

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for House Bill Nos. 455 & 297, Page 1, Section A, Line 2, by  
2 inserting after all of said section and line, the following:

3  
4 "208.031. 1. Electronic benefit transfer transactions made by each applicant or recipient  
5 who is otherwise eligible for temporary assistance for needy families benefits under this chapter and  
6 who is found to have made a cash withdrawal at any casino, gambling casino, or gaming  
7 establishment shall, after an administrative hearing conducted by the department under the  
8 provisions of chapter 536, be declared ineligible for temporary assistance for needy families benefits  
9 for a period of three years from the date of the administrative hearing decision. For purposes of this  
10 section, "casino, gambling casino, or gaming establishment" does not include a grocery store which  
11 sells groceries including staple foods and which also offers, or is located within the same building or  
12 complex as, casino, gambling, or gaming activities.

13 2. Other members of a household which includes a person who has been declared ineligible  
14 for temporary assistance for needy families assistance shall, if otherwise eligible, continue to receive  
15 temporary assistance for needy families benefits as protective or vendor payments to a third-party  
16 payee for the benefit of the members of the household.

17 3. Any person who, in good faith, reports a suspected violation of this section by a temporary  
18 assistance for needy families (TANF) recipient shall not be held civilly or criminally liable for  
19 reporting such suspected violation.

20 4. The department of social services shall promulgate rules to implement the provisions of  
21 this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created  
22 under the authority delegated in this section shall become effective only if it complies with and is  
23 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and  
24 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to  
25 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently  
26 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after  
27 August 28, 2013, shall be invalid and void.

28 208.032. 1. In accordance with the Social Security Act, 42 U.S.C. Section 608(a)(12), the  
29 department of social services shall implement and maintain policies and practices which prevent a  
30 temporary assistance for needy families electronic benefit transfer transaction in:

31 (1) Any liquor store;

32 (2) Any casino, gambling casino, or gambling establishment; or

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1       (3) Any retail establishment which provides adult-oriented entertainment in which  
2 performers disrobe or perform in an unclothed state for entertainment.

3       2. As used in this section, the term:

4       (1) "Casino, gambling casino, or gaming establishment" shall not include a grocery store  
5 which sells groceries including staple foods and which also offers, or is located within the same  
6 building or complex as, casino, gambling, or gaming activities;

7       (2) "Electronic benefit transfer transaction" means the use of a credit or debit card service,  
8 automated teller machine, point-of-sale terminal, or access to an online system for the withdrawal of  
9 funds or the processing of a payment for merchandise or a service;

10       (3) "Liquor store" means any retail establishment which sells exclusively or primarily  
11 intoxicating liquor. Liquor store does not include a grocery store which sells both intoxicating liquor  
12 and groceries including staple foods within the meaning of Section 3(r) of the Food and Nutrition  
13 Act of 2008, 7 U.S.C. Section 2012(r).

14       3. In accordance with 42 U.S.C. Section 602(a)(1)(A), the department of social services  
15 shall:

16       (1) Implement policies and procedures as necessary to prevent access to assistance provided  
17 under Missouri's temporary assistance for needy families (TANF) program through any electronic  
18 fund transaction in an automated teller machine or point-of-sale device located in a place described  
19 in subsections 1 and 2 of this section, including a plan to ensure that recipients of the assistance have  
20 adequate access to their cash assistance; and

21       (2) Ensure that recipients of assistance provided under Missouri's TANF program have  
22 access to using or withdrawing assistance with minimal fees or charges, including an opportunity to  
23 access assistance with no fee or charges, and are provided information on applicable fees and charges  
24 that apply to electronic fund transactions involving the assistance, and that such information is made  
25 publicly available.

26       4. On or before December 31, 2014, the department shall submit a report to the governor and  
27 the general assembly detailing the policies and practices implemented in accordance with the  
28 requirements of this section and the requirements of 42 U.S.C. Section 608(a)(12). In addition, the  
29 department shall report Missouri's implementation of the policies and practices to the Secretary of  
30 Health and Human Services as required under 42 U.S.C. Section 609(a)(16) within two years of the  
31 enactment of such federal law."; and

32  
33 Further amend said bill by amending the title, enacting clause, and intersectional references  
34 accordingly.