

SENATE BILL 218

O4, O1

9lr0681
CF HB 338

By: **Senators McCray, Elfreth, Feldman, Ferguson, Guzzone, Lee, Peters, Smith, Washington, ~~and Zucker~~ Zucker, Eckardt, Edwards, Griffith, King, Rosapepe, Salling, and Serafini**

Introduced and read first time: January 24, 2019

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 15, 2019

CHAPTER _____

1 AN ACT concerning

2 **Human Services – Food Supplements**
3 **(Summer SNAP for Children Act)**

4 FOR the purpose of renaming the food stamp program to be the food supplement program;
5 requiring the State to provide matching funds for a certain supplement for certain
6 individuals in a household that receives certain federally funded benefits; providing
7 for the amount of the supplemental benefit; providing that the supplemental benefit
8 is subject to certain requirements; providing that the supplemental benefit is for
9 each child in the household; requiring the supplemental benefit to be provided in
10 certain months; establishing the manner in which the supplemental benefit is
11 provided; prohibiting a household from receiving more than one supplemental
12 benefit per child; requiring a county to submit a certain application by a certain date
13 to receive funding for the supplemental benefit; requiring the application to include
14 certain information; requiring the Department of Human Services to notify certain
15 counties of certain available funding on or before a certain date each year; providing
16 that receipt of certain funding by a county is contingent on approval of a certain final
17 plan; requiring certain counties to submit a certain final plan to the Department on
18 or before a certain date; requiring the Department to approve or reject a certain final
19 plan and provide notice of the decision on or before a certain date; allowing a county
20 with a rejected final plan to submit a revised final plan for approval; requiring the
21 Department to certify available funding for an approved final plan; specifying the
22 required State and local shares of funding for a county with an approved final plan;
23 specifying the manner in which available State funding for the supplemental benefit

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 is apportioned among counties with approved final plans; requiring the Governor to
 2 appropriate certain amounts of funding for the supplemental benefits in certain
 3 fiscal years; authorizing a county to provide certain additional funding; prohibiting
 4 certain required funding from being affected by certain additional funding; requiring
 5 the Governor to appropriate a certain amount of funding for the supplemental
 6 benefits in certain fiscal years; if certain federal funding is available, requiring the
 7 Department of Human Services, in consultation with the State Department of
 8 Education, to apply for a certain federal grant to implement a Summer Electronic
 9 Benefit Transfer for Children demonstration project; requiring the Department to
 10 report to certain committees of the General Assembly on or before a certain date
 11 annually; providing for the termination of certain provisions of this Act; defining a
 12 certain term; and generally relating to the food ~~stamp~~ supplement program.

13 BY repealing and reenacting, ~~without~~ with amendments,

14 Article – Human Services
 15 Section 5–501
 16 Annotated Code of Maryland
 17 (2007 Volume and 2018 Supplement)

18 BY adding to

19 Article – Human Services
 20 Section 5–501.1
 21 Annotated Code of Maryland
 22 (2007 Volume and 2018 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

24 That the Laws of Maryland read as follows:

25 **Article – Human Services**

26 5–501.

27 (a) The Department may implement a food ~~stamp~~ **SUPPLEMENT** program in
 28 accordance with the federal ~~Food Stamp Act~~ **SUPPLEMENTAL NUTRITION ASSISTANCE**
 29 **PROGRAM**.

30 (b) The State shall bear the nonfederal portion of the administrative costs of the
 31 food ~~stamp~~ **SUPPLEMENT** program for each county.

32 (c) Each local department shall administer the food ~~stamp~~ **SUPPLEMENT**
 33 program:

34 (1) under the supervision and control of the Department; and

35 (2) in accordance with the regulations of the Department and federal law.

1 (d) If a household includes an individual who is at least 62 years old and receives
2 a federally funded benefit in an amount less than \$30 per month under the food ~~stamp~~
3 SUPPLEMENT program, the State shall provide a supplement to increase the total benefit
4 to \$30 per month.

5 **5-501.1.**

6 (A) IN THIS SECTION, "CHILD" MEANS AN INDIVIDUAL WHO IS UNDER THE
7 AGE OF 19 YEARS AT ANY TIME DURING A CALENDAR YEAR.

