

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 2724

2015 Carryover

(BY DELEGATES SOBONYA, HOUSEHOLDER, ROHRBACH,
HAMRICK AND FOSTER)

[Introduced January 13, 2016; referred to the
Committee on the Judiciary.]

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

Be it enacted by the Legislature of West Virginia:

6 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
7 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.

8 (a) For the purposes of this section:

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

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

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

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

20 (c) A benefit access device may also be used by another authorized individual, such as a

21 caregiver, who may, with proper photo identification, to use the device for the device holder's
22 benefit.

23 (d) The secretary shall propose rules in accordance with article three, chapter twenty-nine-
24 a of this code that are necessary to effectuate the requirements and purposes of this section by
25 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.