

SECOND REGULAR SESSION

HOUSE BILL NO. 1882

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ELLINGTON.

4100H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 208.024, RSMo, and to enact in lieu thereof one new section relating to public assistance benefits, with a penalty provision.

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

Section A. Section 208.024, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 208.024, to read as follows:

208.024. 1. Eligible recipients of temporary assistance for needy families (TANF) or supplementary 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, 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.

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, 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, or tobacco

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.

18 products or for any item the department determines by rule is primarily marketed for or used by
19 adults eighteen or older and is not in the best interests of the child or household. No store owner
20 or proprietor of any liquor store, casino, gambling casino, gaming establishment, or any retail
21 establishment which provides adult-oriented entertainment in which performers disrobe or
22 perform in an unclothed state for entertainment shall adopt any policy, either explicitly or
23 implicitly, which encourages, permits, or acquiesces in its employees knowingly accepting
24 electronic benefit transfer cards in violation of this section. This section shall not be construed
25 to require any store owner or proprietor of an establishment which is not a liquor store, casino,
26 gambling casino, gaming establishment, or retail establishment which provides adult-oriented
27 entertainment in which performers disrobe or perform in an unclothed state for entertainment to
28 check the source of payment from every individual who purchases alcoholic beverages, lottery
29 tickets, tobacco products, or any item the department determines by rule is primarily marketed
30 for or used by adults eighteen or older and is not in the best interests of the child or household.
31 An individual, store owner or proprietor of an establishment who knowingly accepts electronic
32 benefit transfer cards in violation of this section shall be punished by a fine of not more than five
33 hundred dollars for the first offense, a fine of not less than five hundred dollars nor more than
34 one thousand dollars for the second offense, and a fine of not less than one thousand dollars for
35 the third or subsequent offense.

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

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

48 5. For purposes of this section:

49 (1) The following terms shall mean:

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

53 (b) "Liquor store", any retail establishment [which sells exclusively or primarily] **where**
54 **at least eighty-five percent of the merchandise sold at such establishment is** intoxicating
55 liquor. Such term does not include a grocery store which sells both intoxicating liquor and
56 groceries including staple foods as outlined under the Food and Nutrition Act of 2008;

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

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

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

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