

1 HB498  
2 172947-4  
3 By Representatives Mooney, Weaver, Hanes, Williams (JW),  
4 Butler, Ainsworth, Whorton (I), Fridy, Whorton (R), Wingo,  
5 Holmes (M), Henry, Crawford, Carns and Drake  
6 RFD: State Government  
7 First Read: 05-APR-16

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8 SYNOPSIS: This bill would further provide for  
9 procedures and limitations for various public  
10 assistance programs administered by the Department  
11 of Human Resources.

12 This bill would limit the resource limit  
13 standard for the Supplemental Nutrition Assistance  
14 Program (SNAP) to the federal asset limits, would  
15 further provide disqualification periods for  
16 violations of SNAP requirements, including a  
17 one-year disqualification period for the third  
18 instance of noncompliance with any SNAP  
19 requirement, would preclude the department from  
20 seeking, applying for, accepting, or renewing any  
21 waiver of work requirements for SNAP benefits, and  
22 would preclude the department from granting  
23 categorical eligibility for SNAP benefits.

24 This bill would require the Department of  
25 Human Resources to terminate benefits for any  
26 recipient of SNAP benefits upon a determination  
27 that the recipient has failed to cooperate with

1 child support enforcement requirements or the Child  
2 Support Enforcement Division of the department  
3 without good cause, or is delinquent on any  
4 court-ordered support payments, including arrears.

5 This bill would require the Department of  
6 Human Resources to place a photograph of the  
7 recipient on any electronic benefits transfer card  
8 (EBT card) issued by the department.

9 This bill would provide a lifetime limit of  
10 36 months for temporary cash payments under the  
11 state Family Assistance Program administering the  
12 Temporary Assistance for Needy Families Program  
13 (TANF) and would provide sanctions for violations  
14 of TANF requirements, including termination of  
15 benefits for the second instance of noncompliance  
16 with any TANF requirement.

17 This bill would require the Department of  
18 Human Resources to utilize best efforts to identify  
19 purchases at points of sale outside this state  
20 using cash benefits under the Temporary Assistance  
21 for Needy Families Program (TANF) and to establish  
22 a benchmark number of out-of-state transactions  
23 using TANF benefits that will automatically  
24 generate review of the recipient's residency status  
25 by the department.

26 This bill would also require the Medicaid  
27 Agency to implement certain practices relating to

1 identity verification and earnings and asset  
2 verification of applicants for benefits.

3  
4 A BILL  
5 TO BE ENTITLED  
6 AN ACT

7  
8 Relating to public assistance; to limit the resource  
9 limit standard for the Supplemental Nutrition Assistance  
10 Program (SNAP) to the federal asset limit; to preclude the  
11 department from seeking, applying for, accepting, or renewing  
12 any waiver of work requirements for SNAP benefits; to preclude  
13 the department from granting categorical eligibility for SNAP  
14 benefits; to further provide for sanctions for violations of  
15 SNAP requirements; to require the Department of Human  
16 Resources to terminate SNAP benefits upon a recipient's  
17 failure to comply with certain child support obligations; to  
18 require the Department of Human Resources to place a  
19 photograph of the recipient on any electronic benefits  
20 transfer card issued by the department; to provide a lifetime  
21 limit of 36 months for temporary cash payments under the  
22 Temporary Assistance for Needy Families program (TANF); to  
23 provide full sanctions for violations of TANF requirements; to  
24 require the department to utilize best efforts to identify  
25 purchases using TANF benefits at points of sale outside this  
26 state; to require the department to establish a benchmark  
27 number of out-of-state transactions using TANF benefits that

1 will automatically generate review of the recipient's  
2 residency status; to require the Medicaid Agency to implement  
3 certain practices relating to identity verification and  
4 earnings and asset verification of applicants for benefits;  
5 and to provide rulemaking authority.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7 Section 1. (a) Unless expressly required by federal  
8 law, the resource limit standards of the Supplemental  
9 Nutrition Assistance Program (SNAP) may not exceed the  
10 standards specified in 7 U.S.C. § 2014(g)(1).

11 (b) Unless expressly required by federal law,  
12 categorical eligibility exempting households from the required  
13 resource limits provided in subsection (a) may not be granted  
14 for any non-cash, in-kind, or other benefit.

15 Section 2. Unless expressly required by federal law,  
16 the Department of Human Resources may not do either of the  
17 following:

18 (1) Seek, apply for, accept, or renew any waiver of  
19 work requirements for Supplemental Nutrition Assistance  
20 Program (SNAP) benefits established under 7 U.S.C. § 2015(o).

21 (2) Grant categorical eligibility under 7 U.S.C. §  
22 2014(a) or 7 C.F.R § 273.2(j)(2)(iii) for any non-cash,  
23 in-kind, or other Supplemental Nutrition Assistance Program  
24 (SNAP) benefit.

25 Section 3. (a) Unless expressly prohibited by  
26 federal law, the Department of Human Resources shall do all of

1 the following with regard to benefits under the Supplemental  
2 Nutrition Assistance Program (SNAP):

3 (1) Set disqualification periods for all instances  
4 of noncompliance with any SNAP requirement.

