



Bill Number: S.B. 1071

Kavanagh Floor Amendment

Reference to: printed bill

Amendment drafted by: Leg Council

FLOOR AMENDMENT EXPLANATION

- 1. Requires the Department of Economic Security (DES), for determining or evaluating SNAP eligibility, to enter into a data matching agreement with the Department of Revenue, rather than the Department of Gaming, to identify households with lottery or gambling winnings.**
- 2. Requires DES, to the extent the data on lottery or gambling winnings is not verified on receipt, to further investigate the matter, rather than referring the matter to the Department of Gaming.**
- 3. Requires DES, rather than the Department of Environmental Quality, to review on at least a monthly basis information from outlined federal sources to assess a recipient's continued eligibility for SNAP.**

KAVANAGH FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1071
(Reference to printed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

~~[GREEN STRIKEOUT IN BRACKETS]~~ indicates new text removed from statute or previously enacted session law.

~~[Green strikeout in brackets]~~ indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

~~<<Green strikeout in carets>>~~ indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Section 1. Title 46, chapter 2, article 2, Arizona Revised
3 Statutes, is amended by adding section 46-232, to read:

4 46-232. Supplemental nutrition assistance program;
5 eligibility evaluations; public posting;
6 definitions

7 A. TO DETERMINE OR EVALUATE SNAP ELIGIBILITY, THE DEPARTMENT OF
8 ECONOMIC SECURITY SHALL:

9 1. ENTER INTO A DATA MATCHING AGREEMENT WITH THE DEPARTMENT OF
10 [GAMING] [REVENUE] TO IDENTIFY HOUSEHOLDS WITH LOTTERY OR GAMBLING
11 WINNINGS OF \$3,000 OR MORE AND, TO THE EXTENT PERMISSIBLE UNDER FEDERAL
12 LAW, TO TREAT THE DATA OBTAINED AS VERIFIED ON RECEIPT. TO THE EXTENT THE
13 DATA MAY NOT BE VERIFIED ON RECEIPT, THE DEPARTMENT OF ECONOMIC SECURITY
14 SHALL REFER THOSE HOUSEHOLDS WITH LOTTERY OR GAMBLING WINNINGS THAT ARE
15 EQUAL TO OR GREATER THAN THE RESOURCE LIMIT FOR ELDERLY OR DISABLED
16 HOUSEHOLDS AS DEFINED IN 7 CODE OF FEDERAL REGULATIONS SECTION 273.8(b) TO
17 THE DEPARTMENT OF [GAMING] [ECONOMIC SECURITY] FOR FURTHER INVESTIGATION.

18 2. ON AT LEAST A MONTHLY BASIS, REVIEW INFORMATION THAT IS PROVIDED
19 BY THE DEPARTMENT OF HEALTH SERVICES AND THAT IDENTIFIES INDIVIDUALS WHO
20 HAVE HAD A CHANGE IN CIRCUMSTANCES THAT MAY AFFECT SNAP ELIGIBILITY.

21 3. ON AT LEAST A QUARTERLY BASIS, REVIEW INFORMATION THAT IS
22 PROVIDED BY THE INDUSTRIAL COMMISSION OF ARIZONA AND THAT IDENTIFIES
23 INDIVIDUALS WHO HAVE HAD A CHANGE IN CIRCUMSTANCES THAT MAY AFFECT SNAP
24 ELIGIBILITY, INCLUDING A CHANGE IN UNEMPLOYMENT BENEFITS, EMPLOYMENT
25 STATUS OR WAGES.

26 4. ON AT LEAST A MONTHLY BASIS, REVIEW THE DEPARTMENT'S INFORMATION
27 THAT IDENTIFIES INDIVIDUALS WHO HAVE HAD A CHANGE IN CIRCUMSTANCES THAT
28 MAY AFFECT SNAP ELIGIBILITY, INCLUDING POTENTIAL CHANGES IN RESIDENCY AS
29 IDENTIFIED BY OUT-OF-STATE ELECTRONIC BENEFIT TRANSFER CARD TRANSACTIONS.

1 5. ON AT LEAST A MONTHLY BASIS, REVIEW INFORMATION THAT IS PROVIDED
2 BY THE STATE DEPARTMENT OF CORRECTIONS AND THAT IDENTIFIES INDIVIDUALS WHO
3 HAVE HAD A CHANGE IN CIRCUMSTANCES THAT MAY AFFECT SNAP ELIGIBILITY.

4 6. ON AT LEAST A QUARTERLY BASIS, REVIEW INFORMATION THAT IS
5 PROVIDED BY THE DEPARTMENT OF REVENUE AND THAT IDENTIFIES HOUSEHOLDS THAT
6 HAVE HAD A CHANGE IN CIRCUMSTANCES THAT MAY AFFECT SNAP ELIGIBILITY,
7 INCLUDING POTENTIAL CHANGES IN INCOME, WAGES OR RESIDENCY AS IDENTIFIED BY
8 TAX RECORDS.

9 7. ON AT LEAST A QUARTERLY BASIS, POST ON THE DEPARTMENT'S PUBLIC
10 WEBSITE THE FOLLOWING AGGREGATED AMOUNTS THAT WERE OBTAINED FROM
11 NONCOMPLIANCE AND FRAUD INVESTIGATIONS RELATED TO SNAP, EXCLUDING
12 CONFIDENTIAL AND PERSONALLY IDENTIFIABLE INFORMATION:

13 (a) THE NUMBER OF SNAP CASES THAT WERE INVESTIGATED FOR INTENTIONAL
14 PROGRAM VIOLATIONS OR FRAUD.

