

SB 169 – FINAL VERSION

06/24/2015 2310CofC

2015 SESSION

15-0595
05/10

SENATE BILL **169**

AN ACT relative to permissible uses of electronic benefit transfer (EBT) cards.

SPONSORS: Sen. Forrester, Dist 2; Sen. Avard, Dist 12; Sen. Birdsell, Dist 19; Sen. Boutin, Dist 16; Sen. Bradley, Dist 3; Sen. Carson, Dist 14; Sen. Cataldo, Dist 6; Sen. Daniels, Dist 11; Sen. Little, Dist 8; Sen. Morse, Dist 22; Sen. Reagan, Dist 17; Sen. Sanborn, Dist 9; Sen. Stiles, Dist 24; Sen. Watters, Dist 4; Rep. Spanos, Belk 3; Rep. LeBrun, Hills 32; Rep. D. Brown, Graf 16; Rep. E. Johnson, Graf 7; Rep. Darrow, Graf 17

COMMITTEE: Health and Human Services

ANALYSIS

This bill expands restrictions on the use of EBT cards. The bill also directs the department of health and human services to report on the adoption and implementation of restrictions on the use of EBT cards.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struckthrough~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT relative to permissible uses of electronic benefit transfer (EBT) cards.
Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Public Assistance; Prohibited Use of Electronic Benefit Transfer Cards. Amend RSA 167:7-b, I
2 to read as follows:

3 I. Any person receiving public assistance is prohibited from using electronic benefit transfer
4 (EBT) cards or cash obtained with EBT cards for the purpose of purchasing ***any product*** or
5 participating in any activities in any location listed in paragraph ***I-a or*** II. Any person receiving
6 public assistance who uses an EBT card in violation of paragraph ***I-a or*** II shall be subject to the
7 following penalties:

8 (a) Suspension of cash assistance benefits for that person for 2 pay periods for the first
9 offense.

10 (b) Suspension of cash assistance benefits for that person for 4 pay periods for the second
11 offense.

12 (c) Suspension of cash assistance benefits for that person for 6 pay periods for the third
13 and subsequent offense.

14 ***I-a. Any person who receives public assistance is prohibited from using an EBT***
15 ***card or cash obtained with an EBT card to gamble or to purchase tobacco products,***
16 ***alcoholic beverages, lottery tickets, firearms, or adult entertainment.***

17 2 New Subparagraph; Prohibited Use of Electronic Benefit Transfer Card; Tattoos and Body
18 Piercing. Amend RSA 167:7-b, II by inserting after subparagraph (d) the following new
19 subparagraph:

20 (e) Business establishments primarily engaged in the practice of body piercing, branding,
21 or tattooing.

22 3 New Hampshire Department of Health and Human Services; Restrictions on the Use of
23 Electronic Benefit Transfer (EBT) Cards; Report Required. On or before October 1, 2015, the
24 department of health and human services shall report to the fiscal committee of the general court on
25 the adoption and implementation of restrictions on the use of cash assistance. The report shall
26 outline the goals of cash assistance, review applicable state and federal regulations governing
27 restrictions on the use of cash assistance, summarize the department's findings regarding
28 enforcement of RSA 167:7-b, and make recommendations relative to the regulation of cash assistance
29 programs. The report shall include an education plan for recipients regarding the requirements of
30 RSA 167:7-b and the permissible and prohibited use of cash assistance.

31 4 Effective Date. This act shall take effect 60 days after its passage. VETOED 7/10/15