

AMENDMENTS TO LB 171

Introduced by Health and Human Services

1 1. Strike original section 1 and insert the following new
2 sections:

3 Section 1. Section 68-1017.02, Revised Statutes
4 Cumulative Supplement, 2006, is amended to read:

5 68-1017.02 ~~(1)~~ (1)(a) The Department of Health and Human
6 Services shall apply for and utilize to the maximum extent
7 possible, within limits established by the Legislature, any and
8 all appropriate options available to the state under the federal
9 food stamp program and regulations adopted under such program to
10 maximize the number of Nebraska residents being served under such
11 program within such limits. The department shall seek to maximize
12 federal funding for such program and minimize the utilization of
13 General Funds for such program.

14 (b) The department shall report annually to the Health
15 and Human Services Committee of the Legislature by December 1
16 on efforts by the department to carry out the provisions of
17 this subsection. Such report shall provide the committee with all
18 necessary and appropriate information to enable the committee to
19 conduct a meaningful evaluation of such efforts. Such information
20 shall include, but not be limited to, a clear description of
21 various options available to the state under the federal food
22 stamp program, the department's evaluation of and any action taken
23 by the department with respect to such options, the number of

1 persons being served under such program, and any and all costs and
2 expenditures associated with such program.

3 (2) (a) Within the limits specified in this ~~section~~,
4 subsection, the State of Nebraska opts out of the provision of the
5 federal Personal Responsibility and Work Opportunity Reconciliation
6 Act of 1996, ~~Public Law 104-193~~, ~~section 115~~, as such act existed
7 on the effective date of this act, that eliminates eligibility for
8 food stamps for any person convicted of a felony involving the
9 possession, use, or distribution of a controlled substance.

10 ~~(2)~~ (b) A person shall be ineligible for food stamp
11 benefits under this ~~section~~ subsection if he or she ~~(a)~~ (i) has
12 had three or more felony convictions for the possession or use
13 of a controlled substance or ~~(b)~~ (ii) has been convicted of a
14 felony involving the sale or distribution of a controlled substance
15 or the intent to sell or distribute a controlled substance. A
16 person with one or two felony convictions for the possession or
17 use of a controlled substance shall only be eligible to receive
18 food stamp benefits under this ~~section~~ subsection if he or she is
19 participating in or has completed a state-licensed or nationally
20 accredited substance abuse treatment program since the date of
21 conviction. The determination of such participation or completion
22 shall be made by the treatment provider administering the program.

23 Sec. 2. Original section 68-1017.02, Revised Statutes
24 Cumulative Supplement, 2006, is repealed.