

# SENATE BILL 1092

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SB 880/16 – FIN

7lr3461  
CF 7lr3479

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By: **Senator Jennings**

Introduced and read first time: February 16, 2017

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Assistance Fraud Prevention Act**

3 FOR the purpose of requiring, with certain exceptions, each newly issued or reissued  
4 electronic benefits transfer card to contain a photograph of the recipient of the  
5 benefits; requiring an electronic benefits transfer card to contain a certain written  
6 statement instead of a photograph in certain circumstances; requiring the Family  
7 Investment Administration in the Department of Human Resources to establish  
8 certain procedures that relate to the issuance and use of certain electronic benefits  
9 transfer cards; prohibiting an establishment that accepts electronic benefits transfer  
10 cards from requiring a cardholder to show a certain photograph unless certain other  
11 customers are required to show certain photographic identification; and generally  
12 relating to benefits under public assistance programs.

13 BY adding to

14 Article – Human Services  
15 Section 5–609  
16 Annotated Code of Maryland  
17 (2007 Volume and 2016 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
19 That the Laws of Maryland read as follows:

20 **Article – Human Services**

21 **5–609.**

22 (A) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,  
23 EACH NEWLY ISSUED OR REISSUED ELECTRONIC BENEFITS TRANSFER CARD SHALL  
24 CONTAIN A PHOTOGRAPH OF THE RECIPIENT OF THE BENEFITS.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(2) AN ELECTRONIC BENEFITS TRANSFER CARD SHALL CONTAIN A**  
2 **WRITTEN STATEMENT INDICATING THAT THE CARD IS VALID WITHOUT A**  
3 **PHOTOGRAPH IF THE RECIPIENT IS:**

4                   **(I) AGE 60 OR OLDER;**

5                   **(II) DISABLED;**

6                   **(III) BLIND;**

7                   **(IV) A MINOR CHILD;**

8                   **(V) A VICTIM OF DOMESTIC VIOLENCE; OR**

9                   **(VI) OTHERWISE UNABLE TO PROVIDE A PHOTOGRAPH BECAUSE**  
10 **OF A HARDSHIP SITUATION, AS DETERMINED BY A LOCAL DEPARTMENT.**

11           **(B) THE ADMINISTRATION SHALL ESTABLISH PROCEDURES TO:**

12                   **(1) BE USED BY A LOCAL DEPARTMENT IN DETERMINING WHETHER A**  
13 **RECIPIENT'S ELECTRONIC BENEFITS TRANSFER CARD MUST CONTAIN A**  
14 **PHOTOGRAPH UNDER SUBSECTION (A) OF THIS SECTION;**

15                   **(2) ENSURE THAT ANY ELIGIBLE MEMBER OF THE RECIPIENT'S**  
16 **HOUSEHOLD OR AUTHORIZED REPRESENTATIVE OF THE RECIPIENT MAY USE THE**  
17 **ELECTRONIC BENEFITS TRANSFER CARD; AND**

18                   **(3) INFORM RECIPIENTS THAT OTHER ELIGIBLE MEMBERS OF THE**  
19 **RECIPIENT'S HOUSEHOLD OR AUTHORIZED REPRESENTATIVES MAY USE THE**  
20 **ELECTRONIC BENEFITS TRANSFER CARD.**

21           **(C) AN ESTABLISHMENT THAT ACCEPTS ELECTRONIC BENEFITS TRANSFER**  
22 **CARDS MAY NOT REQUIRE A CARDHOLDER TO SHOW THE PHOTOGRAPH ON THE**  
23 **CARD UNLESS THE ESTABLISHMENT REQUIRES ALL OTHER CUSTOMERS TO SHOW**  
24 **PHOTOGRAPHIC IDENTIFICATION UNDER THE SAME CIRCUMSTANCES.**

25           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 2017.