

SECOND REGULAR SESSION

# SENATE BILL NO. 561

99TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR SATER.

Pre-filed December 1, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

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## AN ACT

To amend chapter 208, RSMo, by adding thereto one new section relating to the supplemental nutrition assistance program.

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*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 208.246, to read as follows:

**208.246. 1. In order to be eligible to participate in the  
2 supplemental nutrition assistance program, an individual shall comply  
3 with the work requirements described in 7 U.S.C. Section 2015(d) and  
4 7 CFR 273.7, unless such individual is otherwise exempt from such  
5 requirements under 7 U.S.C. Section 2015(d)(2) and 7 CFR 273.7(b).**

**6 2. A nonexempt individual who refuses or fails without good  
7 cause, as such term is described in 7 CFR 273.7, to comply with the  
8 program's work requirements shall be ineligible to participate in the  
9 program for the duration of the disqualification period and shall be  
10 considered an ineligible household member. The disqualification  
11 period shall be as follows:**

**12 (1) For the first occurrence of noncompliance, the individual  
13 shall be disqualified for three months;**

**14 (2) For the second occurrence of noncompliance, the individual  
15 shall be disqualified for six months; and**

**16 (3) For the third occurrence of noncompliance, the individual  
17 shall be disqualified permanently.**

**18 3. If an individual who is the head of a household, as such term  
19 is described in 7 CFR 273.1, becomes disqualified under this section, the  
20 entire household shall be ineligible to participate in the program for  
21 a period not to exceed the lesser of either the duration of the**

22 ineligibility period of the disqualified individual or one hundred and  
23 eighty days. A household disqualified under this subsection may  
24 reestablish eligibility if:

25 (1) The head of the household leaves the household;

26 (2) A new and eligible individual joins the household as the head  
27 of the household; or

28 (3) The head of the household becomes exempt from the  
29 program's work requirements during the disqualification period.

30 If the disqualified head of the household joins another household as its  
31 head, that household shall be disqualified from participating in the  
32 program for the remaining disqualification period.

33 4. Except in cases of permanent disqualification, an individual  
34 may resume participation in the program at the end of a  
35 disqualification period if the individual applies again and is in  
36 compliance with the program's work requirements. A disqualified  
37 individual may be permitted to resume participation during the  
38 disqualification period by becoming exempt from the program's work  
39 requirements.

40 5. An individual disqualified under the provisions of this section  
41 shall be entitled to a fair hearing under 7 CFR 273.7(f) and section  
42 208.080.

43 6. The department of social services may promulgate rules and  
44 regulations to implement the provisions of this section. Any rule or  
45 portion of a rule, as that term is defined in section 536.010 that is  
46 created under the authority delegated in this section shall become  
47 effective only if it complies with and is subject to all of the provisions  
48 of chapter 536, and, if applicable, section 536.028. This section and  
49 chapter 536 are nonseverable and if any of the powers vested with the  
50 general assembly pursuant to chapter 536, to review, to delay the  
51 effective date, or to disapprove and annul a rule are subsequently held  
52 unconstitutional, then the grant of rulemaking authority and any rule  
53 proposed or adopted after August 28, 2018, shall be invalid and void.

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