

118TH CONGRESS  
1ST SESSION

# H. R. 4855

To direct the Comptroller General of the United States to conduct a study to evaluate the effects of the post-incarceration ban under section 115 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 on participation in the supplemental nutrition assistance program by drug felons, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2023

Mr. CRAWFORD introduced the following bill; which was referred to the  
Committee on Agriculture

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## A BILL

To direct the Comptroller General of the United States to conduct a study to evaluate the effects of the post-incarceration ban under section 115 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 on participation in the supplemental nutrition assistance program by drug felons, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “SNAP Ban Study  
5 Act”.

1 **SEC. 2. STUDY OF SNAP BAN AND WAIVER PROVISIONS AF-**  
2 **FFECTING DRUG FELONS.**

3 (a) IN GENERAL.—The Comptroller General of the  
4 United States shall conduct a study to evaluate the effects  
5 of the post-incarceration ban and waiver provisions re-  
6 garding participation in the supplemental nutrition assist-  
7 ance program by drug felons, as in effect under section  
8 115 of the Personal Responsibility and Work Opportunity  
9 Reconciliation Act of 1996 (42 U.S.C. 286a).

10 (b) ELEMENTS OF THE STUDY.—The study con-  
11 ducted under subsection (a) shall—

12 (1) identify the full range of options States  
13 have implemented with respect to the supplemental  
14 nutrition assistance program ban, including—

15 (A) implementing the full ban;

16 (B) using their discretionary power pro-  
17 vided in the law to opt out of the ban partially,  
18 including the various different modifications  
19 States have made or completely repealing the  
20 ban; and

21 (C) when each of those States has made  
22 substantive revisions to their laws in this area  
23 over the past 15 years;

24 (2) for each group of those convicted of felony  
25 use, felony distribution, and felony trafficking of-  
26 fenses, the rates, 5 and 10 years after release from

1 the incarceration that triggered the supplemental  
2 nutrition assistance program ban, of—

3 (A) subsequent arrest for one or more felo-  
4 nies;

5 (B) subsequent conviction for one or more  
6 felonies; and

7 (C) return to prison for such offenders;

8 (3) measurements of the well-being of released  
9 drug felons who would be eligible for supplemental  
10 nutrition assistance program in the absence of the  
11 ban imposed by section 115 of the Personal Respon-  
12 sibility and Work Opportunity Reconciliation Act of  
13 1996 (42 U.S.C. 286a) and substantive differences,  
14 if any, that might be identified by tracking the full  
15 range of State implementations of such section from  
16 a full ban to—

17 (A) to various conditions required of drug  
18 felons to receive supplemental nutrition assist-  
19 ance program benefits short of a full ban, to a  
20 full waiver, and how otherwise eligible drug fel-  
21 ons in each jurisdiction had, after 3, 5, and 10  
22 years;

23 (B) changes with respect to recidivism, as  
24 described in paragraph (1);

1 (C) family formation, including marriage  
2 rates;

3 (D) average hours worked per week for  
4 those who are non-disabled and between the  
5 ages of 18 through 64;

6 (E) changes in individual and family in-  
7 come;

8 (F) changes in educational attainment; and

9 (G) other factors that the Comptroller  
10 General of the United States considers worthy  
11 of study;

12 (4) how the various impacts of such effects play  
13 out separately for those convicted of felony use, pos-  
14 session, and trafficking offenses;

15 (5) the additional costs expected to be borne by  
16 the Federal and State governments if such a ban  
17 was made unlawful or such section was repealed;

18 (6) the amount of unpaid restitution, legal  
19 judgments and costs, and Federal and State taxes  
20 outstanding by the average post-incarceration drug  
21 felon;

22 (7) the average total economic cost to each sur-  
23 viving child, parent, spouse and sibling of those  
24 killed by misuse or abuse of a controlled substance  
25 at 5, 10, and 15 years after that death;

1           (8) the utilization rate of supplemental nutri-  
2           tion assistance program by surviving children, par-  
3           ents, spouses, and siblings of those killed by misuse  
4           or abuse of a controlled substance at baseline, 5, 10,  
5           and 15 years after that death, compared to the rest  
6           of the population, both in raw numbers and after ad-  
7           justing for confounding factors;

8           (9) the extent to which programs assisting vic-  
9           tims of violent crime could be enhanced if amounts  
10          identified in (5), above, were instead directed to  
11          State violent crime assistance programs;

12          (10) an assessment of the levels of evidence  
13          used in research for this report and in the most-  
14          cited existing research related to supplemental nutri-  
15          tion assistance program eligibility by released drug  
16          felons and closely related issues;

17          (11) an assessment of the ability of social  
18          science and economic research to determine if any  
19          apparent material differences in various measures  
20          are persuasive, or are too prone to noise and con-  
21          founding, as those terms are used in the fields of  
22          medical and other research, to be the basis for legis-  
23          lative action; and

24          (12) any other matters the Comptroller General  
25          considers to be appropriate for evaluating the

1 strengths and shortcomings of the existing supple-  
2 mental nutrition assistance program lifetime ban  
3 and waiver contained in such section.

4 (c) REPORT.—

5 (1) Not later than 2 years after the date of the  
6 enactment of this Act, the Comptroller General of  
7 the United States shall submit a report to the Com-  
8 mittee on the Judiciary of the Senate, the Com-  
9 mittee on Agriculture, Nutrition and Forestry of the  
10 Senate,, the Committee on the Judiciary of the  
11 House of Representatives, and the Committee on  
12 Agriculture of the House of Representatives, that  
13 contains the results of such study, including the  
14 findings and conclusions of the study.

15 (2) Such report shall also be made available to  
16 the public on the website of the Government Ac-  
17 countability Office.

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