

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL DRS55037-LU-70D

Short Title: SNAP Eligibility/Drug Felony Convictions. (Public)

Sponsors: Senators Waddell and Bazemore (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW INDIVIDUALS CONVICTED OF CONTROLLED SUBSTANCE
3 FELONY OFFENSES TO BE ELIGIBLE FOR THE SUPPLEMENTAL NUTRITION
4 ASSISTANCE PROGRAM (SNAP).

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 108A-25.2 reads as rewritten:

7 "§ 108A-25.2. Exemption from limitations for Work First Program for individuals
8 convicted of certain drug-related felonies.felonies; exemption for food and
9 nutrition services benefits for any drug-related felonies.

10 (a) Individuals convicted of Class H or I controlled substance felony offenses in this State
11 shall be eligible to participate in the Work First ~~Program and the food and nutrition services~~
12 ~~program:Program:~~

- 13 (1) Six months after release from custody if no additional controlled substance
14 felony offense is committed during that period and successful completion of
15 or continuous active participation in a required substance abuse treatment
16 program determined appropriate by the area mental health authority; or
17 (2) If not committed to custody, six months after the date of conviction if no
18 additional controlled substance felony offense is committed during that period
19 and successful completion of or continuous active participation in a required
20 substance abuse treatment program determined appropriate by the area mental
21 health authority.

22 A county department of social services shall require individuals who are eligible for Work
23 First Program assistance ~~and electronic food and nutrition benefits~~ pursuant to this section
24 subsection to undergo substance abuse treatment as a condition for receiving Work First ~~Program~~
25 ~~or electronic food and nutrition benefits, Program~~ assistance, if funds and programs are available
26 and to the extent allowed by federal law.

27 (b) Pursuant to the exemption option granted the State under 21 U.S.C. § 862a(d)(1), an
28 individual convicted of a controlled substance felony offense shall be eligible to participate
29 immediately in the food and nutrition services program if all of the following conditions are
30 satisfied:

- 31 (1) After the individual has been released from custody or is satisfactorily serving
32 a probation sentence.
33 (2) The individual is enrolled in a substance abuse treatment program.

34 Food and nutrition benefits pursuant to this subsection shall begin when the individual shows
35 proof of enrollment in a substance abuse treatment program. The individual shall show proof of
36 completion to maintain benefits. If the individual does not show proof of completion, the county



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1 department of social services may suspend or discontinue the individual's benefits until the
2 individual can prove successful completion of a substance abuse treatment program to the extent
3 allowed by federal law."

4 **SECTION 2.** This act becomes effective January 1, 2022, and applies to felony
5 offenses committed on or after that date.