15 (b) THE NUMBER OF SNAP CASES THAT WERE REFERRED TO THE ATTORNEY
16 GENERAL'S OFFICE FOR PROSECUTION.

17 (c) THE AMOUNT OF IMPROPER PAYMENTS AND EXPENDITURES.

18 (d) THE AMOUNT OF MONIES RECOVERED.

19 (e) THE AMOUNT OF MONIES SPENT FOR IMPROPER PAYMENTS AND INELIGIBLE
20 RECIPIENTS AS A PERCENTAGE OF CASES THAT WERE INVESTIGATED AND REVIEWED.

21 (f) THE AMOUNT OF MONIES SPENT BY ELECTRONIC BENEFIT CARD
22 TRANSACTIONS THAT OCCURRED OUTSIDE OF THIS STATE, CATEGORIZED BY STATE.

23 B. ON AT LEAST A MONTHLY BASIS, THE DEPARTMENT OF HEALTH SERVICES
24 AND THE DEPARTMENT OF ~~[ENVIRONMENTAL QUALITY]~~ [ECONOMIC SECURITY] SHALL
25 REVIEW THE FOLLOWING INFORMATION FROM FEDERAL SOURCES TO ASSESS A
26 RECIPIENT'S CONTINUED ELIGIBILITY FOR SNAP:

27 1. EARNED INCOME INFORMATION, DEATH REGISTER INFORMATION,
28 INCARCERATION RECORDS, SUPPLEMENTAL SECURITY INCOME INFORMATION,
29 BENEFICIARY RECORDS, EARNINGS INFORMATION AND PENSION INFORMATION THAT IS
30 MAINTAINED BY THE UNITED STATES SOCIAL SECURITY ADMINISTRATION.

31 2. INCOME AND EMPLOYMENT INFORMATION THAT IS MAINTAINED IN THE
32 NATIONAL DIRECTORY OF NEW HIRES DATABASE AND CHILD SUPPORT ENFORCEMENT
33 DATA THAT IS MAINTAINED BY THE UNITED STATES DEPARTMENT OF HEALTH AND
34 HUMAN SERVICES.

35 3. PAYMENT AND EARNINGS INFORMATION THAT IS MAINTAINED BY THE
36 UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

37 4. NATIONAL FLEEING FELON INFORMATION THAT IS MAINTAINED BY THE
38 UNITED STATES FEDERAL BUREAU OF INVESTIGATION.

39 C. IF THE DEPARTMENT RECEIVES INFORMATION THAT IDENTIFIES AN
40 INDIVIDUAL WHO IS ENROLLED IN SNAP AND THAT INDICATES A CHANGE IN
41 CIRCUMSTANCES THAT MAY AFFECT THAT INDIVIDUAL'S SNAP ELIGIBILITY, THE
42 DEPARTMENT SHALL REVIEW THAT INDIVIDUAL'S CASE.

43 D. FOR THE PURPOSES OF THIS SECTION:

44 1. "DEPARTMENT" MEANS THE DEPARTMENT OF ECONOMIC SECURITY.

45 2. "SNAP" MEANS THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

1 Sec. 2. Section 46-297.01, Arizona Revised Statutes, is amended to
2 read:

3 46-297.01. Electronic benefit transfer cards; replacements;
4 out-of-state spending; fraud investigation

5 A. The department shall send each recipient who requests two
6 replacement cards within a twelve-month period a letter informing the
7 recipient that another request will initiate an investigation by the
8 department to determine whether there is fraud. If a third-party vendor
9 is administering replacement cards directly to recipients, the vendor
10 shall notify the department after a recipient requests a second
11 replacement card in a twelve-month period and makes any subsequent request
12 thereafter.

13 B. After a recipient's request for a third replacement card within
14 any twelve-month period, and any subsequent request thereafter, the
15 department shall schedule an interview with the recipient and, if the
16 department has been granted a waiver, determine whether there is fraud
17 before issuing a new card. The recipient's request for a fourth
18 replacement card requires the department to schedule an interview with the
19 recipient to determine whether there is fraud before issuing a new card.
20 The department shall request any necessary federal waivers to comply with
21 this section.

22 C. If a recipient uses more than ten percent of the recipient's
23 electronic benefit transfer card balance in a six-month period on
24 out-of-state purchases, the department shall schedule an interview with
25 the recipient to determine whether there is fraud.

26 D. ON AT LEAST A MONTHLY BASIS, THE DEPARTMENT SHALL USE THE DATA
27 FROM AN ELECTRONIC BENEFIT TRANSFER CARD TO IDENTIFY ANY INDIVIDUAL WHO
28 HAS MADE PURCHASES EXCLUSIVELY OUT-OF-STATE OVER A NINETY-DAY PERIOD. THE
29 DEPARTMENT SHALL CONTACT THE INDIVIDUAL WHO IS IDENTIFIED WITHIN THIRTY
30 DAYS TO DETERMINE WHETHER THAT INDIVIDUAL RESIDES IN THIS STATE. IF THE
31 INDIVIDUAL DOES NOT RESIDE IN THIS STATE, THE DEPARTMENT SHALL REMOVE THAT
32 INDIVIDUAL WITHIN THIRTY DAYS AFTER CONTACTING THE INDIVIDUAL. WITHIN
33 FIFTEEN DAYS AFTER THE INDIVIDUAL'S REMOVAL, THE DEPARTMENT SHALL REFER
34 THE INDIVIDUAL TO THE UNITED STATES ATTORNEY'S OFFICE FOR THE DISTRICT
35 WHERE THE INDIVIDUAL CLAIMS TO RESIDE.

36 Enroll and engross to conform
37 Amend title to conform

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