

REFERENCE TITLE: food stamps; benefit cards; penalty

State of Arizona
House of Representatives
Fiftieth Legislature
First Regular Session
2011

HB 2675

Introduced by
Representative Dial

AN ACT

AMENDING SECTION 13-3701, ARIZONA REVISED STATUTES; AMENDING TITLE 46, CHAPTER 2, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 46-219; RELATING TO THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 13-3701, Arizona Revised Statutes, is amended to
3 read:

4 13-3701. Unlawful use of food stamps: classification:
5 definition

6 A. A person commits unlawful use of food stamps if such person
7 knowingly:

8 1. Uses, transfers, acquires, possesses or redeems food stamps by
9 means of a false statement or representation, ~~A material omission,~~
10 ~~impersonation~~ or the failure to disclose a change in circumstances, by any
11 other fraudulent device or in any other manner not authorized by law or by
12 the ~~state~~ department of economic security; or

13 2. Counterfeits, alters, uses, transfers, acquires or possesses
14 counterfeited or altered food stamps or electronic benefit transfer cards; or

15 3. Appropriates food stamps with which the person has been entrusted
16 or of which the person has gained possession by virtue of a position as a
17 public employee.

18 4. ~~USES, AFTER AN UNLAWFUL TRANSFER, THE FOOD STAMPS OF ANOTHER~~
19 ~~PERSON.~~

20 B. Unlawful use of food stamps under subsection A, paragraph 1 is a
21 class 1 misdemeanor if the value of the food stamps is one hundred dollars or
22 less, or a class 6 felony if the value is over one hundred dollars. Unlawful
23 use of food stamps under subsection A, paragraphs 2, ~~and~~ 3 ~~AND~~ 4 is a class 5
24 felony.

25 C. For ~~THE~~ purposes of this section, "food stamps" includes food stamp
26 coupons and electronically transferred ~~food-stamp~~ ~~SUPPLEMENTAL NUTRITION~~
27 ~~ASSISTANCE~~ program benefits.

28 Sec. 2. Title 46, chapter 2, article 1, Arizona Revised Statutes, is
29 amended by adding section 46-219, to read:

30 46-219. Supplemental nutrition assistance program: electronic
31 benefits transfer cards: identification

32 A. ~~THE DEPARTMENT SHALL INDICATE THE NAME OF THE RECIPIENT AND SHALL~~
33 ~~INCLUDE A PHOTOGRAPH OF THE RECIPIENT ON ANY ELECTRONIC BENEFITS TRANSFER~~
34 ~~CARD THAT IS ISSUED UNDER THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM. THE~~
35 ~~COLOR OF THE ELECTRONIC BENEFITS TRANSFER CARDS ISSUED BY THE DEPARTMENT~~
36 ~~UNDER THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM SHALL BE SAFETY ORANGE.~~
37 ~~THE CARDS SHALL INCLUDE IN LARGE BLACK PRINT THE PHRASE "GOVERNMENT FOOD~~
38 ~~STAMP CARD".~~

39 B. ~~A RETAILER AT AN ELIGIBLE GROCERY BUSINESS, AS DEFINED IN SECTION~~
40 ~~42-5101, SHALL REQUIRE EACH PERSON PRESENTING AN ELECTRONIC BENEFITS TRANSFER~~
41 ~~CARD ISSUED UNDER THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM TO ALSO~~
42 ~~PRESENT IDENTIFICATION DEMONSTRATING THAT THE ELECTRONIC BENEFITS TRANSFER~~
43 ~~CARD BELONGS TO THAT PERSON. THE RETAILER MAY ACCEPT ANY FORM OF~~
44 ~~IDENTIFICATION THAT IS DESCRIBED IN 42 CODE OF FEDERAL REGULATIONS SECTION~~
45 ~~435.407(a) OR (e).~~