

As Introduced

**129th General Assembly
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H. B. No. 336

Representative Uecker

**Cosponsors: Representatives Young, Wachtmann, Combs, Pelanda, Maag,
Boose**

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A B I L L

To amend sections 5101.54 and 5101.84 of the Revised 1
Code to terminate an individual's eligibility for 2
the Ohio Works First program or Supplemental 3
Nutrition Assistance Program for three years on 4
conviction of a felony offense that has as an 5
element the possession, use, or distribution of a 6
controlled substance. 7

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

Section 1. That sections 5101.54 and 5101.84 of the Revised 8
Code be amended to read as follows: 9

Sec. 5101.54. (A) The director of job and family services 10
shall administer the supplemental nutrition assistance program in 11
accordance with the Food and Nutrition Act of 2008 (7 U.S.C. 2011 12
et seq.). The department may: 13

(1) Prepare and submit to the secretary of the United States 14
department of agriculture a plan for the administration of the 15
supplemental nutrition assistance program; 16

(2) Prescribe forms for applications, certificates, reports, 17
records, and accounts of county departments of job and family 18

services, and other matters; 19

(3) Require such reports and information from each county 20
department of job and family services as may be necessary and 21
advisable; 22

(4) Administer and expend any sums appropriated by the 23
general assembly for the purposes of the supplemental nutrition 24
assistance program and all sums paid to the state by the United 25
States as authorized by the Food and Nutrition Act of 2008; 26

(5) Conduct such investigations as are necessary; 27

(6) Enter into interagency agreements and cooperate with 28
investigations conducted by the department of public safety, 29
including providing information for investigative purposes, 30
exchanging property and records, passing through federal financial 31
participation, modifying any agreements with the United States 32
department of agriculture, providing for the supply, security, and 33
accounting of supplemental nutrition assistance program benefits 34
for investigative purposes, and meeting any other requirements 35
necessary for the detection and deterrence of illegal activities 36
in the supplemental nutrition 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 benefits, 40
including rules specifying which recipients are subject to the 41
requirements and establishing sanctions for failure to satisfy the 42
requirements. The rules shall be consistent with 7 U.S.C. 2015 43
and, to the extent practicable, may provide for the recipients to 44
participate in work activities, developmental activities, and 45
alternative work activities established under sections 5107.40 to 46
5107.69 of the Revised Code that are comparable to programs 47
authorized by 7 U.S.C. 2015(d)(4). The rules may reference rules 48
adopted under section 5107.05 of the Revised Code governing work 49

activities, developmental activities, and alternative work 50
activities established under sections 5107.40 to 5107.69 of the 51
Revised Code. 52

(8) Adopt rules in accordance with section 111.15 of the 53
Revised Code that are consistent with state law, the Food and 54
Nutrition Act of 2008, as amended, and regulations adopted 55
thereunder governing the following: 56

(a) Eligibility requirements for the supplemental nutrition 57
assistance program; 58

(b) Sanctions for failure to comply with eligibility 59
requirements; 60

(c) Allotment of supplemental nutrition assistance program 61
benefits; 62

(d) To the extent permitted under federal statutes and 63
regulations, a system under which some or all recipients of 64
supplemental nutrition assistance program benefits subject to 65
employment and training requirements established by rules adopted 66
under division (A)(7) of this section receive the benefits after 67
satisfying the requirements; 68

(e) Administration of the program by county departments of 69
job and family services; 70

(f) Other requirements necessary for the efficient 71
administration of the program. 72

(9) Submit a plan to the United States secretary of 73
agriculture for the department of job and family services to 74
operate a simplified supplemental nutrition assistance program 75
pursuant to 7 U.S.C. 2035 under which requirements governing the 76
Ohio works first program established under Chapter 5107. of the 77
Revised Code also govern the supplemental nutrition assistance 78
program in the case of households receiving supplemental nutrition 79

assistance program benefits and participating in Ohio works first. 80

(B) A household that is entitled to receive supplemental 81
nutrition assistance program benefits and that is determined to be 82
in immediate need of nutrition assistance, shall receive 83
certification of eligibility for program benefits, pending 84
verification, within twenty-four hours, or, if mitigating 85
circumstances occur, within seventy-two hours, after application, 86
if: 87

(1) The results of the application interview indicate that 88
the household will be eligible upon full verification; 89

(2) Information sufficient to confirm the statements in the 90
application has been obtained from at least one additional source, 91
not a member of the applicant's household. Such information shall 92
be recorded in the case file, and shall include: 93

(a) The name of the person who provided the name of the 94
information source; 95

(b) The name and address of the information source; 96

(c) A summary of the information obtained. 97

The period of temporary eligibility shall not exceed one 98
month from the date of certification of temporary eligibility. If 99
eligibility is established by full verification, benefits shall 100
continue without interruption as long as eligibility continues. 101

At the time of application, the county department of job and 102
family services shall provide to a household described in this 103
division a list of community assistance programs that provide 104
emergency food. 105

(C) All applications shall be approved or denied through full 106
verification within thirty days from receipt of the application by 107
the county department of job and family services. 108

(D) Nothing in this section shall be construed to prohibit 109

the certification of households that qualify under federal 110
regulations to receive supplemental nutrition assistance program 111
benefits without charge under the Food and Nutrition Act of 2008. 112

(E) Any person who applies for the supplemental nutrition 113
assistance program shall receive a voter registration application 114
under section 3503.10 of the Revised Code. 115

Sec. 5101.84. ~~An~~ (A) As used in this section: 116

"Controlled substance" has the same meaning as in section 117
102(6) of the "Controlled Substances Act," 84 Stat. 1243 (1970), 118
21 U.S.C. 802(6). 119

"Ohio works first program" has the same meaning as in section 120
5107.02 of the Revised Code. 121

"Prevention, retention, and contingency program" has the same 122
meaning as in section 5108.01 of the Revised Code. 123

"Supplemental nutrition assistance program" means the program 124
operated pursuant to the "Food and Nutrition Act of 2008," 122 125
Stat. 1853 et seq. (2008), 7 U.S.C. 2011 et seq., as amended. 126

(B) Except as provided in division (C) of this section, an 127
individual otherwise ineligible for aid under Chapter 5107. or 128
5108. of the Revised Code or supplemental nutrition assistance 129
program benefits under the Food and Nutrition Act of 2008 (7 130
U.S.C. 2011 et seq.) the Ohio works first program; prevention, 131
retention, and contingency program; or the supplemental nutrition 132
assistance program because of paragraph (a) of 21 U.S.C. 862a is 133
eligible for the ~~aid or benefits~~ program if the individual meets 134
all other eligibility requirements for the ~~aid or benefits 135
program.~~ 136

(C) An individual participating in the Ohio works first 137
program ceases to be eligible to participate in the program, and 138
an individual receiving benefits under the supplemental nutrition 139

assistance program ceases to be eligible to receive the benefits, 140
for three years if the individual is convicted under federal or 141
state law of any offense that is classified as a felony by the law 142
of the jurisdiction involved and has as an element the possession, 143
use, or distribution of a controlled substance. The period of 144
ineligibility begins on the date of the individual's conviction. 145

Section 2. That existing sections 5101.54 and 5101.84 of the 146
Revised Code are hereby repealed. 147