

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 730

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM; AMENDING CHAP-
2 TER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-205A,
3 IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING SUPPLEMENTAL NUTRITION
4 ASSISTANCE PROGRAM INTEGRITY MEASURES; AMENDING SECTION 56-211, IDAHO
5 CODE, TO REVISE PROVISIONS REGARDING VERIFICATION FOR THE SUPPLEMENTAL
6 NUTRITION ASSISTANCE PROGRAM; AND DECLARING AN EMERGENCY AND PROVIDING
7 AN EFFECTIVE DATE.
8

9 Be It Enacted by the Legislature of the State of Idaho:

10 SECTION 1. That Chapter 2, Title 56, Idaho Code, be, and the same is
11 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
12 ignated as Section 56-205A, Idaho Code, and to read as follows:

13 56-205A. SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM INTEGRITY
14 MEASURES. (1) The department of health and welfare shall enter into a
15 data-matching agreement with the Idaho state lottery commission to identify
16 households with lottery winnings of three thousand dollars (\$3,000) or more
17 and, to the extent permissible under federal law, shall treat this data as
18 verified upon receipt. To the extent that the data may not be verified upon
19 receipt, the department shall make referrals for further investigation to
20 identify households with winnings equal to or greater than the resource
21 limit for elderly or disabled households as defined in 7 U.S.C. 2014(g)(1).
22 The department shall promptly disenroll from the supplemental nutrition as-
23 sistance program (SNAP) any household with winnings equal to or greater than
24 the resource limit for elderly or disabled households.

25 (2) On at least a monthly basis, the department of health and welfare
26 shall:

27 (a) Review information from the bureau of vital records and health sta-
28 tistics concerning individuals in households enrolled in SNAP that in-
29 dicates a change in circumstances that may affect eligibility for SNAP,
30 including but not limited to death records;

31 (b) Receive and review information concerning individuals in house-
32 holds enrolled in SNAP that indicates a change in circumstances that
33 may affect eligibility for SNAP, including but not limited to potential
34 changes in residency as identified by out-of-state electronic benefit
35 transfer transactions;

36 (c) Receive and review information from the state department of cor-
37 rection concerning individuals in households enrolled in SNAP that in-
38 dicates a change in circumstances that may affect eligibility for SNAP,
39 including but not limited to incarceration status; and

40 (d) To assess continued eligibility and act on findings, review and act
41 on the following data from federal sources:

1 (i) Earned income information, death register information, in-
2 carceration records, supplemental security income information,
3 beneficiary records, earnings information, and pension informa-
4 tion maintained by the United States social security administra-
5 tion;

6 (ii) Income and employment information maintained in the national
7 directory of new hires database and child support enforcement data
8 maintained by the United States department of health and human
9 services;

10 (iii) Payment and earnings information maintained by the United
11 States department of housing and urban development;

12 (iv) National fleeing felon information maintained by the federal
13 bureau of investigation; and

14 (v) Address change information maintained in the United States
15 postal service national change of address database.

16 (3) On at least a quarterly basis, the department of health and welfare
17 shall:

18 (a) Receive and review information from the department of labor con-
19 cerning individuals in households enrolled in SNAP that indicates a
20 change in circumstances that may affect eligibility for SNAP, including
21 but not limited to changes in employment or wages; and

22 (b) Receive and review information from the state tax commission con-
23 cerning individuals in households enrolled in SNAP that indicates a
24 change in circumstances that may affect eligibility for SNAP, including
25 but not limited to potential changes in income, wages, or residency as
26 identified by tax records.

27 (4) On at least a biannual basis, the department of health and welfare
28 shall make available to the public on its website data from findings of non-
29 compliance and fraud investigations in SNAP for the following aggregate,
30 nonconfidential, and non-personally identifying information:

31 (a) The number of households investigated for intentional program vio-
32 lations or fraud;

33 (b) The total number of households referred for prosecution to the at-
34 torney general's office and United States attorney's office;

35 (c) Improper payments and expenditures;

36 (d) Moneys recovered;

37 (e) Aggregate data concerning improper payments and ineligible recipi-
38 ents as a percentage of those investigated and reviewed; and

39 (f) The aggregate amount of funds expended by electronic benefit trans-
40 fer card transactions in each state outside of Idaho.

41 (5) If the department of health and welfare receives information con-
42 cerning an individual receiving SNAP benefits that indicates a change in
43 circumstances that may affect eligibility for SNAP, the department shall
44 review the household's case.

45 (6) In no case shall categorical eligibility under 7 U.S.C. 2014(a) or
46 7 CFR 273.2(j)(2)(ii) be granted for any noncash, in-kind, or other benefit,
47 unless expressly required by federal law for SNAP.

48 (7) The department of health and welfare shall not apply gross income
49 standards for SNAP higher than the standards specified in 7 U.S.C. 2014(c)
50 or allowable financial resources higher than the standards specified in 7

1 U.S.C. 2014(g) (1), other than financial resources described in 7 U.S.C.
 2 2014(g) (2) (D), unless expressly required by federal law. Exempting house-
 3 holds from such gross income standards or allowable financial resource
 4 standards shall not be granted, unless expressly required by federal law.

5 (8) The department of health and welfare may apply alternate vehicle
 6 allowance standards authorized by 7 U.S.C. 2014(g) (2) (D) .

7 (9) The department of health and welfare shall assign certification pe-
 8 riods no greater than four (4) months to households with zero (0) net income,
 9 households that include an able-bodied adult without dependents, and other
 10 households whose circumstances are determined by the department to be unsta-
 11 ble, unless otherwise prohibited by federal law.

