

HOUSE BILL No. 1151

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-14.

Synopsis: SNAP benefits. Removes the federal Supplemental Nutrition Assistance Program (SNAP) requirements for reentry court program participants. Provides that individuals who were receiving SNAP through a reentry court program continue to receive SNAP until the individual: (1) no longer meets the SNAP eligibility requirements; or (2) has received SNAP for the maximum period allowed. Allows individuals convicted of a drug offense to be eligible to participate in SNAP under the federal opt out option.

Effective: July 1, 2017.

Taylor J

January 9, 2017, read first time and referred to Committee on Family, Children and Human Affairs.



First Regular Session of the 120th General Assembly (2017)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2016 Regular Session of the General Assembly.

HOUSE BILL No. 1151

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 12-14-29-2 IS REPEALED [EFFECTIVE JULY 1,
2 2017]. Sec. 2: Under this chapter, an individual is eligible for the
3 federal Supplemental Nutrition Assistance Program (SNAP) if the
4 individual meets all the following requirements:

5 (1) The individual is a resident of:

6 (A) a county having a reentry court program;

7 (B) a county that offers individuals on probation or in a
8 community corrections program evidence based mental health
9 and addiction forensic treatment services administered or
10 coordinated by a provider certified by the division of mental
11 health and addiction to provide mental health or addiction
12 treatment; or

13 (C) Marion County.

14 (2) The individual was convicted of an offense under IC 35-48
15 (controlled substances) for conduct occurring after August 22,
16 1996.

17 (3) Except for 21 U.S.C. 862a(a), the individual meets the federal



Supplemental Nutrition Assistance Program (SNAP) requirements:

(4) The individual is successfully participating in:

(A) a reentry court program;

(B) an evidence based mental health and addiction forensic treatment services program administered or coordinated by a provider certified by the division of mental health and addiction to provide mental health or addiction treatment as part of the person's probation or community corrections; or

(C) the Marion County superior court pilot project described in IC 11-12-3.8-6.

SECTION 2. IC 12-14-29-4 IS REPEALED [EFFECTIVE JULY 1, 2017]. Sec. 4. In accordance with 21 U.S.C. 862a(d)(1), the state elects to opt out of the application of 21 U.S.C. 862a(a) for individuals participating in:

(1) a reentry court program;

(2) a program that offers individuals on probation or in a community corrections program evidence-based mental health and addiction forensic treatment services administered or coordinated by a provider certified by the division of mental health and addiction to provide mental health or addiction treatment; or

(3) the Marion County superior court pilot project described in IC 11-12-3.8-6.

SECTION 3. IC 12-14-29-5, AS AMENDED BY P.L.5-2015, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. (a) If referred by a court, an individual who meets the requirements of section 2 of this chapter may receive federal Supplemental Nutrition Assistance Program (SNAP) benefits for not more than twelve (12) months:

(b) If referred by a court, an individual who meets the requirements of section 3 of this chapter may receive TANF benefits for not more than twelve (12) months.

SECTION 4. IC 12-14-29-6, AS AMENDED BY P.L.210-2015, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. A court may modify or revoke an order issued under this chapter concerning a ~~SNAP eligible individual~~ or a TANF eligible individual at any time.

SECTION 5. IC 12-14-29-7, AS AMENDED BY P.L.210-2015, SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. A court shall immediately notify the division of family resources local office:



(1) upon the court's finding of probable cause that an individual has committed a felony offense during the period in which the individual is eligible for TANF; ~~or SNAP; or~~

(2) when an individual has been terminated from:

(A) a reentry court program;

(B) an evidence-based mental health and addiction forensic treatment services program administered or coordinated by a provider certified by the division of mental health and addiction to provide mental health or addiction treatment as part of the person's probation or community corrections; or

(C) the Marion County superior court pilot project described in IC 11-12-3.8-6;

during the period in which the individual is eligible for TANF. ~~or the federal SNAP.~~

SECTION 6. IC 12-14-29-8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 8. (a) An individual who was eligible for SNAP under this chapter on June 30, 2017, is eligible to continue to receive SNAP until the earlier of the following:**

(1) The individual no longer meets the SNAP eligibility requirements.

(2) The individual has received SNAP for the maximum period allowed.

(b) This section expires July 1, 2018.

SECTION 7. IC 12-14-30-3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 3. In accordance with 21 U.S.C. 862a(d)(1)(A), the state elects to opt out of the application of 21 U.S.C. 862a(a) for individuals domiciled in Indiana who otherwise meet federal and state eligibility requirements for participation in SNAP.**

