

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 174

Representatives Rader, Tims

**Cosponsors: Representatives White, E., Brent, McNally, Sigrist, Denson,
Synenberg, Lett, Upchurch, Abdullahi, Brennan, Mohamed, Brownlee, Thomas, C.**

To enact section 5101.548 of the Revised Code to	1
establish a program to refund SNAP recipients	2
who have been victims of electronic theft or	3
fraud, to name this act the No Hungry Families	4
Act, and to make an appropriation.	5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 5101.548 of the Revised Code be	6
enacted to read as follows:	7

<u>Sec. 5101.548.</u> (A) As used in this section:	8
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<u>(1) "Card cloning" means a form of theft that occurs when</u>	9
<u>an unauthorized person uses data captured by skimming or other</u>	10
<u>means to create fake electronic benefit transfer cards used to</u>	11
<u>steal supplemental nutrition assistance program benefits.</u>	12

<u>(2) "Card skimming" means a form of theft that occurs when</u>	13
<u>an unauthorized device is installed on a retailer's card reader</u>	14
<u>machines, known as point-of-sale terminals, to capture card data</u>	15
<u>or record supplemental nutrition assistance program households'</u>	16
<u>personal identification numbers.</u>	17

<u>(3) "Electronic benefit theft" means theft of supplemental</u>	18
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nutrition assistance program benefits by card skimming, card 19
cloning, and other similar fraudulent methods such as scamming 20
through fraudulent phone calls or text messages that mimic 21
official department of job and family services or county 22
department of job and family services messaging and phishing 23
emails. 24

(4) "Phishing" means an attempt to deceive people into 25
revealing sensitive information such as passwords, banking, and 26
credit card details. Some phishing emails also contain malicious 27
or unwanted software used to track recipients' online 28
activities, steal their personal data, or slow their computers. 29

(5) "Scamming" means a form of theft in which a person is 30
falsely deceived into giving benefits, electronic benefit 31
transfer card information, or both to an unauthorized person. 32

(B) (1) Not later than sixty days after the effective date 33
of this section, the director of job and family services shall 34
establish a program to replace supplemental nutrition assistance 35
program benefits for households that have had benefits stolen on 36
or after December 21, 2024, as a result of electronic benefit 37
theft. Benefits stolen before December 21, 2024, are ineligible 38
for replacement under the program. 39

(2) The director shall prescribe a form for households to 40
apply for replacement benefits. The form shall include a place 41
for a recipient's signature, attesting that the household did 42
not have knowledge of any transaction for which the household is 43
applying for replacement benefits and did not authorize any such 44
transaction. 45

(C) Supplemental nutrition program assistance benefits 46
eligible for replacement are limited to both of the following: 47

<u>(1) Regular supplemental nutrition assistance program</u>	48
<u>benefits, including initial prorations;</u>	49
<u>(2) Disaster supplemental nutrition assistance program</u>	50
<u>benefits.</u>	51
<u>(D) (1) The amount replaced under the program established</u>	52
<u>under this section shall not exceed the lesser of the following:</u>	53
<u>(a) The amount of benefits stolen from the household as a</u>	54
<u>result of electronic benefit theft;</u>	55
<u>(b) The amount that equals two months of the household's</u>	56
<u>monthly allotment, as of the month in which the benefits were</u>	57
<u>stolen as a result of electronic benefit theft.</u>	58
<u>(2) If an incident of electronic benefit theft occurs over</u>	59
<u>the course of several transactions or days, calculations for the</u>	60
<u>amount of replacement benefits for purposes of division (D) (1)</u>	61
<u>(b) of this section shall be based on the date of the first</u>	62
<u>occurrence of the electronic benefit theft.</u>	63
<u>(3) No household shall receive replacement benefits under</u>	64
<u>this section more than twice in a fiscal year.</u>	65
<u>(E) (1) To receive replacement benefits, a household shall</u>	66
<u>submit to the county department of job and family services a</u>	67
<u>completed application form prescribed by the department of job</u>	68
<u>and family services as follows:</u>	69
<u>(a) For supplemental nutrition assistance program benefits</u>	70
<u>stolen on or after the effective date of this section, within</u>	71
<u>ninety calendar days of the date the benefits were stolen or</u>	72
<u>within ninety days of receiving a letter from the county</u>	73
<u>department indicating the household may have been a victim of</u>	74
<u>electronic benefit theft, whichever is later;</u>	75

(b) For supplemental nutrition assistance program benefits 76
stolen between December 21, 2024, and the effective date of this 77
section, ninety calendar days from the effective date of this 78
section. 79

(2) If a household submits an incomplete form or does not 80
provide all required information as determined by the county 81
department, the county department shall return the form to the 82
household indicating what information is missing and shall allow 83
the household fifteen calendar days to submit an updated form 84
that includes the requested information. 85

(F) (1) Within thirty calendar days of receipt of a request 86
of replacement benefits, the county department shall review the 87
request and determine if the household is eligible for 88
replacement benefits. If eligible, the department of job and 89
family services shall replace the amount of stolen benefits 90
permitted under division (D) (1) of this section. 91