12 (10) The department of health and welfare shall assign certification
 13 periods of one (1) to two (2) months to households that the department deter-
 14 mined will become ineligible for SNAP in the near future, unless otherwise
 15 prohibited under federal law.

16 SECTION 2. That Section 56-211, Idaho Code, be, and the same is hereby
 17 amended to read as follows:

18 56-211. APPLICATION FOR PUBLIC ASSISTANCE -- VERIFICATION FOR ~~FEDERAL~~
 19 ~~FOOD STAMP~~ SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM. (1) Application for
 20 public assistance under this ~~act~~ section shall be made in the manner and form
 21 prescribed by the state department and the application shall contain such
 22 information bearing on the applicant's eligibility as the state department
 23 may require and as required in ~~subsection (2) of~~ this section.

24 (2) Applicants seeking benefits under the ~~federal food stamp~~
 25 supplemental nutrition assistance program (SNAP) shall verify to the state
 26 department the identity of each household member the applicant lists on
 27 the application for such benefits. Identification may be verified either
 28 through readily available documentary evidence, such as a birth certifi-
 29 cate, or through a collateral contact as set forth in federal law, 7 CFR
 30 273.2. Upon a showing of good cause by the applicant as to why such doc-
 31 umentary evidence or collateral contact has not been provided, the state
 32 department shall grant an extension and the applicant may receive the pub-
 33 lic assistance for which he or she has applied for one (1) month. A showing
 34 of good cause shall be required each month the applicant fails to provide
 35 the state department with the required documentary evidence or collateral
 36 contact. Good cause is not shown where a delay in providing documentary
 37 evidence or providing a collateral contact is due to illness, lack of trans-
 38 portation or temporary absences. The provisions of this subsection shall
 39 not apply to applicants who provide, or who have previously provided, a docu-
 40 ment as set forth in section 67-7903 (4) (b) (viii) or (ix), Idaho Code.

41 (3) Pursuant to 7 U.S.C. 2015(f), no individual shall be eligible to re-
 42 ceive SNAP benefits unless the individual is a resident of the United States
 43 and is:

44 (a) A citizen or national of the United States;

45 (b) An alien lawfully admitted for permanent residence as an immigrant,
 46 as defined in 8 U.S.C. 1101(a) (15) or 1101(a) (20), excluding alien
 47 visitors, tourists, diplomats, students, or other individuals admit-
 48 ted temporarily without intent to abandon their residence in a foreign
 49 country;

1 (c) An alien who has been granted the status of Cuban or Haitian en-
2 trant, as defined in section 501(e), P.L. 96-422; or

3 (d) An individual lawfully residing in the United States in accordance
4 with a compact of free association pursuant to 8 U.S.C. 1612(b) (2) (G) .

5 (4) The department shall verify the eligibility for SNAP of applicants
6 and enrollees pursuant to subsection (3) of this section as follows:

7 (a) If an individual is not a citizen or national of the United States
8 but is eligible to receive SNAP benefits pursuant to subsection (3) of
9 this section, the department shall be required to verify eligible alien
10 status using the systematic alien verification for entitlements (SAVE)
11 program during enrollment and each eligibility recertification. If
12 SAVE verification is unsuccessful, the individual shall submit accept-
13 able documentation to verify eligible alien status, including but not
14 limited to a permanent resident card, an employment authorization doc-
15 ument, or other official documentation issued by a federal government
16 agency, as determined by the department.

17 (b) If an individual is a citizen or national of the United States for
18 the purposes of eligibility pursuant to subsection (3) of this section,
19 the department shall verify such citizenship or nationality during en-
20 rollment using secure and verifiable documentation, including but not
21 limited to a certified birth certificate, a United States passport, a
22 certificate of naturalization, a certificate of citizenship, or a con-
23 sular report of birth abroad. Verification at recertification shall be
24 required only if the department has reason to question the individual's
25 previously verified citizenship or nationality.

26 (5) If verification confirms that an applicant or enrollee for SNAP is
27 not lawfully present in the United States or no longer qualifies pursuant to
28 this section or any successor provision of state or federal law, the depart-
29 ment shall immediately terminate future SNAP benefits and initiate disen-
30 rollment.

31 (6) The department shall submit to the United States department of
32 agriculture information concerning any household member for whom it is un-
33 able to verify eligible citizenship or ineligible alien status pursuant to 7
34 U.S.C. 2015(f) and this section, regardless of whether such household member
35 is applying to participate in the program as a member of such household.

36 (7) When administering SNAP, the department shall:

37 (a) Consider the entire income and financial resources of any individ-
38 ual rendered ineligible for participation in SNAP pursuant to 7 U.S.C.
39 2015(f) and subsection (3) of this section when determining the eligi-
40 bility and benefit allotment of the household of which such individual
41 is a member; and

42 (b) Notwithstanding any options provided pursuant to 7 CFR
43 273.11(c) (3), not prorate or exclude the income or financial resources
44 of ineligible aliens pursuant to 7 U.S.C. 2015(f) and subsection (3) of
45 this section. All such income and resources shall be fully considered.

46 ~~(3)~~ (8) The state department may promulgate rules, subject to legisla-
47 tive approval, to implement the provisions of this section.

48 SECTION 3. An emergency existing therefor, which emergency is hereby
49 declared to exist, this act shall be in full force and effect on and after
50 July 1, 2026.