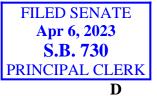
GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2023



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SENATE BILL DRS45297-LU-74B

Short Title:	Opt-Out of Ban on FNS/TANF Benefits.	(Public)
Sponsors:	Senators Burgin, Mayfield, and Britt (Primary Sponsors).	
Referred to:		

1	A BILL TO BE ENTITLED
2	AN ACT TO ALLOW THE STATE TO FULLY OPT-OUT OF THE PROHIBITION ON
3	FOOD AND NUTRITION SERVICES AND TEMPORARY ASSISTANCE FOR NEEDY
4	FAMILIES (TANF) BENEFITS FOR INDIVIDUALS CONVICTED OF FELONIES TO
5	BETTER ENABLE THOSE INDIVIDUALS TO LIVE SUCCESSFUL, PRODUCTIVE
6	LIVES.
7	The General Assembly of North Carolina enacts:
8	SECTION 1. G.S. 108A-25.2 reads as rewritten:
9	"§ 108A-25.2. Exemption from limitations for individuals convicted of certain drug-related
10	drug related felonies.
11	Individuals convicted of Class H or I controlled substance felony offenses in this State shall
12	be An individual who is otherwise eligible to participate in the Work First Program and or the
13	food and nutrition services program:program shall be exempt from the application of section
14	115(a) of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996,
15	P.L. 104-193, and shall not be denied assistance from either program solely because the
16	individual has been convicted of a drug-related felony or felonies upon meeting one of the
17	following conditions:
18	(1) Six months after release from custody if no additional controlled substance
10	
19	felony offense is committed during that period and If in custody, immediately
20	upon release if the individual can demonstrate successful completion of a
20 21	upon release if the individual can demonstrate successful completion of a substance abuse treatment program while in custody or continuous active
20 21 22	<u>upon release if the individual can demonstrate successful completion of a</u> <u>substance abuse treatment program while in custody</u> or continuous active participation in a required substance abuse treatment program determined
20 21 22 23	<u>upon release if the individual can demonstrate</u> successful completion of <u>a</u> <u>substance abuse treatment program while in custody</u> or continuous active participation in a required substance abuse treatment program determined appropriate by the area mental health authority; or <u>authority</u> .
20 21 22 23 24	 <u>upon release if the individual can demonstrate successful completion of a substance abuse treatment program while in custody or continuous active participation in a required substance abuse treatment program determined appropriate by the area mental health authority; or<u>authority.</u></u> (2) If not committed to custody, six months immediately after the date of
20 21 22 23 24 25	 <u>upon release if the individual can demonstrate</u> successful completion of <u>a</u> substance abuse treatment program while in custody or continuous active participation in a required substance abuse treatment program determined appropriate by the area mental health authority; or<u>authority</u>. (2) If not committed to custody, six months immediately after the date of conviction if no additional controlled substance felony offense is committed
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20 21 22 23 24 25 26 27 28 29 30 31	 <u>upon release if the individual can demonstrate successful completion of a substance abuse treatment program while in custody or continuous active participation in a required substance abuse treatment program determined appropriate by the area mental health authority; or authority.</u> (2) If not committed to custody, six months immediately after the date of conviction if no additional controlled substance felony offense is committed during that period and the individual can demonstrate successful completion of or continuous active participation in a required substance abuse treatment program determined appropriate by the area mental health authority. A county department of social services shall require individuals who are eligible for Work First Program assistance and electronic food and nutrition benefits pursuant to this section to undergo substance abuse treatment as a condition for receiving Work First Program or electronic
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