

HOUSE No. 02247

The Commonwealth of Massachusetts

PRESENTED BY:

Shaunna O'Connell

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to electronic benefit transfer cards.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Shaunna O'Connell</i>	<i>3rd Bristol</i>
<i>Richard Bastien</i>	<i>2nd Worcester</i>
<i>Nicholas Boldyga</i>	<i>3rd Hampden</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>Sheila Harrington</i>	<i>1st Middlesex</i>
<i>Steven Howitt</i>	<i>4th Bristol</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Michael R. Knapik</i>	<i>Second Hampden and Hampshire</i>
<i>Steven L. Levy</i>	<i>4th Middlesex</i>
<i>Marc Lombardo</i>	<i>22nd Middlesex</i>
<i>James Lyons, Jr.</i>	<i>18th Essex</i>
<i>Elizabeth Poirier</i>	<i>14th Bristol</i>
<i>George Ross</i>	<i>2nd Bristol</i>
<i>James E. Timilty</i>	<i>Bristol and Norfolk</i>

HOUSE No. 02247

By [sponsorPrefix] O'Connell of Taunton, a petition (accompanied by bill, House, No. 2247) of Timilty and others relative to electronic benefit transfer cards Joint Committee on the Judiciary.

The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven
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An Act relative to electronic benefit transfer cards.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 1. Chapter 18 of the General Laws, as appearing in the 2008 Official Edition, is hereby
2 amended by inserting after section 5H the following new sections:-

3 Section 5I. Notwithstanding any general or special law to the contrary, eligible recipients of
4 direct cash assistance shall not use direct cash assistance funds for the purchase of alcoholic
5 beverages, lottery tickets or tobacco products. An eligible recipient of direct cash assistance who
6 makes a purchase in violation of this section shall be ineligible for any assistance program
7 administered by the department for a period of 1 month for the first violation, 3 months for the
8 second violation, 6 months for the third violation, and permanently for a fourth violation.

9 Section 5J. Notwithstanding any general or special law to the contrary, an individual or store
10 owner shall not accept direct cash assistance funds held on electronic benefit transfer cards for
11 the purchase of alcoholic beverages, lottery tickets, or tobacco products. n individual or store

12 owner who knowingly accepts electronic benefit transfer cards in violation of this section shall
13 be punished by a fine of not more than \$500 for the first offense, a fine of not less than \$500 nor
14 more than \$1,000 for the second offense, and a fine of not less than \$1,000 for the third or
15 subsequent offense. A store owner who commits a third violation of this section shall be
16 ineligible to accept electronic benefit transfer cards.

17 Section 5K. Notwithstanding any general or special law to the contrary, whoever embezzles,
18 steals or obtains by fraud any funds, assets or property provided by the department of transitional
19 assistance and whoever receives, conceals or retains such funds, assets or property for his own
20 interest knowing such funds, assets or property have been embezzled, stolen or obtained by fraud
21 shall, if such funds, assets or property are of a value of \$100 or more, be punished by a fine of
22 not more than \$25,000 or by imprisonment in a jail or house of correction for not more than 5
23 years, or both such fine and imprisonment, or if such funds, assets or property are of a value of
24 less than \$100, by a fine of not more than \$1,000 or by imprisonment in a jail or house of
25 correction for not more than 1 year, or both such fine and imprisonment.”