

H. B. 2724

(By Delegates Sobonya, Householder, Rohrbach, Hamrick,
Foster and Howell)

[Introduced February 13, 2015; referred to the
Committee on the Judiciary.]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section designated §9-2-13, relating generally to benefits provided by the Department of Human Services; requiring benefit access devices to have a photograph of the person to whom a device was issued; permitting a benefit access device to be used by another authorized individual on the device holder's behalf; defining terms; and providing for rule-making.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §9-2-13, to read as follows:

ARTICLE 2. COMMISSIONER OF HUMAN SERVICES; POWERS, DUTIES AND RESPONSIBILITIES GENERALLY.

§9-2-13. Benefit access device; photograph; who may use; definitions; rule-making.

(a) For the purposes of this section:

"Benefits" means any payment, allotments, money, goods or other things of value granted pursuant to a benefit program.

1 "Benefit access device" means any card, plate, account number or other means of access that
2 can be used, alone or in conjunction with another access device, to obtain payments, allotments,
3 benefits, money, goods or other things of value that can be used to initiate a transfer of funds.

4 "Benefit program" includes the Federal Food Stamp Act, Supplemental Nutritional
5 Assistance Program, Temporary Assistance to Needy Families, other similar state or federal financial
6 assistance program or other program sponsored by the department.

7 (b) All benefit access devices that permit access to benefits or a benefit program shall have
8 a photograph of the person to whom the device was issued.

9 (c) A benefit access device may also be used by another authorized individual, such as a
10 caregiver, who may, with proper photo identification, to use the device for the device holder's
11 benefit.

12 (d) The secretary shall propose rules in accordance with article three, chapter twenty-nine-a
13 of this code that are necessary to effectuate the requirements and purposes of this section by
14 September 30, 2015.

NOTE: The purpose of this bill is to require benefit access devices to have a photograph of the person to whom a device was issued. The bill permits a benefit access device to be used by another authorized individual on the device holder's behalf. The bill defining terms provides for rule-making.

This section is new; therefore, it has been completely underscored.