

SECOND REGULAR SESSION

HOUSE BILL NO. 1322

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES ELLINGER (Sponsor), PETERS, MIMS, CURTIS, ANDERS,
KIRKTON, MCCANN BEATTY, PACE, SCHUPP, COLONA, OTTO AND BERRY (Co-sponsors).

4034L.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
2 known as section 208.246, to read as follows:

**208.246. 1. As authorized by the option granted the state under 21 U.S.C. Section
2 862a(d), any person convicted of a drug-related felony shall be eligible for food stamp
3 program benefits under the Food Stamp Act of 1977, as amended, if:**

4 **(1) It has been at least five years since such person was convicted of a drug-related
5 felony;**

6 **(2) Any period of probation or parole for such conviction has been completed or
7 expired;**

8 **(3) Such person has complied with all obligations imposed by the court, including
9 but not limited to payment of all court costs and fines associated with such conviction; and**

10 **(4) Such person has not been found guilty of or pled nolo contendere to any
11 additional felony or felonies.**

12 **2. Eligibility under subsection 1 of this section shall be based upon documentary
13 or other evidence satisfactory to the department of social services that the conditions under
14 subsection 1 of this section have been met and that the applicant is otherwise eligible for
15 participation in the food stamp program.**

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.

16 3. The department of social services may promulgate rules to implement the
17 provisions of this section. Any rule or portion of a rule, as that term is defined in section
18 536.010, that is created under the authority delegated in this section shall become effective
19 only if it complies with and is subject to all of the provisions of chapter 536 and, if
20 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of
21 the powers vested with the general assembly pursuant to chapter 536 to review, to delay
22 the effective date, or to disapprove and annul a rule are subsequently held
23 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted
24 after August 28, 2014, shall be invalid and void.

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