

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 183, Page 1, Section A, Line 2, by inserting after
2 all of said section and line the following:
3

4 "208.024. 1. Eligible recipients of temporary assistance for needy families (TANF) or
5 ~~[supplementary]~~ supplemental nutrition assistance program (SNAP) benefits shall not use such funds in any
6 electronic benefit transfer transaction in any ~~[liquor store, casino, gambling casino, or gaming establishment,~~
7 ~~any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform~~
8 ~~in an unclothed state for entertainment]~~ prohibited establishment, or in any place for ~~[the purchase of~~
9 ~~alcoholic beverages, lottery tickets, or tobacco products or for any item the department determines by rule is~~
10 ~~primarily marketed for or used by adults eighteen or older and is not in the best interests of the child or~~
11 ~~household]~~ a prohibited purchase. An eligible recipient of TANF or SNAP assistance who makes a purchase
12 in violation of this section shall reimburse the department of social services for such purchase. For any
13 offense under this subsection, a TANF recipient shall lose his or her TANF benefits as follows:

14 (1) For the first occurrence of noncompliance, the individual shall be disqualified for three months;

15 (2) For the second occurrence of noncompliance, the individual shall be disqualified for six months;

16 and

17 (3) For any third or subsequent occurrence of noncompliance, the individual shall be disqualified
18 permanently.

19
20 An individual may resume participation in the program at the end of a disqualification period if the individual
21 applies again.

22 2. An individual, store owner or proprietor of an establishment shall not knowingly accept TANF
23 ~~[cash assistance]~~ benefits or ~~[supplementary nutrition assistance program (SNAP)]~~ SNAP funds held on
24 electronic benefit transfer cards for ~~[the purchase of alcoholic beverages, lottery tickets, or tobacco products]~~
25 a prohibited purchase or ~~[for use in any electronic benefit transfer transaction]~~ in any ~~[liquor store, casino,~~
26 ~~gambling casino, or gaming establishment, any retail establishment which provides adult-oriented~~
27 ~~entertainment in which performers disrobe or perform in an unclothed state for entertainment, or in any place~~
28 ~~for the purchase of alcoholic beverages, lottery tickets, or tobacco products or for any item the department~~
29 ~~determines by rule is primarily marketed for or used by adults eighteen or older and is not in the best interests~~
30 ~~of the child or household]~~ prohibited establishment. No store owner or proprietor of any ~~[liquor store, casino,~~
31 ~~gambling casino, gaming establishment, or any retail establishment which provides adult-oriented~~
32 ~~entertainment in which performers disrobe or perform in an unclothed state for entertainment]~~ prohibited
33 establishment shall adopt any policy, either explicitly or implicitly, which encourages, permits, or acquiesces
34 in its employees knowingly accepting electronic benefit transfer cards in violation of this section. This
35 section shall not be construed to require any store owner or proprietor of an establishment which is not a
36 ~~[liquor store, casino, gambling casino, gaming establishment, or retail establishment which provides adult-~~
37 ~~oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment]~~
38 prohibited establishment to check the source of payment from every individual who ~~[purchases alcoholic~~
39 ~~beverages, lottery tickets, tobacco products, or any item the department determines by rule is primarily~~
40 ~~marketed for or used by adults eighteen or older and is not in the best interests of the child or household]~~

Action Taken _____ Date _____

1 makes a prohibited purchase. An individual, store owner or proprietor of an establishment who knowingly
 2 accepts electronic benefit transfer cards in violation of this section shall be punished by a fine of not more
 3 than five hundred dollars for the first offense, a fine of not less than five hundred dollars nor more than one
 4 thousand dollars for the second offense, and a fine of not less than one thousand dollars for the third or
 5 subsequent offense.

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

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

16 5. Subject to federal approval, no recipient of TANF or SNAP benefits shall use his or her electronic
 17 benefit transfer card to obtain cash from any automated teller machine or point-of-sale terminal or otherwise
 18 access the benefits as cash. The department shall be authorized to seek any necessary federal approvals,
 19 including any waivers or state plan amendments, for the implementation of this subsection.

20 6. For purposes of this section:

21 (1) The following terms shall mean:

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

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

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

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

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

34 (d) "Prohibited establishment", any liquor store, casino, gambling casino, gaming establishment, or
 35 any retail establishment that provides adult-oriented entertainment in which performers disrobe or perform in
 36 an unclothed state for entertainment;

37 (e) "Prohibited purchase", alcoholic beverages, lottery tickets, pornography, or tobacco products, or
 38 any item the department determines by rule is primarily marketed for or used by adults eighteen years of age
 39 or older and is not in the best interests of a child or household;

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

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

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

46 (b) Any other establishment that offers casino, gambling, or gaming activities incidental to the
 47 principal purpose of the business."; and

48
 49 Further amend said bill, Page 10, Section 208.185, Line 86, by inserting after all of said section and line the
 50 following:

51
 52 ~~"[208.182. 1. The family support division shall establish pilot projects in~~
 53 ~~St. Louis City and in any county with a population of six hundred thousand~~

1 or more, which shall provide for a system of electronic transfer of benefits to
2 public assistance recipients. Such system shall allow recipients to obtain
3 cash from automated teller machines or point of sale terminals. If less than
4 the total amount of benefits is withdrawn, the recipient shall be given a
5 receipt showing the current status of his or her account.

6 ~~2. The disclosure of any information provided to a financial institution,~~
7 ~~business or vendor by the family support division under this section is~~
8 ~~prohibited. Such financial institution, business or vendor may not use or sell~~
9 ~~such information and may not divulge the information without a court order.~~
10 ~~Violation of this subsection is a class A misdemeanor.~~

11 ~~3. Subject to appropriations and subject to receipt of waivers from the~~
12 ~~federal government to prevent the loss of any federal funds, the department~~
13 ~~of social services shall require the use of photographic identification on~~
14 ~~electronic benefit transfer cards issued to recipients in this system. Such~~
15 ~~photographic identification electronic benefit transfer card shall be in a form~~
16 ~~approved by the department of social services.~~

17 ~~4. The family support division shall promulgate rules and regulations~~
18 ~~necessary to implement the provisions of this section pursuant to section~~
19 ~~660.017 and chapter 536.~~

20 ~~5. The delivery of electronic benefits and the electronic eligibility~~
21 ~~verification, including, but not limited to, aid to families with dependent~~
22 ~~children (AFDC), women, infants and children (WIC), early periodic~~
23 ~~screening diagnosis and treatment (EPSDT), food stamps, supplemental~~
24 ~~security income (SSI), including Medicaid, child support, and other~~
25 ~~programs, shall reside in one card that may be enabled by function from time~~
26 ~~to time in a convenient manner.]~~

27
28 Section B. The repeal of section 208.182 shall become effective upon federal approval of the
29 provisions of subsection 5 of section 208.024. The department of social services shall notify the revisor of
30 statutes upon notification of such federal approval."; and

31
32 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.