

HOUSE BILL No. 1206

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-14.

Synopsis: SNAP benefits. Removes the federal Supplemental Nutrition Assistance Program (SNAP) requirements for reentry court program participants. Provides that individuals who were receiving SNAP through a reentry court program continue to receive SNAP until the individual: (1) no longer meets the SNAP eligibility requirements; or (2) has received SNAP for the maximum period allowed. Allows individuals convicted of a drug offense to be eligible to participate in SNAP under the federal opt out option.

Effective: July 1, 2018.

Taylor J

January 9, 2018, read first time and referred to Committee on Family, Children and Human Affairs.



Second Regular Session of the 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

HOUSE BILL No. 1206

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 IC 12-14-29-2 IS REPEALED [EFFECTIVE JULY 1,
2 2018]. ~~Sec. 2: Under this chapter, an individual is eligible for the~~
3 ~~federal Supplemental Nutrition Assistance Program (SNAP) if the~~
4 ~~individual meets all the following requirements:~~

5 (1) ~~The individual is a resident of:~~

6 (A) ~~a county having a reentry court program;~~
7 (B) ~~a county that offers individuals on probation or in a~~
8 ~~community corrections program evidence based mental health~~
9 ~~and addiction forensic treatment services administered or~~
10 ~~coordinated by a provider certified by the division of mental~~
11 ~~health and addiction to provide mental health or addiction~~
12 ~~treatment; or~~
13 (C) ~~Marion County.~~

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

17 (3) ~~Except for 21 U.S.C. 862a(a), the individual meets the federal~~



1 Supplemental Nutrition Assistance Program (SNAP)
2 requirements:

3 (4) The individual is successfully participating in:

4 (A) a reentry court program;

5 (B) an evidence based mental health and addiction forensic
6 treatment services program administered or coordinated by a
7 provider certified by the division of mental health and
8 addiction to provide mental health or addiction treatment as
9 part of the person's probation or community corrections; or

10 (C) the Marion County superior court pilot project described
11 in IC 11-12-3.8-6.

12 SECTION 2. IC 12-14-29-4 IS REPEALED [EFFECTIVE JULY 1,
13 2018]. Sec. 4. In accordance with 21 U.S.C. 862a(d)(1), the state elects
14 to opt out of the application of 21 U.S.C. 862a(a) for individuals
15 participating in:

16 (1) a reentry court program;

17 (2) a program that offers individuals on probation or in a
18 community corrections program evidence-based mental health
19 and addiction forensic treatment services administered or
20 coordinated by a provider certified by the division of mental
21 health and addiction to provide mental health or addiction
22 treatment; or

23 (3) the Marion County superior court pilot project described in
24 IC 11-12-3.8-6.

25 SECTION 3. IC 12-14-29-5, AS AMENDED BY P.L.5-2015,
26 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2018]: Sec. 5. (a) If referred by a court, an individual who
28 meets the requirements of section 2 of this chapter may receive federal
29 Supplemental Nutrition Assistance Program (SNAP) benefits for not
30 more than twelve (12) months.

31 (b) If referred by a court, an individual who meets the requirements
32 of section 3 of this chapter may receive TANF benefits for not more
33 than twelve (12) months.

34 SECTION 4. IC 12-14-29-6, AS AMENDED BY P.L.210-2015,
35 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2018]: Sec. 6. A court may modify or revoke an order issued
37 under this chapter concerning a SNAP eligible individual or a TANF
38 eligible individual at any time.

39 SECTION 5. IC 12-14-29-7, AS AMENDED BY P.L.210-2015,
40 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2018]: Sec. 7. A court shall immediately notify the division of
42 family resources local office:



- 1 (1) upon the court's finding of probable cause that an individual
 2 has committed a felony offense during the period in which the
 3 individual is eligible for TANF; ~~or SNAP~~; or
 4 (2) when an individual has been terminated from:
 5 (A) a reentry court program; ~~or~~
 6 (B) an ~~evidence-based~~ **evidence based** mental health and
 7 addiction forensic treatment services program administered or
 8 coordinated by a provider certified by the division of mental
 9 health and addiction to provide mental health or addiction
 10 treatment as part of the person's probation or community
 11 corrections; ~~or~~
 12 ~~(C) the Marion County superior court pilot project described~~
 13 ~~in IC 11-12-3.8-6;~~
 14 during the period in which the individual is eligible for TANF. ~~or~~
 15 ~~the federal SNAP.~~

16 SECTION 6. IC 12-14-29-8 IS ADDED TO THE INDIANA CODE
 17 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 18 1, 2018]: **Sec. 8. (a) An individual who was eligible for SNAP under**
 19 **this chapter on June 30, 2018, is eligible to continue to receive**
 20 **SNAP until the earlier of the following:**

- 21 (1) **The individual no longer meets the SNAP eligibility**
 22 **requirements.**
 23 (2) **The individual has received SNAP for the maximum**
 24 **period allowed.**
 25 **(b) This section expires July 1, 2019.**

26 SECTION 7. IC 12-14-30-3 IS ADDED TO THE INDIANA CODE
 27 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 28 1, 2018]: **Sec. 3. In accordance with 21 U.S.C. 862a(d)(1)(A), the**
 29 **state elects to opt out of the application of 21 U.S.C. 862a(a) for**
 30 **individuals domiciled in Indiana who otherwise meet federal and**
 31 **state eligibility requirements for participation in SNAP.**

