

Adopted	Rejected
---------	----------

COMMITTEE REPORT

YES:	17
NO:	0

MR. SPEAKER:

*Your Committee on Ways and Means, to which was referred Senate Bill 559, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 2, between lines 18 and 19, begin a new paragraph and insert:
- 2 "SECTION 3. IC 12-7-2-74.3 IS ADDED TO THE INDIANA
- 3 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
- 4 [EFFECTIVE JULY 1, 2013]: **Sec. 74.3. "EBT card", for purposes**
- 5 **of IC 12-13-14-15, has the meaning set forth in IC 12-13-14-15(a).**
- 6 Page 2, between lines 33 and 34, begin a new paragraph and insert:
- 7 "SECTION 4. IC 12-13-14-4.5, AS AMENDED BY P.L.3-2012,
- 8 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 9 JULY 1, 2013]: Sec. 4.5. (a) Except as provided in this section, the
- 10 division may distribute cash assistance benefits to a person who is
- 11 eligible for assistance under the Title IV-A assistance program though
- 12 an automated teller machine or a point of sale terminal that is
- 13 connected to the EBT system.
- 14 (b) The following establishments shall post a sign next to each
- 15 automated teller machine or point of sale terminal located on the

1 premises informing a potential user that the automated teller machine
 2 or point of sale terminal may not be used to receive cash assistance
 3 benefits under the Title IV-A assistance program:

4 (1) A horse racing establishment:

5 (A) where the pari-mutuel system of wagering is authorized;
 6 and

7 (B) for which a permit is required under IC 4-31-5.

8 (2) A satellite facility:

9 (A) where wagering on horse racing is conducted; and

10 (B) for which a license is required under IC 4-31-5.5.

11 (3) An allowable event required to be licensed by the Indiana
 12 gaming commission under IC 4-32.2.

13 (4) A riverboat or other facility required to be licensed by the
 14 Indiana gaming commission under IC 4-33.

15 (5) A store or other establishment:

16 (A) where the primary business is the sale of firearms (as
 17 defined in IC 35-47-1-5); and

18 (B) that sells handguns for which a license to sell handguns is
 19 required under IC 35-47-2.

20 (6) A store or other establishment where the primary business is
 21 the sale of alcoholic beverages for which a permit is required
 22 under IC 7.1-3.

23 (7) An adult entertainment establishment.

24 (c) An:

25 (1) establishment that does not post the sign required under
 26 subsection (b); or

27 (2) individual who attempts to use an automated teller machine or
 28 point of sale terminal with a sign posted as required under
 29 subsection (b) to access cash assistance benefits under the Title
 30 IV-A assistance program in violation of subsection (b);

31 commits a Class C misdemeanor.

32 **(d) The owner, vendor, or third party processor of an**
 33 **automated teller machine or point of sale terminal shall disable or**
 34 **have disabled access to electronic cash assistance benefits in a**
 35 **location described in subsection (b) unless the location has been**
 36 **approved by the federal Food and Nutrition Services. The division**
 37 **shall provide assistance to an owner, vendor, or third party**
 38 **processor under this subsection. A person that violates this**

- 1 **subsection commits a Class B infraction.**
- 2 ~~(d)~~ (e) The division shall adopt rules under IC 4-22-2 to carry out
- 3 this section."
- 4 Page 3, line 4, delete "This section is effective" and insert "**As used**
- 5 **in this section, "EBT card" has the meaning set forth in 470**
- 6 **IAC 6-0.5-1.**
- 7 **(b) The replacement process established under this section**
- 8 **applies until federal rules are adopted establishing a replacement**
- 9 **EBT card process that supersedes or nullifies the process**
- 10 **established by the division."**
- 11 Page 3, delete lines 5 through 6.
- 12 Page 3, line 7, delete "(b)" and insert "(c)".
- 13 Page 3, line 9, delete "division's local office" and insert "**division**".
- 14 Page 3, line 13, delete "(c)" and insert "**(d)**".
- 15 Page 3, line 13, delete "deny" and insert "**hold**".
- 16 Re-number all SECTIONS consecutively.
- (Reference is to SB 559 as printed February 22, 2013.)

and when so amended that said bill do pass.

Representative Brown T