



State of Wisconsin
2015 – 2016 LEGISLATURE

LRBs0167/1
SWB:emw

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 222**

November 3, 2015 – Offered by Representatives JORGENSEN and ZAMARRIPA.

1 **AN ACT to create** 49.79 (7g) of the statutes; **relating to:** photo identification
2 cards for FoodShare recipients.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 49.79 (7g) of the statutes is created to read:

4 **49.79 (7g) FOOD STAMP PHOTO IDENTIFICATION CARDS.** (a) In this subsection:

5 1. “Food and nutrition service” means the food and nutrition service of the U.S.
6 department of agriculture.

7 2. “Homeless individual” has the meaning given in 42 USC 11302 (a).

8 3. “Senior” means any individual age 65 or older.

9 (b) The department shall submit a comprehensive implementation plan to the
10 food and nutrition service as required by the food and nutrition service guidelines for
11 allowing electronic benefit transfer cards containing photographs. The department

1 shall address in the implementation plan the issues required by the federal food and
2 nutrition service guidelines for allowing photographs on electronic benefit transfer
3 cards, including supplemental nutrition assistance program policies, operational
4 issues, outreach, civil rights concerns, procedures to ensure that authorized
5 representatives are able to use the cards, and a description of how the department
6 will ensure state compliance with federal requirements. The department shall
7 include in the implementation plan exemptions for seniors, homeless individuals,
8 individuals with a disability, and individuals under 16 years of age.

9 (bm) Before submission of the comprehensive implementation plan under par.
10 (b), the department shall submit for approval the proposed comprehensive
11 implementation plan to the appropriate standing committees of the legislature, as
12 determined by the presiding officer of each house. The committees may request
13 modification of the proposed comprehensive implementation plan. If either
14 appropriate standing committee requests modification, the department shall modify,
15 if possible in light of the requirements of par. (b) and any other requests for
16 modification under this paragraph, the proposed comprehensive implementation
17 plan as necessary to accommodate the request for modification. The department
18 shall then resubmit the proposed comprehensive implementation plan, as necessary,
19 to the same standing committees. If the department is unable to accommodate a
20 request for modification because there are conflicting requests or the requested
21 modification would change the proposed comprehensive implementation plan to be
22 inconsistent with the requirements of par. (b), the department shall include an
23 explanation of these issues with the materials resubmitted under this paragraph.
24 If the committees approve the proposed comprehensive implementation plan, the
25 department shall proceed with submission under par. (b).

1 (c) If the food and nutrition service grants written approval of the
2 implementation plan, the department shall submit the implementation plan, and
3 any necessary appropriation requests to implement the plan, to the joint committee
4 on finance for approval. The department or a county, multicounty consortium, or
5 elected governing body may not implement the proposals contained in the
6 implementation plan under par. (b) unless the joint committee on finance grants
7 approval of the implementation plan.

8 (d) If the department receives approval of the implementation plan under par.
9 (c), then the department, or a county, multicounty consortium, or elected governing
10 body of a federally recognized American Indian tribe or band acting on behalf of the
11 department, shall issue, consistent with provisions of the implementation plan, food
12 stamp identification cards to nonexempt food stamp recipients that contain
13 photographs of the individuals to whom the cards are issued.

14 (e) The department shall allow any food stamp recipient who is required to use
15 an electronic benefit card containing a photograph under this subsection a 12-month
16 grace period to obtain a card.

17 (f) Annually, beginning 2 years after the department begins issuing food stamp
18 photo identification cards under this subsection, the department shall assess its
19 costs and savings resulting from the process and shall discontinue issuing food
20 stamp photo identification cards under this subsection if the costs exceed the
21 savings.

22 **SECTION 2. Nonstatutory provisions.**

23 (1) One year after the department of health services begins issuing food stamp
24 identification cards under section 49.79 (7g) (d) of the statutes, the legislative audit
25 bureau shall perform a financial and performance evaluation audit of the state food

1 stamp program under section 49.79 of the statutes, including a review of the
2 effectiveness of the photo identification policies implemented in section 49.79 (7g) of
3 the statutes. The legislative audit bureau shall file a copy of the report of the audit
4 under this subsection with the distributees specified in section 13.94 (1) (b) of the
5 statutes.

6 (END)