

**HOUSE . . . . . No. 106**

---

The Commonwealth of Massachusetts

PRESENTED BY:

***Shaunna L. O'Connell and Geoff Diehl***

*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 the out-of-state use of cash assistance.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Shaunna L. O'Connell</i>	<i>3rd Bristol</i>	<i>1/18/2017</i>
<i>Geoff Diehl</i>	<i>7th Plymouth</i>	<i>2/3/2017</i>
<i>Francis J. Faulkner</i>	<i>Citizens for Limited Taxation PO BOX 1147 Marblehead, MA 01945</i>	<i>1/18/2017</i>
<i>Donald R. Berthiaume, Jr.</i>	<i>5th Worcester</i>	<i>2/3/2017</i>
<i>Kate D. Campanale</i>	<i>17th Worcester</i>	<i>2/3/2017</i>
<i>William L. Crocker, Jr.</i>	<i>2nd Barnstable</i>	<i>1/25/2017</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>1/24/2017</i>
<i>Shawn Dooley</i>	<i>9th Norfolk</i>	<i>1/24/2017</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>	<i>1/26/2017</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>2/2/2017</i>
<i>Kevin J. Kuros</i>	<i>8th Worcester</i>	<i>2/3/2017</i>
<i>James J. Lyons, Jr.</i>	<i>18th Essex</i>	<i>1/26/2017</i>
<i>Leonard Mirra</i>	<i>2nd Essex</i>	<i>1/25/2017</i>
<i>Richard J. Ross</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>1/24/2017</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>2/3/2017</i>

**HOUSE . . . . . No. 106**

By Representatives O'Connell of Taunton and Diehl of Whitman, a petition (accompanied by bill, House, No. 106) of Shaunna L. O'Connell, Geoff Diehl and others relative to the use of direct cash assistance funds held on an electronic benefit transfer card or access device in a state other than the Commonwealth or a bordering state. Children, Families and Persons with Disabilities.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninetieth General Court  
(2017-2018)**

An Act relative to the out-of-state use of cash assistance.

*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. Subsection (a) of section 5I of chapter 18 of the General Laws, as appearing  
2 in the 2014 Official Edition, is hereby amended by inserting after the definition of “Access  
3 device”, the following definition:

4 “Border state”, Connecticut, New Hampshire, New York, Rhode Island or Vermont.

5 SECTION 2. Said section 5I of said chapter 18 is hereby further amended by inserting  
6 after subsection (b) the following subsection:-

7 (b ½) No person shall knowingly use direct cash assistance funds held on an electronic  
8 benefit transfer card or access device in a state other than the commonwealth or a border state.  
9 The department shall track, on a monthly basis, the usage of direct cash assistance funds in  
10 violation of this subsection. The department shall immediately contact each recipient whose

11 electronic benefit transfer card or access device has been used in violation of this subsection, and  
12 shall investigate the violation accordingly.

13 SECTION 3. Any eligible recipient of direct cash assistance who knowingly uses direct  
14 cash assistance funds held on an electronic benefit transfer card or access device in a state other  
15 than the commonwealth or a border state shall be reminded of the prohibition and penalties on  
16 out of state spending for the first offense and, for the second offense, shall be disqualified from  
17 the direct cash assistance program for a period of one month and, for the third offense, shall be  
18 disqualified from the direct cash assistance program for six months; provided, however, that the  
19 department shall only disqualify an eligible recipient after notice and a hearing pursuant to  
20 section 30A.

21 SECTION 4. The department of transitional assistance shall promulgate rules and  
22 regulations to implement the requirements of this act.”