

State of Misconsin 2011 - 2012 LEGISLATURE



2011 ASSEMBLY BILL 255

September 15, 2011 – Introduced by Representatives E. Coggs, Roys, Toles, Bewley, Hulsey, Berceau, Young and Grigsby. Referred to Committee on Public Health and Public Safety.

- AN ACT to amend 49.79 (8) of the statutes; relating to: FoodShare benefits for
- 2 legal immigrants.

Analysis by the Legislative Reference Bureau

Before the 2011 biennial budget act (act), the Department of Health Services was required to provide benefits under the federal Supplemental Nutrition Assistance Program (SNAP) (formerly known as the food stamp program and called FoodShare in Wisconsin) to qualified aliens, unless such benefits were restored by the federal government. Under federal law, a state may, but is not required to, provide SNAP benefits to qualified aliens, and any state that does provide such benefits must pay the whole cost itself. The act eliminated the provision of FoodShare benefits to qualified aliens, except to the extent that it is required under federal law. This bill restores FoodShare benefits to qualified aliens, unless such benefits are restored by the federal government.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

- 3 **Section 1.** 49.79 (8) of the statutes, as affected by 2011 Wisconsin Act 32, is
- 4 amended to read:

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49.79 (8) Benefits for qualified alien, except who is ineligible for benefits under this section to a qualified alien, except who is ineligible for benefits under this section solely because of the application of 8 USC 1612 or 1613 according to a plan approved by the federal department of agriculture. This subsection does not apply to the extent that federal food stamp benefits for qualified aliens are required restored by the federal government.

SECTION 2. Fiscal changes.

(1) FOODSHARE BENEFITS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health services under section 20.435 (4) (bn) of the statutes, as affected by the acts of 2011, the dollar amount is increased by \$380,000 for the first fiscal year of the fiscal biennium in which this subsection takes effect to provide FoodShare benefits for qualified legal immigrants under the state option FoodShare program. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health services under section 20.435 (4) (bn) of the statutes, as affected by the acts of 2011, the dollar amount is increased by \$380,000 for the second fiscal year of the fiscal biennium in which this subsection takes effect, to provide FoodShare benefits for qualified legal immigrants under the state option FoodShare program.

19 (END)