8 (B) (1) SUBJECT TO SUBSECTIONS (E) AND (F) OF THIS SECTION, IF A
9 HOUSEHOLD INCLUDES AN INDIVIDUAL WHO RECEIVES A FEDERALLY FUNDED
10 BENEFIT UNDER THE FOOD ~~STAMP~~ SUPPLEMENT PROGRAM, THE STATE SHALL
11 PROVIDE MATCHING FUNDS TO A COUNTY TO SUPPLEMENT BENEFITS RECEIVED
12 UNDER § 5-501 OF THIS SUBTITLE FOR EACH CHILD IN THE HOUSEHOLD ~~IN THE~~
13 ~~AMOUNT OF:~~

14 (2) FOR EACH CHILD IN THE HOUSEHOLD, THE COMBINED STATE AND
15 COUNTY SUPPLEMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL EQUAL
16 AT LEAST:

17 ~~(1)~~ (I) \$30 PER MONTH IN THE MONTHS OF JUNE, JULY, AND
18 AUGUST; AND

19 ~~(2)~~ (II) \$10 IN THE MONTH OF DECEMBER.

20 (C) (1) A SUPPLEMENT PROVIDED UNDER SUBSECTION (B) OF THIS
21 SECTION SHALL BE ADDED TO THE HOUSEHOLD FOOD ~~STAMP~~ SUPPLEMENT
22 PROGRAM BENEFIT ACCOUNT 15 DAYS AFTER THE FEDERALLY FUNDED BENEFIT IS
23 ADDED TO THE ACCOUNT IN JUNE, JULY, AND AUGUST.

24 (2) A SUPPLEMENT PROVIDED UNDER SUBSECTION (B) OF THIS
25 SECTION SHALL BE ADDED TO THE HOUSEHOLD FOOD ~~STAMP~~ SUPPLEMENT
26 PROGRAM BENEFIT ACCOUNT 7 DAYS AFTER THE FEDERALLY FUNDED BENEFIT IS
27 ADDED TO THE ACCOUNT IN DECEMBER.

28 (D) A HOUSEHOLD MAY NOT RECEIVE MORE THAN ONE SUPPLEMENT PER
29 CHILD UNDER SUBSECTION (B) OF THIS SECTION.

30 (E) (1) (I) TO RECEIVE FUNDING IN THE FOLLOWING FISCAL YEAR FOR
31 THE SUPPLEMENTS UNDER SUBSECTION (B) OF THIS SECTION, A COUNTY SHALL
32 SUBMIT AN APPLICATION TO THE DEPARTMENT ON OR BEFORE DECEMBER 1.

1 (II) THE APPLICATION SHALL INCLUDE THE FOLLOWING
2 INFORMATION:

3 1. A PROPOSED PLAN TO SUCCESSFULLY IMPLEMENT
4 DISTRIBUTION OF SUPPLEMENTS AWARDED TO THE COUNTY;

5 2. A PROPOSED PLAN TO ~~MARKET AND~~ COMMUNICATE
6 THE AVAILABILITY OF FOOD ~~STAMP~~ SUPPLEMENT PROGRAM BENEFITS AND
7 SUPPLEMENTS TO ELIGIBLE FAMILIES;

8 3. THE PROCESS BY WHICH THE COUNTY WILL
9 EVALUATE THE IMPACT OF THE SUPPLEMENTS;

10 4. FOOD ~~STAMP~~ SUPPLEMENT PROGRAM
11 ~~PARTICIPATION~~ ELIGIBILITY AND ENROLLMENT RATES IN THE COUNTY; ~~AND~~

12 5. CERTIFICATION OF THE MAXIMUM AMOUNT OF LOCAL
13 SHARE FUNDS AVAILABLE; AND

14 6. ANY OTHER RELEVANT INFORMATION REQUIRED BY
15 THE DEPARTMENT.

16 (2) (I) ON OR BEFORE JANUARY 15 EACH YEAR, THE DEPARTMENT
17 SHALL NOTIFY EACH COUNTY THAT SUBMITTED A COMPLETE APPLICATION OF THE
18 AMOUNT OF FUNDING AVAILABLE IN THE NEXT FISCAL YEAR FOR SUPPLEMENTS
19 UNDER SUBSECTION (B) OF THIS SECTION.