(2) On receipt of a request for replacement of stolen 92
benefits, the department shall send the household a new 93
electronic benefit transfer card. 94

(G) In making its determination under division (F) of this 95
section, a county department of job and family services shall 96
conclude that benefits were stolen as a result of electronic 97
benefit theft if there is evidence of two or more of the 98
following: 99

(1) Transactions that occurred at a supplemental nutrition 100
assistance program-authorized retailer known to the department 101
of job and family services as previously processing fraudulent 102
transactions; 103

(2) Even dollar transactions, high dollar transactions, or 104

<u>multiple transactions over a short period of time;</u>	105
<u>(3) Online transactions in which food was delivered to a</u>	106
<u>location other than the household's address;</u>	107
<u>(4) Depleting the electronic benefit transfer card balance</u>	108
<u>entirely or leaving a small amount, such as less than five</u>	109
<u>dollars;</u>	110
<u>(5) Transactions outside of the household's normal</u>	111
<u>shopping habits over the previous twelve months;</u>	112
<u>(6) Other evidence that supports the signed statement of</u>	113
<u>the recipient attesting that the household had no knowledge of</u>	114
<u>any transaction for which the household is applying for</u>	115
<u>replacement benefits and did not authorize any such transaction.</u>	116
<u>(H) The county department of job and family services may</u>	117
<u>deny an application for replacement benefits for one or more of</u>	118
<u>the following reasons:</u>	119
<u>(1) The household fails to submit the application within</u>	120
<u>the time frame described in division (E)(1) of this section.</u>	121
<u>(2) The application was submitted timely but was</u>	122
<u>incomplete, and the household did not return the completed</u>	123
<u>application within the time frame described in division (E)(2)</u>	124
<u>of this section.</u>	125
<u>(3) The electronic benefit theft occurred before December</u>	126
<u>21, 2024.</u>	127
<u>(4) The household has already had stolen benefits replaced</u>	128
<u>twice during the same fiscal year.</u>	129
<u>(5) Two or more validation claim criteria in division (G)</u>	130
<u>of this section have not been established, as determined by the</u>	131

county department. 132

(6) The household reported a lost or stolen electronic 133
benefit transfer card associated with unauthorized transactions 134
that were not caused by electronic benefit theft. 135

(7) The household gave the electronic benefit transfer 136
card and personal identification number to another person, and 137
that person subsequently stole or misused the household's 138
benefits. 139

(I) A household may request an administrative hearing to 140
contest the denial of replacement benefits or the amount of 141
replacement benefits approved. The household shall request the 142
hearing within ninety calendar days of receiving the decision of 143
the county department of job and family services regarding its 144
application for replacement benefits. The department of job and 145
family services shall not issue replacement benefits to the 146
household while the appeal of the denial or amount is pending. 147

(J) The director of job and family services shall adopt 148
rules to implement this section in accordance with Chapter 119. 149
of the Revised Code. 150

Section 2. All items in this act are hereby appropriated 151
as designated out of any moneys in the state treasury to the 152
credit of the designated fund. For all operating appropriations 153
made in this act, those in the first column are for fiscal year 154
2026 and those in the second column are for fiscal year 2027. 155
The operating appropriations made in this act are in addition to 156
any other operating appropriations made for these fiscal years. 157

Section 3. 158

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A	JFS DEPARTMENT OF JOB AND FAMILY SERVICES		
B	General Revenue Fund		
C	GRF 600568 SNAP Replacement Benefits	\$17,000,000	\$0
D	TOTAL GRF General Revenue Fund	\$17,000,000	\$0
E	TOTAL ALL BUDGET FUND GROUPS	\$17,000,000	\$0
	SNAP REPLACEMENT BENEFITS		160
	The foregoing appropriation item 600568, SNAP Replacement		161
	Benefits, shall be used to replace stolen Supplemental Nutrition		162
	Assistance Program benefits in accordance with section 5101.548		163
	of the Revised Code.		164
	On July 1, 2026, or as soon as possible thereafter, the		165
	Director of Job and Family Services may certify to the Director		166
	of Budget and Management an amount up to the unexpended,		167
	unencumbered balance of the foregoing appropriation item 600568,		168
	SNAP Replacement Benefits, at the end of fiscal year 2026 to be		169
	reappropriated to fiscal year 2027. The amount certified is		170
	hereby reappropriated to the same appropriation item for fiscal		171
	year 2027.		172
	Section 4. Within the limits set forth in this act, the		173
	Director of Budget and Management shall establish accounts		174
	indicating the source and amount of funds for each appropriation		175
	made in this act, and shall determine the manner in which		176
	appropriation accounts shall be maintained. Expenditures from		177
	operating appropriations contained in this act shall be		178
	accounted for as though made in, and are subject to all		179
	applicable provisions of, the main operating appropriations act		180

of the 136th General Assembly. 181

Section 5. This act shall be known as the No Hungry 182
Families Act. 183