

House Bill 1006

By: Representatives Clark of the 98th, Cooper of the 43rd, Hightower of the 68th, LaRiccia of the 169th, Casas of the 107th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 17 of Title 2 of the Official Code of Georgia Annotated, the "Georgia
2 State Nutrition Assistance Program (SNAP)," so as to require additional information
3 regarding participants for annual reports related to the program; to provide sanctions; to
4 authorize contracting for eligibility data verification services; to amend Article 9 of Chapter
5 4 of Title 49 of the Official Code of Georgia Annotated, the "Temporary Assistance for
6 Needy Families Act," so as to revise the duration of temporary assistance for needy families;
7 to revise sanctions; to provide for annual reports; to authorize contracting for eligibility data
8 verification services; to amend Article 1 of Chapter 27 of Title 50 of the Official Code of
9 Georgia Annotated, relating to general provisions relative to lottery for education, so as to
10 provide for monthly reports to the Department of Agriculture and the Department of Human
11 Services and the confidentiality of same; to provide for related matters; to provide for an
12 effective date; to repeal conflicting laws; and for other purposes.

13 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

14 **SECTION 1.**

15 Chapter 17 of Title 2 of the Official Code of Georgia Annotated, the "Georgia State Nutrition
16 Assistance Program (SNAP)," is amended by revising Code Section 2-17-5, relating to
17 annual reports, as follows:

18 "2-17-5.

19 Within 90 days of the conclusion of the state's fiscal year, any entity with which the
20 department has contracted for the operation of the program shall submit to the department
21 an annual report which shall account fully for and shall specify the expenditure of funds
22 made pursuant to the program, ~~the dollar value of Georgia products distributed, the number~~
23 ~~of people and households served in each county, and the type and weight of food~~
24 ~~purchased~~. Within 180 days of the end of the state's fiscal year, the Commissioner shall
25 submit an annual report to the Governor, the President of the Senate, and the Speaker of
26 the House of Representatives. Such report shall include, but not be limited to, relevant

27 information concerning the operation of the program for the preceding fiscal year; the
 28 quantity and dollar value of Georgia products distributed; the number of people and
 29 households served in each county; the mean, median, and mode of the amount of time
 30 program participants are provided assistance; the number of program participants who
 31 concurrently received other types of public assistance and the types of public assistance;
 32 and the type and weight of food purchased."

33 SECTION 2.

34 Said chapter is further amended by adding two new Code sections to read as follows:

35 "2-17-5.1.

36 (a) As used in this Code section, the term 'sanction' means a 100 percent reduction of any
 37 assistance provided to a program participant for three months for the first material
 38 violation, six months for the second material violation, one year for the third material
 39 violation, and termination of any assistance provided to the program participant for a fourth
 40 material violation within a time period established by the board; provided, however, that
 41 the department may determine that there is good cause not to apply such a sanction in
 42 specific circumstances.

43 (b) A program participant shall be subject to sanction for failing to comply with the state
 44 plan if the program participant:

45 (1) Violates any personal responsibility or work participation requirement; provided,
 46 however, that a single custodial parent with a child under 12 months of age may be
 47 exempt from any work participation requirement until adequate child care is available;

48 (2) Except for violations of this chapter which result in the program participant no longer
 49 being eligible for assistance, violates any other term or condition specified in the federal
 50 Social Security Act, as amended, the state plan, or the rules and regulations of the board;
 51 or

52 (3) Fails to pay child support as required by Chapter 6 of Title 19 or by any similar law
 53 of any other state.

54 2-17-5.2.

55 (a) No later than January 1, 2017, the department shall procure and enter into a
 56 competitively bid contract with a contractor to provide verification of initial and ongoing
 57 eligibility data for assistance under the program. The contractor shall conduct data matches
 58 using the name, date of birth, address, social security number of each applicant and
 59 program participant, and additional data provided by the applicant or program participant
 60 relevant to eligibility against public records and other relevant data sources to verify
 61 eligibility data.

62 (b) The contractor, upon completing an eligibility data verification of an applicant or
 63 program participant, shall notify the department of the results, except that the contractor
 64 shall not verify the eligibility of persons residing in long-term care facilities whose income
 65 and resources were at or below the applicable financial eligibility standards at the time of
 66 their last review. Within 20 business days of such notification, the department shall make
 67 an eligibility determination. The department shall retain final authority over eligibility
 68 determinations. The contractor shall keep a record of all eligibility data verifications
 69 communicated to the department.

70 (c) Within 30 days of the end of each calendar year, the department and contractor shall
 71 file a joint report on a yearly basis to the Governor, the President of the Senate, and the
 72 Speaker of the House of Representatives. The report shall include, but shall not be limited
 73 to, the number of applicants and program participants determined ineligible for assistance
 74 programs based on the eligibility data verification by the contractor and the stated reasons
 75 for the determination of ineligibility by the department."

76 **SECTION 3.**

77 Article 9 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, the "Temporary
 78 Assistance for Needy Families Act," is amended by revising subsection (b) of Code Section
 79 49-4-182, relating to creation of the Temporary Assistance for Needy Families Program, as
 80 follows:

81 "(b) Assistance shall be provided in accordance with the state plan and any future
 82 amendments thereto. Cash assistance to a recipient who is not a minor child and who is a
 83 head of a household or married to the head of a household shall be limited to a lifetime
 84 maximum of ~~48~~ 12 months, whether or not consecutive, beginning January 1, 1997."

