

# HOUSE . . . . . No. 4830

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Ten  
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An Act prohibiting fraud and misapplication of Department of Transitional Assistance funds.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           Chapter 18 of the General Laws is hereby amended by inserting after section 5H the  
2 following 2 sections:-

3           Section 5I. Notwithstanding any general or special law to the contrary, eligible recipients  
4 of direct cash assistance shall not use direct cash assistance funds held on electronic benefit  
5 transfer cards for the purchase of alcoholic beverages or tobacco products. An individual or  
6 store owner who knowingly accepts electronic benefit transfer cards in violation of this section  
7 shall be punished by imprisonment in a jail or house of correction for not more than 2 and one-  
8 half years or by a fine of not less than \$1,000, or both such fine and imprisonment.

9           Section 5J. Notwithstanding any general or special law to the contrary, whoever  
10 embezzles, willfully misapplies, steals or obtains by fraud any funds, assets or property provided  
11 by the department of transitional assistance and whoever receives, conceals or retains such funds,  
12 assets or property for his own interest knowing such funds, assets or property have been  
13 embezzled, willfully misapplied, stolen or obtained by fraud shall, if such funds, assets or  
14 property are of a value of \$100 or more, be punished by a fine of not more than \$25,000 or by

15 imprisonment in a jail or house of correction for not more than 5 years, or both such fine and  
16 imprisonment, or if such funds, assets or property are of a value of less than \$100, by a fine of  
17 not more than \$1,000 or by imprisonment in a jail or house of correction for not more than 1  
18 year, or both such fine and imprisonment.