

SENATE BILL 411

By Tracy

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 50 and Title 71, Chapter 5, Part 3, relative to food assistance benefits.

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

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, Part 3, is amended by adding the following language as a new, appropriately designated section:

(a) As used in this section, "head of household" means the individual providing the primary support and maintenance for a family. This individual shall be the father, mother, grandfather or grandmother of any degree, brother or sister of the whole or half-blood, stepfather, stepmother, stepbrother, stepsister, aunt or uncle of any degree, first cousin, nephew or niece, the relatives by adoption within the previously named classes of persons, the biological relatives within the previous degrees of relationship, and the legal spouses of persons within the previously named classes of persons, even if the marriage has been terminated by death or divorce, with whom a child is living.

(b)

(1) In accordance with 7 CFR 274.8(b)(5) and any other applicable federal statutes and rules, the department shall implement a program for the voluntary use of photo identification on electronic benefit transfer (EBT) cards in the food stamp program administered in this state. On or before January 1, 2018, the department shall issue a photo identification EBT card to each eligible household that opts to use a photo identification EBT card. The photo identification EBT card shall have the picture of whoever is designated as the head of household. Upon request, the head of household shall present the photo

identification EBT card at issuance points, retail food stores, or meal services when exchanging benefits for eligible food.

(2) If a head of household opts to have a photo identification EBT card, the head of household may authorize the department to obtain the head of household's photograph from the driver license program of the department of safety and use that photo for the photo identification EBT card. If the head of household does not possess a driver license or does not wish to use the photograph from the department of safety, the head of household may visit an office of the department to have a photograph taken for the photo identification EBT card at the expense of the department.

(c) The department shall promulgate rules in accordance with the Uniform Administrative Procedures Act, compiled in title 4, section 5, for the use of the photo identification EBT cards required under this section, including, but not limited to, whether the department shall:

(1) Issue separate photo identification EBT cards to other eligible household members or the household's authorized representative; or

(2) List the additional persons on the photo identification EBT card issued to the eligible household.

(d) This law shall be interpreted to be consistent with any and all applicable federal laws and rules.

SECTION 2. Tennessee Code Annotated, Title 71, Chapter 5, Part 3, is further amended by adding the following language as a new, appropriately designated section:

It is the offense of trafficking in electronic benefit cards for a person who is not identified to the department as an authorized representative of a household's EBT card to knowingly possess more than one (1) of such EBT cards at the site of an arrest for a felony violation of the Tennessee Drug Control Act, compiled in title 39, chapter 17, part 4. A violation of this section is a Class A misdemeanor.

SECTION 3. For rulemaking purposes, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2017, the public welfare requiring it.