85 **SECTION 4.**

86 Said article is further amended by revising subsection (a) of Code Section 49-4-185, relating
 87 to sanctions, as follows:

88 "(a) As used in this Code section, the term 'sanction' means a ~~25~~ 100 percent reduction of
 89 any cash assistance provided to a family for a time period established by the board for the
 90 first material violation and termination of any cash assistance provided to the family for
 91 any subsequent material violation within a time period established by the board; provided,
 92 however, that the department may determine that there is good cause not to apply such a
 93 sanction in specific circumstances."

94 **SECTION 5.**

95 Said article is further amended by adding two new Code sections to read as follows:

96 "49-4-194.
 97 Within 90 days of the conclusion of the state's fiscal year, the department shall produce an
 98 annual report which shall account fully for and shall specify the expenditure of funds made
 99 pursuant to the program. Within 180 days of the end of the state's fiscal year, the
 100 Commissioner shall submit an annual report to the Governor, the President of the Senate,
 101 and the Speaker of the House of Representatives. Such report shall include, but not be
 102 limited to, relevant information concerning the operation of the program for the preceding
 103 fiscal year; the quantity and dollar value of Georgia products distributed; the number of
 104 recipients served in each county; the mean, median, and mode of the amount of time
 105 recipients are served; and the number of recipients who concurrently received other types
 106 of public assistance and the types of public assistance.

107 49-4-195.

108 (a) No later than January 1, 2017, the department shall procure and enter into a
 109 competitively bid contract with a contractor to provide verification of initial and ongoing
 110 eligibility data for assistance under the Georgia TANF Program. The contractor shall
 111 conduct data matches using the name, date of birth, address, social security number of each
 112 applicant and recipient, and additional data provided by the applicant or recipient relevant
 113 to eligibility against public records and other relevant data sources to verify eligibility data.

114 (b) The contractor, upon completing an eligibility data verification of an applicant or
 115 recipient, shall notify the department of the results, except that the contractor shall not
 116 verify the eligibility of persons residing in long-term care facilities whose income and
 117 resources were at or below the applicable financial eligibility standards at the time of their
 118 last review. Within 20 business days of such notification, the department shall make an
 119 eligibility determination. The department shall retain final authority over eligibility
 120 determinations. The contractor shall keep a record of all eligibility data verifications
 121 communicated to the department.

122 (c) Within 30 days of the end of each calendar year, the department and contractor shall
 123 file a joint report on a yearly basis to the Governor, the President of the Senate, and the
 124 Speaker of the House of Representatives. The report shall include, but shall not be limited
 125 to, the number of applicants and recipients determined ineligible for assistance programs
 126 based on the eligibility data verification by the contractor and the stated reasons for the
 127 determination of ineligibility by the department."

128 **SECTION 6.**

129 Article 1 of Chapter 27 of Title 50 of the Official Code of Georgia Annotated, relating to
 130 general provisions relative to lottery for education, is amended by revising Code Section

131 50-27-29, relating to agreements with agencies of other jurisdictions and restriction on
 132 release of records, documents, and information, as follows:

133 "50-27-29.

134 (a) The corporation may enter into intelligence sharing, reciprocal use, or restricted use
 135 agreements with the federal government, law enforcement agencies, lottery regulation
 136 agencies, and gaming enforcement agencies of other jurisdictions which provide for and
 137 regulate the use of information provided and received pursuant to the agreement.

138 (b) Records, documents, and information in the possession of the corporation received
 139 pursuant to an intelligence-sharing, reciprocal use, or restricted use agreement entered into
 140 by the corporation with a federal department or agency, any law enforcement agency, or
 141 the lottery regulation or gaming enforcement agency of any jurisdiction shall be considered
 142 investigative records of a law enforcement agency and are not subject to Article 4 of
 143 Chapter 18 of this title and shall not be released under any condition without the permission
 144 of the person or agency providing the record or information.

145 (c)(1) Notwithstanding subsection (b) of this Code section, the corporation shall provide
 146 to the Department of Human Services and the Department of Agriculture monthly written
 147 reports no later than the twentieth day of each month listing the names, addresses, and
 148 winning amounts of all individuals who during the prior calendar month claimed
 149 winnings in excess of \$1,000.00.

150 (2) The written reports provided to the Department of Human Services and the
 151 Department of Agriculture from the corporation in accordance with subsection (c) of this
 152 Code section shall retain their confidentiality and shall only be used in the administration
 153 of public benefits pursuant to Chapter 17 of Title 2 and Chapter 4 of Title 49. Any
 154 employee or prior employee of any state agency who unlawfully discloses any such
 155 information for any other purpose, except as otherwise specifically authorized by law,
 156 shall be subject to the same penalties specified by law for unauthorized disclosure of
 157 confidential information by an agent or employee of the corporation."

158 **SECTION 7.**

159 This Act shall become effective upon its approval by the Governor or upon its becoming law
 160 without such approval.

161 **SECTION 8.**

162 All laws and parts of laws in conflict with this Act are repealed.