20 (II) RECEIPT OF AVAILABLE FUNDING UNDER SUBPARAGRAPH
21 (I) OF THIS PARAGRAPH IS CONTINGENT ON APPROVAL BY THE DEPARTMENT OF A
22 COUNTY'S FINAL PLAN SUBMITTED IN ACCORDANCE WITH PARAGRAPH (3) OF THIS
23 SUBSECTION.

24 (3) ON OR BEFORE MARCH 1 EACH YEAR, A COUNTY THAT IS
25 NOTIFIED OF AVAILABLE FUNDING SHALL SUBMIT A FINAL PLAN TO THE
26 DEPARTMENT THAT INCLUDES:

27 (I) A ~~MARKETING AND~~ COMMUNICATION PLAN TO INFORM
28 ELIGIBLE FAMILIES OF THE FOOD ~~STAMP~~ SUPPLEMENT PROGRAM AND THE
29 SUPPLEMENTS AVAILABLE UNDER THIS SECTION;

30 (II) IF FUNDING IS NOT SUFFICIENT TO PROVIDE A MINIMUM
31 SUPPLEMENT OF \$100 TO ALL CHILDREN IN THE COUNTY RECEIVING FOOD ~~STAMP~~
32 SUPPLEMENT PROGRAM BENEFITS IN THE FISCAL YEAR, A DESIGNATION OF WHICH

1 CHILDREN WILL BE ELIGIBLE TO RECEIVE THE SUPPLEMENTS UNDER THIS
2 SECTION;

3 (III) THE CRITERIA USED TO DETERMINE ELIGIBILITY UNDER
4 ITEM (II) OF THIS PARAGRAPH; AND

5 (IV) AN EVALUATION PLAN TO MEASURE:

6 1. THE IMPACT OF THE SUPPLEMENTS ON RECIPIENTS;

7 2. FOOD ~~STAMP~~ SUPPLEMENT PROGRAM
8 PARTICIPATION; AND

9 3. ANY OTHER RELEVANT INFORMATION REQUIRED BY
10 THE DEPARTMENT.

11 (4) (I) THE DEPARTMENT SHALL REVIEW A FINAL PLAN
12 SUBMITTED UNDER PARAGRAPH (3) OF THIS SUBSECTION AND APPROVE OR REJECT
13 THE FINAL PLAN.

14 (II) THE DEPARTMENT SHALL NOTIFY A COUNTY OF ITS
15 DECISION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH ON OR BEFORE ~~MAY 15~~
16 APRIL 1.

17 (III) IF THE DEPARTMENT REJECTS A COUNTY'S FINAL PLAN,
18 THE COUNTY MAY SUBMIT A REVISED FINAL PLAN FOR APPROVAL ON OR BEFORE
19 APRIL 15.

20 (IV) IF THE DEPARTMENT APPROVES A COUNTY'S FINAL PLAN,
21 THE DEPARTMENT SHALL CERTIFY THE AMOUNT OF FUNDING THAT WILL BE
22 PROVIDED ~~TO~~ FOR THE COUNTY IN THE FOLLOWING FISCAL YEAR.

23 (5) EACH COUNTY WITH AN APPROVED FINAL PLAN SHALL BE
24 AWARDED FUNDING IN ACCORDANCE WITH SUBSECTION (F) OF THIS SECTION.

25 (F) (1) ~~(I) THE GOVERNOR SHALL INCLUDE \$2,000,000 IN THE FISCAL~~
26 ~~2021 BUDGET FOR THE SUPPLEMENTS UNDER SUBSECTION (B) OF THIS SECTION.~~

27 ~~(II) IN FISCAL YEAR 2022 AND EACH FISCAL YEAR THEREAFTER,~~
28 ~~THE GOVERNOR SHALL INCLUDE AN ADDITIONAL \$500,000 OVER THE PRIOR FISCAL~~
29 ~~YEAR APPROPRIATION FOR THE SUPPLEMENTS UNDER SUBSECTION (B) OF THIS~~
30 ~~SECTION~~ THE STATE AND LOCAL SHARES OF FUNDING REQUIRED FOR A COUNTY
31 WITH AN APPROVED FINAL PLAN SHALL BE EQUAL TO THE STATE AND LOCAL SHARE
32 PERCENTAGES ESTABLISHED BY THE STATE AND LOCAL COST-SHARE FORMULA

