

SENATE BILL 2078

By Johnson

AN ACT to amend Tennessee Code Annotated, Title 71, Chapter 3, Part 1 and Title 71, Chapter 5, Part 3, relative to public assistance.

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

SECTION 1. Tennessee Code Annotated, Section 71-3-104(h)(3)(A), is amended by deleting the subdivision.

SECTION 2. Tennessee Code Annotated, Section 71-3-104(i), is amended by deleting the subsection.

SECTION 3. Tennessee Code Annotated, Section 71-3-104(k)(2)(C), is amended by deleting the subdivision and substituting:

(C) Notwithstanding subdivision (k)(2)(A) or (k)(2)(B) to the contrary, a person convicted of a Class A felony for violating title 39, chapter 17, part 4, or convicted of an offense in another jurisdiction that would be classified as a Class A felony under title 39, chapter 17, part 4, if committed in this state, is not eligible for the exemptions provided by subdivision (k)(2)(A) or (k)(2)(B).

SECTION 4. Tennessee Code Annotated, Section 71-3-120(e), is amended by deleting the subsection and substituting:

(e)

(1) In addition to or in lieu of the penalties in subsection (d), the court may order that such person be disqualified from participation in the temporary assistance program:

(A) For twelve (12) months for the first offense;

(B) For twenty-four (24) months for the second offense; and

(C) Permanently for the third offense.

(2) Individuals found by a court to have used or received benefits in a transaction involving the sale of a controlled substance, as defined in § 102 of the Controlled Substances Act (21 U.S.C. § 802), must be disqualified from participation in the temporary assistance program:

(A) For twenty-four (24) months for the first such violation; and

(B) Permanently for the second such violation.

(3) Individuals found by a court to have used or received benefits in a transaction involving the sale of firearms, ammunition, or explosives must be permanently disqualified from participation in the temporary assistance program upon the first such violation.

(4) Individuals convicted by a court for having trafficked benefits in an aggregate amount of five hundred dollars (\$500) or more must be permanently disqualified from participation in the temporary assistance program upon the first such violation.

(5) Disqualification of an adult pursuant to this section from eligibility for assistance under this part must not disqualify or suspend the eligibility of an innocent adult or child of the disqualified adult's family.

SECTION 5. Tennessee Code Annotated, Section 71-5-308, is amended by deleting subdivision (b)(3) and substituting:

(3) Notwithstanding subdivision (b)(1)(A) or (b)(1)(B) to the contrary, a person convicted of a Class A felony for violating title 39, chapter 17, part 4, or convicted of an offense in another jurisdiction that would be classified as a Class A felony under title 39, chapter 17, part 4, if committed in this state, is not eligible for the exemptions provided by this subsection (b).

SECTION 6. Tennessee Code Annotated, Section 71-5-314(e), is amended by deleting the subsection and substituting:

(e)

(1) In addition to or in lieu of the penalties in this section, the court may order that such person be disqualified from participation in the food coupon, food stamp, or food assistance program:

- (A) For twelve (12) months for the first offense;
- (B) For twenty-four (24) months for the second offense; and
- (C) Permanently for the third offense.

(2) Individuals found by a court to have used or received benefits in a transaction involving the sale of a controlled substance, as defined in § 102 of the Controlled Substances Act (21 U.S.C. § 802), must be disqualified from participation in the food coupon, food stamp, or food assistance program:

- (A) For twenty-four (24) months for the first such violation; and
- (B) Permanently for the second such violation.

(3) Individuals found by a court to have used or received benefits in a transaction involving the sale of firearms, ammunition, or explosives must be permanently disqualified from participation in the food coupon, food stamp, or food assistance program upon the first such violation.

(4) Individuals convicted by a court for having trafficked benefits for an aggregate amount of five hundred dollars (\$500) or more must be permanently disqualified from participation in the food coupon, food stamp, or food assistance program upon the first such violation.

(5) Except as provided by subdivision (e)(1)(C), individuals found to have made a fraudulent statement or representation with respect to their identity or

place of residence in order to receive multiple food coupons, food stamps, or food assistance program benefits simultaneously must be disqualified from participation in the food coupon, food stamp, or food assistance program for ten (10) years.

(6) Disqualification of an adult pursuant to this section from eligibility for assistance under this part must not disqualify or suspend the eligibility of an innocent adult or child of the disqualified adult's family.

SECTION 7. This act takes effect on July 1, 2024, the public welfare requiring it.