

2015 -- H 5576

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO HUMAN SERVICES -- PUBLIC ASSISTANCE ACT

Introduced By: Representatives Morgan, Roberts, Filippi, Lancia, and Giarrusso

Date Introduced: February 25, 2015

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 40-6-8 of the General Laws in Chapter 40-6 entitled "Public  
2 Assistance Act" is hereby amended to read as follows:

3 **40-6-8. Supplemental nutrition assistance program (SNAP).** -- (a) The department  
4 shall have the responsibility to administer the food stamp program for the state in compliance  
5 with the provisions of the federal Food Stamp Act of 1964, as amended, 7 U.S.C. § 2011 et seq.  
6 The supplemental nutrition assistance program (SNAP) is and shall be the new title of the  
7 program formerly known as the food stamp program. All references in the Rhode Island general  
8 laws to food stamps shall be deemed to mean, apply to, refer to, and be interpreted in accordance  
9 with the supplemental nutrition assistance program (SNAP).

10 (b) The department is empowered and authorized to submit its plan for food stamps to  
11 the federal government or any agency or department of it. The department shall act for the state in  
12 any negotiations relative to the submission and approval of a plan, and may make any  
13 arrangement or changes in its plan not inconsistent with this chapter which may be required by  
14 the Food Stamp Act or the rules and regulations promulgated pursuant to it to obtain and retain  
15 such approval and to secure for this state the benefits of the provisions of the federal act relating  
16 to food stamps. The department shall make reports to the federal government or any agency or  
17 department of it in the form and nature required by it, and in all respects comply with any request  
18 or direction of the federal government or any agency or department of it, which may be necessary  
19 to assure the correctness and verification of the reports.

1 (c) The department is authorized and directed to pay one hundred percent (100%) of the  
2 state's share of the administrative cost involved in the operation of the food stamp program.

3 (d) No person shall be ineligible for food stamp benefits due solely to the restricted  
4 eligibility rules otherwise imposed by § 115(a)(2) of the Personal Responsibility and Work  
5 Opportunity Reconciliation Act of 1996 (Public Laws No. 104-193), 21 U.S.C. § 862a(a)(2), and  
6 as this section may hereafter be amended.

7 (e) Each recipient of food stamp benefits shall present photo identification when using an  
8 EBT card, and each retailer shall request and inspect such photo identification at each transaction  
9 to ensure that the individual presenting the EBT card is the person identified by the photo  
10 identification. Failure to request such photo identification and perform such verification of  
11 identity shall result in the suspension of the retailer's privilege of accepting EBT cards for  
12 payment of any transactions for a period of one month for each offense. The department is  
13 authorized to promulgate regulations implementing the provisions of this subsection consistent  
14 herewith. The penalty provided in this subsection shall be in addition to the penalties provided in  
15 § 40-6-16, and a successful prosecution under that section shall not be a necessary precedent for  
16 the penalty provided herein.

17 (f) Where the recipient of food stamp benefits is mentally or physically disabled, there is  
18 an exception to the requirement to present photo identification. In such case, a caregiver is  
19 authorized to use the EBT card on behalf of the recipient. The department is authorized and  
20 directed to promulgate rules and procedures whereby this exception shall be implemented.

21 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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RELATING TO HUMAN SERVICES -- PUBLIC ASSISTANCE ACT

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1           This act would require retailers to examine photo identification to verify that a buyer  
2 presenting an EBT card ("food stamps") is in fact the person entitled to use the card. It further  
3 provides that a retailer who neglects to perform such verification shall be suspended from the  
4 program for one month. Where the recipient of food stamp benefits is mentally or physically  
5 disabled, a caregiver is authorized to use the EBT card on behalf of the recipient and a photo ID  
6 will not be needed since.

7           This act would take effect upon passage.

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