

2017 -- H 5742

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LC001486
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO HUMAN SERVICES -- PUBLIC ASSISTANCE ACT

Introduced By: Representatives Quattrocchi, Nardolillo, Morgan, and Giarrusso

Date Introduced: March 01, 2017

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 40-6-8.1 of the General Laws in Chapter 40-6 entitled "Public
2 Assistance Act" is hereby amended to read as follows:

3 **40-6-8.1. Prohibited uses of electronic-benefit-transfer cards.**

4 (a) The department shall adopt rules prohibiting purchases with cash-assistance funds
5 held on electronic-benefit-transfer cards in venues as described in this section.

6 (b) The department is hereby empowered, and shall maintain policies and practices as
7 necessary, to prohibit cash assistance provided under this chapter from being used in any
8 electronic-benefit-transfer transaction at:

9 (1) Liquor stores (holding solely a retailers class A license);

10 (2) Casinos or at facilities that conduct casino gaming as defined in chapter 61.2 of title
11 42;

12 (3) Gambling facilities as defined by chapter 9 of title 41;

13 (4) Retail establishments that provide adult-oriented entertainment in which performers
14 disrobe or perform in an unclothed state for entertainment as defined in the Social Security Act,
15 42 U.S.C. § 608(a);

16 (5) Retail establishments that fail to require the recipient making the electronic-benefit-
17 transfer transaction to present a valid photo identification card.

18 (c) Eligible recipients of direct-cash assistance, who use cash assistance funds held on
19 electronic-benefit-transfer cards in such establishments, shall, for a first offense, have their cash

1 assistance reduced for one month by the portion of the family's benefit attributable to one parent,
2 in accordance with rules and regulations promulgated by the department; for a second offense,
3 have their cash assistance reduced for three (3) months by the portion of the family's benefit
4 attributable to one parent, in accordance with rules and regulations promulgated by the
5 department; and for a third offense, shall be disqualified from the direct-cash-assistance program
6 for a period of one year.

7 (d) A store owner who commits fraud against the department of human services by
8 violating § 11-41-34, and who also possesses a license to sell alcoholic beverages under chapter 7
9 of title 3, shall be referred to the appropriate licensing authority for possible disciplinary action
10 pursuant to title 3.

11 (e) A store owner who commits fraud against the department of human services by
12 violating § 11-41-34, and who also possesses a license to sell lottery tickets under chapter 61 of
13 title 42, shall be referred to the director of the state lottery for possible disciplinary action.

14 SECTION 2. Chapter 40-6 of the General Laws entitled "Public Assistance Act" is
15 hereby amended by adding thereto the following section:

16 **40-6-8.2. Requirement of photo identification card.**

17 (a) Retail establishments shall require eligible recipients using cash assistance funds held
18 on electronic-benefit-transfer cards to present a valid photo identification card for all allowable
19 retail transactions pursuant to this chapter.

20 (b) Any retail establishment in violation of subsection (a) of this section shall be subject
21 to the penalties set forth in §11-41-34(b).

22 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HUMAN SERVICES -- PUBLIC ASSISTANCE ACT

- 1 This act would prohibit the use of electronic-benefit-transfer (EBT) cards at retail
- 2 establishments unless the recipient presents a valid photo identification card.
- 3 This act would take effect upon passage.

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