

FIRST REGULAR SESSION

# HOUSE BILL NO. 857

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE ANDERSON.

1454H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To amend chapter 208, RSMo, by adding thereto one new section relating to eligibility for food stamps.

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*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 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 862a(d), any person convicted of a drug-related felony shall be eligible for food stamp program benefits under the Food Stamp Act of 1977, as amended, if:**

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

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

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

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

**2. Eligibility under subsection 1 of this section shall be based upon documentary or other evidence satisfactory to the department of social services that the conditions under subsection 1 of this section have been met and that the applicant is otherwise eligible for 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.

17           **3. The department of social services may promulgate rules to implement the**  
18 **provisions of this section. Any rule or portion of a rule, as that term is defined in section**  
19 **536.010, that is created under the authority delegated in this section shall become**  
20 **effective only if it complies with and is subject to all of the provisions of chapter 536 and,**  
21 **if applicable, section 536.028. This section and chapter 536 are nonseverable and if any**  
22 **of the powers vested with the general assembly pursuant to chapter 536 to review, to**  
23 **delay the effective date, or to disapprove and annul a rule are subsequently held**  
24 **unconstitutional, then the grant of rulemaking authority and any rule proposed or**  
25 **adopted after August 28, 2023, shall be invalid and void.**

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