



January 16, 2013

SENATE BILL No. 413

DIGEST OF SB 413 (Updated January 10, 2013 2:57 pm - DI ck)

Citations Affected: IC 12-13.

Synopsis: Electronic benefit cash assistance access. Requires an owner, vendor, or third party processor of an automated teller machine or point of sale terminal to disable access to electronic cash assistance benefits in specified prohibited locations. Requires the division of family resources to assist owners, vendors, and third party processors in carrying out this provision. Makes it a Class B infraction for a person to violate these provisions.

Effective: July 1, 2013.

Miller Patricia

January 10, 2013, read first time and referred to Committee on Rules and Legislative Procedure.
January 15, 2013, amended; reassigned to Committee on Health and Provider Services.

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SB 413—LS 6316/DI 13+



January 16, 2013

First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

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SENATE BILL No. 413

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 12-13-14-4.5, AS AMENDED BY P.L.3-2012,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2013]: Sec. 4.5. (a) Except as provided in this section, the
4 division may distribute cash assistance benefits to a person who is
5 eligible for assistance under the Title IV-A assistance program though
6 an automated teller machine or a point of sale terminal that is
7 connected to the EBT system.
8 (b) The following establishments shall post a sign next to each
9 automated teller machine or point of sale terminal located on the
10 premises informing a potential user that the automated teller machine
11 or point of sale terminal may not be used to receive cash assistance
12 benefits under the Title IV-A assistance program:
13 (1) A horse racing establishment:
14 (A) where the pari-mutuel system of wagering is authorized;
15 and
16 (B) for which a permit is required under IC 4-31-5.
17 (2) A satellite facility:

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- 1 (A) where wagering on horse racing is conducted; and
 2 (B) for which a license is required under IC 4-31-5.5.
 3 (3) An allowable event required to be licensed by the Indiana
 4 gaming commission under IC 4-32.2.
 5 (4) A riverboat or other facility required to be licensed by the
 6 Indiana gaming commission under IC 4-33.
 7 (5) A store or other establishment:
 8 (A) where the primary business is the sale of firearms (as
 9 defined in IC 35-47-1-5); and
 10 (B) that sells handguns for which a license to sell handguns is
 11 required under IC 35-47-2.
 12 (6) A store or other establishment where the primary business is
 13 the sale of alcoholic beverages for which a permit is required
 14 under IC 7.1-3.
 15 (7) An adult entertainment establishment.
 16 (c) An:
 17 (1) establishment that does not post the sign required under
 18 subsection (b); or
 19 (2) individual who attempts to use an automated teller machine or
 20 point of sale terminal with a sign posted as required under
 21 subsection (b) to access cash assistance benefits under the Title
 22 IV-A assistance program in violation of subsection (b);
 23 commits a Class C misdemeanor.
 24 **(d) The owner, vendor, or third party processor of an**
 25 **automated teller machine or point of sale terminal shall disable or**
 26 **have disabled access to electronic cash assistance benefits in a**
 27 **location described in subsection (b) unless the location has been**
 28 **approved by the federal Food and Nutrition Services. The division**
 29 **shall provide assistance to an owner, vendor, or third party**
 30 **processor under this subsection. A person that violates this**
 31 **subsection commits a Class B infraction.**
 32 ~~(d)~~ (e) The division shall adopt rules under IC 4-22-2 to carry out
 33 this section.

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COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 413, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

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

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill be reassigned to the Senate Committee on Health and Provider Services.

(Reference is to SB 413 as introduced.)

LONG, Chairperson

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