

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 608**

**Representative Wiggam**

**Cosponsors: Representatives Becker, Riedel, Schaffer, Hood, Vitale, Retherford,  
Roegner**

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**A BILL**

To amend section 5101.54 and to enact sections 1  
5101.545, 5101.546, 5101.547, and 5101.548 of 2  
the Revised Code regarding eligibility for 3  
Supplemental Nutrition Assistance Program 4  
benefits. 5

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

**Section 1.** That section 5101.54 be amended and sections 6  
5101.545, 5101.546, 5101.547, and 5101.548 of the Revised Code 7  
be enacted to read as follows: 8

**Sec. 5101.54.** (A) The director of job and family services 9  
shall administer the supplemental nutrition assistance program 10  
in accordance with the Food and Nutrition Act of 2008 (7 U.S.C. 11  
2011 et seq.). The department may: 12

(1) Prepare and submit to the secretary of the United 13  
States department of agriculture a plan for the administration 14  
of the supplemental nutrition assistance program; 15

(2) Prescribe forms for applications, certificates, 16  
reports, records, and accounts of county departments of job and 17

family services, and other matters; 18

(3) Require such reports and information from each county 19  
department of job and family services as may be necessary and 20  
advisable; 21

(4) Administer and expend any sums appropriated by the 22  
general assembly for the purposes of the supplemental nutrition 23  
assistance program and all sums paid to the state by the United 24  
States as authorized by the Food and Nutrition Act of 2008; 25

(5) Conduct such investigations as are necessary; 26

(6) Enter into interagency agreements and cooperate with 27  
investigations conducted by the department of public safety, 28  
including providing information for investigative purposes, 29  
exchanging property and records, passing through federal 30  
financial participation, modifying any agreements with the 31  
United States department of agriculture, providing for the 32  
supply, security, and accounting of supplemental nutrition 33  
assistance program benefits for investigative purposes, and 34  
meeting any other requirements necessary for the detection and 35  
deterrence of illegal activities in the supplemental nutrition 36  
assistance program; 37

(7) Adopt rules in accordance with Chapter 119. of the 38  
Revised Code governing employment and training requirements of 39  
recipients of supplemental nutrition assistance program 40  
benefits, including rules specifying which recipients are 41  
subject to the requirements and establishing sanctions for 42  
failure to satisfy the requirements. The rules shall be 43  
consistent with section 5101.545 of the Revised Code. The rules 44  
shall also be consistent with 7 U.S.C. 2015, including its work 45  
and employment and training requirements, and, to the extent 46

practicable, shall provide for the recipients to participate in 47  
work activities, developmental activities, and alternative work 48  
activities described in sections 5107.40 to 5107.69 of the 49  
Revised Code that are comparable to programs authorized by 7 50  
U.S.C. 2015(d)(4). The rules may reference rules adopted under 51  
section 5107.05 of the Revised Code governing work activities, 52  
developmental activities, and alternative work activities 53  
described in sections 5107.40 to 5107.69 of the Revised Code. 54

(8) ~~Adopt~~ Subject to sections 5101.546 and 5101.547 of the 55  
Revised Code, adopt rules in accordance with section 111.15 of 56  
the Revised Code that are consistent with the Food and Nutrition 57  
Act of 2008, as amended, and regulations adopted thereunder 58  
governing the following: 59

(a) Eligibility requirements for the supplemental 60  
nutrition assistance program; 61

(b) Sanctions for failure to comply with eligibility 62  
requirements; 63

(c) Allotment of supplemental nutrition assistance program 64  
benefits; 65

(d) To the extent permitted under federal statutes and 66  
regulations, a system under which some or all recipients of 67  
supplemental nutrition assistance program benefits subject to 68  
employment and training requirements established by rules 69  
adopted under division (A)(7) of this section receive the 70  
benefits after satisfying the requirements; 71

(e) Administration of the program by county departments of 72  
job and family services; 73

(f) Other requirements necessary for the efficient 74  
administration of the program. 75

