

1 support services prior to regaining eligibility;

2 (C) for a third penalty, one year and cooperation with child support
 3 services prior to regaining eligibility; and

4 (D) for a fourth penalty, 10 years.

5 (11) Individuals that have not cooperated without good cause with
 6 child support services shall be ineligible to participate in the food
 7 assistance program. The period of disqualification ends once it has been
 8 determined that such individual is cooperating with child support services.

9 (12) Any individual who is found to have committed fraud or is found
 10 guilty of the crime of theft pursuant to K.S.A. 39-720 and K.S.A. 2014
 11 Supp. 21-5801, and amendments thereto, in either the TANF or child care
 12 program shall render all adults in the family unit ineligible for TANF
 13 assistance. Adults in the household who were determined to have
 14 committed fraud or were convicted of the crime of theft pursuant to K.S.A.
 15 39-720 and K.S.A. 2014 Supp. 21-5801, and amendments thereto, shall
 16 render themselves and all adult household members ineligible for their
 17 lifetime for TANF, even if fraud was committed in only one program.
 18 Households who have been determined to have committed fraud or were
 19 convicted of the crime of theft pursuant to K.S.A. 39-720 and K.S.A. 2014
 20 Supp. 21-5801, and amendments thereto, shall be required to name a
 21 protective payee as approved by the secretary or the secretary's designee
 22 to administer TANF benefits on behalf of the children. No adult in a
 23 household may have access to the TANF cash assistance benefit.

24 (13) ~~Food assistance shall not be provided to any person convicted of~~
 25 ~~a felony offense occurring on or after July 1, 2015, which includes as an~~
 26 ~~element of such offense the manufacture, cultivation, distribution,~~
 27 ~~possession or use of a controlled substance or controlled substance~~
 28 ~~analog. For food assistance, the individual shall be permanently~~
 29 ~~disqualified if they have been convicted of a state or federal felony offense~~
 30 ~~involving possession or use of a controlled substance or controlled~~
 31 ~~substance analog.~~

32 (14) No TANF cash assistance shall be used to purchase items, such
 33 as alcohol, cigarettes, tobacco products, lottery tickets or sexually
 34 oriented adult materials. No TANF cash assistance shall be used in any
 35 retail liquor store, casino, gaming establishment, sexually oriented
 36 business or any retail establishment which provides adult-oriented
 37 entertainment in which performers disrobe or perform in an unclothed
 38 state for entertainment, or in any business or retail establishment where
 39 minors under age 18 are not permitted.

40 (15) The secretary for children and families shall adopt rules and
 41 regulations:

42 (A) In determining eligibility for the child care subsidy program,
 43 including an income of a cohabiting partner in a child care household;

(A)

occurring on or after July 1, 2015,

(B) Notwithstanding the provisions of subparagraph (A), an individual shall be eligible for food assistance if the individual enrolls in and participates in a drug treatment program approved by the secretary, submits to and passes a drug test and agrees to submit to drug testing if requested by the department pursuant to a drug testing plan.

An individual's failure to submit to testing or failure to successfully pass a drug test shall result in ineligibility for food assistance until a drug test is successfully passed. Failure to successfully complete a drug treatment program shall result in ineligibility for food assistance until a drug treatment plan approved by the secretary is successfully completed, the individual passes a drug test and agrees to submit to drug testing if requested by the department pursuant to a drug testing plan.

(C) The provisions of subparagraph (B) shall not apply to any individual who has been convicted for a second or subsequent felony offense as provided in subparagraph (A).