill, **proponent** testimony was provided by a representative of the Opportunity Solutions Project. The proponent stated parents who cooperated with the Child Support Enforcement Program would keep their eligibility, and DCF could allow continued food assistance benefits if a good cause exception applied for noncooperation. The proponent noted the House Committee on Welfare Reform made the bill less restrictive by adding language modifying the frequency of reviews for cooperation and clarifying condition in which disqualification would not occur.

Written-only proponent testimony was provided by Representative Awerkamp.

Opponent testimony was provided by representatives of Kansas Action for Children and Kansas Appleseed Center for Law and Justice and a citizen lobbyist stating the bill would make it more difficult for already-struggling parents to put food on the table and make them less capable of financially supporting their children. An opponent noted parents who have recently been allowed to take their children out of foster

care and who have been under a court order to pay child support to the State while their children were in foster care would be excluded from food assistance if child support is owed to the state.

Written-only opponent testimony was provided by representatives of DCF, Kansas National Education Association, Kansas Public Health Association, and United Community Services of Johnson County; a representative of Harvesters—The Community Food Network, Kansas Food Bank, and Second Harvest Community Food Bank; an attorney; and a private citizen.

The Senate Committee made a technical amendment to correct the bill title to accurately reflect the content of the bill.

Fiscal Information

[*Note:* During the Senate Committee on Public Health and Welfare hearing, the Deputy Secretary for Children and Families responded to a question regarding changes in the fiscal note following the amendments made by the House Committee on Welfare Reform. The Deputy Secretary referred to the DCF written-only testimony that updated cost based on the House Committee amendments. She noted no additional FTE positions would be needed, but the estimated costs to modify the Child Support Services (CSS) system and the Economic and Employment Support (EES) system would total \$880,000 all funds. The Deputy Secretary noted the changes to the CSS system would be funded with 67 percent federal funds and 33 percent fee funds, totaling \$410,000. The changes to the EES system would be 50 percent federal funds and 50 percent (\$235,000) state funds, totaling \$470,000.]

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, DCF indicates enactment of the bill would increase expenditures by \$2.0

million, including \$806,121 from the State General Fund, and require the addition of 16.0 FTE positions for FY 2024.

The agency indicates that CSS and EES programs maintain separate information systems to track and record data related to child support payments and food assistance eligibility. Modifications would be required for each system in order to report delinquent payments and disqualify benefits. These changes would help provide an automated system of notifications and changes. Estimated costs related to these changes total \$500,000 for each system for a total of \$1.0 million. The changes to the child support system would be funded with 67.0 percent federal funds and 33.0 percent fee funds. Changes to the EES system would be 50.0 percent federal funds and 50.0 percent state funds.

The agency estimates 16.0 FTE positions would be needed to meet the increase in manual transactions and reapplications. These positions would be compliance coordinators and have responsibility for monitoring delinquency reports and taking actions, as required, to disqualify benefits, send notices, and set up overpayments. These positions would be located in the regional DCF offices, with four being assigned to each region. Costs associated with the additional FTE positions total \$974,796 for FY 2024. This figure includes \$804,831 associated with salaries and benefits and \$169,965 related to other operating expenses. These costs would be funded using 57.0 percent state funds and 43.0 percent federal funds.

The Office of Judicial Administration indicates enactment of the bill would not have a fiscal effect on the Judicial Branch. Any fiscal effect associated with the bill is not reflected in *The FY 2024 Governor's Budget Report*.

Food assistance; child support; SNAP; IV-D program; Department for Children and Families