

HOUSE _____ AMENDMENT NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 1846, Page 1, Section A, Line 2,
2 by inserting after all of said section and line the following:

3 “208.247. 1. Pursuant to the option granted the state by 21 U.S.C. Section 862a(d), an
4 individual who has pled guilty to or is found guilty under federal or state law of a felony involving
5 possession or use of a controlled substance shall be exempt from the prohibition contained in 21
6 U.S.C. Section 862a(a) against eligibility for food stamp program benefits for such convictions, if
7 such person, as determined by the department to meet at least one of the following conditions:

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

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

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

16 (4) Is successfully complying with, or has already complied with, all obligations imposed
17 by the court, the division of alcohol and drug abuse, and the division of probation and parole;

18 (5) Has demonstrated sobriety through voluntary urinalysis testing paid for by the
19 participant; or

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

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

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

28 Further amend said bill by amending the title, enacting clause, and intersectional
29 references accordingly.