

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL DRS55039-LU-72A

Short Title: Revise SNAP Eligibility/Drug Felony Offenses. (Public)

Sponsors: Senators Waddell and Bazemore (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW INDIVIDUALS CONVICTED OF CONTROLLED SUBSTANCE
3 FELONY OFFENSES WHO HAVE COMPLETED THEIR SENTENCES TO BE
4 ELIGIBLE FOR SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)
5 BENEFITS.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 108A-25.2 reads as rewritten:

8 "**§ 108A-25.2. Exemption from limitations for Work First Program for individuals**
9 **convicted of certain drug-related felonies; exemption for food and**
10 **nutrition services for any drug-related felonies.**

11 (a) Individuals convicted of Class H or I controlled substance felony offenses in this State
12 shall be eligible to participate in the Work First Program and the food and nutrition services
13 program:Program:

14 (1) Six months after release from custody if no additional controlled substance
15 felony offense is committed during that period and successful completion of
16 or continuous active participation in a required substance abuse treatment
17 program determined appropriate by the area mental health authority; or

18 (2) If not committed to custody, six months after the date of conviction if no
19 additional controlled substance felony offense is committed during that period
20 and successful completion of or continuous active participation in a required
21 substance abuse treatment program determined appropriate by the area mental
22 health authority.

23 (b) A county department of social services shall require individuals who are eligible for
24 Work First Program assistance and electronic food and nutrition benefits pursuant to this section
25 to undergo substance abuse treatment as a condition for receiving Work First Program or
26 electronic food and nutrition benefits, if funds and programs are available and to the extent
27 allowed by federal law.

28 (c) Pursuant to the exemption option granted the State under 21 U.S.C. § 862a(d)(1),
29 individuals convicted of controlled substance felony offenses shall be eligible to participate
30 immediately in the food and nutrition services program after the individual has been released
31 from custody or, if not in custody, after the date of conviction, provided the individual
32 successfully completes or continuously and actively participates in a substance abuse treatment
33 program."

34 **SECTION 2.** This act becomes effective January 1, 2022, and applies to felony
35 offenses committed on or after that date.



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