

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Bill No. 1767, Page 1, Section A, Line 2, by inserting after all of said line the  
2 following:

3 "208.024. 1. Eligible recipients of temporary assistance for needy families (TANF) or  
4 ~~[supplementary] supplemental~~ nutrition assistance program (SNAP) benefits shall not use such  
5 funds in any electronic benefit transfer transaction in any ~~[liquor store, casino, gambling casino, or~~  
6 ~~gaming establishment, any retail establishment which provides adult-oriented entertainment in~~  
7 ~~which performers disrobe or perform in an uncllothed state for entertainment]~~ prohibited  
8 establishment, or in any place for ~~[the purchase of alcoholic beverages, lottery tickets, or tobacco~~  
9 ~~products or for any item the department determines by rule is primarily marketed for or used by~~  
10 ~~adults eighteen or older and is not in the best interests of the child or household]~~ a prohibited  
11 purchase. An eligible recipient of TANF or SNAP assistance who makes a purchase in violation of  
12 this section shall reimburse the department of social services for such purchase. For any offense  
13 under this subsection, a TANF recipient shall lose his or her TANF benefits as follows:

14 (1) For the first occurrence of noncompliance, the individual shall be disqualified for three  
15 months;

16 (2) For the second occurrence of noncompliance, the individual shall be disqualified for six  
17 months; and

18 (3) For any third or subsequent occurrence of noncompliance, the individual shall be  
19 disqualified for a period of five years.

20  
21 An individual may resume participation in the program at the end of a disqualification period if the  
22 individual applies again.

23 2. An individual, store owner or proprietor of an establishment shall not knowingly accept  
24 TANF cash assistance or ~~[supplementary nutrition assistance program (SNAP)]~~ SNAP funds held on  
25 electronic benefit transfer cards for ~~[the purchase of alcoholic beverages, lottery tickets, or tobacco~~  
26 ~~products]~~ a prohibited purchase or ~~[for use in any electronic benefit transfer transaction]~~ in any  
27 ~~[liquor store, casino, gambling casino, or gaming establishment, any retail establishment which~~  
28 ~~provides adult-oriented entertainment in which performers disrobe or perform in an uncllothed state~~  
29 ~~for entertainment, or in any place for the purchase of alcoholic beverages, lottery tickets, or tobacco~~  
30 ~~products or for any item the department determines by rule is primarily marketed for or used by~~  
31 ~~adults eighteen or older and is not in the best interests of the child or household]~~ prohibited  
32 establishment. No store owner or proprietor of any ~~[liquor store, casino, gambling casino, gaming~~  
33 ~~establishment, or any retail establishment which provides adult-oriented entertainment in which~~  
34 ~~performers disrobe or perform in an uncllothed state for entertainment]~~ prohibited establishment  
35 shall adopt any policy, either explicitly or implicitly, which encourages, permits, or acquiesces in its  
36 employees knowingly accepting electronic benefit transfer cards in violation of this section. This

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 section shall not be construed to require any store owner or proprietor of an establishment which is  
 2 not a [~~liquor store, casino, gambling casino, gaming establishment, or retail establishment which~~  
 3 ~~provides adult-oriented entertainment in which performers disrobe or perform in an uncllothed state~~  
 4 ~~for entertainment]~~ prohibited establishment to check the source of payment from every individual  
 5 who [~~purchases alcoholic beverages, lottery tickets, tobacco products, or any item the department~~  
 6 ~~determines by rule is primarily marketed for or used by adults eighteen or older and is not in the~~  
 7 ~~best interests of the child or household]~~ makes a prohibited purchase. An individual, store owner or  
 8 proprietor of an establishment who knowingly accepts electronic benefit transfer cards in violation  
 9 of this section shall be punished by a fine of not more than five hundred dollars for the first offense,  
 10 a fine of not less than five hundred dollars nor more than one thousand dollars for the second  
 11 offense, and a fine of not less than one thousand dollars for the third or subsequent offense.

12 3. Any recipient of TANF or SNAP benefits who does not make at least one electronic  
 13 benefit transfer transaction within the state for a period of ninety days shall have his or her benefit  
 14 payments to the electronic benefit account temporarily suspended, pending an investigation by the  
 15 department of social services to determine if the recipient is no longer a Missouri resident. If the  
 16 department finds that the recipient is no longer a Missouri resident, it shall close the recipient's case.  
 17 Closure of a recipient's case shall trigger the automated benefit eligibility process under section  
 18 208.238. A recipient may appeal the closure of his or her case to the director under section  
 19 208.080.

20 4. A recipient who does not make an electronic benefit transfer transaction within the state  
 21 for a period of sixty days shall be provided notice of the possibility of the suspension of funds if no  
 22 electronic benefit transfer transaction occurs in the state within another thirty days after the date of  
 23 the notice.

