

HOUSE No. 3773

Section 97 contained in the engrossed Bill making appropriations for the fiscal years 2011 and 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 3737, amended), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see House, No. 3774). October 31, 2011.



The Commonwealth of Massachusetts

IN THE YEAR TWO THOUSAND ELEVEN

AN ACT ESTABLISHING A SPECIAL COMMISSION TO STUDY ELECTRONIC BENEFIT TRANSFERS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish a special commission, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Notwithstanding any general or special law to the contrary, there shall be a special
2 commission to study and report on the use of electronic benefit transfer, or EBT, cards. The
3 commission shall consist of the commissioner of transitional assistance, or a designee; the
4 inspector general, or a designee; 2 members of the house of representatives, 1 of whom shall be
5 appointed by the minority leader; and 2 members of the senate, 1 of whom shall be appointed by
6 the minority leader. The scope of the commission shall include, but not be limited to,
7 researching and evaluating the following: the use of EBT cards for the purchase of products

8 other than those products for which they are intended to be used, such as firearms, tobacco,
9 lottery tickets and alcohol; the frequency and location of out-of-state card use; the in-state stores
10 where cards are used; the proportion of one month's EBT cash assistance that is withdrawn from
11 ATM machines rather than used in stores to directly purchase products; and the costs associated
12 with requiring the department to include, on the front of each newly issued, re-issued and
13 existing EBT cards, a photograph of the cardholder. The commission shall research, assess and
14 develop recommendations regarding the best method of preventing the inappropriate use of EBT
15 cards, including implementing a monthly limit to the amount of EBT cash assistance that a
16 recipient of cash assistance can withdraw from ATMs and the feasibility of prohibiting the
17 purchase of certain items by restricting the ability of EBT cards to be used in purchasing those
18 items. The commission shall also study and research the implementation of requiring stores to
19 apply to accept EBT cards. The commission shall submit a final report of its findings and
20 recommendations, together with drafts of legislation necessary to implement those
21 recommendations, by filing the same with the clerks of the senate and house not later than April
22 1, 2012.