5 (2) Institute a three-month disqualification period  
6 for the first instance of noncompliance with any SNAP  
7 requirement.

8 (3) Institute a six-month, full-household  
9 disqualification period for the second instance of  
10 noncompliance with any SNAP requirement.

11 (4) Institute a one-year full-household  
12 disqualification period for the third or subsequent instance  
13 of noncompliance with any SNAP requirement.

14 (b) Unless expressly prohibited by federal law,  
15 recipients of benefits under SNAP shall be subject to  
16 disqualification for failure to perform actions required by  
17 other federal, state, or local means-tested public assistance  
18 programs.

19 Section 4. (a) Unless expressly prohibited by  
20 federal law, the Department of Human Resources shall terminate  
21 benefits for any recipient of Supplemental Nutrition  
22 Assistance Program (SNAP) benefits upon a determination that  
23 the recipient has failed to cooperate with child support  
24 enforcement requirements or the Child Support Enforcement  
25 Division of the department without good cause, or is  
26 delinquent on any court-ordered support payments, including  
27 arrears.

1 (b) The period of disqualification for recipients  
2 terminated under subsection (a) shall end once the Child  
3 Support Enforcement Division of the department determines that  
4 the individual is cooperating with child support requirements  
5 and is no longer delinquent on any court-ordered child support  
6 payments, including arrears.

7 Section 5. (a) Unless the recipient declines to have  
8 the photograph included, the Department of Human Resources  
9 shall place a photograph of the recipient on any electronic  
10 benefits transfer card issued by the department. If a  
11 recipient is a minor or is an otherwise incapacitated  
12 individual, a parent or legal guardian of the recipient may  
13 have a photograph of the parent or legal guardian placed on  
14 the card.

15 (b) The Department of Human Resources may enter into  
16 memoranda of understanding with the Alabama State Law  
17 Enforcement Agency or the Secretary of State to share  
18 photographs when practical.

19 Section 6. (a) Except as provided in subsection (b)  
20 and beginning on the effective date of this act, the lifetime  
21 limit temporary cash payments under the Temporary Assistance  
22 for Needy Families Program (TANF) shall be 36 months.

23 (b) The lifetime limit in subsection (a) does not  
24 apply to the exceptions set forth in 42 U.S.C. § 608(a)(7).

25 Section 7. (a) The Department of Human Resources  
26 shall only grant benefits under the Temporary Assistance for  
27 Needy Families Program (TANF) when an approved applicant has

1 signed a written agreement clearly enumerating continued  
2 eligibility requirements, circumstances in which sanctions may  
3 be imposed, and any potential penalties for noncompliance.

4 (b) The department shall do all of the following:

5 (1) Require all enrollees to be compliant with all  
6 program requirements, including work requirements, before  
7 granting benefits.

8 (2) Unless expressly prohibited by federal law,  
9 require a three-month sanction for the first instance of  
10 noncompliance with any TANF requirement.

11 (3) Unless expressly prohibited by federal law,  
12 terminate benefits for the second instance of noncompliance  
13 with any TANF requirement.

14 (4) Deny benefits to any adult member of a household  
15 where another adult member of the household has been found to  
16 have committed public assistance fraud under TANF or any other  
17 public assistance program administered by the department.

18 (c) An individual sanctioned under subsection (b)  
19 may not have benefits reinstated without reviewing the  
20 agreement required under subsection (a).

21 Section 8. The Department of Human Resources shall  
22 do both of the following:

23 (1) Utilize best efforts to identify purchases using  
24 cash benefits under the Temporary Assistance for Needy  
25 Families Program (TANF) at points of sale outside this state.



1                   (2) Establish a benchmark number of out-of-state  
2 transactions using TANF benefits that will generate automatic  
3 review of the recipient's residency status by the department.

4                   Section 9. The Medicaid Agency shall implement the  
5 following practices relating to identity verification and  
6 earnings and asset verification for applicants:

7                   (1) A check of a nationwide best-address and  
8 driver's license data source to verify individuals are  
9 residents of this state.

10                  (2) A check of the death register information  
11 maintained by the Social Security Administration.

12                  (2) A check of national fleeing felon information  
13 maintained by the Federal Bureau of Investigation.

14                  (3) A check for unearned income with the Internal  
15 Revenue Service and through income information maintained by  
16 the Social Security Administration.

17                  (4) A check of income and employment information  
18 maintained by the Child Support Enforcement Division of the  
19 Department of Human Resources and the U.S. Department of  
20 Health and Human Services' Office of Child Support  
21 Enforcement.

22                  (5) A check of earnings and pension information  
23 maintained by the state.

24                  (6) A check of utility payments information  
25 maintained by the state under the Low Income Home Energy  
26 Assistance Program.

1                   (7) Check emergency utility payment information  
2 maintained by the state or local entities.

3                   (8) Check child care services information maintained  
4 by the state.

5                   Section 10. The Department of Human Resources and  
6 the Medicaid Agency may adopt rules for the implementation and  
7 administration of this act.

8                   Section 11. This act shall become effective on the  
9 first day of the third month following its passage and  
10 approval by the Governor, or its otherwise becoming law.