

CS/CS/HB 1401

2012

1 A bill to be entitled
2 An act relating to public assistance; amending s.
3 402.82, F.S.; restricting the use of an electronic
4 benefit transfer card to prohibit accessing cash from
5 outside the state; amending s. 414.095, F.S.; revising
6 the method of payment of temporary cash assistance to
7 include an electronic benefit transfer card;
8 prohibiting a cash assistance recipient from using an
9 electronic benefit transfer card for certain purposes
10 or in certain locations, including accessing cash
11 benefits through an electronic benefit transfer card
12 from an automatic teller machine located in such
13 locations; providing an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

16
17 Section 1. Section 402.82, Florida Statutes, is amended to
18 read:

19 402.82 Electronic benefit transfer program; federal
20 Supplemental Nutrition Assistance Program.—

21 (1) The Department of Children and Family Services shall
22 establish an electronic benefit transfer program for the
23 dissemination of food assistance benefits and temporary cash
24 assistance payments, including refugee cash assistance payments,
25 asylum applicant payments, and child support disregard payments.
26 Except to the extent prohibited by federal law, the electronic
27 benefit transfer system designed and implemented pursuant to
28 this chapter shall prevent a recipient from using the electronic

29 benefit transfer card to access cash benefits outside this
 30 state, to purchase alcohol or tobacco products, or to use in,
 31 including accessing automatic teller machines located in,
 32 gambling establishments and adult entertainment establishments.
 33 This section does not prohibit the use of an electronic benefit
 34 transfer card to access federal Supplemental Nutrition
 35 Assistance Program (SNAP) benefits in any manner authorized by
 36 federal law.

37 (2) If the Federal Government does not enact legislation
 38 or regulations providing for dissemination of supplemental
 39 security income by electronic benefit transfer, the state may
 40 include supplemental security income in the electronic benefit
 41 transfer program.

42 ~~(3)~~ (2) The department shall, in accordance with applicable
 43 federal laws and regulations, develop minimum program
 44 requirements and other policy initiatives for the electronic
 45 benefit transfer program.

46 ~~(4)~~ (3) The department shall enter into public-private
 47 contracts for all provisions of electronic transfer of public
 48 assistance benefits.

49 Section 2. Paragraph (a) of subsection (13) of section
 50 414.095, Florida Statutes, is amended to read:

51 414.095 Determining eligibility for temporary cash
 52 assistance.—

53 (13) METHODS OF PAYMENT OF TEMPORARY CASH ASSISTANCE.—
 54 Temporary cash assistance may be paid as follows:

55 (a) Direct payment through state warrant, electronic
 56 transfer of temporary cash assistance, electronic benefit

57 transfer card, or voucher. A cash assistance recipient may not:
 58 1. Access cash benefits through an electronic benefit
 59 transfer card from an automated teller machine in this state
 60 located in:
 61 a. An adult entertainment establishment as defined in s.
 62 847.001.
 63 b. A pari-mutuel facility as defined in s. 550.002.
 64 c. A gaming facility authorized under a tribal-state
 65 gaming compact under part II of chapter 285.
 66 d. A commercial bingo facility that operates outside the
 67 provisions of s. 849.0931.
 68 e. Any establishment licensed under the Beverage Law to
 69 sell distilled spirits containing 6 percent or more alcohol by
 70 volume as a vendor and restricted in the types of products that
 71 can be sold under ss. 565.04 and 565.045, or a bottle club.
 72 f. A gambling establishment, including businesses referred
 73 to as casino-style Internet cafes, convenience casinos, corner
 74 store casinos, gambling halls, game parlors, Internet gambling
 75 café, Internet sweepstakes cafes, Internet sweepstakes parlors,
 76 Internet sweepstakes rooms, low-end casinos, neighborhood
 77 casinos, neighborhood gambling halls, pop-up casinos, simulated
 78 gambling centers, simulated slots centers, storefront casinos,
 79 strip mall casinos, sweepstakes casinos, sweepstakes parlors,
 80 virtual slot machine cafes, or any such business ceteris
 81 paribus.
 82 g. A cardroom as defined in s. 849.086.
 83 2. Use a benefit transfer card to purchase any good or
 84 service in any entity listed in subparagraph 1.

CS/CS/HB 1401

2012

85

Section 3. This act shall take effect July 1, 2012.