

FIRST REGULAR SESSION

SENATE BILL NO. 4

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SATER.

Pre-filed December 1, 2018, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0375S.011

AN ACT

To amend chapter 208, RSMo, by adding thereto one new section relating to the supplemental nutrition assistance program.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 208, RSMo, is amended by adding thereto one new section, to be known as section 208.246, to read as follows:

208.246. 1. In order to be eligible to participate in the supplemental nutrition assistance program, an individual shall comply with the work requirements described in 7 U.S.C. Section 2015(d) and 7 CFR 273.7, unless such individual is otherwise exempt from such requirements under 7 U.S.C. Section 2015(d)(2) and 7 CFR 273.7(b).

2. A nonexempt individual who refuses or fails without good cause, as such term is described in 7 CFR 273.7, to comply with the program's work requirements shall be ineligible to participate in the program for the duration of the disqualification period and shall be considered an ineligible household member. The disqualification period shall be as follows:

(1) For the first occurrence of noncompliance, the individual shall be disqualified for three months;

(2) For the second occurrence of noncompliance, the individual shall be disqualified for six months; and

(3) For the third occurrence of noncompliance, the individual shall be disqualified permanently.

3. If an individual who is the head of a household, as such term is described in 7 CFR 273.1, becomes disqualified under this section, the entire household shall be ineligible to participate in the program for a period not to exceed the lesser of either the duration of the

22 **ineligibility period of the disqualified individual or one hundred and**
23 **eighty days. A household disqualified under this subsection may**
24 **reestablish eligibility if:**

25 **(1) The head of the household leaves the household;**

26 **(2) A new and eligible individual joins the household as the head**
27 **of the household; or**

28 **(3) The head of the household becomes exempt from the**
29 **program's work requirements during the disqualification period.**

30 **If the disqualified head of the household joins another household as its**
31 **head, that household shall be disqualified from participating in the**
32 **program for the remaining disqualification period.**

33 **4. Except in cases of permanent disqualification, an individual**
34 **may resume participation in the program at the end of a**
35 **disqualification period if the individual applies again and is in**
36 **compliance with the program's work requirements. A disqualified**
37 **individual may be permitted to resume participation during the**
38 **disqualification period by becoming exempt from the program's work**
39 **requirements.**

40 **5. An individual disqualified under the provisions of this section**
41 **shall be entitled to a fair hearing under 7 CFR 273.7(f) and section**
42 **208.080.**

43 **6. The department of social services may promulgate rules and**
44 **regulations to implement the provisions of this section. Any rule or**
45 **portion of a rule, as that term is defined in section 536.010 that is**
46 **created under the authority delegated in this section shall become**
47 **effective only if it complies with and is subject to all of the provisions**
48 **of chapter 536, and, if applicable, section 536.028. This section and**
49 **chapter 536 are nonseverable and if any of the powers vested with the**
50 **general assembly pursuant to chapter 536, to review, to delay the**
51 **effective date, or to disapprove and annul a rule are subsequently held**
52 **unconstitutional, then the grant of rulemaking authority and any rule**
53 **proposed or adopted after August 28, 2019, shall be invalid and void.**

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