

SENATE BILL NO. 1006

June 25, 2020, Introduced by Senators ANANICH, HOLLIER, WOJNO, IRWIN, MOSS, CHANG, MCMORROW, ALEXANDER, SANTANA, BAYER, MCCANN, GEISS and HERTEL and referred to the Committee on Families, Seniors, and Veterans.

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

1 information provided under section 10a that the individual is
2 subject to arrest under an outstanding warrant arising from a
3 felony charge against that individual in this or any other
4 jurisdiction. ~~The~~ **Except as otherwise provided in this subsection,**
5 **the** department shall not grant food assistance to an individual if
6 the individual has an outstanding felony warrant and law
7 enforcement is actively seeking the individual. This subsection
8 does not affect the eligibility for assistance of other members of
9 the individual's household. An individual described in this
10 subsection is eligible for cash assistance when he or she is no
11 longer subject to arrest under an outstanding warrant as described
12 in this section and law enforcement is not actively seeking the
13 individual. **This subsection does not apply to an individual if he**
14 **or she has an outstanding felony warrant for a violation of part 74**
15 **of the public health code, 1978 PA 368, MCL 333.7401 to 333.7461.**

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

27 (3) If federal approval is required in order to prevent the
28 loss of federal reimbursement as a result of the application of
29 this section to a recipient receiving family independence program

1 assistance or food assistance, the department shall promptly take
2 any action necessary to obtain federal approval. In the absence of
3 any necessary federal approval, the department shall apply this
4 section only to recipients of state family assistance and state
5 disability assistance.

6 (4) The department director or his or her designee shall
7 review information provided by the department of state police under
8 section 4 of the C.J.I.S. policy council act, 1974 PA 163, MCL
9 28.214, to determine if cash assistance or food assistance
10 recipients or applicants are subject to arrest under an outstanding
11 warrant as described in section 10a. The department director or his
12 or her designee shall review information provided by the department
13 of corrections under section 84 of the corrections code of 1953,
14 1953 PA 232, MCL 791.284, to determine if cash assistance
15 recipients or applicants are subject to a warrant for absconding.
16 The department director or his or her designee shall review
17 information provided by the department of corrections under section
18 84 of the corrections code of 1953, 1953 PA 232, MCL 791.284, to
19 determine if food assistance recipients or applicants are subject
20 to a warrant for absconding and if law enforcement is actively
21 seeking the recipients or applicants.

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

1 receives information from the department of corrections that the
2 individual has absconded from supervision. Subject to subsection
3 (3), the department shall not grant food assistance under this act
4 to an individual if the department receives information from the
5 department of corrections that the individual has absconded from
6 supervision and law enforcement is actively seeking the individual.

7 (6) As used in this section:

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

11 (b) "Cash assistance" means cash benefits provided under the
12 family independence program, the refugee assistance program, or
13 state disability assistance.

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

16 **Sec. 14m. A felony conviction for a violation of part 74 of**
17 **the public health code, 1978 PA 368, MCL 333.7401 to 333.7461, does**
18 **not automatically make an individual ineligible to receive food**
19 **assistance benefits.**