



Reprinted
March 29, 2011

HOUSE BILL No. 1142

DIGEST OF HB 1142 (Updated March 28, 2011 7:24 pm - DI 14)

Citations Affected: IC 11-10; IC 12-14.

Synopsis: Access to supplemental nutrition assistance. Provides that an individual who has been convicted of a felony involving a controlled substance and who has completed or is participating in certain substance abuse treatment programs may receive assistance under the federal Supplemental Nutrition Assistance Program. Requires the department of correction to assist an offender in applying for supplemental nutrition assistance.

Effective: July 1, 2011.

Smith V, Dermody, Foley

January 6, 2011, read first time and referred to Committee on Courts and Criminal Code.
February 17, 2011, reported — Do Pass.
March 28, 2011, read second time, amended, ordered engrossed.

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HB 1142—LS 6668/DI 107+



First Regular Session 117th General Assembly (2011)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2010 Regular Session of the General Assembly.

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HOUSE BILL No. 1142

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 11-10-12-5, AS ADDED BY P.L.161-2007,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2011]: Sec. 5. (a) The department shall assist a committed
4 offender in applying for assistance under the federal Temporary
5 Assistance for Needy Families (TANF) program (45 CFR 260 et seq.)
6 **and the federal Supplemental Nutrition Assistance Program (7**
7 **U.S.C. 2011 et seq.)** so that the committed offender might be eligible
8 for assistance when the offender is subsequently:
9 (1) released on parole;
10 (2) assigned to a community transition program; or
11 (3) discharged from the department.
12 (b) The department shall provide the assistance described in
13 subsection (a) in sufficient time to ensure that the committed offender
14 will be able to receive assistance at the time the committed offender is:
15 (1) released on parole;
16 (2) assigned to a community transition program; or
17 (3) discharged from the department.

HB 1142—LS 6668/DI 107+



1 SECTION 2. IC 12-14-30 IS ADDED TO THE INDIANA CODE
2 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2011]:

4 **Chapter 30. Supplemental Nutrition Assistance for Certain**
5 **Offenders**

6 **Sec. 1. An individual who:**

7 (1) except for 21 U.S.C. 862a(a), meets the federal and Indiana
8 Supplemental Nutrition Assistance Program requirements;

9 (2) has been convicted of an offense under federal or state law
10 that:

11 (A) is classified as a felony; and

12 (B) has as an element the possession or use of a controlled
13 substance (as defined in 21 U.S.C. 802(6)); and

14 (3) either has completed or is participating in a substance
15 abuse treatment program certified by the division of mental
16 health and addiction;

17 is eligible to receive assistance under the Supplemental Nutrition
18 Assistance Program.

19 **Sec. 2. In accordance with 21 U.S.C. 862a(d)(1), the state elects**
20 **to opt out of the application of 21 U.S.C. 862a(a) for an individual**
21 **who has completed or is participating in a substance abuse**
22 **treatment program as described in section 1(a)(3) of this chapter.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1142, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

STEUERWALD, Chair

Committee Vote: yeas 8, nays 0.

HOUSE MOTION

Mr. Speaker: I move that House Bill 1142 be amended to read as follows:

Page 2, line 15, delete ";" and insert "**certified by the division of mental health and addiction;**".

(Reference is to HB 1142 as printed February 18, 2011.)

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