**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 11 TO CHAPTER 5, TITLE 43 SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO MANAGE THE FEDERAL SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP), TO PROVIDE DEFINITIONAL TERMS, TO ESTABLISH ELIGIBILITY REQUIREMENTS FOR RECEIPT OF SNAP BENEFITS, TO LIMIT RECEIPT OF SNAP BENEFITS FOR ABLE‑BODIED ADULTS WITHOUT DEPENDENTS (ABAWDS) TO THREE MONTHS IN A THIRTY‑SIX MONTH PERIOD, WITH EXCEPTIONS, TO REQUIRE ABAWDS TO PARTICIPATE IN AN EMPLOYMENT AND TRAINING PROGRAM TO RECEIVE SNAP BENEFITS, WITH EXCEPTIONS, AND FOR OTHER PURPOSES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 5, Title 43 of the 1976 Code is amended by adding:

“Article 11

Supplemental Nutrition Assistance Program

Section 43‑5‑1410. For purposes of this article:

(1) ‘ABAWD’ or ‘Able‑Bodied Adult Without Dependents’ means a SNAP household member who:

(a) is able‑bodied;

(b) is at least eighteen years of age and under fifty years of age; and

(c) has no dependents.

(2) ‘Department’ means the South Carolina Department of Social Services.

(3) ‘SNAP’ means the Supplemental Nutrition Assistance Program, which is the federal food purchasing assistance program for low‑ and no‑income individuals created pursuant to the Food Stamp Act of 1977.

(4) ‘Work program’ means:

(a) a program under the Workforce Innovation and Opportunity Act of 2014, Public Law 113‑128;

(b) a program under the Section 2296 of the United States Trade Act of 1974; or

(c) a program of employment and training operated or supervised by the department, or a political subdivision that meets the standards approved by the Governor, other than a program or service offered pursuant to Sections 43‑5‑1115 and 43‑5‑1120.

(5) ‘Workfare program’ means a program offered by the department to enable SNAP recipients to maintain eligibility for benefits by working for a department‑approved private or public nonprofit agency for compensation in the form of their household’s monthly benefit allotment.

Section 43‑5‑1420. The Department of Social Services shall serve as the single state agency designated to receive SNAP funding and manage the program. The provisions of this article, regulations promulgated pursuant to this article, and department policy and procedure must be consistent with the Food Stamp Act of 1977, as amended, and with federal regulations promulgated to implement that act.

Section 43‑5‑1430. As a condition of eligibility to receive SNAP benefits, a household member not otherwise exempt from the SNAP work requirements pursuant to federal or state law must:

(1) register for work or be registered for work by the department at the time of application and every twelve months after initial registration;

(2) provide the department with sufficient information about employment status and availability for work;

(3) report to an employer to whom referred by the department if the potential employment meets the suitability requirements pursuant to federal or state law;

(4) accept a bone fide offer of suitable employment pursuant to federal or state law;

(5) not voluntarily and without good cause terminate a job of thirty or more hours a week or reduce work effort to less than thirty hours a week pursuant to federal or state law; and

(6) comply with any other requirements of the department.

Section 43‑5‑1440. (A) Except as otherwise allowed by federal or state law, an Able‑Bodied Adult Without Dependents (ABAWD) is limited to receipt of no more than three months of SNAP benefits, consecutive or otherwise, in a thirty‑six month period, unless the ABAWD:

(1) works twenty hours or more per week, averaged monthly;

(2) participates in and complies with the requirements of a work program for twenty hours or more per week, as determined by the department;

(3) participates in and complies with the requirements of a workfare program or a comparable program established by the department or a political subdivision approved by the department; or

(4) qualifies for an exemption to the work requirement pursuant to federal or state law.

(B) The time limitation for receipt of SNAP benefits by an ABAWD pursuant to subsection (A) does not apply if the individual is:

(1) responsible for the care of a child or incapacitated household member, as provided for in federal law;

(2) medically certified as physically or mentally unfit for employment, as provided for in federal law;

(3) pregnant;

(4) participating in a substance abuse program, as provided for in federal law;

(5) enrolled in an approved education program, as provided for in federal law;

(6) receiving disability benefits from a public or private employer; or

(7) already exempt from SNAP work requirements.

Section 43‑5‑1450. An ABAWD shall participate in the state employment and training program provided for in Sections 43‑5‑1115 and 43‑5‑1120 to receive SNAP benefits, unless exempt from participation pursuant to federal or state law.

Section 43‑5‑1460. (A) Except as otherwise provided by federal law:

(1) for the first occurrence of noncompliance with SNAP work requirements, the individual is disqualified from receiving benefits for one month or until the department determines that the individual is again in compliance with the requirements, whichever is longer;

(2) for the second occurrence of noncompliance with SNAP work requirements, the individual is disqualified from receiving benefits for three months or until the department determines that the individual is again in compliance with the requirements, whichever is longer;

(3) for the third or subsequent occurrence of noncompliance with SNAP work requirements, the individual is disqualified from receiving benefits for six months or until the department determines that the individual is again in compliance with the requirements, whichever is longer.

(B) An individual who loses eligibility for SNAP benefits may regain eligibility if, during a thirty‑day period, the individual:

(1) works eighty or more hours;

(2) participates in and complies with the requirements of a work program for eighty or more hours; or

(3) participates in and complies with the requirements of a workfare program for eighty or more hours.

Section 43‑5‑1470. Unless otherwise required by federal law, the department must not apply for a waiver of the SNAP work requirements provided for in this article.”

SECTION 2. This act takes effect upon approval by the Governor.

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