~~(9) Submit a plan to the United States secretary of agriculture for the department of job and family services to operate a simplified supplemental nutrition assistance program pursuant to 7 U.S.C. 2035 under which requirements governing the Ohio works first program established under Chapter 5107. of the Revised Code also govern the supplemental nutrition assistance program in the case of households receiving supplemental nutrition assistance program benefits and participating in Ohio works first.~~

(B) A household that is entitled to receive supplemental nutrition assistance program benefits and that is determined to be in immediate need of nutrition assistance, shall receive certification of eligibility for program benefits, pending verification, within twenty-four hours, or, if mitigating circumstances occur, within seventy-two hours, after application, if:

(1) The results of the application interview indicate that the household will be eligible upon full verification;

(2) Information sufficient to confirm the statements in the application has been obtained from at least one additional source, not a member of the applicant's household. Such information shall be recorded in the case file, and shall include:

(a) The name of the person who provided the name of the information source;

(b) The name and address of the information source;

(c) A summary of the information obtained.

The period of temporary eligibility shall not exceed one month from the date of certification of temporary eligibility.

If eligibility is established by full verification, benefits 105  
shall continue without interruption as long as eligibility 106  
continues. 107

At the time of application, the county department of job 108  
and family services shall provide to a household described in 109  
this division a list of community assistance programs that 110  
provide emergency food. 111

(C) All applications shall be approved or denied through 112  
full verification within thirty days from receipt of the 113  
application by the county department of job and family services. 114

(D) Nothing in this section shall be construed to prohibit 115  
the certification of households that qualify under federal 116  
regulations to receive supplemental nutrition assistance program 117  
benefits without charge under the Food and Nutrition Act of 118  
2008. 119

(E) Any person who applies for the supplemental nutrition 120  
assistance program shall receive a voter registration 121  
application under section 3503.10 of the Revised Code. 122

**Sec. 5101.545.** (A) The department of job and family 123  
services shall not request a waiver authorized by section 6(o) 124  
(4) of the "Food and Nutrition Act of 2008," 7 U.S.C. 2015(o) 125  
(4). 126

(B) The department shall require individuals subject to 127  
the requirements established under section 6(d)(1) of the "Food 128  
and Nutrition Act of 2008," 7 U.S.C. 2015(d)(1), but not subject 129  
to the requirements established under section 6(o) of the "Food 130  
and Nutrition Act of 2008," 7 U.S.C. 2015(o), to participate in 131  
an employment and training program established under section 132  
6(d)(4) of the "Food and Nutrition Act of 2008," 7 U.S.C. 133

2015(d)(4). 134

Sec. 5101.546. (A) As used in this section, "categorically eligible household" means a household that is categorically eligible for supplemental nutrition assistance program benefits under 7 C.F.R. 273.2(j)(2) or (j)(4). 135  
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(B) The department of job and family services shall not implement the options available under 7 C.F.R. 273.8(e)(19) or 273.9(c)(19). 139  
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(1) The financial resource limits for an eligible household under the supplemental nutrition assistance program shall not exceed the standards specified in section 5(g)(1) of the "Food and Nutrition Act of 2008," 7 U.S.C. 2014(g)(1). 142  
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(2) Unless required by federal law, a household shall not be a categorically eligible household if any members receive or are authorized to receive any noncash, in-kind, or other similar benefit. 146  
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Sec. 5101.547. The department of job and family services shall implement the options authorized under 7 C.F.R. 273.11(o) and (p), under which certain individuals, as a condition of eligibility for supplemental nutrition assistance program benefits, must cooperate with the department regarding establishing paternity and establishing, modifying, and enforcing a child support order. 150  
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Sec. 5101.548. The department of job and family services shall adopt rules in accordance with Chapter 119. of the Revised Code to implement sections 5101.545 to 5101.547 of the Revised Code. 157  
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**Section 2.** That existing section 5101.54 of the Revised Code is hereby repealed. 161  
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