

Legislative Analysis



FOOD ASSISTANCE ELIGIBILITY

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Senate Bill 1006 (S-2) as passed by the Senate
Sponsor: Sen. Jim Ananich
House Committee: Families, Childrens and Seniors
Senate Committee: Families, Seniors and Veterans
Complete to 12-2-20

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

Senate Bill 1006 would amend the Social Welfare Act to direct that provisions that prohibit the Department of Health and Human Services (DHHS) from granting food assistance to an individual with an outstanding felony warrant do not apply to an individual who has an outstanding felony warrant for a violation of Part 74 (Offenses and Penalties) of Article 7 (Controlled Substances) of the Public Health Code.

The bill would also provide that, under the option granted to states by 21 USC 862a(d)(1), an individual convicted under federal or state law of a felony involving possession, distribution, or use of a controlled substance is exempt from the prohibition in 21 USC 862a(a) against eligibility for food assistance program benefits for those convictions.

21 USC 862a(a) specifies that an individual convicted of any offense that is classified as a felony that has as element of possession, use, or distribution of a controlled substance is not eligible for food assistance program benefits, among other things. 21 USC 862a(d)(1) allows states to opt out of this prohibition by specific reference in law.¹

MCL 400.10b and proposed MCL 400.14m

FISCAL IMPACT:

Senate Bill 1006 would result in increased caseloads—and costs—for the Food Assistance Program (FAP), which is administered by DHHS but funded through federal Supplemental Nutrition Assistance Program (SNAP) revenues.

The bill would allow individuals with drug-related felonies, who would otherwise be eligible for FAP, to apply for and receive food assistance. FAP caseload would likely increase, but by an undetermined amount. If caseload costs exceed appropriated amounts, a supplemental or contingency transfer would be required to expend additional federal SNAP revenue received. However, the bill would likely not result in any additional costs requiring state revenue.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

¹ 21 USC 862a: <https://www.govinfo.gov/content/pkg/USCODE-2015-title21/pdf/USCODE-2015-title21-chap13-subchapI-partD-sec862a.pdf>