WEST virginia legislature

2024 regular session

Committee Substitute

for

Senate Bill 450

By Senators Phillips, Hunt, Jeffries, Nelson, Queen, Smith, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Deeds, Woodrum, Roberts, Grady, Hamilton, Martin, Azinger, Maroney, and Karnes

[Originating in the Committee on Health and Human Resources; reported January 22, 2024]

A BILL to amend and reenact §9-8-5 of the Code of West Virginia, 1931, as amended, relating to requiring a photograph of the user on EBT cards.

Be it enacted by the Legislature of West Virginia:

ARTICLE 8. Eligibility and Fraud Requirements for Public Assistance.

§9-8-5. Identity authentication.

(a) Prior to awarding public assistance, applicants for benefits must complete a computerized identity authentication process to confirm the identity of the applicant. This shall be done with a knowledge-based questionnaire consisting of financial and/or personal questions. The questionnaire must contain questions tailored to assist persons without a bank account, ~~or~~ those who have poor access to financial and banking services, or who do not have an established credit history. The questionnaire may be submitted online, in-person, or via telephone.

(b) The department shall submit a report to the Legislative Oversight Committee on Health and Human Resources Accountability regarding the feasibility of implementing the photo EBT card option under 7 U.S.C. § 2016(h)(9). The study shall address certain operational issues to ensure that state implementation would be consistent with all federal requirements, and that program access is protected for participating households, including, but not limited to, allowing the recipient to designate permitted users for purposes of utilizing the photo EBT card.

(c) Beginning July 1, 2025, all EBT cards issued in West Virginia shall have the photograph of the holder of an EBT card placed on the card itself to aid in combatting fraud. The Department of Human Services shall propose rules for legislative approval in accordance with the provisions of §29A-3-1 *et seq*. of this code to implement the provisions of this section.