1 FOR THAT COUNTY REQUIRED UNDER § 5-303(D)(3)(I) OF THE EDUCATION
 2 ARTICLE.

3 (2) (I) ~~IN EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS~~
 4 PARAGRAPH, IN EACH FISCAL YEAR, THE DEPARTMENT SHALL PROVIDE THE STATE
 5 SHARE OF FUNDS TO FOR EACH COUNTY WITH AN APPROVED FINAL PLAN FOR THE
 6 FISCAL YEAR IN AN AMOUNT EQUAL TO THE PRODUCT OF:

7 1. THE TOTAL AMOUNT OF FUNDS APPROPRIATED
 8 UNDER PARAGRAPH (1) OF THIS SUBSECTION MULTIPLIED BY SUBSECTION (G) OF
 9 THIS SECTION; AND

10 2. THE NUMBER OF CHILDREN IN HOUSEHOLDS THAT
 11 RECEIVE A FEDERAL BENEFIT UNDER THE FOOD STAMP SUPPLEMENT PROGRAM
 12 RECIPIENTS IN THE COUNTY WHO ARE ELIGIBLE FOR A BENEFIT UNDER THIS
 13 SECTION AND THEN, DIVIDED BY THE TOTAL NUMBER OF CHILDREN IN HOUSEHOLDS
 14 THAT RECEIVE A FEDERAL BENEFIT UNDER THE FOOD STAMP SUPPLEMENT
 15 PROGRAM RECIPIENTS IN THE STATE WHO ARE ELIGIBLE FOR A BENEFIT UNDER
 16 THIS SECTION IN ALL COUNTIES WITH AN APPROVED FINAL PLAN.

17 (II) THE AMOUNT OF FUNDS PROVIDED TO A COUNTY UNDER
 18 SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY NOT BE GREATER THAN THE STATE
 19 SHARE AMOUNT THAT CORRESPONDS TO THE MAXIMUM AVAILABLE LOCAL SHARE
 20 FUNDS CERTIFIED UNDER SUBSECTION (E)(1)(II)5 OF THIS SECTION.

21 (3) (I) A COUNTY MAY PROVIDE FUNDING IN ADDITION TO THE
 22 FUNDING PROVIDED REQUIRED UNDER PARAGRAPH (2) (1) OF THIS SUBSECTION TO
 23 INCREASE THE NUMBER OF SUPPLEMENTS PROVIDED IN THE COUNTY.

24 (II) FUNDING PROVIDED BY A COUNTY UNDER SUBPARAGRAPH
 25 (I) OF THIS PARAGRAPH MAY NOT AFFECT THE AMOUNT OF FUNDING THE
 26 DEPARTMENT IS REQUIRED TO PROVIDE UNDER PARAGRAPH (2) OF THIS
 27 SUBSECTION.

28 (G) EACH YEAR, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET
 29 BILL AN APPROPRIATION OF AT LEAST \$200,000 FOR THE SUPPLEMENTS UNDER
 30 SUBSECTION (B) OF THIS SECTION.

31 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect~~
 32 ~~October 1, 2019.~~

33 SECTION 2. AND BE IT FURTHER ENACTED, That, if federal funding is
 34 available, the Department of Human Services, in consultation with the State Department

1 of Education, shall annually apply for a grant from the U.S. Department of Agriculture to
2 implement a Summer Electronic Benefit Transfer for Children demonstration project.

3 SECTION 3. AND BE IT FURTHER ENACTED, That, on or before October 1 of each
4 year, the Department of Human Services shall report, in accordance with § 2-1246 of the
5 State Government Article, to the Senate Budget and Taxation Committee and the House
6 Appropriations Committee on the status of the Summer Electronic Benefit Transfer for
7 Children grant application and, if a grant has been awarded, the progress toward
8 implementing a demonstration project.

9 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July
10 1, 2019. Sections 2 and 3 of this Act shall remain effective for a period of 3 years and, at the
11 end of June 30, 2022, Sections 2 and 3 of this Act, with no further action required by the
12 General Assembly, shall be abrogated and of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.