

FOOD STAMP ELIGIBILITY AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jordan D. Teuscher

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions related to benefits received under the Supplemental Nutrition Assistance Program (SNAP).

Highlighted Provisions:

This bill:

▶ establishes that assignment of support provisions enforced by the Department of Workforce Services and the Office of Recovery Services as a condition of receiving public assistance apply to an applicant for SNAP benefits; and

▶ establishes that certain federal provisions related to cooperation with a state's child support agency apply to an applicant for SNAP benefits.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

35A-3-108, as last amended by Laws of Utah 2015, Chapter 221

ENACTS:

35A-3-119, Utah Code Annotated 1953



28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **35A-3-108** is amended to read:

30 **35A-3-108. Assignment of support.**

31 (1) (a) An applicant shall provide an assignment of support to the department
32 regardless of whether the payment is court ordered.

33 (b) Upon the receipt of public assistance, including SNAP benefits, any right of the
34 recipient to receive support from another person passes to the state, including a right to support
35 on behalf of any family member for whom the recipient is applying for or receiving assistance,
36 even if the recipient has not executed and delivered an assignment of support to the department
37 as required by Subsection (1)(a).

38 (2) An assignment of support, or a right to receive support passed to the state, includes
39 payments ordered, decreed, or adjudged by a court within this state, another state, or a territory
40 of the United States and is not in lieu of, and does not supersede or alter, any other court order,
41 decree, or judgment.

42 (3) When an assignment of support is executed or the right to support passes to the
43 state under this section, the recipient is eligible to regular monthly assistance and the support
44 paid to the state is a refund.

45 (4) All money refunded under this section shall be deposited into the General Fund,
46 except any amount which is required to be credited to the federal government.

47 (5) On and after the date a recipient stops receiving cash assistance, an assignment of
48 support under this section does not apply to support that accrued before the recipient received
49 the cash assistance if:

50 (a) the state has not collected the support by the date the recipient stops receiving cash
51 assistance; and

52 (b) the assignment was executed on or after October 1, 1998.

53 (6) The state shall distribute arrearages to a recipient in accordance with the
54 requirements of the Social Security Act, 42 U.S.C. Sec. 657.

55 (7) When an assignment of support includes child support, the total amount of child
56 support assigned to the state and collected under this section may not exceed the total amount
57 of cash assistance received by the recipient.

58 Section 2. Section **35A-3-119** is enacted to read:

59 **35A-3-119. Child support cooperation for SNAP benefits.**

60 As a condition of eligibility for SNAP benefits, the department shall ensure that each
61 applicant is subject to the following when applicable:

62 (1) the assignment of support provisions described in Section [35A-3-108](#);

63 (2) the duties of an obligee whose rights to support have been assigned described in
64 Section [62A-11-307.2](#), including the cooperation requirements described in Subsection
65 [62A-11-307.2\(2\)](#); and

66 (3) the child support cooperation requirements described in 7 C.F.R. Sec. 273.11(o)
67 and (p).