

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]

1 A BILL to amend and reenact §9-8-5 of the Code of West Virginia, 1931, as amended, relating to
2 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.

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

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

13 (c) Beginning July 1, 2025, all EBT cards issued in West Virginia shall have the photograph
14 of the holder of an EBT card placed on the card itself to aid in combatting fraud. The Department of
15 Human Services shall propose rules for legislative approval in accordance with the provisions of
16 §29A-3-1 et seq. of this code to implement the provisions of this section.