

HOUSE FLOOR AMENDMENT EXPLANATION



Bill Number: **SB 1071**

Carbone Floor Amendment

Removes the Industrial Commission of Arizona from the list of agencies to provide information to DES to review and identify individuals who have had a change in circumstances that may affect SNAP eligibility and makes technical changes.

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CARBONE FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1071
(Reference to Senate engrossed 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 REVENUE TO IDENTIFY HOUSEHOLDS WITH LOTTERY OR GAMBLING WINNINGS OF \$3,000
11 OR MORE AND, TO THE EXTENT PERMISSIBLE UNDER FEDERAL LAW, TO TREAT THE
12 DATA OBTAINED AS VERIFIED ON RECEIPT. TO THE EXTENT THE DATA MAY NOT BE
13 VERIFIED ON RECEIPT, THE DEPARTMENT OF ECONOMIC SECURITY SHALL REFER THOSE
14 HOUSEHOLDS WITH LOTTERY OR GAMBLING WINNINGS THAT ARE EQUAL TO OR GREATER
15 THAN THE RESOURCE LIMIT FOR ELDERLY OR DISABLED HOUSEHOLDS AS DEFINED IN
16 7 CODE OF FEDERAL REGULATIONS SECTION 273.8(b) TO THE DEPARTMENT OF
17 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 [THE DEPARTMENT OF
22 ECONOMIC SECURITY'S] INFORMATION [~~THAT IS PROVIDED BY THE INDUSTRIAL~~
23 ~~COMMISSION OF ARIZONA AND~~] THAT IDENTIFIES INDIVIDUALS WHO HAVE HAD A
24 CHANGE IN CIRCUMSTANCES THAT MAY AFFECT SNAP ELIGIBILITY, INCLUDING A
25 CHANGE IN UNEMPLOYMENT BENEFITS, EMPLOYMENT STATUS OR WAGES.

26 4. ON AT LEAST A MONTHLY BASIS, REVIEW THE [DEPARTMENT'S]
27 [DEPARTMENT OF ECONOMIC SECURITY'S] INFORMATION THAT IDENTIFIES
28 INDIVIDUALS WHO HAVE HAD A CHANGE IN CIRCUMSTANCES THAT MAY AFFECT SNAP
29 ELIGIBILITY, INCLUDING POTENTIAL CHANGES IN RESIDENCY AS IDENTIFIED BY
30 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 ECONOMIC SECURITY SHALL REVIEW THE FOLLOWING
25 INFORMATION FROM FEDERAL SOURCES TO ASSESS A RECIPIENT'S CONTINUED
26 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

MICHAEL CARBONE