

SECOND REGULAR SESSION

HOUSE BILL NO. 2419

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES CARTER (Sponsor) AND CURLS (Co-sponsor).

5480L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 208, RSMo, by adding thereto one new section relating to eligibility for food stamps.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 208, RSMo, is amended by adding thereto one new section, to be known as section 208.247, to read as follows:

208.247. 1. Pursuant to the option granted the state by 21 U.S.C. Section 862a(d), an individual who has pled guilty to or is found guilty under federal or state law of a felony involving possession or use of a controlled substance shall be exempt from the prohibition contained in 21 U.S.C. Section 862a(a) against eligibility for food stamp program benefits for such convictions, if such person, as determined by the department:

(1) Is currently successfully participating in a substance abuse treatment program approved by the division of alcohol and drug abuse within the department of mental health;

(2) Is currently accepted for treatment in and participating in a substance abuse treatment program approved by the division of alcohol and drug abuse, but is subject to a waiting list to receive available treatment, and the individual remains enrolled in the treatment program and enters the treatment program at the first available opportunity;

(3) Has satisfactorily completed a substance abuse treatment program approved by the division of alcohol and drug abuse;

(4) Is determined by a division of alcohol and drug abuse certified treatment provider not to need substance abuse treatment; or

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **(5) Is successfully complying with, or has already complied with, all obligations**
18 **imposed by the court, the division of alcohol and drug abuse and the division of probation**
19 **and parole.**

20 **2. Eligibility based upon the factors in subsection 1 of this section shall be based**
21 **upon documentary or other evidence satisfactory to the department of social services, and**
22 **the applicant must meet all other factors for program eligibility.**

23 **3. The department of social services, in consultation with the division of alcohol and**
24 **drug abuse, shall promulgate rules to carry out the provisions of this section, including**
25 **specifying criteria for determining active participation in and completion of a substance**
26 **abuse treatment program.**

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