

SESSION OF 2005

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 30**

As Amended by House Committee on  
Corrections and Juvenile Justice

**Brief\***

SB 30 would allow certain persons convicted of drug felonies to receive Temporary Assistance to Needy Families (TANF) and food stamp assistance. The eligibility for assistance would be conditioned upon the following: (1) the person has been assessed by a licensed substance abuse treatment provider as not requiring substance abuse treatment; or (2) has been assessed as provided above and is participating in a treatment program or has successfully completed a program.

The Senate Committee added the drug testing provision and made technical amendments.

The House Committee added the provision whereby an individual shall be disqualified for any state or federal assistance permitted by this section if confirmation of illegal drug use is found as a result of testing that occurs while the individual is on probation, parole, conditional release, or post release supervision, or during the required substance abuse treatment. The person may reapply for assistance after 30 days.

**Background**

The bill was supported by representatives of the Kansas Department of Corrections, the Kansas Department of Social and Rehabilitation Services, the Kansas Department of Health and Environment, the Kansas Catholic Conference, and others.

---

\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

The House Committee inserted the provision regarding the disqualification for assistance.

Federal law prohibits drug felons from receiving TANF and food stamp assistance, but contains a provision allowing states to opt out of this prohibition. Thirty-one states have passed legislation to opt out of the prohibition. Note the prohibition does not apply to other members of the person's family.

The fiscal note on the original bill states there are 150 adults in Kansas who are disqualified from receiving TANF benefits and 355 adults presently disqualified from food stamp assistance because of a drug felony conviction. The fiscal note estimates a fiscal effect of \$375,360 on the State General Fund for FY 2006 with a total cost for all funds of \$712,320 in FY 2006.