

SECOND REGULAR SESSION

SENATE BILL NO. 612

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WILSON.

Pre-filed December 1, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

3095S.02I

AN ACT

To amend chapter 208, RSMo, by adding thereto one new section relating to eligibility for food stamps.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 208, RSMo, is amended by adding thereto one new
2 section, to be known as section 208.247, to read as follows:

**208.247. 1. Pursuant to the option granted the state by 21 U.S.C.
2 Section 862a(d), an individual who has pled guilty to or is found guilty
3 under federal or state law of a felony involving possession or use of a
4 controlled substance shall be exempt from the prohibition contained in
5 21 U.S.C. Section 862a(a) against eligibility for food stamp program
6 benefits for such convictions, if such person, as determined by the
7 department:**

8 **(1) Is currently successfully participating in a substance abuse
9 treatment program approved by the division of alcohol and drug abuse
10 within the department of mental health;**

11 **(2) Is currently accepted for treatment in and participating in a
12 substance abuse treatment program approved by the division of alcohol
13 and drug abuse, but is subject to a waiting list to receive available
14 treatment, and the individual remains enrolled in the treatment
15 program and enters the treatment program at the first available
16 opportunity;**

17 **(3) Has satisfactorily completed a substance abuse treatment
18 program approved by the division of alcohol and drug abuse;**

19 **(4) Is determined by a division of alcohol and drug abuse
20 certified treatment provider not to need substance abuse treatment; or**

21 **(5) Is successfully complying with, or has already complied with,**

22 all obligations imposed by the court, the division of alcohol and drug
23 abuse and the division of probation and parole.

24 2. Eligibility based upon the factors in subsection 1 of this
25 section shall be based upon documentary or other evidence satisfactory
26 to the department of social services, and the applicant must meet all
27 other factors for program eligibility.

28 3. The department of social services, in consultation with the
29 division of alcohol and drug abuse, shall promulgate rules to carry out
30 the provisions of this section, including specifying criteria for
31 determining active participation in and completion of a substance
32 abuse treatment program.

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Bill

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