

FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2014 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By deleting Section 1 in its entirety and by replacing in lieu thereof the attached Section 1.

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Sean Roberts

Reading Clerk

1 "SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 243A of Title 56, unless there
3 is created a duplication in numbering, reads as follows:

4 A. Pursuant to the authorization given to the states under
5 Section 115(d) (1) (A) of the federal Personal Responsibility and Work
6 Opportunity Reconciliation Act of 1996, P.L. 104-193, the state
7 shall opt out of the requirements of Section 115(a) of the federal
8 Personal Responsibility and Work Opportunity Reconciliation Act of
9 1996, P.L. 104-193.

10 B. Pursuant to Section 115(c) of the federal Personal
11 Responsibility and Work Opportunity Reconciliation Act of 1996, P.L.
12 104-193, each individual applying for the Supplemental Nutrition
13 Assistance Program ("SNAP") shall state during the application
14 process whether he or she or any member of his or her household has
15 been convicted of an offense described in Section 115(a) of the
16 federal Personal Responsibility and Work Opportunity Reconciliation
17 Act of 1996, P.L. 104-193. Such information shall also be required
18 at any reapplication.

19 C. 1. Notwithstanding subsection A of this section, if an
20 individual applying for SNAP or currently receiving SNAP benefits
21 has been convicted of a felony involving the possession, use, or
22 distribution of a controlled substance, as defined in 21 U.S.C.
23 806(6), after August 22, 1996, such individual shall be subject to
24 testing for substance abuse, at his or her expense which shall be

1 payable within ninety (90) days, at the time of application or
2 reapplication and up to one time randomly per calendar year during
3 his or her participation in SNAP.

4 2. Notwithstanding subsection A of this section, if an
5 individual participating in SNAP is convicted of any felony in
6 violation of the Uniform Controlled Dangerous Substances Act or 21
7 U.S.C. 841, such individual shall be:

- 8 a. ineligible for SNAP for three (3) years after the date
9 of conviction, and
- 10 b. subject to testing for substance abuse, as provided at
11 the expense of the individual, at the time of
12 reapplication to SNAP and up to one time per calendar
13 year. If the individual is incarcerated, he or she
14 shall be subject to testing for substance abuse when
15 released from incarceration and up to one time per
16 calendar year.

17 D. If the Department of Human Services, as the result of a
18 controlled substance screening process, has determined that the
19 individual is engaged in the illegal use of a controlled substance
20 or substances, the individual's request for SNAP benefits shall be
21 denied, subject to the following:

- 22 1. If denied due to the provisions of this subsection, an
23 individual shall not be approved until one (1) year has passed since
24 the date of denial;

1 2. If the individual is denied due to the provisions of this
2 subsection, the Department shall provide a list of substance abuse
3 treatment programs to the denied applicant;

4 3. If the individual has successfully complied with a
5 recommended substance abuse treatment program after the date of
6 denial, such individual may be approved for SNAP benefits after six
7 (6) months have passed since the date of denial, rather than the
8 required one (1) year;

9 4. If the individual has been denied SNAP benefits two times
10 due to the provisions of this subsection, the applicant shall be
11 ineligible for SNAP benefits for a period of three (3) years from
12 the date of the second denial; and

13 5. If the individual has successfully complied with a
14 recommended substance abuse treatment program after the date of
15 denial, such individual may be approved for SNAP benefits after six
16 (6) months have passed since the date of denial, rather than the
17 required one (1) year.

18 E. Any individual who fails to comply with the substance
19 testing required under this section shall be denied SNAP benefits.

20 F. Subsections C through E of this section shall apply only to
21 an individual convicted of a controlled substance felony and shall
22 not apply to the denial of SNAP benefits for other members of the
23 individual's household.

1 G. The Department shall promulgate rules to carry out the
2 procedures in accordance with subsections C through E of this
3 section.”

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