

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H.B 1047
May 5, 2016
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40573-LU-124A (03/24)

Short Title: Welfare Reform/Food and Nutrition Benefits. (Public)

Sponsors: Representatives Jones, Blackwell, and Hager (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE NORTH CAROLINA LOTTERY COMMISSION TO PROVIDE CERTAIN CASH LOTTERY WINNINGS INFORMATION TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF SOCIAL SERVICES; TO CROSSCHECK WITH THE INFORMATION OF APPLICANTS FOR OR RECIPIENTS OF FOOD AND NUTRITION BENEFITS; TO LIMIT THE MEANS BY WHICH A PERSON MAY BE GRANTED CATEGORICAL ELIGIBILITY FOR PURPOSES OF RECEIVING FOOD AND NUTRITION BENEFITS UNDER THE SUPPLEMENTAL NUTRITION AND ASSISTANCE PROGRAM (SNAP); AND TO IMPLEMENT CERTAIN DISQUALIFICATION PERIODS FOR NONCOMPLIANCE WITH REQUIREMENTS FOR FOOD AND NUTRITION BENEFITS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 18C-114(a) is amended by adding a new subdivision to read:

"(a) The Commission shall have the following powers and duties:

...

(6a) To provide certain information to the Department of Health and Human Services, Division of Social Services, regarding persons claiming cash prizes in the amount of six hundred dollars (\$600.00) or more as required in G.S. 18C-176.

...."

SECTION 1.(b) Article 8 of Chapter 18C of the General Statutes is amended by adding a new section to read:

"§ 18C-176. Report certain cash lottery winnings information to the Department of Health and Human Services, Division of Social Services.

In accordance with G.S. 108A-52.1, the Commission shall provide the name, prize amount, and any other available identifying information of a person claiming a cash prize of six hundred dollars (\$600.00) or more to the Department of Health and Human Services, Division of Social Services (Division), to crosscheck the information with applicants for or recipients of food and nutrition benefits pursuant to Part 5 of Article 2 of Chapter 108A of the General Statutes. The Commission shall provide the information required by this section to the Division on at least a monthly basis. However, nothing in this section shall be construed as affecting a cash prize winner whose identifying information is otherwise protected under G.S. 18C-132(k)."

SECTION 1.(c) Part 5 of Article 2 of Chapter 108A of the General Statutes is amended by adding a new section to read:

"§ 108A-52.1. Review of lottery winnings information provided by the North Carolina Lottery Commission.



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1 The Department shall, on at least a monthly basis, review the information of cash lottery prize
2 winners as provided by the North Carolina Lottery Commission pursuant to G.S. 18C-176. In
3 reviewing the information, the Department shall crosscheck that information with applicants for or
4 recipients of food and nutrition benefits under this Part. If after any monthly review the
5 Department determines that an applicant or recipient has not reported to the Department cash
6 lottery winnings that exceed an amount corresponding to the resource limit for food and nutrition
7 services set by federal law, the Department shall conduct further review to determine possible
8 fraudulent misrepresentation by the applicant or recipient as prohibited under G.S. 108A-53. Any
9 information the North Carolina Lottery Commission submits to the Department pursuant to this
10 section is confidential and shall not be disclosed except as otherwise required for the
11 implementation of this section."

12 **SECTION 2.** G.S. 108A-52 reads as rewritten:

13 "**§ 108A-52. Determination of ~~eligibility~~ eligibility; limitation on categorical eligibility.**

14 (a) Any person who believes that he or another person is eligible to receive electronic food
15 and nutrition benefits may apply for such assistance to the county department of social services in
16 the county in which the applicant resides. The application shall be made in such form and shall
17 contain such information as the Social Services Commission may require. Upon receipt of an
18 application for electronic food and nutrition benefits, the county department of social services
19 shall make a prompt evaluation or investigation of the facts alleged in the application in order to
20 determine the applicant's eligibility for such assistance and to obtain such other information as the
21 Department may require. Upon the completion of such investigation, the county department of
22 social services shall, within a reasonable period of time, determine eligibility.

23 (b) Notwithstanding any provision of law to the contrary, the Department shall not grant a
24 person categorical eligibility under 7 U.S.C. § 2014(a) for the food and nutrition services program
25 based on noncash, in-kind, or other benefit unless expressly required by federal law."

26 **SECTION 3.** Part 5 of Article 2 of Chapter 108A of the General Statutes is amended
27 by adding a new section to read:

28 "**§ 108A-52.2. Disqualification for noncompliance with requirements for food and nutrition**
29 **benefits.**

30 (a) The Department shall implement the following disqualification periods for any
31 instance of noncompliance with one or more substantive requirements for food and nutrition
32 benefits, unless expressly prohibited by federal law:

33 (1) A three-month, full-household disqualification period for the first instance of
34 noncompliance.

35 (2) A six-month, full-household disqualification period for the second instance of
36 noncompliance.

37 (3) A permanent disqualification period for the third instance of noncompliance. If
38 a recipient is subject to disqualification under this subdivision, the recipient's
39 full household is subject to a six-month disqualification period.

40 (b) A recipient of food and nutrition benefits shall also be subject to disqualification from
41 receiving food and nutrition benefits under this Part for failure to comply with the requirements of
42 any other federal, State, or local means-tested public assistance programs, unless expressly
43 prohibited by federal law.

44 (c) The Social Services Commission is authorized to adopt any rules necessary to
45 implement this section."

46 **SECTION 4.** The North Carolina Lottery Commission shall begin providing the
47 information required under Section 1(b) of this act one month after this act becomes effective.

48 **SECTION 5.** Any future savings resulting from implementation of this act may be
49 reallocated to the Department of Health and Human Services for services to individuals identified
50 as autistic.

51 **SECTION 6.** This act becomes effective six months after it becomes law.