

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 392

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

H392-ATJ-13 [v.2]

Page 1 of 2

Comm. Sub. [NO]
Amends Title [YES]
Second Edition

Date _____, 2013

Representative Arp

1 moves to amend the bill on page 1, lines 2 - 10, by rewriting the lines to read:

2 "AN ACT REQUIRING A COUNTY DEPARTMENT OF SOCIAL SERVICES (DSS) TO
3 VERIFY WHETHER AN APPLICANT FOR OR RECIPIENT OF TEMPORARY
4 ASSISTANCE TO NEEDY FAMILY (TANF) BENEFITS OR FOOD AND NUTRITION
5 SERVICES (FNS) BENEFITS IS A FLEEING FELON OR A PROBATION OR PAROLE
6 VIOLATOR, TO DIRECT INTERAGENCY COOPERATION AND INFORMATION
7 SHARING IN ORDER TO VERIFY THE ELIGIBILITY STATUS OF AN APPLICANT
8 OR RECIPIENT, AND TO DENY TANF OR FNS BENEFITS TO AN APPLICANT OR
9 RECIPIENT WHO IS A FLEEING FELON OR A PROBATION OR PAROLE
10 VIOLATOR.";

11
12 and on page 2, lines 13-27, by rewriting the lines to read:

13 (b) Notwithstanding G.S. 108A-80, and to the extent otherwise allowed by federal and
14 State law, a county department of social services shall verify whether an applicant for or
15 recipient of program assistance under Part 2 or Part 5 of this Article is (i) fleeing to avoid
16 prosecution, custody, or confinement after conviction, under the laws of the place from which
17 the individual flees, for a crime, or an attempt to commit a crime, which is a felony under the
18 laws of the place from which the individual flees or (ii) violating a condition of probation or
19 parole imposed under federal or State law, by ensuring that the criminal history of an applicant,
20 or of a recipient at the time of benefits renewal, is checked. A county department of social
21 services shall conduct the criminal history check necessary to verify whether an applicant is a
22 fleeing felon or a probation or parole violator utilizing all currently accessible databases to the
23 extent permitted by allocated county and state resources. Counties are not required to allocate
24 funds for this program but are authorized to do so on a voluntary basis."

25
26 and on page 2, lines 37 - 49, by rewriting the lines to read:

27 " (f) The Secretary of the Department of Health and Human Services shall promote
28 cooperation among State and local agencies to perform the functions described in this section.
29 The Department of Health and Human Services shall cooperate and collaborate with the Office
30 of the State Controller, the Administrative Office of the Courts, and the Department of Public
31 Safety to develop protocols to implement this section.
32



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1 (g) Annually, on April 1, each county department of social services shall report to the
2 Department of Health and Human Services on the number of individuals who are denied
3 benefits under this section during the preceding calendar year.

4 (h) Annually, on May 1, the Department of Health and Human Services shall report to
5 the Joint Legislative Oversight Committee on Health and Human Services of the General
6 Assembly on the number of individuals who are denied assistance under this section. The
7 report shall include a breakdown by county."

8
9 and on page 3, lines 1-2, by rewriting the lines to read:
10 **"§ 108A-26.2. Fleeing felon, or parole or probation violator; eligibility for program**
11 **assistance; federal approval; review by department."**

12
13 and on page 3, line 15, by substituting the phrase, "the Department of Health and Human
14 Services" for the phrase, "the department of social services";

15
16 and on page 3, line 30, by rewriting the line to read:
17 **"SECTION 4. This act becomes effective July 1, 2013."**

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19
20
21

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
House Principal Clerk's Office**