

**HOUSE . . . . . No. 2247****The Commonwealth of Massachusetts**

PRESENTED BY:

***Shaunna O'Connell***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to electronic benefit transfer cards.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Shaunna O'Connell</i>	<i>3rd Bristol</i>	<i>1/20/2011</i>
<i>Richard Bastien</i>	<i>2nd Worcester</i>	<i>1/31/2011</i>
<i>Nicholas A. Boldyga</i>	<i>3rd Hampden</i>	<i>2/3/2011</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>	<i>2/3/2011</i>
<i>Sheila C. Harrington</i>	<i>1st Middlesex</i>	<i>2/3/2011</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>2/3/2011</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>2/2/2011</i>
<i>Michael R. Knapik</i>		<i>2/1/2011</i>
<i>Steven L. Levy</i>	<i>4th Middlesex</i>	<i>1/21/2011</i>
<i>Marc T. Lombardo</i>	<i>22nd Middlesex</i>	<i>1/21/2011</i>
<i>James J. Lyons, Jr.</i>	<i>18th Essex</i>	<i>1/21/2011</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>	<i>2/3/2011</i>
<i>George T. Ross</i>	<i>2nd Bristol</i>	<i>2/3/2011</i>
<i>James E. Timilty</i>		<i>1/25/2011</i>

# HOUSE . . . . . No. 2247

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By Mrs. O'Connell of Taunton, a petition (accompanied by bill, House, No. 2247) of Shaunna O'Connell and others relative to electronic benefit transfer cards. The Judiciary.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven  
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An Act relative to electronic benefit transfer cards.

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

1           Section 1. Chapter 18 of the General Laws, as appearing in the 2008 Official Edition, is  
2 hereby amended by inserting after section 5H the following new 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 for the purchase of alcoholic  
5 beverages, lottery tickets or tobacco products. An eligible recipient of direct cash assistance who  
6 makes a purchase in violation of this section shall be ineligible for any assistance program  
7 administered by the department for a period of 1 month for the first violation, 3 months for the  
8 second violation, 6 months for the third violation, and permanently for a fourth violation.

9           Section 5J. Notwithstanding any general or special law to the contrary, an individual or  
10 store owner shall not accept direct cash assistance funds held on electronic benefit transfer cards  
11 for the purchase of alcoholic beverages, lottery tickets, or tobacco products. n individual or store  
12 owner who knowingly accepts electronic benefit transfer cards in violation of this section shall  
13 be punished by a fine of not more than \$500 for the first offense, a fine of not less than \$500 nor

14 more than \$1,000 for the second offense, and a fine of not less than \$1,000 for the third or  
15 subsequent offense. A store owner who commits a third violation of this section shall be  
16 ineligible to accept electronic benefit transfer cards.

17       Section 5K. Notwithstanding any general or special law to the contrary, whoever  
18 embezzles, steals or obtains by fraud any funds, assets or property provided by the department of  
19 transitional assistance and whoever receives, conceals or retains such funds, assets or property  
20 for his own interest knowing such funds, assets or property have been embezzled, stolen or  
21 obtained by fraud shall, if such funds, assets or property are of a value of \$100 or more, be  
22 punished by a fine of not more than \$25,000 or by imprisonment in a jail or house of correction  
23 for not more than 5 years, or both such fine and imprisonment, or if such funds, assets or  
24 property are of a value of less than \$100, by a fine of not more than \$1,000 or by imprisonment  
25 in a jail or house of correction for not more than 1 year, or both such fine and imprisonment.”