

SENATE BILL No. 256

By Committee on Federal and State Affairs

2-20

SB256-Balloon-Haley-crimes
Prepared by:
Office of Revisor of Statutes
March 13, 2015

AN ACT concerning social welfare; Kansas department for children and families; eligibility requirements for assistance; amending K.S.A. 17-2263, 17-5828, 39-709b, 59-1301 and 59-3504 and K.S.A. 2014 Supp. 9-1215, 9-1216, 16-311, 17-2264, 17-5829, 39-702, 39-709, 39-709c, 39-753, 39-756a, 59-2222, 59-2247, 59-2801 and 59-3086 and repealing the existing sections; also repealing K.S.A. 39-7,101, 39-7,106, 39-7,107, 39-7,110 and 75-5364 and K.S.A. 2014 Supp. 39-7,102, 39-7,103, 39-7,104, 39-7,105, 39-7,108, 39-7,109 and 39-7,122.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2014 Supp. 9-1215 is hereby amended to read as follows: 9-1215. Subject to the provisions of this section and K.S.A. 9-1216, and amendments thereto, an individual adult or minor, hereafter referred to as the owner, may enter into a written contract with any bank located in this state providing that the balance of the owner's deposit account, or the balance of the owner's legal share of a deposit account, at the time of death of the owner shall be made payable on the death of the owner to one or more persons or, if the persons predecease the owner, to another person or persons, hereafter referred to as the beneficiary or beneficiaries. If any beneficiary is a minor at the time the account, or any portion of the account, becomes payable to the beneficiary and the balance, or portion of the balance, exceeds the amount specified by K.S.A. 59-3053, and amendments thereto, the moneys shall be payable only to a conservator of the minor beneficiary.

Transfers pursuant to this section shall not be considered testamentary or be invalidated due to nonconformity with the provisions of chapter 59 of the Kansas Statutes Annotated, *and amendments thereto*.

Every contract authorized by this section shall be considered to contain a right on the part of the owner during the owner's lifetime both to withdraw funds on deposit in the account in the manner provided in the contract, in whole or in part, as though no beneficiary has been named, and to change the designation of beneficiary. The interest of the beneficiary shall be considered not to vest until the death of the owner and, if there is a claim pursuant to ~~subsection (g)~~ of K.S.A. 39-709, and amendments thereto, until such claim is satisfied.

No change in the designation of the beneficiary shall be valid unless

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;

(14) An individual shall be permanently ineligible for TANF assistance if such individual is convicted of any felony violation of the following occurring on or after July 1, 2015: mistreatment of a dependent adult or mistreatment of an elder person, as defined in K.S.A. 2014 Supp. 21-5417, and amendments thereto; theft, as defined in K.S.A. 2014 Supp. 21-5801, and amendments thereto; forgery, as defined in K.S.A. 2014 Supp. 21-5823, and amendments thereto; criminal use of a financial card, as defined in K.S.A. 2014 Supp. 21-5828, and amendments thereto; identity theft or identity fraud, as defined in K.S.A. 2014 Supp. 21-6107, and amendments thereto; or violation of the Kansas offender registration act, as defined in K.S.A. 22-4903, and amendments thereto.

Redesignate paragraphs accordingly