1

State of Misconsin 2015 - 2016 LEGISLATURE

LRB-0487/1 PJK:jld:jd

2015 ASSEMBLY BILL 188

April 22, 2015 – Introduced by Representatives Jacque, Kerkman, Kremer, Allen, Ballweg, E. Brooks, R. Brooks, Craig, Czaja, Edming, Gannon, Heaton, Horlacher, Kleefisch, Knodl, Knudson, Kulp, T. Larson, Murphy, Mursau, Neylon, A. Ott, Petersen, Quinn, Ripp and Steffen, cosponsored by Senators Cowles, Gudex and Lasee. Referred to Committee on Public Benefit Reform.

- AN ACT to create 49.79 (11) of the statutes; relating to: removing FoodShare
- benefits from an inactive account and expunging unused benefits after one year.

Analysis by the Legislative Reference Bureau

The federal Supplemental Nutrition Assistance Program (SNAP), known as FoodShare in Wisconsin and formerly known as the Food Stamp Program, provides benefits to eligible low-income households for the purchase of food. FoodShare is administered by the Department of Health Services (DHS). The state and the federal government share the cost of administration. Benefits, which are electronically debited to a Quest card, are paid entirely with federal funds. Any benefit amount that is not used in the month of receipt is carried over and may be used by the recipient for up to one year.

This bill requires DHS to remove and store offline all FoodShare benefits posted to a recipient's benefit account if the account has not been accessed in six months or longer. The benefits must be made available again to the recipient if the recipient requests them or reapplies for FoodShare benefits, whichever is appropriate under the circumstances. DHS must attempt to notify the recipient before removing the benefits and must describe how the benefits may be returned to the account. The bill also directs DHS to expunge any FoodShare benefits that have not been used after one year, regardless of whether the benefits are being stored offline or are posted to active accounts.

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For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 49.79 (11) of the statutes is created to read:

49.79 (11) Treatment of inactive accounts; expungement of unused benefits.

(a) If, for a period of 6 months or longer, an individual or household that is receiving benefits under this section through an electronic benefit transfer system uses no benefits that have been posted to the individual's or household's benefit account, the department shall remove all benefits from the account electronically and store them offline. The benefits being stored offline shall be made available to the individual or household again within 48 hours after a request by the individual or a member of the household to restore the benefits or upon reapplication by the individual or household for benefits under this section, whichever is appropriate under the circumstances. The department shall attempt to notify the individual or household before benefits are removed from the account under this paragraph and shall describe the steps that the individual or household must take to get the benefits returned to the account.

- (b) The department shall expunge any benefits that have not been used after a period of one year, regardless of whether either of the following applies:
- The benefits have been removed from an inactive benefit account under par.
 (a) and are being stored offline.
 - 2. The benefits are still posted to an active account.

(END)