

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 138

AN ACT

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

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 section, to be known as section 208.246, to read as follows:

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

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

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

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

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

3. Except in cases of permanent disqualification, an individual may resume participation in the program at the

end of a disqualification period if the individual applies again and is in compliance with the program's work requirements. A disqualified individual may be permitted to resume participation during the disqualification period by becoming exempt from the program's work requirements.

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

5. The department of social services may promulgate rules and regulations to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2021, shall be invalid and void.