

HB 1238 -- Food Stamp Eligibility for Certain Felons

Sponsor: Nance

This bill specifies that, pursuant to the option granted by 21 U.S.C. Section 862a(d) under the federal Personal Responsibility and Work Opportunity Act of 1996, an individual who has pled guilty to or is found guilty under federal or state law of a felony involving the possession or use of a controlled substance must be eligible for federal food stamp program benefits if, as determined by the Department of Social Services:

(1) The person is successfully participating in, is accepted for treatment but on a waiting list, or has satisfactorily completed a substance abuse treatment program approved by the Division of Alcohol and Drug Abuse within the Department of Mental Health;

(2) The person is successfully complying with or has already complied with all obligations imposed by a court, the Division of Alcohol and Drug Abuse, and the Division of Probation and Parole within the Department of Corrections;

(3) The person has demonstrated sobriety through voluntary urinalysis testing paid for by the participant; or

(4) It has been more than four years since the conviction for a drug related felony.

The individual must also meet all other factors for food stamp program eligibility.