

HOUSE BILL No. 1142

DIGEST OF INTRODUCED BILL

Citations Affected: IC 11-10-12-5; IC 12-14-30.

Synopsis: Access to supplemental nutrition assistance. Provides that an individual who has been convicted of a felony involving a controlled substance and who has completed or is participating in a substance abuse treatment program may receive assistance under the federal Supplemental Nutrition Assistance Program. Requires the department of correction to assist an offender in applying for supplemental nutrition assistance.

Effective: July 1, 2011.

Smith V

January 6, 2011, read first time and referred to Committee on Courts and Criminal Code.

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First Regular Session 117th General Assembly (2011)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2010 Regular Session of the General Assembly.

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HOUSE BILL No. 1142

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 11-10-12-5, AS ADDED BY P.L.161-2007,
- 2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2011]: Sec. 5. (a) The department shall assist a committed
- 4 offender in applying for assistance under the federal Temporary
- 5 Assistance for Needy Families (TANF) program (45 CFR 260 et seq.)
- 6 **and the federal Supplemental Nutrition Assistance Program (7**
- 7 **U.S.C. 2011 et seq.)** so that the committed offender might be eligible
- 8 for assistance when the offender is subsequently:
 - 9 (1) released on parole;
 - 10 (2) assigned to a community transition program; or
 - 11 (3) discharged from the department.
- 12 (b) The department shall provide the assistance described in
- 13 subsection (a) in sufficient time to ensure that the committed offender
- 14 will be able to receive assistance at the time the committed offender is:
 - 15 (1) released on parole;
 - 16 (2) assigned to a community transition program; or
 - 17 (3) discharged from the department.



1 SECTION 2. IC 12-14-30 IS ADDED TO THE INDIANA CODE
2 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2011]:

4 **Chapter 30. Supplemental Nutrition Assistance for Certain**
5 **Offenders**

6 **Sec. 1. An individual who:**

7 (1) except for 21 U.S.C. 862a(a), meets the federal and Indiana
8 Supplemental Nutrition Assistance Program requirements;

9 (2) has been convicted of an offense under federal or state law
10 that:

11 (A) is classified as a felony; and

12 (B) has as an element the possession or use of a controlled
13 substance (as defined in 21 U.S.C. 802(6)); and

14 (3) either has completed or is participating in a substance
15 abuse treatment program;

16 is eligible to receive assistance under the Supplemental Nutrition
17 Assistance Program.

18 **Sec. 2. In accordance with 21 U.S.C. 862a(d)(1), the state elects**
19 **to opt out of the application of 21 U.S.C. 862a(a) for an individual**
20 **who has completed or is participating in a substance abuse**
21 **treatment program as described in section 1(a)(3) of this chapter.**

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