

**SUBSTITUTE FOR
SENATE BILL NO. 1006**

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
by amending section 10b (MCL 400.10b), as amended by 2017 PA 13,
and by adding section 14m.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 10b. (1) Subject to subsection (3) and except as provided
2 in subsection (5), the department shall not grant cash assistance
3 under this act to an individual if the department receives
4 information provided under section 10a that the individual is
5 subject to arrest under an outstanding warrant arising from a
6 felony charge against that individual in this or any other
7 jurisdiction. ~~The~~ **Except as otherwise provided in this subsection,**
8 **the** department shall not grant food assistance to an individual if



1 the individual has an outstanding felony warrant and law
2 enforcement is actively seeking the individual. This subsection
3 does not affect the eligibility for assistance of other members of
4 the individual's household. An individual described in this
5 subsection is eligible for cash assistance when he or she is no
6 longer subject to arrest under an outstanding warrant as described
7 in this section and law enforcement is not actively seeking the
8 individual. **This subsection does not apply to an individual
9 applying for food assistance if he or she has an outstanding felony
10 warrant for a violation of part 74 of the public health code, 1978
11 PA 368, MCL 333.7401 to 333.7461.**

12 (2) Subject to subsection (3), the department shall not grant
13 cash assistance under this act to an individual if the department
14 receives information under section 84 of the corrections code of
15 1953, 1953 PA 232, MCL 791.284, that the individual has absconded
16 from supervision under that act. Subject to subsection (3), the
17 department shall not grant food assistance under this act to an
18 individual if the department receives information under section 84
19 of the corrections code of 1953, 1953 PA 232, MCL 791.284, that the
20 individual has absconded from supervision under that act and that
21 law enforcement or the department of corrections is actively
22 seeking the individual.

23 (3) If federal approval is required in order to prevent the
24 loss of federal reimbursement as a result of the application of
25 this section to a recipient receiving family independence program
26 assistance or food assistance, the department shall promptly take
27 any action necessary to obtain federal approval. In the absence of
28 any necessary federal approval, the department shall apply this
29 section only to recipients of state family assistance and state



1 disability assistance.

2 (4) The department director or his or her designee shall
3 review information provided by the department of state police under
4 section 4 of the C.J.I.S. policy council act, 1974 PA 163, MCL
5 28.214, to determine if cash assistance or food assistance
6 recipients or applicants are subject to arrest under an outstanding
7 warrant as described in section 10a. The department director or his
8 or her designee shall review information provided by the department
9 of corrections under section 84 of the corrections code of 1953,
10 1953 PA 232, MCL 791.284, to determine if cash assistance
11 recipients or applicants are subject to a warrant for absconding.
12 The department director or his or her designee shall review
13 information provided by the department of corrections under section
14 84 of the corrections code of 1953, 1953 PA 232, MCL 791.284, to
15 determine if food assistance recipients or applicants are subject
16 to a warrant for absconding and if law enforcement is actively
17 seeking the recipients or applicants.

18 (5) Subject to subsection (3) and except as provided in
19 subsection (1), the department shall not grant cash assistance or
20 food assistance under this act to an individual if the department
21 receives information from the department of state police as
22 provided in subsection (4) that the individual is subject to an
23 arrest under an outstanding warrant described in section 10a.
24 Subject to subsection (3), the department shall not grant cash
25 assistance under this act to an individual if the department
26 receives information from the department of corrections that the
27 individual has absconded from supervision. Subject to subsection
28 (3), the department shall not grant food assistance under this act
29 to an individual if the department receives information from the



1 department of corrections that the individual has absconded from
2 supervision and law enforcement is actively seeking the individual.

3 (6) As used in this section:

4 (a) "Abscond" and "actively seeking" mean those terms as
5 defined in section 84 of the corrections code of 1953, 1953 PA 232,
6 MCL 791.284.

7 (b) "Cash assistance" means cash benefits provided under the
8 family independence program, the refugee assistance program, or
9 state disability assistance.

10 (c) "Food assistance" means the food benefits provided under
11 the food assistance program administered under this act.

12 **Sec. 14m. According to the option granted to this state by 21**
13 **USC 862a(d)(1), an individual convicted under federal or state law**
14 **of a felony involving possession, distribution, or use of a**
15 **controlled substance is exempt from the prohibition contained in 21**
16 **USC 862a(a) against eligibility for food assistance program**
17 **benefits for those convictions.**

