

HOUSE AMENDMENT NO.____
TO
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Offered By

AMEND House Amendment No.____ to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 35, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the following:

"208.024. 1. Eligible recipients of temporary assistance for needy families (TANF) or [supplementary] supplemental nutrition assistance program (SNAP) benefits shall not use such funds in any electronic benefit transfer transaction in any liquor store, casino, gambling casino, or gaming establishment, any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment, or in any place for the purchase of alcoholic beverages, lottery tickets, pornography, or tobacco products or for any item the department determines by rule is primarily marketed for or used by adults eighteen or older and is not in the best interests of the child or household. An eligible recipient of TANF or SNAP assistance who makes a purchase in violation of this section shall reimburse the department of social services for such purchase. For any third or subsequent offense, a TANF recipient shall lose his or her TANF benefits for a period of two years.

2. An individual, store owner or proprietor of an establishment shall not knowingly accept TANF cash assistance or supplementary nutrition assistance program (SNAP) funds held on electronic benefit transfer cards for the purchase of alcoholic beverages, lottery tickets, pornography, or tobacco products or for use in any electronic benefit transfer transaction in any liquor store, casino, gambling casino, or gaming establishment, any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment, or in any place for the purchase of alcoholic beverages, lottery tickets, pornography, or tobacco products or for any item the department determines by rule is primarily marketed for or used by adults eighteen or older and is not in the best interests of the child or household. No store owner or proprietor of any liquor store, casino, gambling casino, gaming establishment, or any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment shall adopt any policy, either explicitly or implicitly, which encourages, permits, or acquiesces in its employees knowingly accepting electronic benefit transfer cards in violation of this section. This section shall not be construed to require any store owner or

Action Taken _____ Date _____

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

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

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

5. The total amount of cash benefits accessed by a TANF or SNAP benefits recipient with his or her electronic benefit transfer (EBT) card from an ATM, as cash back on a purchase, and through any other means of accessing cash from an EBT card shall not exceed forty dollars per month.

6. For purposes of this section:

(1) The following terms shall mean:

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

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

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

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

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

(d) "Tobacco products", cigarettes, cigarette papers, cigars, smokeless tobacco, smoking tobacco, vapor products, or any other form of tobacco products or products made with tobacco substitute containing nicotine;

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

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

4 (b) Any other establishment that offers casino, gambling, or gaming activities incidental to
5 the principal purpose of the business.

6 208.670. 1. As used in this section, these terms shall have the following meaning:"; and

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8 Further amend said amendment, Page 6, Line 14, by inserting immediately after said line the
9 following:

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11 "Further amend said bill, Page 2, Section 208.078, Line 4, by inserting after all of said section and
12 line the following:

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

21 2. The disclosure of any information provided to a financial institution, business or
22 vendor by the family support division under this section is prohibited. Such financial
23 institution, business or vendor may not use or sell such information and may not
24 divulge the information without a court order. Violation of this subsection is a class A
25 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 services
28 shall require the use of photographic identification on electronic benefit transfer cards
29 issued to recipients in this system. Such photographic identification electronic benefit
30 transfer card shall be in a form approved by the department of social services.

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

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

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