

(PRE-FILED)

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**By: Chairman, Finance Committee (Departmental - Human Resources)**

Requested: November 7, 1996

Introduced and read first time: January 8, 1997

Assigned to: Finance

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 4, 1997

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CHAPTER \_\_\_\_

1 AN ACT concerning

2 **Food Stamp Benefits - Prohibited Acts - Penalties**

3 FOR the purpose of altering the penalties for fraud in connection with the food stamp  
4 benefits program; and generally relating to the food stamp benefits program.

5 BY repealing and reenacting, with amendments,  
6 Article 88A - Social Services Administration  
7 Section 89  
8 Annotated Code of Maryland  
9 (1995 Replacement Volume and 1996 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
11 MARYLAND, That the Laws of Maryland read as follows:

12 **Article 88A - Social Services Administration**

13 89.

14 (a) No unauthorized person may sell or purchase federal food stamp program  
15 benefits.

16 (b) No person may knowingly buy or sell merchandise which has been purchased  
17 with federal food stamp program benefits.

18 (c) [Any person violating the provisions of this section is guilty of a misdemeanor  
19 and upon conviction is subject to a fine not exceeding \$1,000, or imprisonment not  
20 exceeding six months, or both.]

2

1 (1) EVERY PERSON VIOLATING THE PROVISIONS OF THIS SECTION IN  
2 WHICH THE VALUE OF THE MONEY OR GOODS INVOLVED IS ~~\$500~~ \$1,000 OR MORE IS  
3 GUILTY OF A FELONY AND UPON CONVICTION SHALL:

4 (I) MAKE FULL RESTITUTION OF THE MONEY OR GOODS  
5 UNLAWFULLY RECEIVED OR PERFORM COMMUNITY SERVICE, AS DETERMINED BY  
6 THE COURT; AND

7 (II) BE SUBJECT TO A FINE OF NOT MORE THAN \$10,000 OR  
8 IMPRISONMENT FOR A PERIOD NOT TO EXCEED 5 YEARS OR BOTH.

9 (2) EVERY PERSON VIOLATING THE PROVISIONS OF THIS SECTION IN  
10 WHICH THE VALUE OF THE MONEY OR GOODS IS LESS THAN ~~\$500~~ \$1,000 IS GUILTY OF  
11 A MISDEMEANOR AND UPON A CONVICTION SHALL:

12 (I) MAKE FULL RESTITUTION OF THE MONEY OR GOODS  
13 UNLAWFULLY RECEIVED OR PERFORM COMMUNITY SERVICE, AS DETERMINED BY  
14 THE COURT; AND

15 (II) BE SUBJECT TO A FINE OF NOT MORE THAN \$1,000 OR  
16 IMPRISONMENT FOR A PERIOD NOT TO EXCEED 3 YEARS OR BOTH.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 1997.