



Reprinted  
February 2, 2016

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## SENATE BILL No. 132

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DIGEST OF SB 132 (Updated February 1, 2016 2:50 pm - DI 125)

**Citations Affected:** IC 12-14.

**Synopsis:** Food stamp assistance after drug conviction. Allows certain individuals who were convicted of a drug offense but: (1) have been released from any incarceration at least five years before applying for food stamps; and (2) have not been convicted of any additional offenses in the five years since release from incarceration; to receive food stamps. Permits individuals who have had a conviction in the past five years but who: (1) do not commit any violation of the terms of a probation, parole, or community corrections program; and (2) do not test positive for drugs or alcohol; to be eligible to receive food stamps.

**Effective:** July 1, 2016.

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**Broden, Kenley, Miller Patricia,  
Stoops, Randolph Lonnie M**

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January 5, 2016, read first time and referred to Committee on Appropriations.  
January 28, 2016, reported favorably — Do Pass.  
February 1, 2016, read second time, amended, ordered engrossed.

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SB 132—LS 6211/DI 125





Second Regular Session 119th General Assembly (2016)

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 2015 Regular Session of the General Assembly.

## SENATE BILL No. 132

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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 12-14-31 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2016]:  
4 **Chapter 31. SNAP Assistance for Individuals With Drug**  
5 **Convictions**  
6 **Sec. 1. In accordance with 21 U.S.C. 862a(d)(1), the state elects**  
7 **to opt out of the application of 21 U.S.C. 862a(a) for individuals**  
8 **who meet the requirements of this chapter.**  
9 **Sec. 2. (a) An individual is eligible to participate in SNAP if the**  
10 **individual:**  
11 **(1) has been convicted of an offense under IC 35-48**  
12 **(controlled substances), or an offense in another jurisdiction**  
13 **that is substantially similar, for conduct occurring after**  
14 **August 22, 1996;**  
15 **(2) except for 21 U.S.C. 862a(a), meets federal and state SNAP**  
16 **requirements; and**  
17 **(3) either:**

SB 132—LS 6211/DI 125



1 (A) was released from any incarceration at least five (5) years  
2 before the individual's application for SNAP and has not been  
3 convicted of any offense in the five (5) years since the  
4 individual's release from incarceration; or

5 (B) submits an application for SNAP upon being placed on  
6 probation, parole, or in a community corrections program  
7 after the individual's release from incarceration and meets the  
8 following conditions:

9 (i) The individual does not commit any violation of the  
10 terms of the individual's probation, parole, or community  
11 corrections program.

12 (ii) The individual is tested for drug and alcohol use at  
13 least once every two (2) months and may be required to  
14 submit to random tests for drug and alcohol use at any  
15 time, and all testing results are negative for the presence of  
16 drugs or alcohol.

17 (b) If an individual described in subsection (a)(3)(B):

18 (1) commits a violation of the terms of the individual's parole,  
19 probation, or community corrections program; or

20 (2) tests positive for the presence of drugs or alcohol while  
21 participating in SNAP;

22 the parole, probation, or community corrections office shall notify  
23 the office of the secretary of family and social services  
24 that the individual has become ineligible to participate in SNAP.



## COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill No. 132, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 132 as introduced.)

KENLEY, Chairperson

Committee Vote: Yeas 13, Nays 0

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 SENATE MOTION

Madam President: I move that Senate Bill 132 be amended to read as follows:

Page 1, line 9, after "2." delete "An individual who:" and insert "**(a) An individual is eligible to participate in SNAP if the individual:**".

Page 1, delete line 17, begin a new line block indented and insert:

**"(A) was released from any incarceration at least five (5) years before the individual's application for SNAP and has not been convicted of any offense in the five (5) years since the individual's release from incarceration; or**

**(B) submits an application for SNAP upon being placed on probation, parole, or in a community corrections program after the individual's release from incarceration and meets the following conditions:**

**(i) The individual does not commit any violation of the terms of the individual's probation, parole, or community corrections program.**

**(ii) The individual is tested for drug and alcohol use at least once every two (2) months and may be required to submit to random tests for drug and alcohol use at any time, and all testing results are negative for the presence of drugs or alcohol.**

**(b) If an individual described in subsection (a)(3)(B):**

**(1) commits a violation of the terms of the individual's parole, probation, or community corrections program; or**



**(2) tests positive for the presence of drugs or alcohol while participating in SNAP;  
the parole, probation, or community corrections office shall notify the office of the secretary of family and social services that the individual has become ineligible to participate in SNAP."**

Page 2, delete lines 1 through 17.

(Reference is to SB 132 as printed January 29, 2016.)

MILLER PATRICIA

