

SENATE BILL No. 297

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-14-29.

Synopsis: SNAP and TANF. Provides that individuals who have been convicted of a substance abuse offense and have successfully completed a certified substance abuse program or are successfully participating in a reentry court program, a problem solving court program, a community corrections program, parole, or probation are eligible for the federal Supplemental Nutrition Assistance Program (SNAP) and Temporary Assistance for Needy Families (TANF). Changes references to food stamps to refer instead to SNAP. Removes the eligibility period for TANF.

Effective: July 1, 2014.

Stoops

January 14, 2014, read first time and referred to Committee on Corrections & Criminal Law.



Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

SENATE BILL No. 297

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 12-14-29-2, AS ADDED BY P.L.92-2005,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2014]: Sec. 2. Under this chapter, an individual is eligible for
4 ~~food stamps~~ **the federal Supplemental Nutrition Assistance**
5 **Program** if the individual meets all the following requirements:
6 (1) ~~The individual is a resident of a county having a reentry court~~
7 ~~program:~~
8 (2) ~~(1)~~ **(1)** The individual was convicted of an offense under IC 35-48
9 (controlled substances) for conduct occurring after August 22,
10 1996.
11 (3) ~~(2)~~ **(2)** Except for 21 U.S.C. 862a(a), the individual meets the
12 federal ~~and Indiana food stamp~~ **Supplemental Nutrition**
13 **Assistance** Program requirements.
14 (4) ~~(3)~~ **(3)** The individual:
15 (A) is successfully participating in:
16 (i) a reentry court program;



- 1 (ii) a problem solving court program under IC 33-23-16;
 2 (iii) a community corrections program under
 3 IC 35-38-2.6;
 4 (iv) probation; or
 5 (v) parole; or
 6 **(B) has successfully completed a substance abuse program**
 7 **certified by the division of mental health and addiction or**
 8 **a federal agency.**

9 SECTION 2. IC 12-14-29-3, AS ADDED BY P.L.92-2005,
 10 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2014]: Sec. 3. Under this chapter, an individual is eligible for
 12 the TANF program if the individual meets all the following
 13 requirements:

14 ~~(1)~~ **The individual is a resident of a county having a reentry court**
 15 **program.**

16 ~~(2)~~ **(1)** The individual was convicted of an offense under IC 35-48
 17 (controlled substances) for conduct occurring after August 22,
 18 1996.

19 ~~(3)~~ **(2)** Except for 21 U.S.C. 862a(a), the individual meets the
 20 federal and Indiana TANF program requirements.

21 ~~(4)~~ **(3)** The individual:

22 **(A)** is successfully participating in:

23 (i) a reentry court program;

24 **(ii) a problem solving court program under IC 33-23-16;**

25 **(iii) a community corrections program under**
 26 **IC 35-38-2.6;**

27 **(iv) probation; or**

28 **(v) parole; or**

29 **(B) has successfully completed a substance abuse program**
 30 **certified by the division of mental health and addiction or**
 31 **a federal agency.**

32 SECTION 3. IC 12-14-29-4, AS ADDED BY P.L.92-2005,
 33 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2014]: Sec. 4. In accordance with 21 U.S.C. 862a(d)(1), the
 35 state elects to opt out of the application of 21 U.S.C. 862a(a) for
 36 individuals:

37 **(1)** participating in:

38 **(A)** a reentry court program;

39 **(B) a problem solving court program under IC 33-23-16;**

40 **(C) a community corrections program under IC 35-38-2.6;**

41 **(D) probation; or**

42 **(E) parole; or**



- 1 **(2) who have successfully completed a substance abuse**
 2 **program certified by the division of mental health and**
 3 **addiction or a federal agency.**
- 4 SECTION 4. IC 12-14-29-5 IS REPEALED [EFFECTIVE JULY 1,
 5 2014]. Sec. 5: (a) If referred by a court, an individual who meets the
 6 requirements of section 2 of this chapter may receive food stamps for
 7 not more than twelve (12) months:
 8 (b) If referred by a court, an individual who meets the requirements
 9 of section 3 of this chapter may receive TANF benefits for not more
 10 than twelve (12) months.
- 11 SECTION 5. IC 12-14-29-6, AS ADDED BY P.L.92-2005,
 12 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2014]: Sec. 6. A court may modify or revoke an order issued
 14 under this chapter concerning a ~~food stamp~~ **federal Supplemental**
 15 **Nutrition Assistance Program** eligible individual or a TANF eligible
 16 individual at any time.
- 17 SECTION 6. IC 12-14-29-7, AS AMENDED BY P.L.128-2012,
 18 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2014]: Sec. 7. A court shall immediately notify the division of
 20 family resources local office:
 21 (1) upon the court's finding of probable cause that an individual
 22 has committed a felony offense during the period in which the
 23 individual is eligible for TANF or ~~food stamps~~; **the federal**
 24 **Supplemental Nutrition Assistance Program**; or
 25 (2) when an individual has been terminated from a reentry court
 26 program, **a problem solving court program, a community**
 27 **corrections program, probation, or parole** during the period in
 28 which the individual is eligible for TANF or ~~food stamps~~; **the**
 29 **federal Supplemental Nutrition Assistance Program.**