24 5. (1) The department shall apply for a waiver from the federal Department of Health and  
 25 Human Services authorizing the implementation of subdivision (2) of this subsection if the  
 26 department determines that a waiver is necessary for such implementation.

27 (2) No recipient of TANF or SNAP benefits shall use his or her electronic benefit transfer  
 28 (EBT) card at any automated teller machine (ATM), to receive cash back on a purchase, or to  
 29 otherwise access the benefits as cash.

30 6. For purposes of this section:

31 (1) The following terms shall mean:

32 (a) "Electronic benefit transfer transaction", the use of a credit or debit card service,  
 33 automated teller machine, point-of-sale terminal, or access to an online system for the withdrawal of  
 34 funds or the processing of a payment for merchandise or a service; ~~and~~

35 (b) "Liquor store", any retail establishment which sells exclusively or primarily intoxicating  
 36 liquor. Such term does not include a grocery store which sells both intoxicating liquor and groceries  
 37 including staple foods as outlined under the Food and Nutrition Act of 2008;

38 (c) "Pornography", any of the following:

39 a. Any obscene material or performance depicting sexual conduct, sexual contact as defined  
 40 in section 566.010, or a sexual performance; or

41 b. Any visual depiction, including any photograph, film, video, picture, or computer or  
 42 computer-generated image or picture, whether made or produced by electronic, mechanical, or other  
 43 means, of sexually explicit conduct;

44 (d) "Prohibited establishment", any liquor store, casino, gambling casino, gaming  
 45 establishment, or any retail establishment that provides adult-oriented entertainment in which  
 46 performers disrobe or perform in an uncllothed state for entertainment;

47 (e) "Prohibited purchase", alcoholic beverages, lottery tickets, pornography, or tobacco  
 48 products, or any item the department determines by rule is primarily marketed for or used by adults

1 eighteen or older and is not in the best interests of a child or household;

2 (f) “Tobacco products”, cigarettes, cigarette papers, cigars, smokeless tobacco, smoking  
 3 tobacco, vapor products, or any other form of tobacco products or products made with tobacco  
 4 substitute containing nicotine;

5 (2) Casinos, gambling casinos, or gaming establishments shall not include:

6 (a) A grocery store which sells groceries including staple foods, and which also offers, or is  
 7 located within the same building or complex as a casino, gambling, or gaming activities; or

8 (b) Any other establishment that offers casino, gambling, or gaming activities incidental to  
 9 the principal purpose of the business.”; and

10  
 11 Further amend said bill, Page 7, Section 210.112, Line 140, by inserting after all of said lien the  
 12 following:

13  
 14 ~~[208.182. 1. The family support division shall establish pilot projects in St.~~  
 15 ~~Louis City and in any county with a population of six hundred thousand or~~  
 16 ~~more, which shall provide for a system of electronic transfer of benefits to~~  
 17 ~~public assistance recipients. Such system shall allow recipients to obtain cash~~  
 18 ~~from automated teller machines or point of sale terminals. If less than the~~  
 19 ~~total amount of benefits is withdrawn, the recipient shall be given a receipt~~  
 20 ~~showing the current status of his or her account.~~

21 ~~2. The disclosure of any information provided to a financial institution,~~  
 22 ~~business or vendor by the family support division under this section is~~  
 23 ~~prohibited. Such financial institution, business or vendor may not use or sell~~  
 24 ~~such information and may not divulge the information without a court order.~~  
 25 ~~Violation of this subsection is a class A misdemeanor.~~

26 ~~3. Subject to appropriations and subject to receipt of waivers from the federal~~  
 27 ~~government to prevent the loss of any federal funds, the department of social~~  
 28 ~~services shall require the use of photographic identification on electronic~~  
 29 ~~benefit transfer cards issued to recipients in this system. Such photographic~~  
 30 ~~identification electronic benefit transfer card shall be in a form approved by~~  
 31 ~~the department of social services.~~

32 ~~4. The family support division shall promulgate rules and regulations~~  
 33 ~~necessary to implement the provisions of this section pursuant to section~~  
 34 ~~660.017 and chapter 536.~~

35 ~~5. The delivery of electronic benefits and the electronic eligibility verification, including, but not~~  
 36 ~~limited to, aid to families with dependent children (AFDC), women, infants and children (WIC),~~  
 37 ~~early periodic screening diagnosis and treatment (EPSDT), food stamps, supplemental security~~  
 38 ~~income (SSI), including Medicaid, child support, and other programs, shall reside in one card that~~  
 39 ~~may be enabled by function from time to time in a convenient manner.”]; and~~

40  
 41 Further amend said bill by amending the title, enacting clause, and intersectional references  
 42 accordingly.