

Summary of Pending State Bills that Would Change or Restrict Use of EBT Cards as of 5/3/13

| Column1 | Column2 | Column3 | Column4 |
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| State | Bill Number | Summary | Worth Noting |
| AL | S7 | Prohibits purchase of alcohol, tobacco and lottery tickets with public benefits | |
| AZ | H 2205 | Places restrictions on use of ATMs or POS terminals for public assistance. | Liquor store owners could have their licenses revoked or suspended for violating law. |
| CA | A 832 | Would require all c-stores and California state college bookstores to accept EBT | |
| CA | S 206 | Requires a systemic solution for preventing EBT cards from being used to purchase alcohol or tobacco | Mandates a systemic approach to complying with federal law; specifically exempts SNAP from the bill |
| FL | S 1048 | Provides that EBT cards can't be used at certain stores licenses under state's Beverage Act, an adult entertainment location, or a pari-mutuel facility | Also prohibits use of EBT in Internet cafes offering game promotions, bingo parlors casinos, slots parlors, or other gaming businesses. |
| GA | H 138 | Prohibits Tanf EBT transactions in "certain retail establishments" to be determined | Also provides for reporting of suspected abuse, investigations, and sanctions |
| GA | H 181 | Would prohibit "the use of EBT cards in automated teller machines to obtain cash," no exceptions noted | |
| HI | H 1113 | Requires federal waiver to study the feasibility of including a cardholder photo on an EBT card | Photo IDs |
| IL | H 1235 | Would require photos on all EBT cards issued on or after effective date of bill | Photo IDs. Would only apply to new cards |
| IL | 2784 | Restricts purchases by Tanf recipients | Restricted items for purchase would be alcohol, lottery tickets firearms or ammo, admission to any entertainment performance, gambling or rental goods |
| IL | H 3174 | Require the Department of Corrections to share data with the Department of Human Services for the purpose of preventing inmates from receiving welfare benefits | IDOC inmates would have their public aid immediately suspended upon entering the penal institution. Processors would be required to immediately de-activate the card |
| IL | S 1551 | Would require IDHS to seek a federal waiver in order to print recipients' photos on EBT cards | Requires IDHS to obtain multiple quotes for the cost of replacing every EBT card with a photo ID (unlike H 1235, which would apply only to new EBT cards) |
| IN | S 413 | Would require prevention of EBT card use in certain unspecified locations | Requires a systemic solution to blocking. Makes violations of this law misdemeanor offenses. |

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| IN | S 559 | Establishes procedures for filing a civil action against those who commit Medicaid fraud. | Also related to EBT fraud, requires national criminal background checks, and requires an audit and inspection of the school lunch program |
| KY | S 179 | Restricts purchases by public assistance recipients | Sets fines for violations |
| MA | H 90 | Would require photos on EBT cards | Photo ID bill |
| MA | H 3288 | Sets reporting requirements for public benefit receipts, with respect to EBT | |
| MO | H 156 | Specifies that Tanf recipients who uses their cards in a casino or gaming establishment will be ineligible for benefits for 3 years | Mandates benefits suspension |
| MO | H 297 | Seeks federal waiver to use Photo ID EBT cards for Snap | Update: The state has determined that the use of the photo ID card is not cost beneficial. |
| NJ | A 3440 | Restricts use of EBT cards by "cash assistance" recipients in casinos, adult entertainment venues and liquor stores | |
| NM | H12 | Restricts use of EBT in liquor stores, gaming establishments and "other specified locations" | |
| NV | S 381 | Prevents recipients of certain public assistance benefits from using them for "certain purposes" | |
| NY | A 2386 | One of 5 bills introduced in NY, A2386 would establish the Public Assistance Integrity Act which would prohibit the sale or purchase of alcoholic beverages tobacco products or lottery tickets with public assistance by means of an EBT transaction at a liquor store, casino or adult entertainment facility | |
| NY | A 3050 | Prohibits ATMs or POS terminals from accepting EBT cards in proscribed locations | Would require a systemic solution |
| NY | S 2099 | Creates the "senior benefits card program," which would encourage seniors to purchase healthy and appropriate foods as a discounted price | Establishes a new entitlement for seniors; similar to recently completed "healthy foods initiative" pilot in Mass. |
| OR | H 3017 | Requires any FI holding a prepaid card contract with the state to disclose any cardholder fees associate with that card to cardholders and to the state agency | Requires prepaid card fee disclosure for government card programs |

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| OR | H 3252 | With certain exceptions would require Snap recipients to show photo ID when making a purchase. | Would require USDA approval of a demonstration project. Does not specifically require a photo on the EBT card; says only "requires (EBT) card to display photographs of all adults who are authorized to make transactions; would also exempt seniors and the disabled from participating in the demonstration project |
| PA | H 487 | Amends the current photo ID Public Welfare Code; provides for an "Assistance Recipient Identification Program" for local county administrative offices | Could reinstitute photo IDs for Pa. assistance recipients |
| PA | H 907 | Provides for prohibited use of public assistance funds | |
| RI | H 5029 | One of 5 bills pending in Rhode Island, it would require photo IDs on all EBT cards | Photo ID bill |
| RI | H 5411 | Codifies federal prohibitions on the use of Tanf benefits | Would also require cardholders who violate the law to reimburse the state |
| RI | H 5646 | Would require retailers to examine Photo ID to verify a buyer presenting an EBT card | Unlike H 5029 it would not specifically mandate Photo IDs on the EBT cards. Would also provide a one-month suspension from the Snap program for retailers who fail to verify identity. Unclear how the state can suspend a retailer since certification for the program is done by USDA. |
| TN | H 119 | One of 10 bills introduced into the /Rhode Island legislature, it would prohibit recipients of public assistance from using EBT cards to purchase proscribed products at proscribed locations | |
| TN | H 170 | TDHS would be required to investigate fraud, theft and misconduct in department programs. | Would administratively set rules for preventing EBT transactions from occurring in proscribed locations |
| TN | H 456 | Requires photo identification of the head of household when making purchases with Snap or Tanf benefits | Does not specifically say the Department will issue new Photo ID cards |
| TN | H 547 | Would have provided prohibitions similar to the federal law, although the billed failed to garner support in committee | Would have extended the list of prohibited purchases with EBT cards to firearms, vacation services, rent-to-own stores, payment of court-ordered fees. Certain specifics could re-emerge in another bill. |

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| TX | S11 | Would provide drug testing for those applying for public assistance. | Drug testing bill |
| TX | S 911 | Would require photo identification to access Tanf cash benefits | Photo ID bill |
| UT | H 209 | Provides federal prohibitions | Would also make changes concerning public information with regard to surcharges on electronic funds transfer (<i>not restricted to EBT</i>) transactions. |
| VA | H 1577 | Provides federal prohibitions | Extends prohibitions to body piercing, tattooing, and any adult entertainment |
| VA | H 2153 | Provides federal prohibitions | Extends prohibitions to pari-mutuel wagering, charitable gaming, or other forms of adult entertainment |
| WA | S 5279 | Prohibits the use of EBT cards or the cash obtained through EBT transactions from being used to purchase marijuana or marijuana paraphernalia. Prohibits any retail liquor license holder from accepting EBT for purchases. | Designed to prevent the practice of accessing the cash in a non-prohibited location and using it in a prohibited one. Also puts the burden restricting EBT purchases for alcohol on the retailer, rather than the cardholder |

Source: National Council of State

Legislatures
