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SENATE BILL NO. 1129

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Rehabilitation and Social Services)

(Patron Prior to Substitute—Senator Locke)

Senate Amendments in [] - January 31, 2019

A BILL to amend and reenact § 63.2-505.2 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 63.2-607.1, relating to eligibility for food stamps and TANF; drug-related felonies.

Be it enacted by the General Assembly of Virginia:

1. That § 63.2-505.2 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 63.2-607.1 as follows:

§ 63.2-505.2. Eligibility for food stamps; drug-related felonies.

A person who is otherwise eligible to receive food stamp benefits shall be exempt from the application of section § 115(a) of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193, and shall not be denied such assistance solely because he has been convicted of a drug-related felony offense of possession of a controlled substance in violation of § 18.2-250, provided that such person is complying with, or has already complied with, all obligations imposed by the criminal court, is actively engaged in or has completed a substance abuse treatment program, participates in periodic drug screenings, and meets any other obligations as determined by the Department.

§ 63.2-607.1. Eligibility for TANF; drug-related felonies.

A person who is otherwise eligible to receive TANF assistance shall be exempt from the application of § 115(a)(1) of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193, and shall not be denied such assistance solely because he has been convicted of a drug-related felony, provided that such person is complying with, or has already complied with, all obligations imposed by the criminal court, is actively engaged in or has completed a substance abuse treatment program, participates in periodic drug screenings, and meets any other obligations as determined by the Department.

[2. That the provisions of this act shall not become effective unless an appropriation effectuating the purposes of this act is included in a general appropriation act passed in 2019 by the General Assembly that becomes law.]

ENGROSSED

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