

As Introduced

132nd General Assembly

Regular Session

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H. B. No. 608

Representative Wiggam

**Cosponsors: Representatives Becker, Riedel, Schaffer, Hood, Vitale, Retherford,
Roegner**

A BILL

To amend section 5101.54 and to enact sections 1
5101.545, 5101.546, 5101.547, and 5101.548 of 2
the Revised Code regarding eligibility for 3
Supplemental Nutrition Assistance Program 4
benefits. 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 5101.54 be amended and sections 6
5101.545, 5101.546, 5101.547, and 5101.548 of the Revised Code 7
be enacted to read as follows: 8

Sec. 5101.54. (A) The director of job and family services 9
shall administer the supplemental nutrition assistance program 10
in accordance with the Food and Nutrition Act of 2008 (7 U.S.C. 11
2011 et seq.). The department may: 12

(1) Prepare and submit to the secretary of the United 13
States department of agriculture a plan for the administration 14
of the supplemental nutrition assistance program; 15

(2) Prescribe forms for applications, certificates, 16
reports, records, and accounts of county departments of job and 17

family services, and other matters; 18

(3) Require such reports and information from each county 19
department of job and family services as may be necessary and 20
advisable; 21

(4) Administer and expend any sums appropriated by the 22
general assembly for the purposes of the supplemental nutrition 23
assistance program and all sums paid to the state by the United 24
States as authorized by the Food and Nutrition Act of 2008; 25

(5) Conduct such investigations as are necessary; 26

(6) Enter into interagency agreements and cooperate with 27
investigations conducted by the department of public safety, 28
including providing information for investigative purposes, 29
exchanging property and records, passing through federal 30
financial participation, modifying any agreements with the 31
United States department of agriculture, providing for the 32
supply, security, and accounting of supplemental nutrition 33
assistance program benefits for investigative purposes, and 34
meeting any other requirements necessary for the detection and 35
deterrence of illegal activities in the supplemental nutrition 36
assistance program; 37

(7) Adopt rules in accordance with Chapter 119. of the 38
Revised Code governing employment and training requirements of 39
recipients of supplemental nutrition assistance program 40
benefits, including rules specifying which recipients are 41
subject to the requirements and establishing sanctions for 42
failure to satisfy the requirements. The rules shall be 43
consistent with section 5101.545 of the Revised Code. The rules 44
shall also be consistent with 7 U.S.C. 2015, including its work 45
and employment and training requirements, and, to the extent 46

practicable, shall provide for the recipients to participate in 47
work activities, developmental activities, and alternative work 48
activities described in sections 5107.40 to 5107.69 of the 49
Revised Code that are comparable to programs authorized by 7 50
U.S.C. 2015(d)(4). The rules may reference rules adopted under 51
section 5107.05 of the Revised Code governing work activities, 52
developmental activities, and alternative work activities 53
described in sections 5107.40 to 5107.69 of the Revised Code. 54

(8) ~~Adopt~~ Subject to sections 5101.546 and 5101.547 of the 55
Revised Code, adopt rules in accordance with section 111.15 of 56
the Revised Code that are consistent with the Food and Nutrition 57
Act of 2008, as amended, and regulations adopted thereunder 58
governing the following: 59

(a) Eligibility requirements for the supplemental 60
nutrition assistance program; 61

(b) Sanctions for failure to comply with eligibility 62
requirements; 63

(c) Allotment of supplemental nutrition assistance program 64
benefits; 65

(d) To the extent permitted under federal statutes and 66
regulations, a system under which some or all recipients of 67
supplemental nutrition assistance program benefits subject to 68
employment and training requirements established by rules 69
adopted under division (A)(7) of this section receive the 70
benefits after satisfying the requirements; 71

(e) Administration of the program by county departments of 72
job and family services; 73

(f) Other requirements necessary for the efficient 74
administration of the program. 75

~~(9) Submit a plan to the United States secretary of agriculture for the department of job and family services to operate a simplified supplemental nutrition assistance program pursuant to 7 U.S.C. 2035 under which requirements governing the Ohio works first program established under Chapter 5107. of the Revised Code also govern the supplemental nutrition assistance program in the case of households receiving supplemental nutrition assistance program benefits and participating in Ohio works first.~~

(B) A household that is entitled to receive supplemental nutrition assistance program benefits and that is determined to be in immediate need of nutrition assistance, shall receive certification of eligibility for program benefits, pending verification, within twenty-four hours, or, if mitigating circumstances occur, within seventy-two hours, after application, if:

(1) The results of the application interview indicate that the household will be eligible upon full verification;

(2) Information sufficient to confirm the statements in the application has been obtained from at least one additional source, not a member of the applicant's household. Such information shall be recorded in the case file, and shall include:

(a) The name of the person who provided the name of the information source;

(b) The name and address of the information source;

(c) A summary of the information obtained.

The period of temporary eligibility shall not exceed one month from the date of certification of temporary eligibility.

If eligibility is established by full verification, benefits 105
shall continue without interruption as long as eligibility 106
continues. 107

At the time of application, the county department of job 108
and family services shall provide to a household described in 109
this division a list of community assistance programs that 110
provide emergency food. 111

(C) All applications shall be approved or denied through 112
full verification within thirty days from receipt of the 113
application by the county department of job and family services. 114

(D) Nothing in this section shall be construed to prohibit 115
the certification of households that qualify under federal 116
regulations to receive supplemental nutrition assistance program 117
benefits without charge under the Food and Nutrition Act of 118
2008. 119

(E) Any person who applies for the supplemental nutrition 120
assistance program shall receive a voter registration 121
application under section 3503.10 of the Revised Code. 122

Sec. 5101.545. (A) The department of job and family 123
services shall not request a waiver authorized by section 6(o) 124
(4) of the "Food and Nutrition Act of 2008," 7 U.S.C. 2015(o) 125
(4). 126

(B) The department shall require individuals subject to 127
the requirements established under section 6(d)(1) of the "Food 128
and Nutrition Act of 2008," 7 U.S.C. 2015(d)(1), but not subject 129
to the requirements established under section 6(o) of the "Food 130
and Nutrition Act of 2008," 7 U.S.C. 2015(o), to participate in 131
an employment and training program established under section 132
6(d)(4) of the "Food and Nutrition Act of 2008," 7 U.S.C. 133

2015(d)(4). 134

Sec. 5101.546. (A) As used in this section, "categorically eligible household" means a household that is categorically eligible for supplemental nutrition assistance program benefits under 7 C.F.R. 273.2(j)(2) or (j)(4). 135
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(B) The department of job and family services shall not implement the options available under 7 C.F.R. 273.8(e)(19) or 273.9(c)(19). 139
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(1) The financial resource limits for an eligible household under the supplemental nutrition assistance program shall not exceed the standards specified in section 5(g)(1) of the "Food and Nutrition Act of 2008," 7 U.S.C. 2014(g)(1). 142
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(2) Unless required by federal law, a household shall not be a categorically eligible household if any members receive or are authorized to receive any noncash, in-kind, or other similar benefit. 146
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Sec. 5101.547. The department of job and family services shall implement the options authorized under 7 C.F.R. 273.11(o) and (p), under which certain individuals, as a condition of eligibility for supplemental nutrition assistance program benefits, must cooperate with the department regarding establishing paternity and establishing, modifying, and enforcing a child support order. 150
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Sec. 5101.548. The department of job and family services shall adopt rules in accordance with Chapter 119. of the Revised Code to implement sections 5101.545 to 5101.547 of the Revised Code. 157
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Section 2. That existing section 5101.54 of the Revised Code is hereby repealed. 161
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